THE CORPORATION OF THE

TOWN OF BRACEBRIDGE

BRACEBRIDGE
The Heart of Muskoka

COMPREHENSIVE ZONING BY-LAW 2016-088

Enacted November 30, 2016

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PREAMBLE

Introduction

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

Purpose of This Zoning By-law

The purpose of this Zoning By-law is to implement the policies of the Town of Bracebridge Official Plan. The Official Plan contains general policies that affect the use of land throughout the municipality. These policies specify where certain land uses are permitted and, in some instances, specify what regulations should apply to the development of certain lands.

The Official Plan is a general document that is not intended to regulate every aspect of the built-form on a private lot. In the Province of Ontario, this is the role of the Zoning By-law. Once an Official Plan is in effect, any Zoning By-law passed by Council must conform to the Official Plan. For example, if the Official Plan stated that lands in the vicinity of a significant natural feature are to remain in their natural state, the Zoning By-law would prohibit the erection of buildings or structures on those lands.

The statutory authority to zone land is granted by the Ontario *Planning Act*. The *Planning Act* specifies what a by-law can regulate. A Zoning By-law can:

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

PREAMBLE

How to Use This By-law

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

1. Locate the Property on a Map

   Maps in a Zoning By-law are called 'Schedules'. The first step to using this By-law is to refer to the zone schedules that are contained in the Zoning Schedules book to determine in which zone category your property is located. The zone category will be indicated on the schedules by a symbol or abbreviation. For example, you may see a symbol such as "R1" beside your property. This would indicate that your property is within the 'Residential Type 1 Zone'. The zone symbols or abbreviations are explained on the first page of Section 2 of the By-law.

   Section 2 also provides assistance to help you identify the zone boundaries on the Schedules. For example, if your property appears close to a zone boundary and you are not sure how to determine exactly where that boundary is located, refer to Section 2.3 of the By-law.

2. By-law Amendments

   A Zoning By-law is not a static document; it is amended over time as demands and policies governing land use change. Before proceeding any further, you should verify that your property is not the subject of an earlier Zoning By-law amendment. These amendments are listed in Section 7 of this By-law. More recent amendments may not be included in the version of the By-law you are using. Staff in the Town's Development Services Department will be able to assist you to confirm if your property has been subject to a more recent by-law amendment.

3. Permitted Uses

   The next step to using this By-law is to determine what uses are permitted on your property. Section 3 of the By-law identifies the permitted uses for each zone in the municipality. The definitions in Section 6 can assist you if you are not sure of the nature of a use or how it has been defined for the purposes of this By-law. Words that are defined in Section 6 are *italicized* throughout the By-law. If a word is not italicized, it is not specifically defined. Uses, which are not identified as permitted uses within a particular zone are not permitted in that zone.

4. Zone Standards

   Steps 1, 2 and 3 have now identified the zone in which your property is located and have identified what uses are permitted on your property. The next step is to determine what standards may apply to the uses on your property. Section 4 of the By-law also identifies the zone standards for each zone in the municipality including standards for minimum lot area, minimum frontage requirements, minimum yard requirements, maximum lot coverage for buildings, maximum permitted height of buildings and in some cases, the minimum required *landscaped area* on the lot.

5. General Provisions

   Now that you are aware of the uses permitted on your property and the specific zone standards that apply to those uses, reference should be made to Section 4 of this By-law. Section 4 contains a more generic set of standards known as 'General Provisions' that apply to all properties in all zones throughout the municipality. For example, the general provisions contain standards that regulate the construction and location of docks, sleeping cabins and boathouses that apply to all properties regardless of where in the municipality a property is located.

6. Parking and Loading

   There is one final section of the By-law that should be consulted when determining what permissions apply to your specific property. Section 5 provides the parking and loading requirements for all permitted uses in the municipality. If you are considering changing the use of your property or adding a new use to your property, you should review Section 5 to ensure that you are aware of the parking requirements for the proposed use.

7. Conversion Table

   A conversion table from metric to imperial is provided in the back of this document to assist you in interpreting the Zoning By-law provisions. This conversion table is for reference purposes only and does not form part of the actual By-law

Description of By-law Components

This By-law contains eight sections, which together, provide the standards applicable to all lands within

the municipality. These sections are as follows:

Section 1 – Interpretation and Administration
Section 2 – Establishment of Zones
Section 3 – Zone Provisions
Section 4 – General Provisions
Section 5 – Parking and Loading
Section 6 – Definitions
Section 7 – Special Provisions
Section 8 – Enactment

The purpose of each of these sections is described below.

Section 1.0 – Interpretation and Administration

This section of the By-law specifies:

- what lands are covered by the By-law;
- that every parcel of land in the area covered by the By-law is to conform and comply with the By-law; and,
- what penalties can be levied against a person or a corporation if they contravene any provision in the By-law.

Section 2.0 – Establishment Of Zones

This section establishes the Zones that apply to the lands covered by the By-law. This section also describes how to determine the location of the Zone boundaries on the schedules.

Section 3.0 – Zone Provisions

This section lists the uses that are permitted in each Zone. The effect of these Zones is to only permit certain uses in various parts of the municipality. The only uses permitted in a zone are those that are specified in the By-law. If a use is not specifically mentioned as a permitted use in a Zone then it is not permitted. Similarly, if a use is defined in Section 6.0 of the By-law but does not appear as a permitted use in any zone, then it is not a use permitted by the By-law.

This section also contains a number of regulations that control the placement, bulk and height of a building on a lot. This includes regulations such as minimum lot size, minimum frontage, maximum building height or the maximum coverage of a building on a lot.

The primary zone structure of this By-law includes a list of permitted uses and zone standards for each zone category. In some cases, an additional set of regulations are identified through the use of an Overlay Zone. An Overlay Zone is a second layer of zone regulations that are applied on top of the zone category requirements. An example of an Overlay Zone would be a Flood Plain Zone, therefore if a property was on the Muskoka River and was zoned Shoreline Residential Type 1 (SR1) it would also have a Floodway Phase I (F1) Zone over part of the property. In this situation both the provisions of the SR1 Zone and F1 Zone would have to be met. An Overlay Zone is a second level of standards that allow the Town of Bracebridge to address unique or special circumstances through the zoning process.

Section 4.0 – General Provisions

This section contains a number of regulations that apply to certain types of uses, buildings or structures regardless of where in the municipality or in what zone they are located. For example, this section contains provisions dealing with the construction of docks in any zone, or provisions to regulate the operation of home industries.

Section 5.0 – Parking and Loading

Parking and loading facilities are required for almost all uses within the municipality. This section provides the requirements for these facilities including such regulations as the number of spaces required for residential and commercial uses, minimum driveway width, minimum parking space size and the location of parking facilities on a lot.

Section 6.0 – Definitions

It is necessary to define words in a zoning By-law because it is a legal document. A By-law must be drafted so that it can be enforced in a court of law. These definitions will help provide clarity in the By-law and ensure that the By-law and its intent are applied consistently.

Section 7.0 – Special Provisions

This section contains regulations, which are specific to one property or a group of properties in the municipality. For example, the minimum front yard in a Zone may be 7.5 metres. The required front yard may be reduced to a lesser number if deemed appropriate and the mechanism to accomplish this reduction is by amending the By-law and excepting the property from the general standard. Exceptions to this By-law are provided in a consolidated list in Section 7. Exceptions are denoted on the Zone Schedules by the Zone symbol designating certain lands followed by a dash and a number, for example R1-1.

Section 8.0 – Enactment

This section contains the signatures of the Mayor and the Clerk who signed the By-law when it was passed by Council in accordance with Section 34 of the Planning Act, R.S.O. 1990.

SECTION 1: INTERPRETATION AND ADMINISTRATION

1. INTREPRETATION AND ADMINISTRATION

1.1. TITLE

1.1.1. This By-law may be referred to as the "Town of Bracebridge Zoning By-Law".

1.2. APPLICATION

1.2.1. The provisions of this By-law shall apply to all lands within the boundaries of the Town of Bracebridge.

1.3. INTERPRETATION

1.3.1. The provisions of this By-law are the minimum requirements except where it is indicated that a maximum requirement applies.

1.4. COMPLIANCE WITH BY-LAW

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

1.4.2. Uses not listed as permitted uses or otherwise provided for in this By-law shall be prohibited.

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

1.5. REPEAL FORMER BY-LAW

1.5.1. Upon final approval of this By-law, By-law 2006-120 of the Town of Bracebridge and all amendments are repealed.

1.6. TRANSITION

1.6.1. Despite the provisions of Sections 1.4, where a *use*, *building* or *structure* has been authorized by a minor variance granted after September 17, 1997, the *use*, *building* or *structure* and all other specific requirements imposed by the minor variance, are also permitted and imposed by this By-Law.

1.6.2. Where the Town of Bracebridge has completed an agreement under the provisions of the Planning Act with a property owner and that agreement has been registered on the title of the property, to the extent that any conflict between the registered agreement and this By-law exist, the provisions in place on the date the agreement was registered will take precedence over the provisions and regulations of this By-law.

1.7. CHANGE IN USE

1.7.1. If any *building* is altered or changed to a different *use*, both of which are permitted within the particular Zone, all *yard*s, loading and parking spaces must be provided as required by this By-law for the different *use.*

1.8. DETERMINING ZONE BOUNDARIES

1.8.1. Where the boundary of any Zone is uncertain and:

i) the boundary is shown as following a *street*, *lane*, railway right-of-way or *watercourse*, the centre line of the *street*, *lane*, railway right-of-way, electric transmission line right-of-way or *watercourse* is the boundary;

ii) the boundary is shown as substantially following *lot line*s, the *lot line*s are the boundary;

iii) the boundary is shown as running substantially parallel to a *street line* and the distance from the *street line* is not indicated, the boundary is deemed to be parallel to such *street line* and the distance from the *street line* is determined according to the scale shown on the Schedule;

iv) where the boundary represents a natural feature, such as a wetland, the extent of the boundary will be determined on site by the Town;

v) where a Zone on the Schedules abuts a waterway or *original shore road allowance*, such Zone shall be deemed to extend to the *high water mark*: and

vi) where none of the above provisions apply, the Zone boundary will be scaled from the Schedule(s).

1.9. SPLIT ZONING

1.9.1. Where a *lot* contains more than one zone, the zone standards are based on the whole of the *lot* unless otherwise indicated in this By-law.

1.10. ENFORCEMENT

1.10.1. Any person who contravenes any provision of this By-law is guilty of an offense and upon conviction is liable to the fine(s) as provided for under the Planning Act, R.S.O. 1990, and Chapter P.13 as amended.

1.11. SEVERABILITY

1.11.1. A decision of a Court that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other provisions or parts of the provisions of this By-law

2. ESTABLISHMENT OF ZONES

2.1. ZONES

2.1.1. The provisions of this By-law apply to all lands within the limits of the Town of Bracebridge. All lands in the Town are zoned within one or more of the following zones:

ZONE	SYMBOL
Residential Type 1 Zone	R1
Residential Type 2 Zone	R2
Residential Type 3 Zone	R3
Residential Type 4 Zone	R4
Shoreline Residential Type 1 Zone	SR1
Shoreline Residential Type 2 Zone	SR2
Shoreline Residential Type 3 Zone	SR3
Shoreline Residential Type 4 Zone	SR4
Shoreline Residential Type 5 Zone	SR5
Waterfront Landing Zone	WL
Office Commercial Zone	C1
Special Purpose Commercial Zone	C2
General Commercial Zone	C3
District Commercial Zone	C4
Convenience Commercial Zone	C5
South Bracebridge Commercial Zone	C6
Tourist Commercial One Zone	CT1
Tourist Commercial Two Zone	CT2
Tourist Commercial Three Zone	CT3
Business Park Industrial Zone	M1
General Industrial Zone	M2
Extractive Industrial Pit Zone	M3P
Extractive Industrial Quarry Zone	M3Q
Waste Disposal Industrial Zone	M4
Rural Zone	RU
Rural Residential Zone	RR
Rural Commercial Zone	RC
Rural Industrial Zone	RUM
Rural Institutional Zone	RUI
Institutional Zone	I
Open Space One Zone	OS1
Open Space Two Zone	OS2
Open Space Three Zone	OS3
Environmental Protection One Zone	EP1
Environmental Protection Wetland One Zone	EPW1
Environmental Protection Wetland Two Zone	EPW2
Flood Plain One Zone	F1
Flood Plain Two Zone	F2
Flood Plain Three Zone	F3

SECTION 2: ESTABLISHMENT OF ZONES

2.2. LOCATION OF ZONES

2.2.1. The Zones and Zone boundaries are shown on Schedules ‘A’ through ‘I’, which are attached to and form part of this By-law.

2.3. ZONING OF WATERBODIES

2.3.1. All lands lying under a body of water are zoned as EP1 unless shown otherwise on the Schedules to this By-law

3. ZONE PROVISIONS

3.1. ZONES

3.1.1. Permitted *use*s and zone standards for the following Zones are provided in the following Sections:

ZONE	SECTION
Residential Zones	Section 3.2
Shoreline Zones	Section 3.3
Commercial Zones	Section 3.4
Tourist Commercial Zones	Section 3.5
Industrial Zones	Section 3.6
Institutional Zones	Section 3.7
Rural Zones	Section 3.8
Open Space Zones	Section 3.9
Environmental Protection Zones	Section 3.10
Flood Plain Zones	Section 3.11

3.1.2. Permitted *use*s in a Zone are noted by the symbol '•' in the column for that Zone corresponding with the row for a specific permitted *use*. A number(s) following the symbol '•', or following the Zone heading, or following the name of a permitted *use*, indicates that one or more exceptions apply to the noted *use* or Zone. Exceptions are listed at the end of each table.

3.1.3. A number(s) following the Zone standard, Zone heading or the description of the standard, indicates an additional Zone requirement. These additional standards are listed at the end of each subsection.

3.2. RESIDENTIAL ZONES

No person shall use any land or erect, alter or use any *building* or *structure* for any *use* in the Residential Zones except in accordance with the following:

3.2.1. The following *use*s are permitted within the Residential Zones:

PERMITTED USE	R1	R2	R3	R4
Detached Dwelling	•	•	•	
Semi-Detached Dwelling		•	•	• (*1)
Duplex Dwelling		•	•	• (*1)
Row Dwelling			•	•
Triplex Dwelling			•	•
Fourplex Dwelling				•
Apartment Dwelling				•
Group Housing				•
Home Occupation (*2)	•	•	•	•
Bed & Breakfast (*3)	•	•	•	
Group Home 'A'	•			
*Second Dwelling Unit (*4)*	•	•	•	
*Hens, Backyard (*5)*	•			

3.2.2. The following notations apply to Section 3.2.1 where indicated:

(*1) Such *dwelling* is permitted in the R4 Zone provided it is in the form of *Group Housing.*

(*2) A *Home Occupation* is only permitted in a *detached dwelling, semi-detached dwelling* or *duplex dwelling.*

(*3) A *Bed and Breakfast* is only permitted in a *detached dwelling*.

(*4) A *second dwelling unit* is permitted within a *detached dwelling, semi-detached dwelling, duplex dwelling or row dwelling*. The *second dwelling unit* is only permitted if the lot on which it is located meets the minimum lot area and lot frontage requirements for the zone in which it is located and the *building* in which the *second dwelling unit* is located meets all the zone standards.

(*5) *Backyard Hens* are permitted provided the following:

i) The keeping of *Backyard Hens* is accessory to a principal dwelling located on the same lot as the *Backyard Hens*;
ii) The *lot* has a minimum *lot area* of 0.2 hectares;
iii) The hens are kept in a screened or walled rodent and predator proofed *building* that is located in a *rear yard* with a minimum setback of 6.0 metres from any lot line and a minimum high water mark setback of 30 metres from any navigable waterway; and
iv) The hens must be maintained in accordance with good animal husbandry practices as defined by the Ministry of Food And Agriculture.

3.2.3. The following zone standards apply to the Residential Zones:

3.2.3.1. Residential Zone Standards for *Detached Dwelling*s

ZONES	R1	R2, R3
Minimum *Lot Area*:		
Public Water & Sanitary Sewers	555 m^2	450 m^2 (*2)
Public Water & Private Sewage	695 m^2	925 m^2
Private Wells & Private Sewage	1390 m^2	2040 m^2
Minimum *Lot Frontage*:		
Public Water & Sanitary Sewers	18 m	15 m (*2)
Public Water & Private Sewage	23 m	23 m
Private Wells & Private Sewage	36 m	30 m
Minimum *Yard* Requirements:		
Front Yard	7.5 m	7.5 m
Exterior Side Yard	7.5 m	7.5 m
Interior Side Yard	(*1)	(*1)
Rear Yard	7.5 m	7.5 m
Maximum *Lot coverage*	30%	35%
Minimum Dwelling Size (GFA)	60 m^2	60 m^2
Maximum *Height*	9 m	9 m
Min. Setback from Centerline of *Road*		
Provincial *Road*	26 m	26 m
District Road	20.5 m	20.5 m
Other	17.5 m	17.5 m
Additional Zone Standards	(*3) (*4)	(*3)(*5)

3.2.3.2. The following notations apply to Section 3.2.3.1 where indicated:

(*1) Minimum width is 3.0 metres on one side, 1.2 metres on the other side, plus 0.6 metres on the narrow side for each additional or partial storey above the first.

Where the *lot* is a *corner lot*, the minimum width of the *interior side yard* is 1.2 metres plus 0.6 metres for each additional or partial storey above the first.

For a *lot* that is on a plan of subdivision that is final approved after the date of passing of this By-law, the minimum width is 1.8 metres on one side and 1.2 metres on the other side plus 0.3 metres on the narrow side for each additional or partial storey above the first, and if the dwelling contains an attached garage, the 1.8 metres must be located on the *interior side yard* which contains the attached garage.

(*2) For a *corner lot,* the minimum *lot area* is 555 m^2 and the minimum *lot frontage* is 18 metres.

(*3) The minimum *interior side yard* is 4.5 metres for any Non-Residential *use.* All other zone standards in Section 3.2.3.1 shall apply to any Non-Residential.

(*4) A minimum of 60 percent of the front yard shall be *landscaped area* in the Residential Type 1 (R1) Zone.

(*5) A minimum of 50 percent of the front yard shall be *landscaped area* in the Residential Type 2 (R2), and Residential Type 3 (R3) Zones.

3.2.3.3. Residential Zone Standards for Multiple Residential *Use*s

The following standards apply to individual *dwelling unit*s contained within the housing forms noted in the chart below:

USE	*Semi-Detached Dwelling*	*Duplex Dwelling*	*Row Dwelling*	*Triplex Dwelling*	*Fourplex Dwelling*	*Apartment Dwelling*	*Group Housing*
ZONES	R2, R3, R4	R2, R3, R4	R3, R4	R3, R4	R4	R4	R4
Minimum *Lot Area*:	325 m^2	650 m^2	230 m^2 (*2)	850 m^2	1205 m^2	(*5)	(*6)
Minimum *Lot Frontage*:	10 m	20 m	6 m (*3)	25 m	30 m	36 m	36 m
Minimum *Yard* Requirements:							
Front Yard	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m
Exterior Side Yard	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m
Interior Side Yard	(*1)	(*7)	4.5 m	4.5 m	(*4)	7.5 m	7.5 m
Rear Yard	7.5 m	7.5 m	10.5 m	10.5 m	10.5 m	10.5 m	10.5 m
Maximum *Lot coverage*	30%	30%	35%	35%	35%	35%	35%
Minimum *Landscaped Area*	30%	30%	30%	30%	30%	35%	40%
Maximum Height	9m	9m	12.5m	12.5m	12.5m	12.5m	12.5m
Min. *Dwelling* Size (GFA)	48 m^2 per dwelling unit	48 m^2 per dwelling unit	48 m^2 per dwelling unit	48 m^2 per dwelling unit	48 m^2 per dwelling unit	(*8)	(*9)
Min. Setback from Centerline of *Road*							
Provincial *Road*	26 m	26 m	26 m	26 m	26 m	26 m	26 m
District Road	20.5 m	20.5 m	20.5 m	20.5 m	20.5 m	20.5 m	20.5 m
Other	17.5 m	17.5 m	17.5 m	17.5 m	17.5 m	17.5 m	17.5 m

3.2.3.4. Residential Zone Standards for Multiple Residential *Use*s

(*1) The minimum *interior side yard* width for the side that is not attached to another *dwelling* is 3.6 metres provided that where a garage or carport is attached to or is within the main *building*, the minimum width of the *interior side yard* is 1.2 metres plus 0.6 metres for each additional or partial storey above the first.

(*2) The minimum *lot area* for an end unit *row dwelling* is 278 m^2.

(*3) The minimum *lot frontage* for an end unit *row dwelling* is 12 metres.

(*4) The *interior side yard* for a *fourplex dwelling* is the greater of one half of the *height* of the *building* or 3 metres.

(*5) The minimum *lot* area for an *apartment dwelling* is 167m^2 per *dwelling unit* plus 46m^2 per bedroom in excess of two per *dwelling unit*. For the purpose of calculating the minimum *lot area*, the term “bedroom” includes any room intended to be used as a den or study.

(*6) The minimum *lot area* is the sum of the minimum *lot area* requirements for each type of *dwelling* located on the *lot.*

(*7) The minimum width is 3.6 metres on one side and 1.8 metres on the other side, provided that where two garages or carports are attached to or within the main *building*, or the *lot* is a *corner lot*, the minimum width of the *interior side yard* is 1.8 metres.

(*8) The minimum required *gross floor area* for a*partment dwelling*s is 18.5 m^2.

(*9) In the case of the minimum *gross floor area* per *dwelling unit*, the minimum requirements for each type of *dwelling* will be the minimum standards as noted by the type of *dwelling.*

3.3. SHORELINE ZONES

No person shall use any land or erect, alter or use any *building* or *structure* for any *use* in the Shoreline Zones except in accordance with the following:

3.3.1. The following *use*s are permitted within the Residential Zones:

PERMITTED USE	SR1	SR2	SR3	SR4	SR5	WL
Detached Dwelling	•	•	•	•	•	
Seasonal Dwelling	•	•	•	•	•	
*Sleeping Cabin (*1)*	•	•	•	•	•	
Bed & Breakfast (*2)	•	•				
Home Occupation (*3)	•	•	•	•	•	
Waterfront Landing						•

3.3.2. The following notations apply to Section 3.3.1 where indicated:

(*1) A *sleeping cabin* is permitted subject to the following:

i) The use is accessory to a *detached dwelling* or *seasonal dwelling* on the same lot;

ii) A maximum of one *sleeping cabin* is permitted, which may be located on the *lot* or in a *boathouse* extending from or adjacent to the *lot*;

iii) A *sleeping cabin* cannot exceeding a *gross floor area* of 37 m^2, which includes porches;

iv) A *sleeping cabin* is permitted in a *boathouse* located over water, a detached garage or as a separate detached *accessory building*;

v) A *sleeping cabin* is not permitted in the *front yard* but may be located in a *boathouse* projecting from the *front yard* over water; and

vi) Any *deck* attached to a *sleeping cabin* cannot exceed a floor area of 50% of the gross floor area of the *sleeping cabin*.

(*2) A *Bed and Breakfast* is permitted subject to the following:

i) The *use* must be located in a *detached dwelling* or *seasonal dwelling;*

ii) The *use* is only permitted on a lot meeting the minimum lot frontage and minimum lot area for the zone in which it is located; and

iii) The *use* is only permitted if the *detached dwelling* or *seasonal dwelling* in which it is located complies with all the zone standards for the zone in which it is located

(*3) A *Home Occupation* is only permitted subject to the provisions in Section 4.14.

3.3.3. The following zone standards apply to the Shoreline Zones:

3.3.3.1. Shoreline Zone Standards

ZONES	SR1	SR2	SR3	SR4	SR5	WL
	Shoreline Residential	Over Threshold/ Lake Trout Lakes at Capacity	Narrow Waterbody 90 to 150m in width	Narrow Waterbody Less than 90m in width	Water Access Residential	Waterfront Landing
Minimum *Lot Area*:	0.4 ha	(*1)	0.6 ha	0.8 ha	(*1)	0.1 ha
Minimum *Lot Frontage*:	60 m	(*1)	90 m	120 m	(*1)	23 m
Minimum *Yard* Requirements:						
Front Yard	20 m (*2)	30 m	30 m	30 m	30 m	20 m
Exterior Side Yard	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m
Interior Side Yard	4.5 m	4.5 m	4.5 m	4.5 m	4.5 m	4.5 m
Rear Yard	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m
Maximum *Lot coverage*	(*3)	(*3)	(*3)	(*3)	(*3)	5%
Minimum Dwelling Size (GFA)	60 m^2	60 m^2	60 m^2	60 m^2	60 m^2	Not permitted
Maximum *Height*	9 m	9 m	9 m	9 m	9 m	4.5 m
Min. Setback from Centerline of *Road*						
Provincial *Road*	26 m	26 m	26 m	26 m	26 m	26 m
District Road	20.5 m	20.5 m	20.5 m	20.5 m	20.5 m	20.5 m
Other	17.5 m	17.5 m	17.5 m	17.5 m	17.5 m	17.5 m
Additional Zone Standards	(*4)	(*4)	(*4)	(*4)	(*4) (*5)	(*6)

3.3.3.2. The following notations apply to Section 3.3.3.1 where indicated:

(*1) The minimum *lot area* and *lot frontage* requirements of a *lot* in the Shoreline Residential Type 2 (SR2) Zone or Shoreline Residential Type 5 (SR5) Zone are the dimensions of that *lot* existing on the date of passage of this By-law.

(*2) The minimum *front yard* in the Shoreline Residential Type One (SR1) Zone is 7.5 metres if the *front lot line* abuts a *street*.

(*3) The maximum lot coverage for all *buildings or structures* located within 60 metres of the *high water mark* is 15% of the *lot area* within 60 metres of the *high water mark.* The maximum lot coverage of all *buildings or structures* located greater than 60 metres from any *high water mark* is 15% of the entire lot area.

(*4) Where new development or redevelopment occurs within 60 metres of a navigable waterway, the lot on which the development or redevelopment occurs must contain a *shoreline buffer* with the following provisions:

i) The *shoreline buffer* has a minimum depth of 15 metres inland from the high water mark;
ii) The *shoreline buffer* must have a minimum width of 75% of the lot frontage; and
iii) Where a legal *non-complying building* or *structure* is being reconstructed or expanded in accordance with Section 4.8 of this By-law then the *shoreline buffer* may be reduced to allow the reconstruction or expansion of a legal *non-complying building* or *structure* provided that within the *shoreline buffer* area no vegetation is cleared beyond 5 metres of the proposed building envelope.

(*5) A *building* or *structure* is only permitted if the lot fronts onto or has deeded access to a lot that fronts onto one of the following:

i) *a year round municipally maintained road*;
ii) a *seasonally maintained public road*; or
iii) a *private road*

(*6) The following additional provisions apply to the Waterfront Landing (WL) Zone:
i) *Docks* are the only permitted shoreline structures;
ii) A *dock* is permitted to project a maximum of the lesser of the distance of the *lot frontage* or 30 metres;
iii) The minimum setback from the *interior side lot line* and projection of an *interior side lot line* is 6 metres;
iv) The total portion of a shoreline or projection of the shoreline occupied by *docks* on, connected to or adjacent to a *lot* must not exceed the lesser of 75% of the *lot frontage;*
v) One *boat slip* is permitted per 4 metres of *lot frontage;*
vi) A maximum of one *accessory building* is permitted, which is permitted to have a maximum *gross floor area* of 23 square metres and is only permitted to be used for storage;
vii) A minimum of 50% of the *lot* must remain in a natural state; and
viii) *Parking areas* must meet the minimum setback requirements of the WL Zone.

3.4. COMMERCIAL ZONES

No person shall use any land or erect, alter or use any *building* or *structure* for any *use* in the Commercial Zones except in accordance with the following:

3.4.1. The following *use*s are permitted within the Commercial Zones:

PERMITTED USE	C1 Office	C2 Special Purpose	C3 General	C4 District Shopping	C5 Convience	C6 South BB
Accessory Apartment Dwelling Unit	•		• (*7)		•	
Artisan Studio		•	•	•		
Convenience Store (*1)		•	•	•	•	• (*8)
Detached Dwelling	•					
*Department Store (*2)*		•		•		
*Drug Store (*3)*			•	•		•(*8)
Farm Produce Retail Outlet			•	•		
Financial Institution			•	•		
Financial Services Establishment	•	• (*9)	•(*7)	•		
Fitness Centre		•	•	•		
Fitness Studio		•	•	•		
Funeral Home			•			
Home Improvement Centre		• (*9)		•		
Hotel		•	•	•		•(*8)
Marina						
Medical Clinic	• (*10)		•(*7)	•		
Mobile Food Service		•	•	•		
Motel		•	•	•		•(*8)
Motor Vehicle Dealership		•		•		
Motor Vehicle Gasoline Bar		•		•	•	•(*8)
Motor Vehicle Parts Establishment		•		•		
Motor Vehicle Repair Garage		•		•		
Office	• (*10)		•(*7)	•		
Open Air Farmer's Market			•			
Outside Display and Sale (*4)		•	•	•		
Parking Area	•	•	•	•		
Personal Service Shop	•		•	•	•	•(*8)
Place Of Entertainment			•	•		
Printing And Publishing Establishment		•	•	•		
Recreation Facilities						
Repair Shop			•	•		
Restaurant		•	•	•		•(*8)
Restaurant, Drive-Thru		•	•	•		•(*8)
*Retail Store(*5)*		• (*9)	•	•		•(*8)
Shopping Centre		•		•		
Specialty Food Store		• (*9)	•	•		
*Supermarket (*6)*		• (*9)		•		•(*8)
Tourist Establishment						•(*8)
Veterinary Clinic				•		
Winery		• (*11)	• (*11)	• (*11)		

3.4.2. The following notations apply to Section 3.4.1 where indicated:

(*1) A *Convenience Store* is permitted up to a maximum *gross floor area* of 350 m^2 and the total floor area for all Convenience Stores in all C6 Zones must not exceed 1,000 m^2.

(*2) The maximum unit size for a *Department Store* is 5,000 m^2.

(*3) The maximum unit size for a *Drug Store* is 2,800 m^2 in the C6 Zone and 4,000 m^2 in the C2 and C4 Zones.

(*4) Permitted only as an *accessory use* and in accordance with Section 4.18.

(*5) The maximum unit size for a *Retail Store* is 600 m^2 in the C6 Zone and 10,000 m^2 in the C2 and C4 Zones.

(*6) The maximum unit size for a *Supermarket* is 2,800 m^2 in the C6 Zone and 4,000 m^2 in the C2 and C4 Zones.

(*7) In the General Commercial (C3) Zone on Manitoba Street the ground floor *uses* exclude the following:

i) *Accessory Apartment Dwelling Unit*, *Financial Services Establishment*, *Medical Clinic* and *Office* for ground floor units that front on Manitoba Street between Ontario Street and Mary Street; and

ii) *Accessory Apartment Dwelling Unit* for ground floor units that front on Manitoba Street between Mary Street and James Street.

(*8) The total floor area of all Convenience Stores, Drug Stores and Supermarkets in all C6 Zones must not exceed 5,000 m^2 and the total floor area of all uses in all C6 Zones must not exceed 11,600 m^2.

(*9) The minimum unit size is 185 m^2. Neither a liquor store nor a beer store is permitted in the C2 Zone.

(*10) A residential component must be retained when converted from an existing residential *dwelling* or constructing a new *building* or *structure.*

(*11) The maximum unit size for a *Winery* is 250 m^2

3.4.3. The following zone standards apply to Commercial Zones:

3.4.3.1. Commercial Zone Standards

ZONES	C1	C2	C3	C4	C5	C6
	Office	Special Purpose	General	District Shopping	Convience	South BB
Minimum *Lot Area*:	500 m^2	0 m	0 m	8360 m^2	500 m^2	0 m
Minimum *Lot Frontage*:	18 m	24 m	0 m	60 m	18 m	24 m
Minimum *Yard* Requirements:						
Front Yard	7.5 m	7.5 m	0 m	12 m	7.5 m	7.5 m
Exterior Side Yard	7.5 m	7.5 m	0 m	12 m	7.5 m	7.5 m
Interior Side Yard	3 m	3 m(*1)	0 m (*1)	0 m (*1)	6 m	6 m (*1)
Rear Yard	7.5 m	7.5 m	0 m	7.5 m (*2)	7.5 m	7.5 m
Maximum *Lot Coverage*	33%	50%	80%	25%	33%	50%
Minimum *Landscaped Area*	10%	10%	0%	10%	10%	10%
Maximum *Height*	9 m	9 m	12 m	10.5 m	9 m	9 m
Min. Setback from Centerline of *Road*						
Provincial	26 m	26 m	18 m	30.5 m	26 m	26 m
District	20.5 m	20.5 m	13 m	25 m	20.5 m	20.5 m
Other	17.5 m	17.5 m	10 m	22 m	17.5 m	17.5 m

3.4.3.2. The following notations apply to Section 3.4.3.1 where indicated:

(*1) Where the interior *side lot line* abuts a Residential Zone, the minimum *interior side yard* is a minimum of 9 metres.

(*2) Where the *rear lot line* abuts a Residential Zone, the minimum *rear yard* depth is 13.5 metres

3.5. TOURIST COMMERCIAL ZONES

No person shall use any land or erect, alter or use any *building* or *structure* for any *use* in the Tourist Commercial Zones except in accordance with the following:

3.5.1. The following *use*s are permitted within the Tourist Commercial Zones:

PERMITTED USE	CT1	CT2	CT3
	Tourist	Camping	Marina
Accessory Dwelling Unit(*1)	•	•	•
Accessory Apartment Dwelling Unit (*1)	•	•	•
Assembly Hall	• (*5)	• (*5)	
Camping Establishment		•	
Convenience Store (*2)	•	•	•
Hotel	•		
Marina			•
Motel	•		
Open Air Farmer's Market	•		
Outside Display and Sale (*3)	•	•	•
Parking Area	•		
Place Of Entertainment	•		
Recreation Facilities	•	• (*5)	
Restaurant	•	• (*5)	• (*5)
Restaurant, Drive-Thru	•		
*Retail Store (*4)*	•	•	•
Tourist Establishment	•		

3.5.2. The following notations apply to Section 3.5.1 where indicated:

(*1) A maximum of one of either an *Accessory Dwelling Unit* or *Accessory Apartment Dwelling Unit* is permitted.

(*2) A *Convenience Store* is permitted as an *accessory use* only and up to a maximum *gross floor area* of 350 m^2.

(*3) Permitted only as an *accessory use* and in accordance with Section 4.18.

(*4) A *Retail Store* is permitted only as *accessory uses*, provided that the *use* does not exceed a *gross floor area* of 350 m^2.

(*5) Permitted as an *accessory use* only.

3.5.3. The following zone standards apply to Tourist Commercial Zones:

3.5.3.1. Tourist Commercial Zone Standards

ZONE	TOURIST COMMERCIAL ZONE		
	CT1	CT2	CT3
Minimum *Lot Area*:	1.2 ha (*1)	4 ha (*1)	0.8ha (*1)
Minimum *Lot Frontage*:	45 m (*1)	100 m (*1)	75 m (*1)
Minimum *Yard* Requirements:			
Front Yard	12 m	15 m	20 m
Exterior Side Yard	12 m	15 m	15 m
Interior Side Yard	6 m (*2)	15 m	6 m (*2)
Rear Yard	7.5 m	15 m	15 m
Maximum *Lot Coverage*	35%	35%	35%
Minimum *Landscaped Area*	20%	10%	10%
Maximum *Height*	9 m	9 m	9 m
Min. Setback from Centerline of *Road*			
Provincial	30.5 m	33.5 m	33.5 m
District	25 m	28 m	28 m
Other	22 m	25 m	25 m
Additional Zone Standards	(*3)	(*4) (*5)	(*6)

3.5.3.2. The following notations apply to Section 3.5.3.1 where indicated:

(*1) Where the *lot* is located within 150 metres of a *waterbody* determined to be Over Threshold or a Lake Trout Lake at Capacity, the minimum *lot area* and minimum *lot frontage* requirements for the *lot* are the dimensions of that *lot* on the date of passage of this By-law.

(*2) Where the *interior side lot line* abuts a Residential or Shoreline Zone, the minimum *interior side yard* is a minimum of 9 metres.

(*3) An additional 925 m^2 of *lot area*, in addition to the minimum *lot area* required, is provided for each Tourist Cabin in excess of 8.

(*4) The maximum density of camping sites is 15 sites per 0.4 hectares of land that is permitted for the siting of trailers.

(*5) *Accessory buildings or structures* are permitted within a camping site designed for the parking of a *motor home, travel trailer* or *park model trailer,* subject to the following:

i) steps and *decks* are permitting abutting a *motor home, travel trailer* or *park model trailer* provided the *motor home, travel trailer* or *park model trailer* can be removed from the site without removing the steps or deck;
ii) One detached *accessory building* not exceeding 10 square metres is permitted and the *accessory building* shall only be used for storage;
iii) If a *motor home* or a *travel trailer* is parked on the site, the total coverage of all accessory structures and accessory buildings cannot exceed 50 percent of the *floor area* of the *motor home* or *travel trailer* parked on the site; and
iv) If a *park model trailer* is parked on the site, an addition to the *park model trailer* is permitted provided the addition is manufactured by the Original Equipment Manufacturer. For a site containing a *park model trailer*, the total coverage of all accessory structures and accessory buildings cannot exceed 100 percent of the *floor area* of the *park model trailer*, not including additions, parked on the site.

(*6) The following provision will apply to a *Marina* use:

i) The total portion of a shoreline or projection of the shoreline occupied by *boathouses*, *boat ports, sundeck*s and *docks* on, connected or adjacent to a *lot* must not exceed 75% of the *lot frontage*;
ii) *Boathouse*s, *boat port*s, *sundeck*s and *docks* are located no closer than 9 metres to a *side lot line* or the extension of the *side lot line*;
iii) *Docks* may not project more than 30 metres from the *high water mark*;
iv) *Boathouses and boat ports* may not project more than 20 metres from *the high water mark*; and
v) The shoreline structures existing for a *Marina* use existing on the date of passage of this By-law are deemed to comply with the by-law.

3.6. INDUSTRIAL ZONES

No person shall use any land or erect, alter or use any *building* or *structure* for any *use* in the Industrial Zones except in accordance with the following:

3.6.1. The following *use*s are permitted within the Industrial Zones:

PERMITTED USE	M1 Business Park	M2 General	M3P Extractive Pit	M3Q Extractive Quarry	M4 Waste Disposal
Artisan Studio	• (*1)				
Assembly Hall	• (*1)				
Audio Visual Studio	•	•			
Contractor's Yard		•			
Day Nursery	•				
Emergency Service Depot	•				
Equipment Sales And Rental	•	•			
Farm Implement Dealer	•				
Financial Services Establishment	•				
Fitness Centre	•(*1)				
Fitness Studio	•(*1)				
*Fuel Storage Tank*s		•			
Gravel Pit			•	•	
Home Improvement Centre	•				
Indoor Storage Facilities	•	•			
Light Manufacturing (*7)	• (*6)	•			
Manufacturing and Processing Plant (*7)		•			
Mobile Food Service	•	•			
Motor Vehicle Body Shop		•			
Motor Vehicle Dealership	•	•			
Motor Vehicle Detailing Shop	•(*1)	•(*1)			
Motor Vehicle Parts Establishment	•	•			
Motor Vehicle Rental Agency	•	•			
Motor Vehicle Repair Garage	•	•			
Office	•				
Outside Display and Sale	• (*5)	• (*5)			
Outside Storage (*4)	• (*2)	• (*2)	• (*2)	• (*2)	•
Passenger Transportation Depot		•			
Personal Service Shop	• (*6)				
Place of Entertainment	• (*6)				
Printing and Publishing Establishment	•	•			
Quarry				•	
Recreation Facilities	• (*6)				
Rental Agency	•	•			
Repair Shop	•	• (*3)			
Restaurant	•	•			

PERMITTED USE	M1 Business Park	M2 General	M3P Extractive Pit	M3Q Extractive Quarry	M4 Waste Disposal.
Restaurant, Drive-Thru	•				
Retail Store	• (*3)	• (*3)			
Service Trade Shop	•(*6)				
Sewage Facility					•
Training Centre	• (*1)	•			
Truck Or Transportation Depot	•	•			
Veterinary Clinic	•				
Warehouse	•	•			
Waste Disposal Area					•
Water Treatment Plant					•
Wholesale Operations	•	•			
Winery(*7)	•	•			
Workshop	•	•			

3.6.2. The following notations apply to Section 3.6.1 where indicated:

(*1) Only permitted if connected to full municipal services.

(*2) *Outside Storage* is permitted only as an *accessory use*.

(*3) Permitted only as an *accessory use* provided the *accessory use* does not exceed 25% of the *gross floor area.*

(*4) *Outside Storage* is only permitted provided:

i) it is located in the rear yard;

ii) a visual barrier is provided adjacent to any other *use* in accordance with the requirements of Section 4.23 of this By-law;

iii) the *height* of the *outdoor storage* may not exceed the *height* of the lesser of 3 metres or the height of the visual barrier;

iv) the maximum lot coverage of all building and the *outdoor storage* may not exceed fifty (50) percent of the *lot area*; and

v) the maximum lot coverage of only the *outdoor storage* may not exceed twenty five (25) percent of the *lot area.*

(*5) Permitted only as an *accessory use* and in accordance with Section 4.18.

(*6) Only permitted if the *use* does not include or require direct consumption of water, except for auxiliary facilities such as washrooms, staff kitchen and lunchrooms or if the use is connected to municipal water and municipal sewer services.

(*7) Only permitted if the *use* is not a high strength discharge *use*.

3.6.3. The following zone standards apply to Industrial Zones:

3.6.3.1. Industrial Zone Standards

ZONES	M1	M2	M3P and M3Q	M4
	Business Park	General	Extractive	Waste Disposal
Minimum *Lot Area*:				
Public Water & Sanitary Sewers	0 m^2	0 m^2	Not Permitted	Not Permitted
Public Water & Private Sewage	2322 m^2	Not Permitted	0 m^2	0 m^2
Private Wells & Private Sewage	Not Permitted	Not Permitted	0 m^2	0 m^2
Minimum *Lot Frontage*:				
Public Water & Sanitary Sewers	30 m	30 m	Not Permitted	Not Permitted
Public Water & Private Sewage	38 m	Not Permitted	0 m	0 m
Private Wells & Private Sewage	Not Permitted	Not Permitted	0 m	0 m
Minimum *Yard* Requirements:				
Front Yard	15 m (*1)	21 m (*1)	30 m (*2)	60 m
Exterior Side Yard	15 m (*1)	21 m (*1)	30 m (*2)	60 m
Interior Side Yard	3 m (*1)	7.5 m (*1)	15 m (*2)	60 m
Rear Yard	7.5 m (*1)	15 m (*1)	15 m (*2)	60 m
Maximum *Lot Coverage*	50%	50%	Not Applicable	Not Applicable
Minimum *Landscaped Area*	5%	5%	5%	5%
Min. Setback from Centerline of *Road*				
Provincial	33.5 m (*1)	39.5 m (*1)	48.8 m (*2)	79 m
District	28 m (*1)	35 m (*1)	43.5 m (*2)	74 m
Other	25 m (*1)	31.5 m (*1)	40.5 m (*2)	71 m
Additional Zone Standards	(*3)	(*3)	(*3)	

3.6.4. The following zone standards apply to Industrial Zones:

(*1) Where any Industrial Zone abuts a Residential Zone, the minimum setback from any lot line abutting such zone is increased by 9 metres.

(*2) No *building*, plant or product stockpile is located within:

i) 30 metres of any lot line other than a lot line abutting a Residential, Shoreline or Rural Residential Zone.

ii) 90 metres of any *lot line* of any abutting Residential, Shoreline or Rural Residential Zone.

(*3) i) *Height of Building*
If any portion of a *building* is erected above a *height* of 12 metres, such portion must be set back from the centerline of the abutting *street* or from the *front, side* or *rear lot line*, as the case may be, in addition to the minimum setback, *front, side* or *rear yard* requirements of this By-law, a further distance of 0.3 metres for each 0.3 metres by which such portion of the *building* is erected above a *height* of 12 metres. In the M1 Zone the maximum *height* is 12 metres.

ii) Property Abutting Railway
Notwithstanding any other provisions of this By-law to the contrary, where any *lot line* or portion thereof abuts a railway right-of-way, no *interior side* or *rear yard* is required along that portion of the *lot line*.

3.7. INSTITUTIONAL ZONES

No person shall use any land or erect, alter or use any *building* or *structure* for any *use* in the Institutional Zone except in accordance with the following:

3.7.1. The following *use*s are permitted within the Institutional Zones:

PERMITTED USE	I
Arena	•
Assembly Hall	•
Cemetery	•
Day Nursery	•
Dormitory	•
Emergency Service Depot	•
*Fitness Centre (*1)*	•
Hospital	•
Library	•
Long-Term Care Home	•
Place of Worship	•
*Public Housing (*2)*	•
Public Office	•
Public Works Yard	•
Recreational Facilities	•
Retirement Home	•
School	•

3.7.1.1. The following notations apply to Section 3.7.1 where indicated:

(*1) Permitted as an *accessory use* only.

(*2) Where an existing institutional building is converted to a *Public Housing* use, the existing setbacks, lot coverage and landscape area is deemed to comply with this By-law.

3.7.2. The following zone standards apply to the Institutional Zones:

Institutional (I) Zone	
Minimum *Lot Area*	0 m
Minimum *Lot Frontage*	6 m
Minimum *Yard* Requirements	
Front yard	7.5 m
Exterior side yard	7.5 m
Interior side yard	7.5 m
Rear yard	7.5 m
Maximum *Lot Coverage*	50%
Minimum *Landscaped Area*	30%
Maximum *Height*	10.5 m
Min. Setback from Centerline of *Road*	
Provincial	26 m
District	20.5 m
Other	17.5 m

3.8. RURAL ZONES

No person shall use any land or erect, alter or use any *building* or *structure* for any *use* in the Rural Zones except in accordance with the following:

3.8.1. The following *use*s are permitted within the Rural Zones:

PERMITTED USE	RU Rural	RR Rural Res.	RC Rural Comm.	RUM Rural Industrial	RUI Rural Institutional
Accessory Dwelling Unit			• (*5)	•(*5)	•
Agricultural Use (*3)	•				
Agricultural Use, Intensive (*3)	•				
Bed & Breakfast Establishment	•	•			
Boarding Kennels (*3)	•				
*Bulk Fuel Sales (*3)*				•	
Cemetery					•
Convenience Store			•		
Contractor's Yard (*3)				•	
*Detached Dwelling (*9)*	•	•			
Emergency Services Depot					•
Equipment Sales and Rental (*3)				•	
Forestry Operations (*3)	•				
Garden Centre & Nursery			•		
Group Home 'A'	•	•			
*Hens, Backyard (*8)*	•	•			
Hobby Farm (*3)	•	• (*2)			
Home Industry (*3)	•	•			
Home Occupation	•	•			
Hunt Camp (*9)	• (*4)				
Market Garden (*3)	•		•		
Motor Vehicle Repair Garage (*3)			•	•	
Outside Display and Sale			• (*1)	• (*1)	
*Personal Service Shop (*3)*			•		
Place of Worship					•
Public Office					•
Public Works Yard					•
Reforestation Activities/Tree Nursery	•(*3)				
Sawmill (*3)				•	
*Second Dwelling Unit (*6)*	•	•			
*Service Trade Shop (*3)*				•	
Veterinary Clinic (*3)	•		•		
*Woodland Retreat (*9)*	• (*7)				

3.8.2. The following notations apply to Section 3.8.1 where indicated:

(*1) Permitted only as an *accessory use* and in accordance with Section 4.18.

(*2) A *hobby farm* is a permitted *use* provided it is clearly secondary and *accessory* to the permitted residential *use* and provided the *hobby farm* is for the *use* of the occupants of the *dwelling unit*.

(*3) Not permitted within 150 metres of a *navigable waterway*.

(*4) A *hunt camp* is only permitted provided:
- i) the use is located on a *lot* greater than 40 hectares;
- ii) the *building* does not exceed a *total floor area* of 100 m^2
- iii) the *building* is occupied for not more than 16 days in any month and not more than 60 days in any 12 month period.

(*5) A maximum one *Accessory Dwelling Unit* is permitted provided it is not accessory to a *Bulk Fuel Sales* use.

(*6) A *Second Dwelling Unit* is permitted provided the following:
- i) a maximum of one *Second Dwelling Unit* is permitted per lot;
- ii) the *lot* on which the *Second Dwelling Unit* is located meets the minimum *lot area* and minimum *lot frontage* requirementsfor the zone in which it is located;
- iii) the *building* in which the *Second Dwelling Unit* is located meets all zone standards;
- iv) the *Second Dwelling Unit* may be located in either a *Detached Dwelling* or in a separate detached *accessory building* with or without other *accessory uses;* and
- v) the maximum *gross floor area* of a *Second Dwelling Unit* is 75 square metres unless the *Second Dwelling Unit* is located within a *Detached Dwelling.*

(*7) A *Woodland Retreat* is permitted provided the following:
- i) the use is located on a *lot* greater than 10 hectares;
- ii) the *building* does not exceed a *total floor area* of 60 m^2
- iii) the minimum setback from a watercourse is 100 metres.
- iv) the *building* is occupied for not more than 16 days in any month and not more than 60 days in any 12 month period.

(*8) *Backyard Hens* are permitted provided the following:
- i) The keeping of *Backyard Hens* is accessory to a principal dwelling located on the same lot as the *Backyard Hens*;
- ii) The *lot* has a minimum *lot area* of 0.2 hectares;
- iii) The hens are kept in a screened or walled rodent and predator proofed *building* that is located in a *rear yard* with a minimum setback of 6.0 metres from any lot line and a minimum high water mark setback of 30 metres from any navigable waterway; and
- iv) The hens must be maintained in accordance with good animal husbandry practices as defined by the Ministry of Food And Agriculture.

(*9) Only one of either a *Detached Dwelling*, *Hunt Camp* or *Woodland Retreat* is permitted on a *lot*.

3.8.3. The following *zone* standards apply to the Rural Zones:

3.8.3.1. Rural Zone Standards

ZONES	RU	RR	RC	RUM	RUI
	Rural	Rural Residential	Rural Commercial	Rural Industrial	Rural Institutional
Minimum *Lot Area*:	4.0 ha	2.0 ha	2.0 ha	4.0 ha	2.0 ha
Minimum *Lot Frontage*:	120 m	90 m	90 m	120 m	90 m
Minimum *Yard* Requirements:					
Front Yard	15 m	15 m	15 m	15 m	15 m
Exterior Side Yard	15 m	15 m	15 m	15 m	15 m
Interior Side Yard	4.5 m	4.5 m	6 m	6 m	6 m
Rear Yard	7.5 m	7.5 m	7.5 m	10.6 m	7.5 m
Maximum *Lot Coverage*	10%	15%	15%	10%	15%
Minimum *Dwelling Unit* Size (GFA)	85 m^2	85 m^2	85 m^2	85 m^2	85 m^2
Maximum *Height*	9 m	9 m	9 m	9 m	9 m
Min. Setback from Centerline of *Road*					
Provincial	26 m	26 m	26 m	26 m	26 m
District	20.5 m	20.5 m	20.5 m	20.5 m	20.5 m
Other	17.5 m	17.5 m	17.5 m	17.5 m	17.5 m

3.9. OPEN SPACE ZONES

No person shall use any land or erect, alter or use any *building* or *structure* for any *use* in the Open Space Zones except in accordance with the following:

3.9.1. The following *use*s are permitted in the Open Space Zones:

PERMITTED USE	OS1 Open Space One	OS2 Open Space Two	OS3 Open Space Three
Assembly Hall	•		
Golf Course		•	
Mobile Food Service	•		
Open Air Farmers' Market	•		
Private Park	•	•	
Public Park	•	•	•
Recreation Facilities	•		
Refreshment Pavilion or Booth	•		

3.9.2. No person shall use any land or erect, alter or use any *building* or *structure* for any open space *use*s except in accordance with the following:

ZONE	OS1	OS2	OS3
Minimum *Lot Area*:	0 m^2	20 ha	0 m^2
Minimum *Lot Frontage*:	0 m	60 m	0 m
Minimum *Yard* Requirements:			
Front Yard	7.5 m	30 m	7.5 m
Exterior Side Yard	7.5 m	30 m	7.5 m
Interior Side Yard	7.5 m	30 m	7.5 m
Rear Yard	7.5 m	30 m	7.5 m
Maximum *Lot Coverage*	10%	5%	10%
Maximum *Height*	9 m	10.5 m	9 m
Min. Setback from Centerline of *Road*			
Provincial	26 m	26 m	26 m
District	20.5 m	20.5 m	20.5 m
Other	17.5 m	17.5 m	17.5 m

3.10. ENVIRONMENTAL PROTECTION ZONES

No person shall use any land or erect, alter or use any *building* or *structure* for any *use* in the Environmental Protection Zones except in accordance with the following:

3.10.1. The following *use*s are permitted in the Environmental Protection Zone:

PERMITTED USE	EP1 Env. Protection One	EPW1 Wetlands	EPW2 Provincially Significant Wetlands
Existing Buildings or *Structures*	•	•	•
Structures for Flood or Erosion Control	•		

3.10.2. The following provisions apply to the Environmental Protection Zones:

3.10.2.1. No new structural development is permitted in any Environmental Protection Zone except that Accessory Shoreline Structures may be permitted in any EP1 zone subject to the provisions of Section 4.4.

3.10.2.2. Additions, alterations, or the reconstruction of an *existing structure* may be permitted within the *building* footprint that existed at the time of passing of this By-law

3.11. FLOOD PLAIN ZONES

No person shall use any land or erect, alter or use any *building* or *structure* for any *uses* in the *Flood Plain* Zones except in accordance with the following:

3.11.1. The following *use*s are permitted in the Floodplain Zone:

PERMITTED USE	F1 Floodway Phase I	F2 Flood Fringe Phase I	F3 Flood Plain Phase II
New *Structure*		• (*1)	• (*2)
Existing Buildings or *Structures*	•	•	•
Boat Ports	•	•	•
*Boathouse (*3)*		•	
Docks	•	•	•
Structures for Flood or Erosion Control	•	•	•

(*1) Structural development is permitted provided it is flood proofed to a minimum elevation of 0.5 metres above the *Regulatory Flood Elevations*.

(*2) Before a building permit is issued, a survey must be submitted showing the *Regulatory Flood Elevation* and location of proposed structure(s) in relation to the *Regulatory Flood Elevation* and the original ground elevation. Structural development is not permitted where the depth of flooding would exceed 1.0 metres.

(*3) A *boathouse* is not permitted either on a *lot*, extending from a *lot* or adjacent to a *lot* that fronts onto to the Muskoka River.

3.11.2. The following are the zone standards for the F1, F2 and F3 Zones:

3.11.2.1. Other than footings, no structural development, including new buildings, additions, enlargements, septic tanks, and tile fields, may extend more than 1.0 metres below the *Regulatory Flood Elevation.*

3.11.2.2. Building height, other than boat ports or boathouses must be measured from the original grade, as opposed to finished grade.

3.11.2.3. *Docks* are restricted to floating types or those supported by piles and crib docks are not permitted.

3.11.2.4. Where the distance from shoreline to shoreline on the Muskoka River is less than 46 metres a dock or boat port may project a maximum of 6 metres from the shoreline. Where the distance from shoreline to shoreline on the Muskoka River is 46 metres or greater a dock or boat port may project a maximum of 8 metres from the shoreline.

3.11.2.5. *Boat ports* must be open on all sides below the Regulatory Flood Elevation.

3.11.2.6. Notwithstanding Section 4.8 of this By-law, *existing building*s and *structure*s which are destroyed by causes beyond the control of the owner may be reconstructed on the same foundation only where it is not possible to relocate outside of the *Flood Plain*, provided there is no increase in size or usability, and must be *flood-proofed* to a minimum of 0.5 metres above the *Regulatory Flood Elevation*. Minor repairs, renovations and *building* maintenance are permitted. Major repairs and renovations must be *flood-proofed* to a minimum of 0.5 metres above the *Regulatory Flood Elevation.*

3.11.2.7. Before a building permit is issued, detailed *flood proofing* techniques must be approved by the Building Department. All openings unless part of *flood-proofing* techniques must be a minimum of 0.5 metres above the *Regulatory Flood Elevation*. At the time of the foundation inspection and before further construction takes place, the permit holder (owner/contractor) is required to provide a certificate from a surveyor verifying that the said openings are above the required elevation.

3.11.3. Notwithstanding Sections 3.11.1 and 3.11.2 of this By-law, no new structural development including fill must occur in the Flood Plain Zones in the following areas:

i) for the following distances upstream of the control sections:

High Falls	-	to Highway No. 11
Duck Chutes	-	100 metres
Purbrook Rapids	-	100 metres
Crozier Falls	-	125 metres
May Chutes	-	100 metres
Slater Falls	-	130 metres

ii) for the following distances upstream and downstream of bridges:

Black Bridge	-	140 metres
Purbrook Bridge	-	100 metres
Fraserburg Bridge	-	440 metres

iii) within 100 metres of the South Falls Dam

4. GENERAL PROVISIONS

4.1. APPLICATION

The provisions of this section of the By-law apply to all lands in the Town of Bracebridge.

4.2. USES PERMITTED IN ALL ZONES

The *use*s identified in this subsection are permitted in all zones.

4.2.1. Accessory Buildings, Structures and Uses

*Accessory building*s, *structure*s and *use*s are permitted in all zones subject to the following provisions:

i) The *principal building* or *structure* must already be established on the same *lot* unless specifically permitted prior to the *principal building* or *structure* in this By-law.

ii) No detached *accessory building* or *accessory structure* may be used for *human habitation* or an occupation for gain, unless specifically permitted by this By-law.

iii) Unless otherwise specified in Sections 4.3 or 4.4 of this By-law, detached *accessory building*s and *structure*s must meet the minimum yard requirements for the zone in which they are located and they are not permitted to be located in any *front yard* or exterior side yard or in any *required yard.*

iv) The total *lot coverage* of all *accessory building*s and *structure*s on an individual *lot* may not exceed 10 percent of the *lot area* and shall be included in the total permissible lot coverage in the zone.

v) The *height* of any *accessory building* or *structure*, with the exception of a *boat port or* a *single storey boathouse*, may not exceed 7.0 metres. Any floor area above the first floor with a ceiling *height* of more than 2.0 metres cannot exceed a maximum floor area of 37 square metres with the exception of where an accessory building contains a *Second Dwelling Unit* on the second floor then the floor area above the first floor cannot exceed a maximum of 75 square metres.

vi) A maximum of two (2) *accessory buildings or structures* are permitted in an R1 or R2 Zone. A maximum of three (3) *accessory buildings or structures* are permitted in a Shoreline Zone with the exception of a *dock*, a *pumphouse* with a floor area less than 4 square metres, a *privy* with a floor area less than 4 square metres, or a *leanto* for wood storage with a roof area less than 10 square metres.

vii) With the exception of a portion of an *accessory building or structure* used for a *second dwelling unit*, the maximum number of *plumbing fixtures* in an *accessory building or structure* is three (3) and all *plumbing fixtures* must be contained within the same enclosed room.

viii) No *transport trailer*, storage container or *shipping container* must be used as an *accessory building* or *structure* unless specifically permitted in this By-law.

ix) The maximum width of doors for vehicle access to an attached private garage zoned in an R1, R2 or R3 Zone are as follows:

a. A maximum of 40 percent of the lot frontage for a lot with a frontage greater than 12.5 metres;
b. A maximum of 50 percent of the lot frontage for a lot with a frontage of 12.5 metres or less; or
c. No maximum width, if the doors for vehicular access are located on a façade facing an interior side or rear lot line.

x) Notwithstanding the provisions for accessory *buildings* or *structures* in this By-law to the contrary, the following provisions apply to *outdoor furnaces*:

a. Only permitted in the SR1, SR2, SR3, RU, RR, RC and RUI zones;
b. Must be located on a lot with a minimum lot area of 1.0 hectare; and
c. Minimum interior side yard and rear yard of 15 metres.

4.2.2. Public Uses

The provisions of this By-law will not apply to prevent the *use* of any land, *building* or *structure*, or parking by any *public authority* provided that such *use* complies with all applicable regulations and parking and loading requirements for the zone in which it is located.

4.2.3. Streets and Installation

Nothing in this By-law will prevent land from being used as a *municipal road allowance, publicly owned trail* or right-of-way nor prevent the installation of a watermain, sanitary sewer main, storm sewer main, gas main, pipe line or overhead or underground hydro, telephone or other utility supply or communication lines.

4.2.4. Temporary Construction Uses

A tool shed, construction trailer, scaffold or other *building* or *structure* incidental to construction may be erected on the *lot* where construction is taking place provided that a building permit has been issued and remains valid.

4.3. ENCROACHMENT INTO REQUIRED YARDS

The following *use*s may be permitted in a *required yard* in accordance with the following provisions:

4.3.1. Balconies, Porches, Decks, Steps, Patios or Ramps

Balconies, porches, decks, steps, ramps, lifts or *patio*s, covered or uncovered, may project into any *required yard* a maximum distance of 1.5 metres, provided they are not closer than 1.2 metres to any *lot line*, and provided that, in the case of steps or *patio*s, these *use*s are not more than 1.8 metres above grade. Where the top of the finished floor of any balcony, porch, deck, steps or *patio* is more than 1.8 metres above the *finished grade* directly below the balcony, porch, deck, steps or *patio*, the minimum *yard* requirements for the principal *use* apply. Stairs, walkways, landings and ramps, no more than 0.5 metres above grade and no wider than 1.2 metres are permitted in any required yard. Ramps that are designed to an accessible standard under the Ontario Building Code are permitted in any required yard.

4.3.2. Fire Escapes

Unenclosed fire escapes may encroach into any *required yard* a maximum distance of 1.2 metres.

4.3.3. Accessory Buildings or Structures in Residential, Shoreline and Rural Residential Zones

*Accessory building*s or *structures* in Residential, Shoreline and Rural Residential Zones may only be erected and used in an *interior side yard* or *rear yard* unless otherwise specified in Sections 4.3. or 4.4 of this By-law:

i) *Accessory Buildings or Structures in the Rear Yard*
Where an *accessory building or structure* is located in a *rear yard*, it must not be closer than 1.2 metres to the interior *side lot line* or *rear lot line*, provided it is a minimum of 20.5 metres from the centerline of any *District* or *Provincial* street and provided it is a minimum of 17.5 metres from the centerline of any other street.

ii) *Accessory Buildings or Structures in the Interior Side Yard*
Where an *accessory building or structure* is located in an *interior side yard*, it must meet the minimum interior side yard for the main structure of the zone in which it is located, except where a common semi-detached garage is being erected simultaneously on both sides of the *lot line*, as one *building*, in which case no *interior side yard* to the *accessory building* is required

4.3.4. Accessory Buildings or Structures in the Front Yard in the Rural Zone

In a RU Zone, one *Accessory Building or Structure* may be permitted in the *front yard* or *exterior side yard*, subject to the following provisions:

i) The *Accessory Building or Structure* is located no closer than 30 metres to any *front lot line* or *exterior side lot line*.

ii) The *Accessory Building or Structure* is located no closer than 9 metres to any side *lot line.*

iii) The *Accessory Building or Structure* is no larger than 65 m^2 if located closer than 60 metres to any *front lot line* or *exterior side lot line*.

iv) The *Accessory Building or Structure* is not used as part of a home industry.

4.3.5. Pumphouse

One (1) *pumphouse* is permitted to be located in the *front yard* provided the *pumphouse* does not exceed a floor area of 4 square metres and is located a minimum of 3.0 metres from any *side lot line*.

4.3.6. Gazebo

Where a *lot* fronts on a *navigable waterway*, one *gazebo* may be permitted in the required *front yard*, provided the *gazebo* has a *gross floor* area of less than 10 m^2 with the exception of a R1 or R2 Zone where the front lot line abuts a *street* then one *gazebo* may be permitted in the required *rear* yard, provided it has a *gross floor* area of less than 10 m^2. A *gazebo* is not permitted on a *dock*.

4.3.7. Generator

A generator is only permitted in an *interior side yard* or *rear yard* and must meet the minimum yard requirements of the principal *building* for the zone in which the generator is located.

4.3.8. Hot Tub

A hot tub is permitted in any yard provided it is meets the minimum *interior side yard* for the zone in which the hot tub is located. A hot tub is not permitted on a *dock* or in or on a *boathouse* that is located above water.

4.3.9. Tents and Pools

Tents or Pools may only be erected and used in the *interior side yard* or *rear yard.* The setback requirements from Section 4.3.3 applies to pools and *tents.*

4.3.10. Accessory Structures

Drop awnings, flag poles, garden trellises, retaining walls, and fences may be permitted in any *required yard*.

4.3.11. Signs

Signs may be permitted in any *required yard* provided they comply with any by-laws of the Town of Bracebridge or any other authority that govern the erection of signs

4.3.12. Ornamental Structures

Sills, chimneys, cornices, eaves, gutters, parapets, pilasters, or other ornamental *structure*s may project into any *required yard* or the area between the *street line* and the required setback a maximum distance of 0.5 metres.

4.4. ACCESSORY SHORELINE STRUCTURES

In all zones, except an EPW2 Zone*, boathouse*s, *boat port*s, *docks*, and *sundeck*s are permitted as *accessory structure*s to the principal use located on a lot with frontage on a navigable waterway and subject to the following provisions:

4.4.1. Boathouses, Boat Ports and Docks

Notwithstanding Sections 4.3.3. and 4.21 of this By-law, *boathouse*s, *boat port*s and *docks* are permitted to extend from, be adjacent to or be located in the *front yard* of a *lot* fronting on a *navigable waterway* subject to the following provisions:

i) A *boat port* where the roof is capable of being used for a *deck* or a *single storey boathouse* is only permitted to extend from, be adjacent to or located on a lot with a minimum *lot frontage* of 30 metres, except for where the *boat port* is extending from, adjacent to or located on a lot zoned R1 or R2 then the minimum *lot frontage* is 18 metres;

ii) A t*wo storey boathouse* is only permitted to extending from, be adjacent to or located on a lot with a minimum *lot frontage* of 90 metres on Lake Muskoka.

iii) The minimum setback from a *side lot line* and the 30 metre extension of a *side lot line* is:

a. *5* metres for a *dock*;
b. *5* metres for a *boat port* where the roof is not capable of being used for a *deck*;
c. 9 metres for a *dock* or *boat port* extending from, adjacent to or located on a lot zoned SR3 or SR4;

d. 9 metres for a *boat port* where the roof is capable of being used for a *deck*, except for where the *boat port* is extending from, adjacent to or located on a lot zoned R1 or R2 in which case the setback is 5 metres; and
e. 9 metres for a *single storey boathouse or two storey boathouse;*

iv) *Boathouses* and *boat ports* may not project more than 15 metres from the *high water mark* except for *boat ports* located on the Muskoka River, which must meet the maximum projection in Section 3.11.2.4 of this By-law*;*

v) *Docks* may not project more than 20 metres from the *high water mark* except for *docks* located on the Muskoka River, which must meet the maximum projection in Section 3.11.2.4 of this By-law;

vi) A *boat port*, *single storey boathouse* or *two storey boathouse* shall not be used for *human habitation* with the exception of the second storey of a *two storey boathouse* which may be used as a *sleeping cabin* subject to the provisions of Section 3.3.2 (*1);

vii) The *height* of a *boat port* or *single storey boathouse* is a maximum of 5.0 metres.

viii) The *height* of a *two storey boathouse* is a maximum of 7.0 metres. A *two storey boathouse* which has a floor area above the first floor with a ceiling *height* of more than 2.0 metres cannot exceed a maximum floor area of 37 square metres;

ix) One *dock* is permitted prior to the principal building in a Residential or Shoreline Zone;

x) The setback and projection provisions of this section shall not apply to *Waterfront Landings* as the setback and projection in Section 3.3.3.2 for *Waterfront Landings* shall prevail; and

xi) The setback and projection provisions of this section shall not apply to *Marinas* as the setback and projection in Section 3.5.3.2 for *Marinas* shall prevail.

4.4.2. Sundecks

Any portion of the *dock structure* extending onto the land above the *high water mark* is a *sundeck*. *Sundeck*s will be subject to the following provisions:

i) *Sundeck*s are located no closer than 5 metres to any *side lot line;*

ii) A *sundeck* must extend no further inland than 5 metres from the *high water mark;*

iii) The total width of a *sundeck* on a *lot* must not exceed the lesser of 25% of the *lot frontage* or 22 metres.

4.4.3. Total Occupied Portion of a Shoreline

The total portion of a shoreline or projection of the shoreline occupied by *boathouses*, *boat ports, sundeck*s and *docks* on, connected or adjacent to a *lot* must not exceed the lesser of 25% of the *lot frontage* or 22 metres. This section does not apply to *Waterfront Landings* or *Marinas*.

4.5. SHIPPING CONTAINERS

No person shall place a shipping container in any Zone except in accordance with the following:

i) The use of a shipping container is only permitted in a RU, RUM, M1 or M2 Zone as an ancillary use to a permitted use on a lot where a principal building exists.

ii) Unless stated elsewhere in this By-law the number of shipping containers permitted ancillary to a permitted use for storage purposes is limited to the following:

a. A maximum of three (3) in an M1 or M2 Zone; and
b. A maximum of one (1) in the RUM or RU Zone

iii) In an M1 or M2 Zone a shipping container is only permitted on a *lot* with a minimum *lot area* of 0.3 hectares.

iv) In a RU or RUM Zone a shipping container is only permitted on a *lot* with a minimum *lot area* of 2.0 hectares.

v) A shipping container must not exceed a height of 3 metres and a total length of 12.5 metres.

vi) A shipping container must be located in an interior side or rear yard, meet the minimum yard requirements from the zone in which it is located and be setback a minimum of 30 metres from any street line. In a RU or RUM Zone, a shipping container must also be setback a minimum of 15 metres from any *interior side lot line*.

vii) A visual barrier is required between a shipping container and a *street line*, an *interior side lot line* and a *rear lot line*.

viii) A shipping container must not be located in a required parking area or encroach into a required landscaped area.

ix) A shipping container must not be stacked on top of another shipping container.

x) Notwithstanding the provisions of this section, a shipping container having a maximum height of 3 meres and a maximum length of 6 metres is permitted in the driveway on a residential zoned lot for a period not exceeding five (5) days and only for the purpose of loading or unloading of household items during the process of moving. In no case may a shipping container encroach onto a public sidewalk, be located closer than 0.3 metres from the back of curb in situations where no sidewalks exists, or create a site line obstruction.

xi) Notwithstanding the provisions of this section, a shipping container is permitted on a construction site in any zone being developed on a standalone basis or under a plan of subdivision for the purpose of storing equipment and materials incidental to construction, subject to the following:

a. The shipping container may have a maximum height of 3 metres and a maximum length of 12.5 metres;

b. No more than two (2) shipping containers are permitted on a *lot*; and

c. The shipping container(s) must be removed within the lesser of one year or 30 days of completion of the work.

xii) A shipping container must not be placed for the purpose of display or advertising.

xiii) A shipping container must not be used for the purpose of screening or fencing.

xiv) Notwithstanding any other provisions to the contrary, a shipping container must not be used for the purpose of a commercial storage facility or for human habitation.

4.6. DWELLING AS MAIN USE

In any zone in which a *Detached Dwelling* or *Seasonal Dwelling* is permitted, the *Detached Dwelling* or *Seasonal Dwelling* is considered the main use.

4.7. NON-CONFORMING USES

The provisions of this By-law will not apply 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 date of passing of this By-law, and provided that the *lot*, *building* or *structure* continues to be used for that purpose.

4.8. NON-COMPLYING BUILDINGS OR STRUCTURES

A *legal non-complying building* or *structure,* except for a *barn*, may be enlarged, repaired, renovated or reconstructed provided that:

i) the enlargement, repair, renovation or reconstruction does not further increase the extent of the non-compliance;

ii) the enlargement, repair, renovation or reconstruction complies with all other applicable provisions of this By-law;

iii) a *legal non-complying building or structure* or part thereof, may be demolished and reconstructed provided:

a. the *legal non-complying building or structure* is in the same location as the existing structure or in a location that provides a greater setback(s) than the existing non-complying setback even if the new setback does not comply with this By-law;
b. the floor area of the *legal non-complying building or structure* is not increased except in accordance with the provisions of Sections 4.8 iv) and v);
c. the *height* of the *legal non-complying building or structure* is not increased except as permitted by Section 4.8 vii);
d. a building location survey prepared by an Ontario Land Surveyor for the original and new *building or structure* is provided to the Town;
e. a demolition permit has been issued for the removal of the existing *legal non-complying building or structure*; and
f. in the case where a *legal non-complying building or structure* contains a *dwelling unit* a Site Plan Agreement is entered into with the Town;

iv) if the enlargement of the *legal non-complying building or structure* can meet all the minimum yard requirements for the zone in which it is located, there are no limits on the floor area of the enlargement with the exception of the maximum *lot coverage* for the in which it is located;

v) if the enlargement of the *legal non-complying building or structure* cannot meet all the minimum yard requirements for the zone in which it is located, the enlargement cannot exceed the following:

a. in the case where a *legal non-complying building or structure* contains a *dwelling unit* the lesser of fifty (50) percent of the original *gross floor area* of the existing *non-complying building* or *structure*, as of the date of passing of this By-law or 92.9 square metres of *total floor area*;
b. in the case where a *legal non-complying building or structure* does not contain a *dwelling unit,* other than a *deck* or a *porch*, the lesser of fifty (50) percent of the original *gross floor area* of the existing *non-complying building* or *structure*, not including any *decks* or porches, as of the date of passing of this By-law or 92.9 square metres of total floor area; or
c. in the case where the *legal non-complying structure* is a *deck* or a *porch*, the lesser of fifty (50) percent of the original *floor area* of the existing *non-complying structure*, as of the date of passing of this By-law or 92.9 square metres of floor area;

vi) the height of the *legal non-complying building or structure* must not be increased, unless the addition to the *legal non-complying building or structure* meets all the setbacks for the zone in which it is located, then the addition must not exceed the maximum height requirement for the zone, in which it is located or if the *legal non-complying building or structure* is an *accessory structure*, the addition must not exceed the height requirements set out in Section 4 of this By-law;

vii) notwithstanding Section 4.8 vi), if the wall height of an addition to a *legal non-complying building or structure* is at the same or lesser height than the original legal *non-complying building or structure* and the peak of the new roof is not increased, then the subsequent increase in height due to the increase in building footprint is permitted;

viii) a *building* or *structure,* which at the date of passing of this By-law, was used for a purpose not permissible within the Zone in which it is located, must not be enlarged unless such *building* is thereafter to be used for a purpose permitted within such Zone, and complies with all requirements of this By-law for such Zone;

ix) nothing in this By-law shall apply to prevent the reconstruction of any *legal non-complying building* or *structure*, which is damaged by causes beyond the control of the owner, provided the reconstruction occurs within 5 years of the damage being caused to the *legal non-complying building* or *structure*;

x) the *total floor area* of the enlargement of a *deck* or *porch* attached to a *dwelling* cannot exceed fifty (50) percent of the original *total floor area* of the existing legal non-complying deck as of the date of passing of this By-law, and the enlargement of a *deck* or *porch* must be located a minimum of 10 metres from the *high water mark* of any *waterbody* or *watercourse*; and

xi) the conversion of a *legal non-complying deck* to a *porch* is not permitted.

4.9. NON-COMPLYING LOTS

A *lot* which existed legally prior to the enactment date of this By-law, that does not meet the *lot area* or *lot frontage* or both requirements of the applicable Zone, is deemed to comply with the lot requirements. Additionally, if a lot has been created or reduced in size by a consent granted by the Committee of Adjustment and the lot does not meet the lot area or lot frontage or both requirements of the applicable Zone, the lot is deemed to comply with those lot requirements, if the deficiency in lot area or lot frontage or both requirements does not exceed 10% of those lot requirements. If the *lot area* or *lot frontage* or both dimensions of a *lot*, which existed legally prior to effective date of this By-law, is enlarged, the *lot* is deemed to comply with those lot requirements of this By-law. Such *lot*s may be used and *building*s may be erected, enlarged, repaired or renovated on the *lot* provided that the *use* and the *building*s or *structure*s comply with all of the other provisions of this By-law.

4.10. FRONTAGE ON A PUBLIC STREET, CONDOMINIUM ROAD OR NAVIGABLE WATERWAY

No person will erect any *building* or *structure* in any Zone, except for a *Hunt Camp* or *Woodland Retreat*, after the date of passing of this By-law, unless the *lot* upon which the *building* or *structure* is to be erected has frontage on:

i) a *year round maintained public road;*

ii) *a condominium road;*

iii) a road, which is identified on a draft plan of subdivision, to be assumed and maintained by a public authority; or

iv) if the lot is located in a Shoreline or Tourist Commercial Zone and was created after the passing of this By-law it may front on:
   a. a *navigable waterway;*
   b. *a year round maintained public road; or*
   c. *a condominium road or*

v) if the lot is located in a Shoreline or Tourist Commercial Zone and was created before the passing of this By-law it may front on:
   a. a *navigable waterway;*
   b. *a year round maintained public road*
   c. *a condominium road*
   d. *a seasonally maintained public road,* or
   e. a *private road*

4.11. HEIGHT EXCEPTIONS

The *height* regulations contained in this By-law do not apply to the following:

i) any church spire or church belfry;

ii) in any Non-Residential Zone any ornamental dome, cupola, clock tower, or chimney, occupying in the aggregate less than 10% of the area of the roof of the *building* on which they are located;

iii) in any Residential Zone any ornamental dome, cupola, clock tower, or chimney, occupying in the aggregate less than 10% of the area of the roof of the *building* on which they are located may not project more than 1.5 metres above the peak of the roof of the building they are located;

iv) in a Rural Zone any flag pole, water storage tank, radio or television antennae, silo, windmill or any similar *structure* may have a maximum height of 13 metres, provided the structure has a minimum setback of 15 metres from any lot line.

4.12. HOBBY FARM

Where permitted, the following are the requirements for a *hobby farm*:

i) the minimum *lot area* is 2 hectares;

ii) the minimum *lot frontage* is 100 metres;

iii) only one *barn* is permitted;

iv) the maximum height of the *barn* is 5.5 metres;

v) the maximum ground floor area of the *barn* is 93 m^2;

vi) the barn may not be located in the front yard or within 30 metres of the side or *rear lot line*s.

4.13. HOME INDUSTRY

Where a *home industry* is permitted, the following provisions apply:

i) there is no external advertising other than a sign erected in accordance with any by-laws of the Town of Bracebridge or *District* regulating signs;

ii) there is no accessory *outside storage*;

iii) the *use* is clearly secondary to the main residential *use* and does not change the residential character of the *dwelling unit* nor create a nuisance, in particular, in regards to noise, traffic, parking or vibration;

iv) only the sale of goods produced on the premises is permitted;

v) the *use* does not interfere with radio or television reception;

vi) not more than two (2) employees, in addition to residents of the *dwelling*, are engaged in the business and working from the *lot*;

vii) the *lot* is a minimum of 0.8 hectares in area;

viii) the *total floor area* used for the *home industry* does not exceed 46.5 m^2;

ix) *accessory building*s used for a *home industry* may not be located within the *front yard* or the *exterior side yard* of the *lot*, or within 4.5 metres of the side or *rear lot line*;

x) the *use* shall not include the generation of or storage of hazardous waste, liquid industrial waste, or any severely toxic contaminant listed in Schedule 3 to Ontario Regulation 347 under the Environmental Protection Act RSO;

xi) the home industry cannot operate between the hours of 9:00pm and 7:00am.

4.14. HOME OCCUPATION

Where a *home occupation* is permitted, the following provisions apply:

i) there is no external advertising other than a sign erected in accordance with any by-laws of the Town of Bracebridge or *District* regulating signs;

ii) Only residents of the *dwelling* in which the *home occupation* is located, are engaged in the business and working from the *dwelling*;

iii) the *use* is restricted to the *dwelling unit* and may not be conducted in whole or in part in any *accessory building*;

iv) not more than 25% of the *total floor area* of the *dwelling unit* is used for the purposes of *home occupation*;

v) there is no accessory *outside storage*;

vi) only the sale of goods produced on the premises is permitted;

vii) the *use* does not interfere with television or radio reception of others in adjacent *building*s or *structure*s*;*

viii) the *use* is clearly secondary to the main residential *use* and does not change the residential character of the *dwelling unit* nor create a nuisance, in particular, in regards to noise, traffic, parking or vibration;

ix) the *use* shall not include the generation of or storage of hazardous waste, liquid industrial waste, or any severely toxic contaminant listed in Schedule 3 to Ontario Regulation 347 under the Environmental Protection Act RSO;

x) the home occupation cannot operate between the hours of 9:00pm and 7:00am.

xi) Notwithstanding any provisions to the contrary, a *home occupation* for temporary care and guidance of children must meet the following criteria:

a. A maximum of 6 children are permitted including those of the residents;

b. Not more than one employee, in addition to the residents of the *dwelling* are engaged in the business and working from the lot; and

c. The hours of operation for a home occupation shall only apply to the care and guidance of children occurring outside the *dwelling.*

4.15. GARAGE SALES

A maximum of three *garage sales* are permitted to be conducted on any given property in any one calendar year and each separate sale is limited to a maximum duration of two consecutive days.

4.16. HEALTH HAZARDS

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

4.17. NUMBER OF DWELLING UNITS ON A LOT

Only one *detached dwelling* is permitted on a *lot* unless otherwise specified in this By-law.

4.17.1. Additional Dwelling for Agricultural Use

On any *lot* having a minimum *lot area* of 40 hectares in the Rural (RU) Zone and used principally for farming, one additional *detached dwelling* house may be erected, altered or used provided it is used only for the accommodation of persons employed on a full time or seasonal basis on such farm and provided further that any *detached dwelling* so erected, altered or used must not be located within 15 metres of an *existing dwelling* on the *lot.*

4.17.2. Accessory Apartment Dwelling Units in a Commercial Zone

Where a*ccessory apartment dwelling units* are permitted, Zone standards for the *dwelling unit* will be in accordance with the applicable zone, but in no case will the *dwelling unit* be located within a *motor vehicle repair garage*, or a *motor vehicle dealership*

4.17.3. Second Dwelling Units

A *Second Dwelling Unit* is permitted on a lot zoned R1, R2, R3, RU or RR in accordance with the applicable permitted uses provisions and zone standards.

4.18. ACCESSORY OUTSIDE DISPLAY AND SALES

Where the outside display and sale of goods and materials is permitted as an *accessory use*, the following provisions must be complied with, except for *Motor Vehicle Dealership* or *Motor Vehicle Rental Agency* for the purposed of displaying *Motor Vehicles,* E*quipment Sales and Rental* or *Farm Implement Dealer::*

i) the *outside display and sale* of goods is accessory to a principal *use* on the same lot provided the area used for outside display and sale is not more than half the ground floor area of the principal *use.*

ii) the area used for *outside display and sale* must not be more than thirty-five (35) percent of the total *lot area;*

iii) the area used for *outside display and sale* must be in addition to and separated from, the areas required for parking;

iv) the area used for *outside display and sale* must provide *side* and *rear yard*s in accordance with the provisions for the Zone in which the land is situated;

v) The area used for *outside display and sale* must be uncovered.

4.19. PUBLIC ACQUISTION OR CONVEYANCE

No person will be deemed to have contravened any provision of this By-law by reason of the fact that any part or parts of any *lot* has or have been conveyed to or acquired from a *public authority.*

4.20. SIGHT TRIANGLES

Notwithstanding any other provisions of this By-law, on a *corner lot*, within the *sight triangle*, the following may not be greater than 1 metre in *height* as measured from the grade at the center of the *road:*

i) *building* or *structure*;
ii) storage or display;
iii) fences;
iv) trees or shrubs; or
v) any other obstructions.

4.21. SPECIAL SETBACKS

In addition to any other provisions in this By-law, the following special setbacks apply to the *use*s identified:

4.21.1. High Water Mark and Coldwater Stream

No *building* or *structure* is permitted within the minimum required setback of 20 metres from the *high water mark* of any *waterbody* or watercourse or within 30 metres of any cold water stream.

4.21.2. High Water Mark Setbacks for Leaching Beds

No part of any *septic system leaching bed distribution pipes* are permitted within 30 metres of the *high water mark* of any *waterbody* or *watercourse* unless one of the following is satisfied:

i) the *lot* on which the *septic system leaching bed distribution pipes* are to be installed is entirely located within 45 metres of the *high water mark* of a *waterbody* or *watercourse*;

ii) there is no suitable location on the *lot* beyond 30 metres from the *high water mark* due to terrain or flood plain as determined to the satisfaction of the Town of Bracebridge's Chief Building Official; or

iii) the *septic system leaching bed distribution pipes* would be replacing existing *septic system leaching bed distribution pipes* and the new *septic system leaching bed distribution pipes* would not be located closer to *high water mark* than the existing *septic system leaching bed distribution pipes*.

4.21.3. Environmental Protection Wetland Zones

No *building* or *structure* is permitted within:

i) the minimum required setback of 30 metres from any EPW1 Zone; and

ii) the minimum required setback of 120 metres from any EPW2 Zone.

4.21.4. Steep Slopes

No *building* or *structure* is permitted on a slope of 40% or greater or within 15 metres of the *top of bank* of a slope of 40% or greater.

4.21.5. Original Shore Road Allowance

Where the *front lot line* abuts an original Shore Road Allowance the minimum front yard will be the greater of the minimum front yard requirement for the zone in which the lot is located; the *high water mark* setback required in Section 4.21.1; or the interior limit of the original Shore Road Allowance.

4.21.6. Navigable Waterbody

*Agricultural use*s are not permitted within 150 metres of any *watercourse or waterbody.*

4.21.7. Farm Buildings, Feedlots or Kennels

In addition to the setbacks required in Section 4.21.6, no stable, *barn*, shelter, pen, cage, kennel or other *building* or *structure* used to house animals or domestic fowl, and no feed lot area or manure storage area is permitted within:

i) 60 metres from the *lot line* of the site on which it is situated; and
ii) 90 metres from the centerline of any *road*

4.21.8. Extractive Industrial Uses

No new *dwelling unit* is permitted closer than 60 metres to any extractive operation as licensed under the Aggregate Resources Act.

4.21.9. Sewage Facility

No new *dwelling unit* is permitted within the following:

i) 200 metres of a *Sewage Treatment Plant*
ii) 150 metres of a sanitary sewage disposal site other than for residential uses
iii) 200 metres of a sanitary sewage disposal site for residential uses
iv) 400 metres of a waste stabilization pond
v) 400 metres of a hauled sewage lagoon

4.21.10. Waste Disposal Areas

No new *dwelling unit* is permitted closer than 500 metres to an M4 zone that is used as a waste disposal area.

4.21.11. TransCanada Pipeline

The following minimum setbacks are required from a TransCanada Pipeline right-of-way as shown on Schedules “F” and “G” of this By-law:

i) The principal *building* or *structure* must be setback a minimum of 7 metres; and
ii) An accessory *building or structure* must be setback a minimum of 3 metres.

4.21.12. Established Building Line in a Built-up Area

Where the main permitted *building* or *structure* is to be erected on a lot where there is an *established building line*, such building or structure may be erected at the average setback within the *established building line* in a R1, R2, R3 or RR Zone provided the setback does not reduce any other special setback in Section 4.21.

4.21.13. Minimum Separation Distance Formulae

Notwithstanding any other provisions of this By-law, a new or expanding *agricultural use, intensive*, will not contravene the MDS II formula developed by the Ontario Ministry of Agriculture, Food and Rural Affairs as calculated using Appendix "A" to this By-law. If there is a conflict between the MDS II formula setbacks and the setbacks of Section 4.21.7, the greater of the two setbacks shall apply.

4.22. THROUGH LOTS

4.22.1. Frontage on More than One Street

Where a *lot*, which is not a *corner lot*, has frontage on more than one *street*, the yard between the principal building and the lot line containing the principal access to the lot will be considered the *front yard* and the yard between the principal *building* and any *lot line* abutting a *street* which does not contain the principal access to the lot and is not an *exterior side lot line* is consider a *rear yard*. *Accessory buildings* and *structures* on a through lot are permitted in accordance with all applicable sections of this By-law, with the exception that any a*ccessory building* or *structure* located in the *rear yard* must meet the greater of the minimum *front yard* or minimum *rear yard* for the principal building. Balconies, *porches*, *decks*, steps, ramps, lifts or *patio*s may project into the required *rear yard* in accordance with Section 4.3.1.

4.22.2. Frontage on More than One Navigable Waterway

Where a *lot*, which is not a *corner lot*, has frontage on more than one *navigable waterway*, any yard between the principal building and a *navigable waterway* will be considered a *front yard*. *Accessory buildings* and *structures* may be permitted in any *interior side yard, rear yard* or only one of the *front yards* provided the high water mark setbacks in Section 4.21.1 are met. Accessory shoreline structures are permitted along more than one navigable waterway frontage. In the case where accessory shoreline structures are located on more than one navigable waterway, the total portion of the shoreline or projection of the shoreline occupied by *accessory shoreline structures* will be based on the distance of each navigable shoreline frontage separately.

4.23. VISUAL BARRIERS

A visual barrier is required where:

i) the *interior side lot line* or *rear lot line* of an Institutional, Industrial, or Commercial use abuts a Residential or Shoreline Zone;

ii) contains a lot contains one or more *shipping container*;

iii) a *Camping Establishment, Marina* or *Waterfront Landing* use abuts a Residential Zone or a Shoreline Zone;

iv) an *Apartment Dwelling*, *Row Dwelling*, *Fourplex* or *Triplex* abuts a *Detached Dwelling; or*

v) an *Apartment Dwelling* abuts a *Duplex Dwelling* or *Semi-Detached Dwelling.*

Such visual barrier must conform to the following requirements:

4.23.1. Visual Barrier Contents

Such visual barrier must act as a screen between *use*s and be constructed to a minimum *height* in accordance with the requirements of this Section of the By-law and must consist of the following:

i) a free standing wall, fence; or

ii) a continuous unpierced planting of suitable coniferous trees or shrubs, together with a reserved width of planting area appropriate for healthy plant growth; or

iii) any combination of the above.

4.23.2. Visual Barrier Height

Any visual barrier required by Section 4.23 of this By-law must have a minimum *height* of 1.5 metres, but will not be permitted to exceed a *height* of 1.0 metres within a *sight triangle.* Any visual barrier required for a *shipping container* must have a height no less than the height of the *shipping container*.

4.23.3. Driveway or Walkway through Visual Barrier

Where a *driveway* or walkway extends through a visual barrier, the visual barrier may be interrupted within 3.0 metres of the edge of such *driveway* or within 1.5 metres of the edge of such walkway.

4.24. FRONTAGE ON PROVINCIAL HIGHWAY OR MUSKOKA CLASS A & B ROAD

Where any *lot frontage* abuts a Provincial Highway or Class A Muskoka Road, the minimum required *lot frontage* is 150 metres or where the *lot frontage* abuts a Class B Muskoka Road except for Manitoba Street south of Douglas Drive, the minimum required *lot frontage* is 135 metres.

4.25. MUNICIPAL WATER AND SEWER SERVICES

Within the full services boundary as shown on Schedule "I", no person must use any land or erect or use any *building* or *structure*, or part thereof, on a *lot* unless municipal water and sanitary sewer services are available to service such land, *building* or *structure* as the case may be.

4.25.1. Detached Dwellings on Existing Lots not on Full Services

Notwithstanding Section 4.25 for lands shown within the full service boundary as shown on Schedule "I", where municipal sanitary sewage service is not available, one *detached dwelling* may be erected on an existing *lot* provided:

i) municipal water service is available to service such lands, or *detached dwelling;* and

ii) a *detached dwelling* is a permitted *use* within the applicable zone and all the other relevant requirements of the By-law are met.

4.25.2. Detached Dwellings not on Full Services

Notwithstanding Section 4.25 and Section 4.25.1 for lands shown within the water only area as shown on Schedule "I", where municipal sanitary sewage service is not available, one *detached dwelling* may be erected provided:

i) municipal water service is available to service such lands, or *detached dwelling*; and

ii) a *detached dwelling* is a permitted *use* within the applicable zone and all the other relevant requirements of the By-law are met.

4.25.3. Lands East of King's Highway No. 11

Notwithstanding Sections 4.25, 4.25.1 and 4.25.2 for lands shown within the full service boundary as shown on Schedule "I", and lying east of King's Highway No. 11, where municipal sanitary sewage service is not available, a *building* or *structure* may be used or erected on an existing *lot* provided:

i) municipal water service is available to service such lands, or *detached dwelling*; and

ii) a *detached dwelling* is a permitted *use* within the applicable zone and all the other relevant requirements of the By-law are met

4.25.4. Availability of Services

For the purposes of Sections 4.25, 4.25.1, 4.25.2 and 4.25.3, a service is not available unless the authority with jurisdiction with respect to the service confirms that the service is available to service the *lot* in question.

4.26. CONDOMINIUM PHASING

Where a draft condominium description has been approved by the applicable approval authority and the description is proposed to be registered in phases in accordance with Part XI of the Condominium act, 1998, and the registration of each phase occurs in accordance with the approved condominium description, all registered and proposed phases included in the said description are deemed to comply with the provisions of the Zoning Bylaw notwithstanding that the descriptions for all phases have not been registered.

5. PARKING AND LOADING

5.1. PARKING AREA REQUIREMENTS

When any new development is constructed, when any *existing* development is enlarged, or when any *use* is changed, off-*street* vehicular parking spaces must be provided in accordance with the standards of this By-law.

5.2. EXCLUSIVE NATURE OF PARKING SPACE

A parking space required by this By-law must be available for parking purposes and used exclusively for that purpose.

5.3. SIZE OF PARKING SPACE AND AISLE WIDTHS

The size of each parking space must be in accordance with the following standards:

PARKING SPACE CLASSIFICTION	MINIMUM WIDTH	MINIMUM LENGTH
Standard (90 degree to aisle)	3.0 metres	6.0 metres
Angled (less than 90 degree to aisle)	3.0 metres	6.0 metres
Indoor Parking of 4 or more vehicles	2.6 metres	5.5 metres
Parallel	3.0 metres	7.0 metres
Accessible	3.4 metres, plus a 1.5 metres hatched aisle strip which may be shared by two adjacent Accessible – shared spaces	6.0 metres
Accessible (parallel)	4.1 metres	7.0 metres

The width of adjacent aisle to parking spaces must be in accordance with the following standards:

Angle of Parking Space with Aisle	Minimum Perpendicular Width of Aisle
70 to 90 degrees	7.0 metres
50 to 69 degrees	5.5 metres
Less than 50 degrees (one way traffic)	4.0 metres

5.4. LOCATION OF USE AND PARKING

Parking spaces must be located on the same *lot* as the *use* except for a *lot* located on an island.

5.5. PARKING AREA BUFFERS

Parking areas with more than four parking spaces abutting Residential, Shoreline, Open Space or Institutional Zones must provide screening in accordance with the requirements of Section 4.23 of this By-law.

5.6. MORE THAN ONE USE ON A LOT

The parking requirements for more than one *use* on a single *lot* or for a *building* containing more than one *use*, is the sum total of the parking requirements for each of the component *use*s, unless otherwise noted.

5.7. PARKING IN THE DOWNTOWN CORE

Notwithstanding Section 1.7 of this By-law, non-residential *use*s within the area shown on Schedule "H" as 'Parking Policy Area', that change from one permitted *use* to another within the confines of any *existing building*, need not provide additional parking. Any increase in floor space through additions or expansion into space not presently used for commercial purposes must provide additional parking at the rate of 1 parking space per 30 m^2 of *gross floor area* or cash-in-lieu of parking. Parking requirements for *dwelling unit*s not in existence on the date of approval of the By-law must be provided in accordance with Section 5.17 of this By-law, however existing on-site parking currently used for commercial purposes may be used for new *dwelling units* and the reduction of parking for commercial purposes may be taken as cash-in-lieu of parking.

5.8. PARKING AREA LOCATION ON LOT

Notwithstanding the *yard* and setback provisions of this By-law, uncovered surface *parking area*s and parking spaces are permitted in the *required yard*s or in the area between the *street line* and the required setback. *Parking areas* and *parking spaces* may only be located as follows:

USE	YARD IN WHICH PARKING IS PERMITTED
Open Space, Rural, Commercial, Industrial and Institutional	All *yard*s, provided that no part of any *parking area*, other than a *driveway*, is located closer than 1 metre to any *street line*.
Residential and Shoreline (Detached Dwelling, Seasonal Dwelling, Second Dwelling Unit, Semi-Detached, Duplex Dwellings, Row Dwellings)	All *yard*s, provided that no part of any *parking area*, other than a *driveway*, is located closer than 1 metre to any *street line*.
Residential (Triplex, Fourplex and Apartment)	Interior side and *rear yard*, provided that no part of any *parking area*, other than a *driveway*, is located closer than 1 metre to any *street line*
Residential (*Group Housing*)	All *yard*s, provided that no part of any *parking area*, other than a *driveway*, is located closer than 7.5 metres to any *street line* and no closer than 3 metres to any *side lot line*.

In all non-residential zones, no *driveway* or *parking area* is permitted within 3 metres of the boundary of a Residential or Shoreline Zone.

No *parking area* is permitted within the minimum required setback of 20 metres from the *high water mark* of any *waterbody* or *watercourse* or within 30 metres of any cold water stream.

5.9. USE OF DRIVEWAYS FOR PARKING

Parking spaces and areas required in accordance with this By-law must only be used for the parking of operative, currently licensed vehicles that are used in operations related to the permitted *use*s for which the parking spaces and areas are required. Parking of a vehicle is only permitted in a parking space or *driveway*.

5.10. RESIDENTIAL DRIVEWAY PROVISIONS

The following provisions apply to all *driveways* in a Residential Zone:

i) The minimum width of a *driveway* is 3.0 metres;

ii) For a lot with a lot frontage greater than 15.0 metres, the maximum width of all *driveways* is the lesser of 7.5 metres or 40% of the lot frontage;

iii) For a lot with a lot frontage of 15.0 metres or less, the maximum width of all *driveways* is 50% of the lot frontage;

iv) A *driveway* is required to be setback a minimum of 1.2 metres from any interior side lot line, except on a lot with a frontage of less than 8.0 metres, where adjoining *driveways* are permitted;

v) A *driveway* is required to be setback a minimum of 1.2 metres from any rear lot line; and

vi) The maximum width of any shared *driveway* measured along a street line is 9.0 metres.

vii) Notwithstanding any section to the contrary, a turnaround may be placed on a lot that fronts on a collector or arterial road in an R1 or R2 Zone with a minimum setback from the front lot line of 5.5 metres. The turnaround may be a maximum length of 6.0 metres and a maximum width of 3.0 metres.

5.11. CONSTRUCTION OF PARKING SPACES, PARKING AREAS AND DRIVEWAYS

Parking spaces, parking areas, and driveways connecting the parking space or parking area with a street must be maintained with a stable surface which is treated so as to prevent the raising of dust. Such parking spaces, parking areas or driveways must, before being used, be constructed of crushed stone, gravel, asphalt, concrete, or similar material and will include provisions for drainage facilities. The use of concrete, steel or plastic pavers that create permeable parking areas is also permitted.

5.12. LANDSCAPING IN PARKING AREAS

No parking space is permitted more than 60 metres from a landscaped area.

5.13. PARKING OF COMMERCIAL VEHICLES

5.13.1. Residential Zones

Within any Residential Zone, the owner or occupant of a *dwelling unit* may use a parking space for the purposes of parking or storage of one *commercial motor vehicle*, provided such *motor vehicle* does not exceed a capacity of 4,500 kg.

5.13.2. Transport Trailers

A *transport trailer* may only be parked within a designated loading space and the *transport trailer* may only be parked for a maximum of 15 days at a time.

5.14. PARKING OF RECREATIONAL VEHICLES, TRAILERS AND BUSES

5.14.1 Residential Zones

In a Residential Zone, the total number of combined *motor homes*, *travel trailers*, boats, trailers for motorized vehicles, landscape trailers or utility trailers parked outside on a lot is one (1). If located in a *front yard* or *exterior side yard,* the *motor home, travel trailer,* boat, trailer for a motorized vehicle, or utility trailer must be located in a driveway and the lot must remain able to provide sufficient parking in accordance with Section 5.17 of this By-law.

5.14.2 Shoreline Residential Zones

In a Shoreline Residential Zone, the total number of combined *motor homes*, *travel trailers*, boats, trailers for motorized vehicles, landscape trailers or utility trailers parked outside on a lot is two (2) and they must be located in the *interior side yard* or *rear yard*. If located in an *interior side yard*, the *motor home, travel trailer,* boat, trailer for a motorized vehicle, or utility trailer must meet the minimum *interior side yard* for the zone in which it is located.

5.14.3 Rural Zones

In any RU or RR Zone, the following provisions apply to the parking of recreational vehicles and trailers on a *lot*:

i) The total number of combined *travel trailers* and *motor homes* parked outside on a *lot* shall not exceed two (2);

ii) For a *lot* with a *lot area* of less than 0.8 hectares, the total number of combined *motor homes*, *travel trailers*, boats, trailers for motorized vehicles, landscape trailers or utility trailers shall not exceed two (2);

iii) For a *lot* with a *lot area* of 0.8 hectares or greater, the total number of combined *motor homes*, *travel trailers*, boats, trailers for motorized vehicles, landscape trailers or utility trailers shall not exceed four (4);

iv) A maximum of one of either a *motor home*, *travel trailer*, boat, trailer for motorized vehicles, landscape trailer or utility trailer may be parked in the *front yard* or *exterior side yard* provided that a minimum setback of 30 metres from the *front lot line* and *exterior side lot line* is met. All other *motor homes*, *travel trailers*, boats, trailers for motorized vehicles, landscape trailers or utility trailers must be located in the *interior side yard* or *rear yard* and meet the setbacks of the zone in which it is located; and

v) Notwithstanding any other provisions to the contrary, there is no limit to the number of recreational vehicles or trailers parking within a *private garage*.

5.14.4 Motor Home and Travel Trailer – Human Habitation

A *motor home or travel trailer* parked in any Zone, except a RU or RR Zone, is not permitted to be used for *human habitation* unless located within a *camping establishment*.

In a RU or RR Zone, a maximum of one (1) *motor home or travel trailer* can be used for *human habitation* provided the *motor home or travel trailer*:

i) is parked on a *lot* with a minimum *lot area* of 0.8 hectares;

ii) meets all yard requirements for the zone in which it is located; and

iii) is used for *human habitation* a maximum of 15 days in a month and a maximum of 60 days in a calendar year.

5.14.5 Vacant Lots

A *motor home*, *travel trailer*, boat, trailer for motorized vehicles, landscape trailer or utility trailer is not permitted to be parked on a *lot* in a Residential or Shoreline Zone without a principle structure.

In a RU or RR Zone, the total number of combined *motor homes*, *travel trailers*, boats, trailers for motorized vehicles, landscape trailers or utility trailers parked on a lot without a principal structure shall not exceed two (2) and provided:

i) any *motor homes*, *travel trailers*, boats, trailers for motorized vehicles, landscape trailers or utility trailers meet the setbacks for the zone in which it is located; and

ii) the lot has a minimum lot area of 0.8ha.

5.14.6 Accessory Buildings and Structures

No *accessory building or structure* is permitted accessory to a *motor home*, *travel trailer*, boat, a motorized vehicle, landscape trailer or utility trailer with the exception of a *motor home* or *travel trailer* located on a camp site in a *camping establishment* in accordance with Section 3.5.3.2(*5).

5.14.7 Services

A *motor home* or *trailer travel* is not permitted to be connect to a hydro service or a septic system with the exception of a *motor home* or *travel trailer* located on a camp site in a *camping establishment.*

5.14.8 Buses

In any RU, RC, RUM or RUI Zone, a maximum of one school bus is permitted to be parked outside within any yard.

5.15. PARKING OF INOPERATIVE VEHICLES

The parking or storage of boats, trailers or any *motor vehicle* that does not have current license plates is not permitted in any zone, unless wholly located within a *private garage*. This section does not apply to the following uses: *Farm Implement Dealer, Marina, Motor Vehicle Body Shop, Motor Vehicle Dealership, or Motor Vehicle Repair Garage.*

5.16. CALCULATION OF PARKING REQUIREMENTS

Where the minimum number of parking spaces is calculated on the basis of a rate or ratio, the required number of spaces is rounded to the higher whole number.

5.17. PARKING SPACE REQUIREMENT TABLE

The minimum parking requirement for permitted *use*s is as follows:

Type of Nature of Use	**Minimum Off-Street Parking Requirements**
Apartments, *Row Dwelling*, *Triplexes*, *Fourplexes*	• 1.5 parking spaces per *dwelling unit*
Artisan Studio, Audio Visual Studio	• 1 parking space per 18 m^2 of *gross floor area*
Assembly Hall, *Place Of Entertainment*	• 1 parking space per 13 m^2 of *gross floor area*
Bed And Breakfast Establishment	• 1 space for every room or each suite used for the purposes of lodging for the traveling public, in addition to the required parking for the dwelling
Brewery, Distillery	• 1 parking space per 70m^2 of *gross floor area*
Camping Establishment	• 1 parking space for each *Tent* or Trailer space and 1 parking space per *Tourist Cabin*
Day Nurseries and *Group Homes*	• 2 parking spaces in addition to the required parking for the dwelling
Drug Store	• 1 parking space per 30 m^2 of *gross floor area*
Farm Produce Retail Outlet	• the greater of 3 parking space or 1 parking space per 30 m^2 of *gross floor area*
Financial Institutions	• 1 parking space per 30 m^2 of *gross floor area*
Fitness Centre	• 1 parking space per 13 m^2 of *gross floor area*
Fitness Studio	• 1 parking space per 10 m^2 of *gross floor area*
Funeral Home	• 30 parking spaces for the first 30 m^2 of *gross floor area* plus 1 space for each additional 15m^2 of *gross floor area*

Type of Nature of Use	Minimum Off-Street Parking Requirements
Home Industry	• 2 parking spaces in addition to the parking requirements for the residential *use*
Hospital, *Long-Term Care Home*	• 3 parking spaces for every four beds
Hotel	• 1 parking space per guest room plus 1 space per 23m^2 of floor space devoted to public *use*
Industrial	• 1 parking space per 70 m^2 of *gross floor area*
Laundry Establishment	• 1 parking space for every 2 machines or 1 space per 20 m^2 of *gross floor area*, whichever is greater
Marina	• 1 parking space for every 6 metres of dockage, and 1 parking space for every 8 m^2 of gross floor area devoted to commercial *use*, exclusive of storage area.
Medical Clinic	• 5 parking spaces per practitioner
Mobile Food Service	• a minimum of 3 parking space per *Mobile Food Service*, which does not include any parking spaces used for the parking of a *Mobile Food Service* vehicle
Motel, *Tourist Establishment*	• 1 parking space per guest room plus 1 space per 23 m^2 of floor space devoted to public *use*
Motor Vehicle Body Shop, *Motor Vehicle Repair Garage, Motor Vehicle Detailing Shop*	• 1 parking space for every 45 m^2 of floor space dedicated to *accessory* retail sales and 3 spaces per service bay
Motor Vehicle Wash, Automatic	• Queuing space for 8 vehicles for ingress to a car wash and 2 vehicles for egress
Office	• 1 parking space per 30 m^2 of *gross floor area*
Place Of Worship	• 1 parking space per 23 m^2 of *gross floor area*
Repair Shop, Service Trade Shop,	• 1 parking space per 30 m^2 of *gross floor area*

Type of Nature of Use	Minimum Off-Street Parking Requirements
Residential, Other Than Listed Herein	• 2 parking space per *dwelling unit,* 1 of which may be located within a *private garage* or *carport*
Restaurant	• 1 parking space per 10 m^2 of *gross floor area*
Restaurant, *Drive-Thru* Facilities	• queuing space for 6 vehicles for ingress approaching a *drive-thru* window and space for 2 vehicles for egress
Retail Store, *Personal Service Shop,*	• 1 parking space per 30 m^2 of *gross floor area*
Retirement Home	• 1 parking space per unit
School, Elementary	• 6 spaces for the use of visitors and the greater of 1.5 parking spaces per classroom or 1 parking space per 3m^2 of floor area in the gym or auditorium.
School, Secondary	▪ 8 spaces for the use of visitors and the greater of 4 parking spaces per classroom or 1 parking space per 3m^2 of floor area in the gym or auditorium.
School, Post Secondary, *Training Centre*	• 1 space per 93 m^2 plus 1 space per 8 full time students
Second Dwelling Unit	• a combined total of 2 parking spaces are required for both the *Second Dwelling Unit* and the *Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling* or *Row Dwelling* located on the same *lot*
Seniors Assisted Living Home	• 1 parking space for each *unit*,
Shopping Centre	• 1 parking space per 20 m^2 of *gross floor area*
Supermarket, Specialty Food Store	• 1 parking space per 20 m^2 of *gross floor area*
Veterinary Clinic	• 3 parking spaces per examination room
Waterfront Landing	• 2 parking spaces per *boat slip*
Winery	• 1 parking space per 30 m^2 of *gross floor area*

Type of Nature of Use	Minimum Off-Street Parking Requirements
Workshop	• 1 parking space per 37 m^2 of *gross floor area*
*Use*s permitted by this By-law other than those listed in this Table	• 1 parking space per 37 m^2 of *gross floor area*

5.18. NUMBER OF ACCESSIBLE PARKING SPACES

The minimum required number of accessible parking spaces are as follows:

Number of Parking Spaces Required by the use under Section 5.17	Number of Require Parking Spaces, which must be Accessible Parking Spaces
Up to 12 parking spaces	1 accessible parking space
13 to 100 parking spaces	4% of the total number of required parking spaces
101 to 200 parking spaces	1 accessible parking space plus 3% of the total number of required parking spaces
201 to 1000 parking spaces	2 accessible parking space plus 2% of the total number of required parking spaces
More than 1000 parking spaces	11 accessible parking space plus 1% of the total number of required parking spaces

5.19. ACCESS AISLES FOR ACCESSIBLE PARKING SPACES

Access aisles are required adjacent to all accessible parking spaces. The access aisles may be shared by two parking spaces and they must meet the following requirements:

i) Minimum width of 1.5 metres;

ii) Extend the entire length of the adjacent parking space(s); and

iii) Marked with high tonal contrast diagonal lines, which discourages parking in the access aisle.

5.20. LOADING SPACE

In any Commercial, Industrial or Institutional Zone when any new development is constructed, when any *existing* development is enlarged, or when any *use* is changed, provision must be made for off-*street* vehicular *loading space*s as follows:

Gross Floor Area of *Building*	Loading Space
Less than 370m^2	0 *Loading Spaces*
Greater than or equal to 370m^2 and less than 2325 m^2	1 *Loading Space*
Greater than or equal to 2325 m^2	2 *Loading Spaces*

5.21. SIZE OF LOADING SPACE

Each *loading space* must be a minimum of 9 metres long, 3.5 metres wide and have a vertical clearance of at least 4 metres.

5.22. LOCATION OF LOADING SPACE

*Loading space*s must be provided on the same *lot* as the *use* or *building* for which it is required.

5.22.1. Location on Lot

Required *loading space*s must be located in the *interior side yard* or *rear yard*. Such space or spaces may be located in the *front yard* or *exterior side yard* provided they are set back from the *street line* a minimum of 30 metres.

5.22.2. Setbacks Abutting a Residential or Shoreline Zone

In any Commercial or Industrial Zone, no *loading space* is permitted closer than 3 metres to any interior *side lot line* or *rear lot line* that abuts a Residential or Shoreline Zone.

5.23. ADDITIONS TO BUILDINGS

The *loading space* requirements of this By-law do not apply to any *building* in existence at the date of passing of this By-law so long as the floor area, as it existed at such date, is not increased. If an addition is made to the *building* or *structure*, which increases the floor area, then additional *loading space*s must be provided as required by the regulations of this By-law.

5.24. LOADING AREAS IN THE DOWNTOWN CORE

Notwithstanding Section 5.20 of this By-law, the provision of *loading space*s is not required for the lands identified on Schedule “H”, ‘Parking Policy Area’ of this By-law.

5.25. BUFFERING OF LOADING AREAS

Loading areas and facilities must be screened in accordance with the requirements of Section 4.23 of this By-law.

6. DEFINITIONS

ACCESSORY BUILDING, *STRUCTURE* OR *USE* –

Means a *use*, *building* or *structure* that is subordinate to and customarily incidental to the principal *use* or *structure* on the same *lot* but does not include other objects used for storage such as a trailer, storage container or ship container.

AGRICULTURAL USE –

Means general farming and includes such *use*s as the general cultivation of land and associated production, conditioning, processing and storing or field crops, fruits, vegetables, and horticultural crops and the selling of such produce on the premises, but does not include any other establishment otherwise defined or classified in this By-law.

AGRICULTURAL USE, INTENSIVE –

Means the *use* of land, *building*s or *structure*s for the propagation of specialty crops, or for the breeding and rearing of livestock, including poultry, fowl, fur-bearing animals and bees but does not include the breeding or rearing of any exotic species.

ANIMAL SHELTER –

Means a premise used for the care of lost, abandoned or neglected animals.

ARENA –

Means a building, or part of a building, in which facilities are provided for such purpose as ice or roller skating; but does not include any other establishment otherwise defined or classified in this By-law.

ARTISAN STUDIO –

Means a building, or part of a building, used for the creation and production of arts, crafts or music without the use of heavy equipment and may include instruction to individuals and accessory retail uses.

ASSEMBLY HALL –

Means a *building* or part of a *building*, in which facilities are provided for the gathering of groups of people and includes a banquet hall or private club, but does not include any other establishment otherwise defined or classified in this By-law.

AUDIO VISUAL STUDIO –

Means a commercial establishment engaged in recording, producing or broadcasting audio or visual materials, or both, with or without a business office, Auditorium or antenna as Accessory Uses, and includes, without limiting the generality of the foregoing, radio or television broadcasting stations, cable television studios, sound recording studios, video recording studios and motion picture studios.

BALCONY –

Means a partially enclosed platform projecting from the main wall of a *building* which is not supported by vertical uprights other than the wall itself and which is only accessible from within the *building*.

BARN –

Means a *building* or *structure* used for the housing and care of horses or other permitted livestock, and for the storage of feed, hay, and other crops, but does not include any other *building* or *structure* otherwise defined or classified in this By-law.

BED AND BREAKFAST ESTABLISHMENT –

Means a *dwelling* or part of a *dwelling* in which a maximum of 3 bedrooms are used or maintained for the accommodation of the traveling public, in which the proprietor supplies lodgings with or without meals for hire or pay but does not include any other establishment otherwise defined or classified in this By-law.

BOARDING KENNEL –

Means a service commercial establishment for the keeping, breeding, boarding or training of animals but does not include the keeping of animals in a *veterinary clinic* for the purpose of observation, or recovery necessary to veterinary treatment.

BOATHOUSE –

Means a detached *accessory building* or *structure* used primarily for the storage of watercraft and watercraft related equipment but does not include open walkways or uncovered docking facilities.

BOATHOUSE, SINGLE STOREY –

Means a *boathouse* that does not contain any floor above the dock with the exception that a *deck* may be located on the roof.

BOATHOUSE, TWO STOREY –

Means a *boathouse* that may contain a floor above the dock with the floor area above the dock to be used for storage, a *sleeping cabin* or *a deck*.

BOAT PORT –

Means a covered *accessory building* or *structure* designed and used for the temporary storage of watercraft but which is open on at least 2 sides and may be supported entirely by posts.

BOAT SLIP–

Means the docking place for one boat with the boat slip having a maximum width of 4 metres.

BREWERY –

Means a building used primarily for the manufacturing, processing and distribution of beer or cider.

BUILDER'S YARD –

Means a yard of a building contractor or company used as a depot for the storage and maintenance of equipment used by the contractor or company, and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business, but does not include the wholesale or retail sale of building supplies or home improvement supplies.

BUILDING –

Means a *structure* having a roof, supported by columns or walls or supported directly on the foundation and used for the shelter or accommodation of persons, animals or goods.

BUILDING, PRINCIPAL –

Means a *building,* which constitutes, by reason of its *use*, the primary purpose for which the *lot* is used.

BULK FUEL SALES –

Means a premise used for the storage or distribution of fuels and oils but does not include a *motor vehicle gasoline bar* or key lock operation.

BUS STORAGE –

Means *an area used for the parking, including overnight parking of buses and may include a* building *or* structure *for the repair and maintenance of the buses on site.*

CAMPING ESTABLISHMENT –

Means a parcel of land providing overnight, short term or seasonal accommodation for motor homes, travel trailers, park model trailers, and tents and may include tourist cabins used or maintained for accommodation but not mobile homes, and including services and facilities normally incidental and subordinate to such a use including common washroom lavatory and bathing facilities, indoor or outdoor recreation areas, an entrance kiosk or office and accessory convenience store.

CARPORT -

Means a detached *accessory building* or portion of a dwelling, which is designed or used for the sheltering of a private *motor vehicle* and storage of household equipment incidental to the residential occupancy and which is open on at least 1 side and may be supported entirely by posts.

CEMETERY –

Means land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried.

CHILDREN'S CAMP –

Means a camp for recreational activities consisting of one or more *tents,* cabins, *buildings* or other *structures* together with the land appertaining thereto, established or maintained as sleeping quarters with or without charge for ten or more persons, for temporary occupancy with an accessory recreational dining hall, but does not include a camp established by a person for his family and his guests or to a camping establishment as defined in clause 1 (1) (d) of Regulation 936 of Revised Regulations Ontario, 1980 made under *the Tourism Act.*

COMMUNITY LIVING FACILITY –

Means a *building* or *structure* used for the purpose of educating adults in classroom environments in living skills, which may include communication skills, cooking skills, literacy, survival skills, monetary skills, social development and contract work. The *use* may also include programs for youths and include administrative *office* accessory to the primary *use*.

CONTRACTOR'S YARD –

Means a *yard* of any *building* trade or contractor where equipment and material is stored or where a contractor performs shop or assembly work.

CONVENIENCE STORE –

Means a retail commercial establishment with a gross floor area of no greater than 350 m^2, supplying primarily groceries and other daily household needs to the immediate surrounding area.

COTTAGE INDUSTRY –

Means the use of a building or structure for the purpose of gainful occupation, incidental and subordinate to the principal use of the property, and may include accessory sales and distribution of such occupation's products, provided that there is no external storage of goods or material, the cottage industry is not a noxious use and there will not be any external signage of the cottage industry other than a sign of no larger than 0.6m^2.

CRAFTSMAN SHOP –

Means a *building,* or part of a *building* used for the creation, finishing, refinishing, or similar production of custom or hand-made commodities, together with the retailing of such commodities.

COUNCIL –

Means the Municipal *Council* of the Corporation of the Town of Bracebridge.

DAY NURSERY –

Means a premises where more than 6 children are provided with temporary care or guidance for a continuous period not exceeding twenty-four hours and are licensed in accordance with the Day Nurseries Act.

DECK –

Means an *accessory structure* with no roof or walls except for visual partitions and guards, which is constructed on piers or a foundation more than 0.6 metres above-grade and used as an outdoor living area but does not include a landing or a stair.

DEPARTMENT STORE –

Means a *retail store* where a wide range of merchandise is sold and a wide range of services are provided on a departmentalized basis, including but not limited to: household furniture and furnishings; household appliances; clothing and apparel; hardware; paint and wallpaper; drugs; photo equipment and services; restaurant, including takeout facilities; optical; food products and groceries; books and stationary; banking and financial services; wine; tire and lube service shop; and garden centre.

DISTILLERY –

Means an establishment licensed by the Province of Ontario used primarily for the manufacturing, processing and distribution of alcoholic spirits as a beverage and may include a tasting room.

DISTRICT –

Means the *District* Municipality of Muskoka.

DOCK –

Means a *structure* built at or anchored to the shore at which watercrafts or other floating vessels are berthed or secured to and which may provide a foundation for a *boathouse*.

DORMITORY –

Means a *building* or *structure* where four (4) or more residents have exclusive use of a bedroom but common washroom and kitchen facilities and where each residential individually compensates the owner for providing the accommodation.

DRIVEWAY –

Means an area of a lot that is surfaced in accordance with this By-law to support vehicular traffic and provides vehicular access to *Parking Areas*, *Loading Spaces*, *Private Garages*, *Buildings* or *Structures* on a *Lot,* from an Improved *Public* or *Private Street*..

DRUG STORE –

Means a *building* or part of a *building* in which the primary business is the filling of medical prescriptions and the sale of drugs, medical devices and supplies, and nonprescription medicines are offered or kept for sale to the public and may include an area a maximum of 4,000m^2 for the sale of groceries and other daily household but does not include any other establishment otherwise defined or classified in this By-law.

DWELLING –

Means a *building* used or capable of being used for residential occupancy.

DWELLING, ACCESSORY UNIT –

Means a *dwelling unit*, which is accessory to a permitted use within the zone in which it is located.

DWELLING, ACCESSORY APARTMENT UNIT –

Means a *dwelling unit*, which is accessory to a permitted use within the zone in which it is located and is located in the same *building* as the *use* it is accessory too.

DWELLING, APARTMENT –

Means the whole of a *building* that contains four or more *dwelling unit*s, which have a common entrance from *street* level. An *apartment dwelling* does not include any other *dwelling* otherwise defined in this By-law.

DWELLING, DETACHED –

Means a *building* containing one *dwelling unit*.

DWELLING, DUPLEX –

Means the whole of a *building* that is divided horizontally into two separate *dwelling unit*s each of which has an independent entrance either directly from the outside or through a common vestibule.

DWELLING, FOURPLEX –

Means a pair of two attached *duplex dwelling* houses with a common wall dividing the pair of *duplex dwelling* houses vertically, each of which has an independent entrance directly from the outside or through a common vestibule for each duplex.

DWELLING, MOBILE HOME –

Means a transportable, factory-built, dwelling designed to be transported on its own wheels and chassis to a mobile home *lot*, and may be supported on wheels, jacks, posts or piers, or with a permanent foundation in accordance with the applicable CAN/C.S.A. Z240 MH Series 92, Z240 MH Series 86 or C.S.A. A-277, as amended from time to time. Such mobile home must be designed to be connected to service utilities so as to be suitable for year round long-term occupancy.

DWELLING, ROW –

Means three or more attached *dwelling unit*s, but not exceeding eight *dwelling unit*s that are attached to each other, each having independent entrances directly from the outside.

DWELLING, SEASONAL –

Means a dwelling unit that lacks one or more of the basic amenities or utilities required for all year or all weather occupancy in accordance with the regulations of the Ontario Building Code.

DWELLING, SEMI-DETACHED –

Means one of a pair of two attached dwellings with a common wall dividing the pair of dwellings vertically, each of which has an independent entrance, either directly from the outside or through a common vestibule.

DWELLING, TRIPLEX –

Means the whole of a *building* that is divided horizontally into three separate *dwelling unit*s each of which has an independent entrance either directly from the outside or through a common vestibule.

DWELLING, UNIT –

Means one or more rooms that may be used as a residence with each unit having sleeping, cooking and toilet facilities.

DWELLING UNIT, *SECOND –*

Means a self-contained *dwelling unit* that is located within the same *building* as a *detached dwelling, semi-detached dwelling, duplex dwelling* or *row dwelling* or an accessory *building or structure* thereto.

EMERGENCY SERVICE DEPOT –

Means a premises or *building* from which emergency service personnel and equipment are dispatched and may include facilities for fire, medical or police services.

EQUIPMENT SALES AND RENTAL –

Means a *building* or part of a *building* or *structure* in which machinery and equipment are offered or kept for rent, lease or hire under agreement for compensation.

ESTABLISHED BUILDING LINE –

Means the average *front yard* of the main *building* or *structure* not including a *deck, patio* or *porch* for the lesser of two lots to both sides or 60 metres to both sides.

EXISTING –

Means *existing* as of the date of the passing of this By-law.

FARM IMPLEMENT DEALER –

Means a premise where farm machinery is stored and sold or leased to the public and which may include facilities for the repairing of farm machinery.

FARM PRODUCE RETAIL OUTLET –

Means a premise where the products of an *agricultural use* are sold at retail.

FINANCIAL INSTITUTION –

Means a *building* or *structure* used for the premises of a bank, trust company or credit union but does not include any other establishment otherwise defined or classified in this By-law.

FINANCIAL SERVICES ESTABLISHMENT –

Means a *building* or *structure* where financial services are provided to the public, including but not limited to a finance company, mortgage company, insurance company and investment company but does not include any other establishment otherwise defined or classified in this By-law.

FITNESS CENTRE –

Means premises in which facilities are provided for recreational or athletic activities such as body-building and exercise classes and may include associated facilities such as a sauna, swimming pool, solarium, cafeteria and accessory retail uses.

FITNESS STUDIO –

Means premises in which facilities are provided for individuals to participate in physical activities classes such as yoga, dance, pilates and martial arts instruction but must not include any associated facilities that are permitted with a *Fitness Centre*.

FLOOD FRINGE –

Means the outer portion of the *flood plain* between the *floodway* and the limit of the regulatory flood.

FLOOD PLAIN –

Means areas subject to flood plain studies under the Canada/Ontario Flood Damage Reduction Program, lands adjacent to the Muskoka River below the Regulatory Flood Elevation.

FLOOD-PROOFING –

Means a combination of *building* changes or adjustments incorporated into the basic design, construction, or alteration of individual *building*s or properties so as to reduce or eliminate the potential for flood damages.

FLOODWAY –

Means the channel of a *navigable waterway* and that inner portion of the *flood plain* where flood depths and velocities are generally higher than those experienced in the *flood fringe*. The *floodway* represents that area required for the safe passage of flood flow or that area where flood depths or velocities are considered to be such that they pose a po*tent*ial threat to life or property damage.

FLOOR AREA, GROSS –

Means the aggregate of the floor area measured between the exterior faces of the exterior walls of the *building* or *structure* at the level of each floor, and in the case of a dwelling, excluding any *porch*es, verandas or sunrooms (unless habitable in all seasons of the year), any basement or cellar or *private garage*.

FLOOR AREA, GROSS LEASABLE –

Means the aggregate of the floor area measured between the exterior faces of the exterior walls of the *building* or *structure* at the level of each floor, and in the case of a dwelling, excluding any *porch*es, verandas or sunrooms (unless habitable in all seasons of the year), any basement or cellar or *private garage* but does not include mechanical rooms.

FLOOR AREA, TOTAL –

Means the aggregate of the horizontal areas of each floor, where any such floor is above or below grade, measured between the exterior faces of the exterior walls of the *building* or *structure* at the level of each floor or for the purposes of a *deck* means the aggregate horizontal floor area of the decking.

FORESTRY OPERATIONS –

Means the raising and harvesting of timber for the purpose of producing commercial or non-commercial wood products but does not include the manufacturing or processing of such products.

FRONT OF A BUILDING –

Means the elevation of a building directly adjacent to the front yard or in the case of an *accessory building or structure*, means the elevation with principal access into the *accessory building or structure.*

FUEL STORAGE TANK –

Means a tank for the bulk storage of petroleum, gasoline, fuel, oil, gas or flammable liquid or fluid but does not include a container for flammable liquid or fluid legally and properly kept in a *retail store* or a tank for storage merely incidental to some other *use* of the premises where such tank is located.

FUNERAL HOME –

Means a *building or structure* designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.

GARAGE, PRIVATE –

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

GARAGE SALE –

Means an occasional sale, conducted on a residential property by an occupant of such residential property, of household goods belonging to the occupier thereof and includes a Yard Sale and the like.

GARDEN CENTRE –

Shall mean a premises or establishment used for the growing, display and retail sale of flowers, plants, trees and shrubs and includes the retail sale of such goods, products and equipment as are normally associated with gardening or landscaping.

GARDEN SUITE –

Means a one unit detached accessory residential *structure* containing bathroom and kitchen facilities that is ancillary to a *detached dwelling* and that is designed to be temporary and portable but does not include a *motor home, travel trailer* or *park model trailer.*

GAZEBO –

Means a freestanding, roofed *accessory structure*, which is not enclosed, except for screening or glass.

GOLF COURSE –

Means a public or private area operated for the purpose of playing golf, and includes such *use*s as a dining room, a club house, a liquor licensed lounge and a driving range, but does not include a miniature golf course.

GOLF DRIVING RANGE –

Means an outdoor area designated for the practicing of golf shots with golf balls provided by the owner/operator from individual tee decks and may include the use of netting to contain the golf balls within a fixed area.

GRADE, FINISHED –

Means the average elevation of the finished surface of the ground at ground level measured on any side of a building or structure

GRADE, ORIGINAL –

Means the elevation of the ground surface in its natural state, before man-made alterations.

GRAVEL PIT –

Means an open area where sand, gravel and rock fragments are excavated for sale or off-tract *use* and where explosives are not being used.

GROUP HOME –

Means a residence designed for the accommodation of 3 to 6 persons, exclusive of staff, living under supervision in a *dwelling unit* and whom by reason of their emotional, mental, social, or physical condition or legal status, require a group living arrangement for their well-being. A *group home* must be licensed or approved under an applicable Provincial statute. For the purposes of this By-law, *group home*s will be classified either as *Group Home A* or *Group Home* B.

GROUP HOME A –

Means a *group home* primarily for persons who have been referred by a *hospital*, recognized social services agency or health professional.

GROUP HOME B –

Means a *group home* operated primarily for persons who have been placed on probation, released on parole, or admitted for correctional purposes.

GROUP HOUSING –

Means two or more separate *detached dwelling*s, *semi-detached dwelling*s, *duplex dwelling*s, *triplex dwellings*, fourplex *dwelling*s, *row dwelling*s or *apartment dwelling buildings* located on the same *lot* and retained under single or condominium ownership.

HEIGHT AND *HEIGHT OF BUILDING* –

Means the vertical distance, measured between the *finished grade* at the *front of a building*, or in the case of a *boathouse* or *boat port* the top of dock, and

a) in the case of a flat roof or mansard roof, the highest point of the roof surface;

b) in the case of a gable, hip or gambrel roof, on a *building or structure* other than an *accessory building or structure,* the mean *height*s between the eaves and ridge. For the purpose of gable, hip or gambrel roof, the mean height will be measured on the roof slope with the greatest area; and

c) in the case of a gable, hip or gambrel roof, for an accessory building such as a *boathouse, boat port, sleeping cabin, detached garage* or *shed,* the highest point of the roof surface.

HENS, BACKYARD –

Means the keeping of up to 10 hens with no rooster on a lot, accessory to a principal residential use, where the hens and their eggs are for domestic use only and not for sale.

HIGH WATER MARK –

Means the boundary between a *navigable waterway* and land not under water, at normal summer levels.

HOBBY FARM –

Means land on which an *accessory barn*, stable or animal shelter may be erected to house domestic animals kept for recreational purposes or for home consumption by the occupants of the dwelling.

HOME IMPROVEMENT CENTRE –

Means a space extensive retail facility servicing a warehouse and retail function which offers for sale or lease to the general public and building trades a full range of home improvement and building maintenance products and which may also include an accessory garden centre and restaurant but does not include any other establishment otherwise defined or classified in this By-law.

HOME INDUSTRY –

Means an occupation or business, which is carried on entirely within a *building accessory* to a *detached dwelling* house and is operated by the person or persons whose principle residence is the *dwelling unit* on the same *lot*, in accordance with the provisions of this By-law.

HOME OCCUPATION –

Means the *accessory use* of part of a *dwelling unit* by the person or persons whose principle residence is the *dwelling unit* for an occupation or business activity that results in a product or service and which is clearly secondary to the main *use* of the *dwelling unit*.

HOSPITAL –

Means any *institution*, *building* or other premises established for the treatment of persons afflicted with or suffering from sickness, disease or injury, for the treatment of convalescent or chronically ill persons that is approved under the Public *Hospital*s Act as a public *hospital*.

HOTEL –

Means an establishment that consists of one or more connected or adjacent *building*s that caters to the needs of the travelling public by furnishing sleeping accommodation, may or may not supply food, and may include permanent staff accommodation.

HUMAN HABITATION –

Means any area within a *building* or *structure* used or intended to be used for living, sleeping, eating or food preparation but does not include a washroom, sunroom, porch or closet.

HUNT CAMP –

Means a *building* used solely for the purpose of accommodating hunters. A *hunt camp* must not be used as a *dwelling unit*.

INDOOR STORAGE FACILITIES –

Means a *building* or *structure* containing separate, individual self-storage units divided from the floor to the ceiling with an independent entrance from the exterior of the building or a common vestibule, designed to be rented or leased on a short-term basis to the general public for private storage of personal goods, materials and equipment.

INDUSTRIAL USE –

Means the *use* of land, *building*s or *structure*s for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage of goods and related *accessory use*s.

INSTITUTION –

Means a *building* or part of a *building* used for a non-commercial purpose by an organized body, religious group or society such as a *hospital*, a library, convent or similar *use*.

LANDSCAPED AREA –

Means the open unobstructed space from ground to sky at grade on a *lot* which is suitable for the growth and maintenance of grass, flowers, bushes and other plantings but does not include any *driveway* or ramp, whether surfaced or not, any curb, retaining wall, *parking area* or any open space beneath or within any *building* or *structure*.

LANDSCAPING CENTRE –

Means land, *buildings* or *structures* used for the purpose of growing and selling vegetables, plants and flowers and may include the selling of materials associated with landscaping.

LANE –

Means a public thoroughfare which affords only a secondary means of access to abutting *lot*s and which is not intended for general traffic circulation.

LAUNDRY ESTABLISHMENT –

Means a *building* or *structure* used for the purpose of collection and distribution of articles of goods or fabric to be subjected to the process of cleaning, in which only water and detergents can be used.

LEANTO –

Means a *structure* that has a roof supported by posts with no walls for the open area storage of items such as firewood.

LIBRARY –

Means a *building* or *structure,* or part thereof, containing collections of books and periodicals and may include films and recorded music, which people may use on site or be lent for off-site use.

LIGHT EQUIPMENT SALES AND RENTAL ESTABLISHMENT –

Means a *building* or *structure,* or part thereof, in which light machinery and equipment such as air compressors and related tools and accessories, augers, automotive tools, cleaning equipment, light compaction equipment, concrete and masonry equipment, electric tools and accessories, fastening devices such as staples and tackers, floor and carpet tools, gasoline generators, jacks and hydraulic equipment, lawn and garden tools, ladders, moving equipment, painting and decorating equipment, pipe tools and accessories, plumbing tools and accessories, and appurtenances are offered or kept for rent, lease or hire under agreement for compensation.

LIGHT MANUFACTURING USE –

Means the *use* of a *building* or *structure* primarily for the purpose of manufacturing, processing, fabrication, assembly, treatment, packaging, and incidental indoor storage of goods and materials and may include *accessory* sales and distribution of such products but does not include basic industrial processing from raw materials, all such activities conducted wholly within one or more buildings.

LOADING SPACE –

Means an off-*street* space on the same *lot* as the *building*, or contiguous to a group of *building*s, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials.

LODGE –

Means a *tourist establishment* catering to the vacationing public by providing meals and sleeping accommodation with at least five guest rooms or cabins, but does not include any establishment otherwise defined or classified in this By-law.

LONG-TERM CARE HOME –

Means a facility which is licensed under the Long-Term Care Homes Act in which lodging is provided with meals and in addition, provides nursing or medical care but does not include a *hospital*.

LOT –

Means:

a) a parcel of land:
    i) the whole of which can be legally conveyed without approval pursuant to the *Planning Act*; and
    ii) no part of which can be transferred without such an approval; and
    iii) which is not described in a registered condominium description; or
b) two or more parcels of land which are:
    i) deemed to be one lot by this By-law; or
    ii) required to be transferred together by an agreement made pursuant to the *Planning Act*; or
c) a parcel of land described as a whole registered description by the Condominium Act, except for;
    i) a vacant land condominium, in which a unit is considered a lot, or
    ii) in the case of a resort commercial land use that includes associated accommodation units within one or more condominium descriptions that share central management and resort amenities on one contiguous area of land, the entire land area of the resort commercial establishment is deemed to be one lot for the purpose of this By-law.

LOT AREA –

Means the total horizontal area within the *lot line*s of a *lot*, excluding the horizontal area of such *lot* covered by water or *wetland*.

LOT COVERAGE –

Means that percentage of the *lot area* covered by *building*s or *structure*s but does not include uncovered *decks*, uncovered steps, uncovered *sundecks* or portions of shoreline buildings or structures which project over water.

LOT, *FRONTAGE* –

Means the horizontal straight-line distance determined as follows:

a) where the *front lot line* is a *high water mark* or abuts an *original shore road allowance*, the distance between the points where the *lot lines* or their straight line projections intersect the *high water mark*;
b) where there are no *side lot lines*, such as in the case of a peninsula, the greatest distance between any point on the *front lot line* and any point on the *rear lot line;*
c) where there are no *side lot lines* and no *rear lot line*, such as on an island, the greatest distance between any two points on the *front lot line;*
d) where there are two (2) *front lot lines* abutting the same *street*, the shorter of the two *lot lines* shall be the *front lot line*; or
e) in all cases other than those above, the distance between the points where the *side lot lines* intersect the *front lot line***.**

LOT, CORNER –

Means a *lot* situated at the intersection of 2 or more *street*s having an angle of intersection not exceeding 135 degrees.

LOT, INTERIOR –

Means a *lot* other than a *corner lot*.

LOT, THROUGH –

Means a *lot* bounded on both the *front lot line* and the *rear lot line* by *street*s, or in the case of a *lot* on a navigable *waterbody*, by an original shore road allowance or *high water mark* on the *front lot line* and by a *street* or original shore road allowance or *high water mark* on the *rear lot line*.

Where a lot is not a corner lot and has frontage on more than one street, such lot will have a front yard on each street in accordance with the provisions of the zone or zones in which each front yard is located.

LOT LINE –

Means any boundary of a *lot* or its vertical projection.

LOT LINE, EXTERIOR –

Means a *side lot line* that abuts a *street line*.

LOT LINE, FRONT –

Means:

a) the line that divides the *lot* from a *street* or right-of-way, in a R1 or R2 Zone
b) the line that divides the *lot* from a *street* or right-of-way, if the *lot* does not abut a *navigable waterway* or the inner limit of a shore road allowance unless the lot is located in a R1 or R2 Zone;
c) the line that divides the *lot* from a *navigable waterway* if the *lot* abuts a *navigable waterway* unless the lot is located in a R1 or R2 Zone*;*
d) the line that divides the *lot* from the inner limit of a shore road allowance, if the *lot* abuts a shore road allowance but does not directly abut a *navigable waterway*;
e) the shorter of the two intersecting *lot line*s on a *corner lot*; or
f) the *lot* line where the principal access to the lot is provided on a *through lot.*

LOT LINE, REAR –

Means the farthest *lot line* opposite to the *front lot line*, or in the case of a triangular lot, is the point formed by the intersection of the *side lot lines*.

LOT LINE, SIDE –

Means a *lot line* other than a *front* or *rear lot line*.

MAIN BUILDING FACADE –

Means the wall of the main *building* closest to and most closely parallel to the *front lot line*.
MANUFACTURING OR PROCESSING PLANT –

Means a *building* or *structure* in which the process of producing a product suitable for *use*, by hand or mechanical power and machinery carried on systematically with division of labour.

MARINA –

Means a premises used for the selling, renting, servicing or repairing of boats or water craft, watercraft accessories and other recreational vehicles and includes facilities for launching, docking, refuelling or storage of boats and water craft.

MARKET GARDEN –

Means an area of land that is used for the growing of vegetable, fruit or horticultural crops that are then sold on the *lot* on which the produce is grown to customers who either purchase the product after it has been picked or pick the product themselves.

MEDICAL CLINIC –

Means a *building* or *structure* where members of the medical profession provide medical, dental, or therapeutic diagnosis and treatment to the general public without overnight accommodation and may include *accessory* dispensary facilities.

MOBILE FOOD SERVICE –

Means a movable structure or vehicle that is used for the purpose of selling prepared food and drink for immediate consumption on the premises with no provision made for the consumption of food by customers within the structure.

MOBILE HOME –

Means any *dwelling unit* designed to be made mobile and constructed or manufactured to provide a permanent residence for one or more persons in accordance with Canadian Standards Association Standard Z240, but does not include a *motor home*, *park model trailer* or *travel trailer.*

MOTOR HOME –

Means any *motor vehicle* so constructed as to be self-contained, self-propelled unit, capable of being utilized for living, sleeping or eating accommodation.

MOTEL –

Means a premise that contains rooms with no private cooking facilities that are rented on a temporary basis to the public traveling predominantly by motor vehicle, with each room being accessed from the outside.

MOTOR VEHICLE –

Means an automobile, truck, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include steam railways, or other *motor vehicle*s 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.

MOTOR VEHICLE BODY SHOP –

Means a *building* or *structure* used for the painting or repairing of *motor vehicle* bodies, exterior and under- carriage, and in conjunction with which there may be towing service and *motor vehicle rental*s for customers while a *motor vehicle* is under repair.

MOTOR VEHICLE, COMMERCIAL –

Means any *commercial motor vehicle* within the meaning of The Highway Traffic Act.

MOTOR VEHICLE DEALERSHIP –

Means a premise where new or used *motor vehicle*s are available for sale or rent and in conjunction with which there may be a *motor vehicle repair garage*, a *motor vehicle gasoline bar* or a *motor vehicle body shop*, but does not include any other establishment otherwise defined or classified in this By-law.

MOTOR VEHICLE DETAILING SHOP –

Means a building or structure, or part thereof, used for the purpose of performing the cleaning of the inside and outside of a Motor Vehicle and may include the maintenance of Motor Vehicles but does not include a Motor Vehicle Wash, Automatic or a Motor Vehicle Wash, Self-Serve.

MOTOR VEHICLE GASOLINE BAR –

Means one or more pump islands, each consisting of one or more gasoline pumps, and may include a convenience store.

MOTOR VEHICLE PARTS ESTABLISHMENT –

Means a *building* or *structure* where *motor vehicle* parts, accessories, and supplies are stocked for retail and wholesale but does not include any other establishment otherwise defined or classified in this By-law.

MOTOR VEHICLE RENTAL AGENCY –

Means a premise where *motor vehicle*s are kept for rent, lease or hire under agreement for compensation.

MOTOR VEHICLE REPAIR GARAGE –

Means a *building* or *structure* used to conduct major and minor mechanical repairs of *motor vehicle*s and small engines and in conjunction with which there may be a towing service, a *motor vehicle gasoline bar* and *motor vehicle rental*s for the convenience of the customer while the *motor vehicle* is being repaired.

MOTOR VEHICLE WASH, AUTOMATIC –

Means a *building* or *structure* containing facilities for washing *motor vehicle*s for compensation using production line methods and mechanical devices, but does not include any other *motor vehicle* establishment defined in this By-law where car washing is done only as incidental to the principal operation.

MOTOR VEHICLE WASH, SELF SERVE –

Means a *building* or *structure* containing facilities for washing *motor vehicle*s for compensation using self-service operation, but does not include any other *motor vehicle* establishment defined in this By-law where car washing is done only as incidental to the principal operation.

MOTORIZED SNOW VEHICLE –

Means a *motorized snow vehicle* within the meaning of The *Motorized Snow Vehicle* Act.

MUNICIPAL ROAD ALLOWANCE –

Means an area of land owned by the municipality designed for the purpose of access and may contain a public road, private road or *Publicly Owned Trail* but does not include a *lot.*

NAVIGABLE WATERWAY –

Means a body of water that is capable of affording reasonable passage of floating vessels of any description for the purpose of transportation, recreation or commerce.

NON-COMPLYING –

Means a *lot*, *building* or *structure* that does not meet the requirements of the zone standards of this By-Law for the zone in which the *lot*, *building* or *structure* is located.

NON-CONFORMING -

Means the *use* of any land, *building* or *structure* which is not within the required permitted uses set out in this By-Law for the zone in which the land, *building* or *structure* is located.

NURSERY –

Means the *use* of land, *buildings* or *structures* for the growing of plants, shrubs, trees or similar vegetation and the selling of such produce on the premises.

OFFICE –

Means a *building* or part of a *building* in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment and may include the office of a single medical practitioner or administrative offices of a non-profit or charitable organization but does not include any other establishment otherwise defined or classified in this By-law.

OPEN AIR FARMERS' MARKET –

Means an establishment or premises where the farm products of a local farming community are sold at retail from uncovered or open air areas designated for individual retailers.

OUTDOOR FURNACE –

Means a *building* or *structure* that is used to provide heat or heated liquid to a building on a lot from a detached accessory building or structure on the lot.

OUTSIDE DISPLAY AND SALE –

Means an open air area *use* for exhibiting in an orderly manner, completely assembled or finished products sold by a retail store located on the same lot. For the purposes of this By-law, the overnight parking of vehicles or watercraft must not be deemed to be outside storage.

OUTSIDE STORAGE –

Means the storage of equipment, goods, or raw or processed materials outside of any *building* or *structure*. For the purposes of this By-law, the overnight parking of vehicles or watercraft is not deemed to be outside storage.

PARK –

Means lands that are largely devoted to open space, and that may contain passive or active recreation, and are generally characterized by natural, historic, landscape or recreational features or activities, but does not include a mobile home park or trailer park.

PARK, PRIVATE –

Means a *park* that is not owned by a *public authority*.

PARK, PUBLIC –

Means a *park*, owned or controlled by the Town of Bracebridge or by any other public authority.

PARKING AREA –

Means an open area, other than a *street*, used for the temporary parking of two or more *motor vehicle*s and available for public *use* where free, for compensation or as an accommodation for clients or customers or residents, but does not include the storing of impounded or wrecked vehicles in a specifically designated area or compound.

PARKING SPACE –

Means the portion of a building or lot used for the parking of a *motor vehicle* but does not include a *loading space*.

PARKING SPACE, ACCESSIBLE TYPE A –

Means a *parking space* identified in the Ontarians with Disabilities Act as being designated for use for persons with disabilities and signed to identify the *parking space* as “van accessible”.

PARKING SPACE, ACCESSIBLE TYPE B –

Means a *parking space* identified in the Ontarians with Disabilities Act as being designated for use for persons with disabilities but has the same dimensions as a standard *parking space*.

PASSENGER SHELTER –

Means the use of a *building* or *structure* for the purpose of providing a covered waiting area for fare paying passengers awaiting pick up by trains and commercial motor vehicles.

PASSENGER TRANSPORTATION DEPOT -

Means a *building* or premise where trains and commercial motor vehicles pick up and discharge fare paying, inter-city and intra-city passengers. Accessory uses may include ticket office, luggage checking facilities and similar *uses*.

PATIO –

Means a surfaced open space of land at grade adjacent to a residential *dwelling unit*, which is used as an outdoor living area.

PERSONAL SERVICE SHOP –

Means a building or part of a building wherein a personal service is performed including, but not necessarily restricted to, a barber shop, a beauty salon, a shore repair shop, a tailor or dressmaking shop, an arts and crafts shop, photographic studio, or registered massage therapist, but does not include any other uses defined in this By-law.

PLUMBING FIXTURE –

Means a sink, toilet or shower.

PLACE OF ENTERTAINMENT –

Means a *building* or *structure* where entertainment is offered for gain or profit such as a motion picture theatre, public hall, billiard or pool rooms, bowling alley, dance hall or similar activity for the enjoyment of the general public but does not include any other establishment otherwise defined or classified in this By-law.

PLACE OF WORSHIP –

Means a premises used by religious group(s) for the practice of religious services.

PORCH –

Means a roofed open *structure* projecting from the exterior wall of a *building* and having at least fifty percent of the total area of the vertical planes forming the perimeter unobstructed in any manner except by insect-screening between floor and ceiling.

PRINTING AND PUBLIC ESTABLISHMENT –

Means a *building* or *structure* used for blueprinting, engraving, stereotyping, electro-typing, printing or typesetting and include a duplicating shop and a letter-shop but does not include any other establishment otherwise defined or classified in this By-law.

PRIVY –

Means a latrine which is contained in a separate detached structure that contains no other uses.

PUBLIC AUTHORITY –

Means any Federal, Provincial, *District* or Municipal government or any electric power generation and distribution companies.

PUBLIC HOUSING –

Means housing which is provided by a *public authority*, charitable organization or not for profit business and may include a crisis centre and a homeless shelter.

PUBLIC OFFICE –

Means any office used for the purpose of carrying out business of a public authority, utility or school board.

PUBLIC WORKS YARD –

Means any area operated by a public authority and used for the storage, manufacturing, maintenance or repair of buildings, infrastructure, material or equipment or any combination of these.

PUBLICLY OWNED TRAIL -

Means an area used by the public for hiking, horseback riding, cross country skiing or other forms of non-motorized recreational travel or motorized recreational travel as permitted in the Town of Bracebridge Recreational By-Law, as amended, that is maintained by a public authority but does not include any other *use* otherwise defined or classified in this By-law.

PUMPHOUSE –

Means a *building* or *structure* that is principally used for housing a pump(s) or other pumping equipment for fire suppression, potable water supply, sewage disposal, or other similar purpose.

QUARRY –

Means an area where consolidated aggregate, gravel and rock fragments are mined or excavated for sale or off-site use and where explosives may be used.

RECREATION FACILITIES –

Means a *building* or *structure* designated and equipped for the conduct of sports and leisure time activities such as a swimming pool or tennis courts and may also include outdoor facilities such as an outdoor bowling green or sports field.

REFORESTATION ACTIVITIES/TREE NURSERY –

Means an area used for raising and harvesting of wood and includes the raising and cutting of fuel wood, pulp, wood, lumber, Christmas trees and other products.

REFRESHMENT PAVILION OR BOOTH –

Means a *building or structure* used for selling prepared food and drink for immediate consumption on the premises and no provision is made for the consumption of food by the customers within the building, but does not include any other establishment otherwise defined or classified in this By-law.

REGULATORY FLOOD ELEVATION –

Means the elevations delineated on the Flood Risk Maps.

RENTAL AGENCY –

Means a *building or structure* or part of a building or structure in which articles are offered or kept for rent, lease or hire under agreement for compensation, but does not include any other establishment defined or classified in this By-law.

REPAIR SHOP –

Means a *building*, or part of a *building* not otherwise defined or classified herein, and whether conducted in conjunction with a retail store or not for the servicing or repairing of articles, goods or materials but not manufacturing of the same.

RESTAURANT –

Means a commercial establishment in which the principal business is the preparation and serving of food and refreshments to the public for immediate consumption within the establishment or on an abutting terrace or *patio* and which may include home delivery, catering or food pick-up/take-out services, accessory brewery or accessory distillery within the establishment

RESTAURANT, *DRIVE-THRU –*

Means a commercial establishment in which food and refreshments are prepared and served to the public for immediate consumption within the establishment or by means of an order or window service which *motor vehicle*s access from the *parking area* and approach using designated *lane*s.

RETAIL STORE –

Means a *building* or part of a *building* in which goods, wares, merchandise, substances, articles, things or services are offered or kept for sale at retail or on a rental basis but does not include any other establishment otherwise defined or classified in this By-law.

RETIREMENT HOME –

Means a *building* providing self-contained units without kitchens for persons 65 years or older includes common facilities for the preparation and consumption of food, and ancillary medical facilities and may include common lounges, recreation rooms.

SALVAGE YARD –

Means an area outside of an enclosed *building* where *motor vehicle*s are disassembled and dismantled, or where vehicles in an inoperable condition or used *motor vehicle* parts are stored or re-sold.

SAWMILL –

Means a *building*, *structure* or area where timber is cut, sawed or planed, either to finished lumber or as an intermediary step and may include land used for *outside storage* of raw or finished lumber or products; facilities for the kiln drying of lumber; and may or may not include the distribution of such products on a wholesale basis.

SCHOOL –

Means a Provincially approved *institution* for academic instruction and may include a public, private or separate *school*, a vocational *school*, college or university.

SEASONALLY MAINTAINED PUBLIC ROAD -

Means a *public street or road*, which is maintained by the Province of Ontario, *District* or Town of Bracebridge but does not include snow removal by the Province of Ontario, *District* or Town of Bracebridge.

SEPTIC SYSTEM LEACHING BED DISTRIBUTION PIPES –

Means a line or lines of perforated or open jointed pipe or tile installed in a leaching bed for the purpose of distributing effluent from a treatment unit to the soil, as defined in the Ontario Building Code, and does not include the mantle area. For the purposes of this By-law, septic system leaching bed distribution pipes shall be considered a structure.

SERVICE TRADE SHOP –

Means an establishment which provides a non-personal service or craft to the general public, including, a *Repair Shop*, a custom print or copy shop, a monument engraving shop or the business premises of a printer, plumber, tinsmith, craftsman, painter, carpenter, cabinet maker, electrician, taxidermist, pest exterminator, roofer, insulation installer, furrier, weaver, upholsterer, interior decorator, caterer, engraver, cleaner or locksmith, but does not include a building supply yard, *Contractor's Yard*, *Motor Vehicle* Use, transport terminal or Funeral Home.

SEWAGE FACILITY -

Means an area, *building or structure* owned or operated for a public authority for the storage, treatment and disposal of sewage, and includes sewage treatment plant, sanitary sewage disposal sites, waste stabilization ponds, and sewage lagoons.

SEWAGE TREATMENT PLANT –

Means an area, *building or structure* operated by a public authority for the purpose of treating and disposing of solid waste.

SHIPPING CONTAINER –

Means an article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use, and is designed to facilitate the transportation of goods by one or more means of transportation and includes, but is not limited to, intermodal shipping containers but does not include a currently licensed *motor vehicle*.

SHOPPING CENTRE –

Means a group of commercial *use*s designed, developed and managed as a unit by a single owner or tenant, or group of owners or tenants.

SHORELINE BUFFER –

Means a natural area maintained in its natural predevelopment state for the purpose of buffering buildings or structures on a lot. Where the natural state does not include significant vegetative cover the area shall be planted with indigenous trees and shrubs except where the natural state is natural bedrock outcropping. Such a buffer shall consist of trees or shrubs a minimum of 1.8 metres in height and a minimum density of one tree per 9.3 metres of the required buffer.

SIGHT TRIANGLE –

Means the triangular space formed by the *street line*s and a line drawn from a point in one *street line* to a point in the other *street line*, each such point being 7.5 metres, measured along the *street line* from the point of intersection of the *street line*s. Where the two *street line*s do not intersect at a point, the point of intersection of the *street line*s is deemed to be the intersection of the projection of the *street line*s or the intersection of the tangents to the *street line*s.

SLEEPING CABIN –

Means an area in the second storey of a *boathouse* or detached garage or a separate detached *accessory building* that is located on the same *lot* as the *principal building*, and that is used for sleeping accommodation in which sanitary facilities may be provided, but does not include cooking facilities.

SPECIALITY FOOD STORE -

Means a *building* or *structure* or part thereof, specializing in a specific type or class of foods such as confectionery store, bakery, butcher shop, delicatessen, fish market, gourmet food store, frozen food store, bulk food store, and similar food stores but does not include any other establishment otherwise defined or classified in this By-law.

STREET OR *ROAD* –

Means land that is improved, designed or ordinarily used for vehicular traffic.

STREET OR *ROAD, CONDOMINIUM* –

Means a *private road* which is owned and maintained by a condominium corporation.

STREET OR *ROAD, PRIVATE* –

Means a thoroughfare for vehicular and pedestrian traffic, which is not assumed and not maintained by/under the jurisdiction of the Province of Ontario, *District*, or Town of Bracebridge.

STREET OR *ROAD, PUBLIC* –

Means a public thoroughfare for vehicular and pedestrian traffic, which is assumed and maintained by/under the jurisdiction of the Province of Ontario, *District*, or Town of Bracebridge, but does not include a private *lane* or private right-of-way.

STREET LINE –

Means the limit of the *street* or *road* allowance as the dividing line between a *lot* and a *street* or *road*.

STRUCTURE –

Means anything that is erected, built or constructed of parts joined together and permanently located on or in the ground or attached to any other structure permanently located on or in the ground. Structural development includes new *building*s, additions, and enlargements.

SUNDECK –

Means a roofless, unenclosed *structure accessory* to a *dwelling*, consisting of a platform raised not more than 0.6 metres above finished grade, with or without steps.

SUPERMARKET -

Means a *retail store* in which a balanced line of goods such as canned, bottled, packages and frozen food, fresh meat and poultry, fish, fresh fruits and vegetables, prepared foods, bakery products, dairy products, candy and confectionary, other food products and pharmaceuticals are sold. In addition newspapers, magazines, paper products, soft drinks, tobacco products, health and beauty aids, housewares, flowers and plants and other non-food articles may be sold or services offered provided they are subordinate to the main use.

TENT –

Means every kind of temporary shelter that is not permanently affixed to the site and that is capable of being easily moved.

TOP OF BANK –

Means the point of the slope where the downward inclination of the land begins, or the upward inclination of the land levels off. This point is situated at a higher topographic elevation of land than the remainder of the slope.

TOURIST CABIN –

Means a *building* that is part of a *Camping Establishment* and that is rented on a temporary basis to the public traveling predominantly by motor vehicle, with each cabin being one rental unit.

TOURIST CAMP –

Means and includes a seasonal tent or trailer camp and any parcel of land or premises equipped with cabins used or maintained for the accommodation of the public.

TOURIST ESTABLISHMENT –

Means a commercial establishment designed for the traveling or vacationing public, and that has facilities for accommodation and may serve meals or provide kitchen facilities and may furnish equipment, supplies or services to persons for recreational purposes, but does not include a *camping establishment*.

TRAILER, PARK MODEL –

Means a recreational trailer which is a manufactured building as defined by the Standards Council of Canada, CAN/CSA-Z241 or successor thereof, that is constructed and certified in accordance with this standard and that is built on a single chassis, designated to facilitate relocation from time to time and designed exclusively for seasonal recreational use.

TRAILER, TRAVEL –

Means any vehicle in which the assembly can be erected, while stationary, using the trailer body and related components for support and utilized for living, shelter and sleeping accommodation, with or without cooking facilities, which is collapsible and compact while being drawn by a *motor vehicle*.

TRAILER, TRANSPORT –

Means any long platform or box with wheels designed to be pulled behind a transport truck and used for the transporting of goods, articles or materials.

TRAINING CENTRE –

Means a *building* or part thereof where specialized instruction is provided for a particular skill or profession.

TRUCK OR TRANSPORTATION DEPOT –

Means a *premise* where goods or wares are stored and where trucks, buses or transports are stored, serviced, repaired, kept for hire, loaded or unloaded.

USE –

Means the purpose for which any portion of a *lot*, *building* or *structure* is designed, arranged, intended, occupied or maintained.

VETERINARY CLINIC –

Means a *building* or part of a *building* where animals or pets are given medical or surgical treatment, within which there may be shelter facilities provided for overnight medical treatment but does not include a *boarding kennel*.

WAREHOUSE –

Means a *building* or part of a *building* used for storage and distribution of goods, wares, merchandise, substances, articles or things, and may include facilities for a wholesale or retail commercial outlet not exceeding 25% of the *gross floor area*.

WASTE DISPOSAL AREA –

Means a facility operated by or for the Town of Bracebridge or *District*, where garbage, ref*use* or domestic or industrial waste is disposed of or dumped, and includes a sewage treatment plant or sewage lagoon.

WASTE TRANSFER FACILITY, PRIVATE –

Means an operation in which recyclable materials are sorted from solid, non-hazardous, non-putrescible construction waste and temporarily stored on site.

WATER FRONTAGE –

Means a piece of land fronting on and providing access to a navigable *waterway*, bay or lake.

WATER TREATMENT PLANT -

Means an area, *building or structure* operated by a public authority for the purpose of treating water for public use.

WATERBODY -

Means any natural or constructed body of water including lakes, ponds, streams, channels and wetlands.

WATERCOURSE –

Means any stream, river or channel in which a flow of water occurs, either continuously or intermittently, with some degree of regularity.

WATERFRONT LANDING –

Means the use of land as a docking and parking facility, which serves as a mainland access point for a commercial property or 2 or more residential properties that are accessible by water, but which does not include a *Marina*.

WAYSIDE PIT AND QUARRY –

Means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

WETLAND –

Means lands that are seasonally or permanently flooded by shallow water as well as lands where the water table is close to the surface; in either case the presence of abundant of water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants.

WHOLESALE OPERATIONS –

Means establishments or places of business primarily engaged in selling merchandise to retailers, to industrial, commercial, institutional or professional business users, or to other wholesalers, or acting as agents of brokers and buying merchandise from, or selling merchandise to, such individuals or companies but shall not include any other establishment otherwise defined or classified in this By-law.

WINERY –

Means a building used primarily for the manufacturing, processing and distribution of wine.

WOODLAND RETREAT –

Means a building occupied on a temporary basis and used for recreational resource based activities other than hunting, which provides seasonal or temporary accommodation in a remote location where municipal or community services are usually not available. A woodland retreat must not be used as a dwelling unit or a commercial use.

WORKSHOP –

Means a *building* or *structure* where manufacturing is performed by tradesmen requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a commercial welder's shop, or similar *use*s.

YARD –

Means a space, appurtenant to a *building* or *structure*, located on the same *lot* as the *building* or *structure*, and which space is open, uncovered and unoccupied from the ground to the sky except for such *accessory building*s, *structure*s or *use*s as are specifically permitted elsewhere in the By-law.

YARD, FRONT –

Means that portion of a *lot* extending across the full width of the *lot* between the *front lot line* and the nearest wall of any *building* or *structure* on the *lot* for which the *yard* is required.

YARD, REAR –

Means that portion of a *lot* extending across the full width of the *lot* between the *rear lot line* and the nearest wall of any *building* or *structure* on the *lot* for which the *yard* is required.

YARD, REQUIRED –

Means the minimum *yard* required by the provisions of this By-law.

YARD, SIDE –

Means that portion of the *lot* extending from the *front yard* to the *rear yard* between the *side lot line* and the nearest wall of any main *building* on the *lot* for which the *yard* is required.

YARD, SIDE EXTERIOR –

Means a *side yard* immediately adjoining a *street line*.

YARD, SIDE INTERIOR –

Means a *side yard* other than a *side yard* that immediately adjoins a *street line*.

YEAR ROUND MAINTAINED PUBLIC ROAD -

Means a *public street or road*, which is maintained by the Province of Ontario, *District* or Town of Bracebridge the entire year and includes snow removal by the Province of Ontario, *District* or Town of Bracebridge.

7. SPECIAL PROVISIONS

7.1. EXCEPTIONS

7.1.1. Residential Zone Exceptions

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
R1-1	-	-	Permitted uses are limited to those uses existing at the date of the passing of this By-law
R1-2	-	-	Permitted uses are limited to those uses existing at the date of the passing of this By-law until such time as full municipal services are available then the permitted uses are all those uses in the R1 Zone
R1-3	-	-	Permitted uses are all those uses in the R1 Zone with the minimum lot size being the lot size at the date of the passing of this By-law
R1-4	RR-10	2006-120	Permitted uses are all those in the R1 Zone including Veterinary Clinic and parking shall be permitted in the side and rear yards, a minimum of 3m m from side and rear lot lines, which 3m shall be reserved for no other purpose than a planting strip
R1-5	R1-14	87-63	Permitted uses are all those uses in the R1 Zone including an upholstery business in an accessory building.
R1-6	R1-18	88-62	Permitted uses are all those uses in the R1 Zone with no frontage on a public road.
R1-7	R1-68	2016-034	Permitted uses are all those uses in the R1 zone excluding a Second Dwelling Unit with a minimum lot frontage of 12 metres, minimum lot area of 360 square metres and maximum lot coverage of 45% of the lot area.
R1-8	R-11 R-16	90-58 98-76	Permitted uses are all those uses in the R1 Zone with a minimum interior side yard of 1.5m, a minimum exterior side yard of 3m, a floor area per dwelling unit between 83m^2 and 140 m^2 and a maximum building footprint of 97.5m^2
R1-9	R1-36	92-18	Permitted uses are all those uses in the R1 Zone including *Duplex Dwelling* with minimum frontage of 20m with the provisions that the floor area of each dwelling unit shall be minimum of 60.3m^2
R1-10	R1-39	92-38	Permitted uses shall be restricted to *Detached Dwelling* and *Office* being an aesthetic and hairdressing salon (which may include the sale of various sundry items).
R1-11	R1-37	92-39	Permitted uses are all those uses in the R1 Zone with a minimum front yard of 8.5m, a minimum interior side yard of 2.1m and 3.6m and a minimum rear yard of 10.9m
R1-12	R1-43	94-20	Permitted uses are all those uses in the R1 Zone with minimum lot frontage of 30m
R1-13	R1-46	94-65	Permitted uses are all those uses in the R1 Zone with a minimum lot frontage of 15 metres and with Lot 20 of Plan 35M-650 having a minimum exterior side yard of 1.8m.

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
R1-14	R1-47	94-65	Permitted uses are all those uses in the R1 Zone with a minimum setback of 15m from the top of the bank which shall be defined as the point where the land slope exceeds 12%, there shall be no structures other than a dock located in the front yard, docks shall be limited to a maximum projection of 3m, the minimum exterior side yard is 1.8m for the lot directly south of the unopened concession road between Concession 13, Draper Ward and Concession 1, Macaulay Ward.
R1-15	R1-63	2015-060	Permitted uses are all those uses in the Residential Type 1 (R1) Zone with parking spaces permitted on the lot or in the driveway as existing on the date of passing of this By-law
R1-16	R1-50	96-03	Permitted uses are all those uses in the R1 Zone providing all lands located within the zone be considered one lot for all purposes under the *Planning Act*
R1-17	R1-4	2006-120	Permitted uses are all those uses in the R1 Zone including permitting a Second Dwelling Unit on a lot with a lot frontage of 15m.
R1-18	R-20	2000-78	Permitted uses are all those uses in the R1 Zone with a minimum interior side yard of 1.5m
R1-19	R-21	2000-78 2000-92	Permitted uses are all those uses in the R1 Zone with a minimum lot frontage of 15m, a minimum interior side yard of 1.5m and a minimum exterior side yard of 6m
R1-20	R-19	2000-79	Permitted uses are all those uses in the R1 Zone provided no buildings or structures, except fences, may be located within 12m of the rear lot line
R1-21	R-22	2000-92	Permitted uses are all those uses in the R1 Zone with a minimum lot frontage of 10m and a minimum interior side yard of 1.5m
R1-22	R1-4	2006-120	Permitted uses are all those uses in the R1 Zone including permitting a Second Dwelling Unit on a lot with a lot frontage of 15m and a lot area of 445m^2.
R1-23	R1-60	2001-105	Permitted uses are all those uses in the R1 Zone including a maximum of 4 *Apartment Dwelling Units* with a separate outdoor area of a minimum of 23m^2 per unit
R1-24	R1-67 R1-26	2005-122 2006-120	Permitted uses are all those uses in the R1 Zone with a minimum lot area of 1,337m^2 and a minimum lot frontage of 36.5m
R1-25	R1-62	2004-65	Permitted uses are all those uses in the R1 Zone with the *Home Occupation* to employ a maximum of 3 persons other than residents of the *detached dwelling*, the maximum gross floor area of the Home Occupation if 95.7m^2, and all other provisions of a Home Occupation shall apply
R1-26	R1-65	2016-014	The only permitted use is a parking area for the property zoned C3-8 with all the lands in the R1-26 Zone and the C3-8 Zone considered one lot for planning purposes.

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
R1-27	R1-66	2016-014	Permitted uses are all those uses in the R1 Zone with additional permitted uses of Financial Services Establishment, Office, and Tourist Establishment with the lot area and frontage requirements shall be deemed to be the original lot area and lot frontage of each individual lot prior to the lots merging in title.
R1-28	R1-67	2016-014	Permitted uses are all those uses in the R1 Zone with additional permitted uses of Financial Services Establishment, Office, and Tourist Establishment.
R1-29	R-36	2006-	Permitted uses are all those uses in the R1 Zone with a minimum interior side yard of 1.5m, a minimum exterior side yard of 5.4m, maximum lot coverage of 25% and a minimum setback of 9m from any EP1 Zone
R1-30	R-37	2006-	Permitted uses are all those uses in the R1 Zone with a minimum frontage of 13.7m, a minimum interior side yard of 1.5m, a minimum exterior side yard of 5.4m, maximum lot coverage of 25% and a minimum setback of 9m from any EP1 Zone
R1-31	R1-61	2015-061	Permitted uses are all those uses in the Residential Type 1 (R1) Zone with a Second Dwelling Unit permitted in an accessory building. A maximum floor area of 39 square metres for the second floor of the accessory building can be used for the Secondary Dwelling Unit and If the Secondary Dwelling Unit is contained within an accessory building, the Secondary Dwelling Unit is limited to a maximum of fifty percent (50%) of the gross floor area of the accessory building.
R1-32	-	-	Permitted uses are all those uses in the R1 zone including *Seasonal Dwelling* and a *Sleeping Cabin* in accordance with Section 3.3.2 (*1) of this By-Law with a minimum lot frontage of 60m.
R1-33	-	-	Permitted uses are limited to those uses existing on the date of passing of this By-law including conservation uses, church, cemetery and a dwelling unit.
R1-34	C2-10	-	Permitted uses are all those uses in the R1 Zone including *Accessory Dwelling Unit* and *Motel* with the Motel to have a maximum of 18 units and meet the CT Zone provisions for a Motel.
R1-35	C3-41	-	Permitted uses are all those uses in the R1 Zone including *Motor Vehicle Gasoline Bar* and *Motor Vehicle Repair Garage* with the *Motor Vehicle Gasoline Bar* and *Motor Vehicle Repair Garage* to have a minimum setback of 9m from any adjacent property zoned residential
R1-36	M1-16	-	Permitted uses are all those uses in the R1 Zone including *Builder's Yard, Landscape Centre, Light Equipment Sales and Rental, Workshop, Accessory Open Storage, Accessory Outside Display and Sale* and *Accessory Retail Store* with a minimum front yard of 15m, a minimum north side yard of 9 m, a minimum south side yard of 18m, a minimum rear yard of 20.5m, and the *Retail Store* to occupy no more than 25% of the *gross floor area* of any *building*

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
R1-37	C2	-	Permitted uses are all those uses in the R1 Zone including *Accessory Dwelling Unit* and *Motel* with the Motel to meet the CT Zone provisions for a Motel
R1-38	R1-55	2013-008	Permitted uses are all those uses in the R1 Zone including one accessory apartment dwelling unit, which with a Second Dwelling Unit would permit a maximum of three dwelling units.
R1-39	R1-29 R1-30	2007-005	Permitted uses are all those uses in the R1 Zone with a minimum interior side yard of 1.5m, a minimum exterior side yard of 5.4m, and maximum lot coverage of 25%.
R1-40	R1-45	2009-005	Permitted uses are limited to those uses existing at the date of passing of this By-law until such time as full municipal services are available, at which time the permitted uses are all those uses permitted in the R1 Zone with the provision that the lots may front on a navigable waterway and not require any year round maintained public road frontage
R1-41	R1-1	2007-039	Permitted uses are all those uses in the R1 Zone with Lots 25 and 26 having a minimum lot frontage of 17.8 m
R1-42	R1	2008-081	Permitted uses are all those uses in the R1 Zone with a minimum rear yard of 1.18 metres
R1-43	R1 R1-27 R1-28	2008-081	Permitted uses are all those uses in the R1 Zone with minimum lot frontage of 14.6 m, a minimum interior side yard for one storey dwelling of 1.8 metres on garage side and 1.2 metres on the other side, a minimum interior side yard for a dwelling over one storey of 1.8 metres on garage side and 1.5 metres on the other side, maximum lot coverage of 35% and a minimum exterior side yard of 4.2 metres. For the R1-43 zone, the lot frontage shall be measured as the horizontal distance between the side lot lines measured along the front lot line, except where the lot line is not a straight line, or where the side lot lines are not parallel, in which case the lot frontage is to be measured by the greater of (i) a line measured back at the minimum front yard (ii), the chord of the front lot line which shall be measured as a straight line joining the two points where the side lot line intersect the front lot line
R1-44	R1-17	2008-109	Permitted uses are all those uses in the R1 Zone including a garden suite for a 10 year period until November 12, 2018
R1-45	R1-50	2009-080	Permitted uses are all those uses in the R1 Zone with minimum lot frontage for Lots 2, 68 to 71, 74 and 75, as shown on Schedule 'A' to By-law 2009-080, is 13.7m, a minimum rear yard for Lot 19, as shown on Schedule 'A' to By-law 2009-080, is 9m, minimum rear yard for Lot 70, as shown on Schedule 'A' to By-law 2009-080, is 8.5m, minimum rear yard for Lots 71 to 74, as shown on Schedule 'A' to By-law 2009-080, is 10m, a minimum interior side yard of 1.5m, a minimum exterior side yard of 5.4m and minimum setback of 9m from an EP1 Zone

SECTION 7: SPECIAL PROVISIONS

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
R1-46	R1-51	2009-080	Permitted uses are all those uses in the R1 Zone with a minimum interior side yard of 1.5m, a minimum exterior side yard of 5.4m, minimum setback from TransCanada Pipeline and Bell Canada Easement is 9m and minimum setback of 9m from an EP1 Zone.
R1-47	R1-29	2009-080	Permitted uses are all those uses in the R1 Zone with a minimum interior side yard of 1.5m, a minimum exterior side yard of 5.4m and minimum setback of 9m from an EP1 Zone
R1-48	R1-30	2009-080	Permitted uses are all those uses in the R1 Zone with minimum lot frontage of 13.7m, a minimum interior side yard of 1.5m, a minimum exterior side yard of 5. m and minimum setback of 9m from an EP1 Zone
R1-49	R1-38	2009-080	Permitted uses are all those uses in the R1 Zone with a minimum interior side yard of 1.5m, a minimum exterior side yard of 5.4m, Section 4.21.11 does not apply, minimum setback from TransCanada Pipeline and Bell Canada Easement is 3m and minimum setback of 9m from an EP1 Zone
R1-50H	R1-69H	2016-077	Permitted uses are all limited to the existing uses until the Holding Symbol is removed at which time the permitted uses are all those uses in the R1 zone with a minimum lot frontage of 15 metres. The Holding Symbol may only be removed once a Functional Servicing Report is submitted to the satisfaction of the District of Muskoka and a Servicing Agreement is entered into with the District of Muskoka.
R2-1	R2-10	2014-050	Permitted uses are all those uses in the R2 Zone excluding semi-detached and duplex dwellings.
R2-2	R2-13	88-51	Permitted uses are all those uses in the R2 Zone including *Apartment Dwelling* with a maximum of 5 *Dwelling Units* and a minimum lot frontage of 22.2m.
R2-3	R2-21	89-27	Permitted uses are all those uses in the R2 Zone a minimum lot frontage of 27m
R2-4	R2-36	93-22	Permitted uses are all those uses in the R2 Zone with minimum lot frontage of 20m with each *dwelling unit* having an outdoor privacy area of $23m^2$
R2-5H	RM-15H	2004-07	Permitted uses are only those uses existing at the date of passing of this By-law until the Holding Symbol is removed by By-law at which time the permitted uses are limited to Detached Dwelling and Duplex Dwelling with minimum lot frontage of 18m, minimum lot area of $613m^2$, with each *dwelling unit* having an outdoor privacy area of $23m^2$. The Holding Symbol may be removed once the owner has entered into a Site Plan Agreement with the Town.
R2-6	RM-18	2006-32	Permitted uses are limited to *Detached Dwelling* and *Duplex Dwelling* with minimum lot area of 18m and with each *Dwelling Unit* having a separate outdoor privacy area of $23m^2$
R2-7	R1	2007-026	Permitted uses are limited to semi-detached dwelling with minimum lot frontage of 8.3 m and a minimum interior side yard of 0.82m

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
R2-8	R2	2007-023	Permitted uses are all those uses in the R2 Zone with minimum lot area of 288 sq m and minimum lot frontage of 8.8 m
R2-9	R2	2008-081	Permitted uses are all those uses in the R2 Zone with 3 dwelling units being permitted
R3-H	-	-	Permitted uses are only those uses existing at the date of passing of this By-law until the Holding Symbol is removed by By-law at which time the permitted uses are all those uses in the R3 Zone. The Holding Symbol may be removed once the developer has entered into a Site Plan Agreement with the Town which include storm water management plans be prepared satisfactory to the Town and the site plan showing visual barriers in accordance with Section 4.23.
R3-1	R3-4	82-83	Permitted uses are all those uses in the R3 zone with the maximum of 3 Dwelling Units
R3-2	R3-7	89-105	Permitted uses are limited to Apartment Dwelling with a maximum of 3 units with a minimum lot frontage of 30m
R3-3	R3-14	95-113	Permitted uses are all those uses in the R3 Zone including an *Apartment Dwelling* with a maximum of 7 *Dwelling Units* with a maximum of 10 parking spaces permitted in the exterior side yard
R3-4	R3-16	99-118	Permitted uses are limited to *Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling*, *and Apartment Dwelling* with a maximum of 3 dwelling units, and *Row Housing* with a maximum of 4 dwelling units with a provision that municipal sewers must be connected to when they become available.
R3-5	R3-22	2016-005	Permitted uses are all those uses in the R3 Zone with the minimum lot frontage for an end unit row dwelling being 6 metres, a minimum interior side yard of 1.5 metres, a maximum lot coverage for Lot 2 of Plan 35M-738 being 40% and the minimum lot area for Lot 2 of Plan 35M-738 is 222 square metres.
R3-6	R3-19H	2012-082	Permitted uses are limited to the existing uses including one Accessory Apartment Dwelling Unit to be located within the existing structure until the Holding (H) Symbol is removed. Once the Holding (H) Symbol is removed the permitted uses are all those uses in the Residential Type 3 (R3) Zone. The following provisions apply to the Residential Type 3 – 19 Holding (R3-19H) Zone: Permitted Uses i) The minimum lot frontage is 14 metres for the existing single detached dwelling and one accessory apartment dwelling unit: ii) The minimum west interior side lot line is 0.24 metres for the existing single detached dwelling and one accessory apartment dwelling unit: iii) Each dwelling unit shall have a separate outdoor privacy area of 23 square metres; and iv) The Holding (H) Symbol may be removed by By-law, once a Site Plan Agreement has been entered into with the Town of Bracebridge.

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
R3-7	R3-22	2006-50	Permitted uses are limited to *Row Housing* with minimum rear yards as shown in the Site Plan Agreement registered on tile on the date of passing of this By-law.
R3-8H	-	-	Permitted uses are limited to those uses existing at the date of passing of this By-law until the Holding (H) Symbol is removed by By-law at which time the permitted uses are all those uses in the R3 Zone including *Apartment Dwelling, Fourplex Dwelling*, *Medical Clinic*, *Place of Worship*, and *Retirement Home*. The Holding (H) Symbol may be removed once the Town has accepted a current Functional Servicing Study as detailed in Section 3.16 of the Town of Bracebridge Official Plan, an Environmental Impact Statement including natural features, a Transportation Study, a Conceptual Plan for the entire South Bracebridge Adult Lifestyle Residential Designation and detailed concept of site plans for the individual phases of the development. The *Apartment Dwelling* and *Fourplex Dwelling* must meet the zone provisions of the R4 Zone and a maximum density of 40 units per hectare
R3-9H	-	-	Permitted uses are only those uses existing at the date of passing of this By-law until the Holding Symbol is removed by By-law at which time the permitted uses are all those uses in the R3 Zone with no public access from any of Gow Street, Joseph Street or Birch Street. The Holding Symbol may be removed once the developer has entered into a Site Plan Agreement with the Town which includes storm water management plans prepared satisfactory to the Town and the site plan showing visual barriers in accordance with Section 4.23
R3-10	R1	2006-130	Permitted uses are all those uses in the R3 Zone excluding *Row Dwelling* with a minimum lot area of 805 sq m, minimum lot frontage of 20 m, a minimum front yard of 2 m, a minimum south interior side yard of 2.9 m, a minimum north interior side yard of 1.8 m, and the existing shed shall have a south interior side yard of 0.57 m
R3-11H	R3-6H	2007-051 2007-099	Permitted uses are only those uses existing at the date of passing of this By-law until the Holding Symbol is removed by By-law at which time the permitted uses are all those uses in the R3 Zone with the provisions of the R1-43 Zone to apply to any detached dwelling. The Holding Symbol may be removed once the developer has entered into a Site Plan Agreement with the Town, Subdivision Agreement with the *District* and Servicing Agreement with the *District*

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
R3-12	R3-7	2007-050	Permitted uses are limited to Row Dwellings with minimum lot area being the lesser of 230 sq m or the amount shown on Schedule 'A' of By-law 2007-050, minimum rear yard shall be the lesser of 10.5 m or the amount shown on Schedule 'A' of By-law 2007-050, a minimum eastern interior side yard for Lot 7 shall be 3.88 m and a maximum of 12 dwelling units are to be attached to each other
R3-13	R1	2007-081	Permitted uses are all those uses in the R3 Zone including a Fourplex with minimum lot area of 404 sq m., minimum lot frontage of 20 m, existing building setbacks shall be deemed to conform, visual barrier adjacent to north lot line shall be a fence, and maximum lot coverage of 45%
R3-14	R2	2009-017	Permitted uses are all those uses in the R3 Zone with a minimum lot frontage of 7.8 m for *Row Dwelling* end unit, a minimum interior side yard for *Row Dwelling* of 2 m, parking permitted in the front yard
R3-15	R1	2008-081	Permitted uses are all those uses in the R3 Zone with a minimum lot frontage of 30.17 metres, minimum lot area of 1,207.7 sq. m. and a *triplex dwelling* requires a minimum side yard of 7.5 metres
R3-16	R3-5	2008-105	Permitted uses are all those uses in the R3 Zone including *Group Housing* with a maximum of 5 dwelling units, *Group Housing* to consist of one triplex and two semi-detached dwelling units, minimum interior side yard for semi-detached of 6.7 m, minimum rear yard of 7.5 m, no visual barrier along west side and visual barrier on east side commencing at 7.5 m from curb of Taylor Road
R3-17	R3	2010-054	Permitted uses are all those uses in the Residential Type 3 (R3) Zone including a Triplex Dwelling with a minimum lot frontage of 18 metres and a minimum setback from the interior side yard of 2.7 metres to recognize the existing deck.
R3-18	R1-2	2011-011	Permitted uses are all those uses in the Residential Type 3 (R3) Zone with end units to have a minimum interior side yard of 1.0 metre and a minimum frontage of 7.75 metres.
R3-19	R1-2	2011-011	Permitted uses are all those uses in the Residential Type 3 (R3) Zone with a minimum frontage of 25 metres.

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
R3-20	R3-H	2016-003	Permitted uses are limited to the existing uses until the Holding Symbol is removed, at which time the permitted uses are all those uses in the R3 Zone including a *Senior Citizen's Home* subject to the standards of Section 3.2.3.3 for an *Apartment Dwelling* shall apply for a *Senior Citizen's Home*, the minimum *lot area* is 0.4 hectares, the minimum parking requirement for a *Senior Citizen's Home* is 1 parking space per unit with 0.75 parking spaces per unit allocated for residences of the *Senior Citizen's Home* and 0.25 parking spaces per unit allocated for visitor and staff parking. The Holding Symbol may be removed once a site plan agreement has been entered into with the Town of Bracebridge and an agreement has been entered into with the District of Muskoka respecting an assignment of municipal water and sewage treatment capacity,
R3-21	R2-1	2015-040	permitted uses are all those uses permitted in the Residential Type 3 (R3) Zone including Group Housing with the following additional provisions: i) A maximum of five (5) dwelling units are permitted; ii) The Group Housing consists of one building with three dwelling units and a duplex (which may include two units located above a garage); iii) The front lot line is shown in green on Schedule "B" to By-law 2015-040; iv) The exterior side lot line is shown in blue on Schedule "B" attached hereto; v) The rear lot line is shown in orange on Schedule "B" to By-law 2015-040; vi) The minimum exterior side yard for the duplex dwelling is 3 metres. vii) Parking spaces are permitted 1.0 metre from an exterior wall which contains habitable room windows.

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
R3-22H	R3-24H	2016-077	Permitted uses are all limited to the existing uses until the Holding Symbol is removed at which time the permitted uses are all those uses in the R3 zone plus Group Housing and Fourplex Dwellings with the following zone provisions: i) The front lot line is deemed to be the lot line abutting the Original Road Allowance between Concession 2 and Concession 3 of Monck South Ward; ii) The maximum height is 9.0 metres; iii) A maximum of 30 dwelling units are permitted to a maximum density of 28.8 units per hectare; iv) The minimum lot frontage for an end unit row dwelling is 8.5 metres; v) The minimum setback for the end units of row dwellings is 1.5 metres except where abutting a lot line of a property containing a detached dwelling unit; vi) Access is only from Dandelion Lane; and vii) The Holding provision may only be removed once a Site Plan Agreement has been entered into with the Town of Bracebridge that addresses any road or intersection improvements as required by the Town of Bracebridge and the District of Muskoka; a Servicing Agreement has been entered into with the District of Muskoka; confirmation by the Town that a Cultural Heritage Resource Assessment is submitted to the satisfaction of the Ministry of Tourism, Culture and Sport; and a Traffic Impact Study is completed to the satisfaction of the Town of Bracebridge and the District of Muskoka.
R4-1	R4-1	75-18	Permitted uses are limited to *Apartment Dwelling* with a maximum of 30 units
R4-2	R4-3	77-85	Permitted uses are limited to *Apartment Dwelling* with a maximum of 20 units
R4-3	R4-9	84-41	Permitted uses are all those uses in the R4 Zone excluding *Row Housing, Fourplex Dwelling* and *Group Housing*
R4-4	R4-10	84-78	Permitted uses are all those uses in the R4 Zone excluding *Row Housing, Fourplex Dwelling* and *Group Housing*
R4-5	R4-20	89-40	Permitted uses are all those uses in the R4 Zone with a maximum of 32 *Dwelling Units*, a minimum setback from the centerline of Ecclestone Drive and Anglo Street shall be 15m, a minimum setback of lot lines abutting Ecclestone Drive and Anglo Street shall be 5.1m, and a minimum interior side yard of 9m
R4-6	R4-25	89-65	Permitted uses are all those uses in the R4 Zone a maximum of 6 Dwelling Units
R4-7	R4-8	89-79	Permitted uses are all those uses in the R4 Zone excluding *Apartment Dwelling*
R4-8	R4-26	89-115	Permitted uses are all those uses in the R4 Zone with a minimum setback of 30m from the Canadian Railway right-of-way and a maximum of 60 dwelling units.
R4-9	R4-27	89-152	Permitted uses are all those uses in the R4 Zone with a maximum of 4 *Dwelling Units* and including 6 parking spaces for the property with roll number 010-006-076

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
R4-10	R4-12	91-81	Permitted uses are limited to an *Apartment Dwelling* with a maximum of 12 *Dwelling Units*
R4-11	R4-36	2000-68	Permitted uses are all those uses in the R4 Zone with a maximum of 42 *Apartment Dwelling Units* with a maximum of 6 of the units being bachelor units.
R4-12	R4-37	2000-90	Permitted uses are all those uses in the R4 Zone with a maximum of 25 *Apartment Dwelling Units*, with a minimum interior side yard of 0.15m on one side and 6m on other side
R4-13	R4-39	2002-09	Permitted uses are all those uses in the R4 Zone with a minimum lot frontage of 12m, a minimum interior side yard of 5.4m, a maximum height of 16.7 m or 5 storeys, which is less, a maximum of 45 *Apartment Dwelling Units* and outdoor parking shall be located within Ontario Street and the *Apartment Dwelling*
R4-14	R4-40	2002-64	Permitted uses are all those uses permitted in a R4 Zone with a minimum interior side yard of 9m
R4-15H	R4-29H	2014-088	Permitted uses are limited to the existing uses until the Holding Symbol is removed by by-law, at which time the permitted uses are all those uses in the Residential Type 4 (R4) Zone with the following provisions: i) The minimum setback from the north lot line is 3.0 metres; ii) The maximum number of units is 54; iii) Access to the site is limited to Dandelion Lane; and iv) The Holding (H) Symbol may only be removed once a Traffic Impact Study has been received to the satisfaction of the District of Muskoka and the Town of Bracebridge, a Servicing Agreement has been entered into with the District of Muskoka and a Site Plan Agreement has been entered into with the Town of Bracebridge. The Site Plan Agreement shall not be entered into with the Town, until the Town is satisfied that the development is in compliance with the Endangered Species Act. The Site Plan Agreement shall also include the following provisions, requiring the developer to: a. upgrade Dandelion Lane to the satisfaction of the Town; and b. make intersection improvements at Muskoka Road #118 West, and Dandelion Lane, if required, to the satisfaction of the District of Muskoka.

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
R4-16	R4-32	2016-018	Permitted uses are all those uses in the Residential Type 4 (R4) Zone with the following provisions: i) The maximum number of dwelling units is sixty eight (68) units; ii) Parking is to be permitted in the front yard at a minimum setback of 4 metres from the front lot line; iii) Vehicular access from the road allowance to the north of the R4-16 Zone is prohibited; iv) The north lot line abutting the road allowance is considered the rear lot line; v) All vegetation must be retained within 10.5 metres of the rear lot line; vi) The minimum setback from any lot line adjacent to a detached dwelling is 10 metres with all vegetation to be retained within a minimum of 7.5 metres from any lot line adjacent to a detached dwelling; vii) The minimum setback from the eastern-most lot line is 50 metres for any building containing a dwelling unit; and vii) The maximum height is 16 metres for any building located greater than 80 metres from the eastern-most side lot line. For the purposes of this By-law, height is measured between the finished grade at the front of a building and the mean heights between the eaves and ridge of a roof.
R4-17H	-	-	Permitted uses are those uses permitted in the Residential Type 1 (R1) Zone until the Holding Symbol is removed by By-law, at which time the permitted uses are limited to: • all those uses in the Residential Type 4 (R4) Zone, with or without a commercial component as noted below; • the following commercial uses, accessory to and in conjunction with a permitted Apartment Dwelling or Group Dwelling: o Convenience Store o Personal Service Shop o Restaurant The minimum lot frontage for any uses permitted in the R4 zone shall be 30m; the minimum side yard and rear yard shall be 5m. The total gross floor area of an individual commercial use shall not exceed 250 m^2, and the cumulative gross floor area for all commercial uses shall not exceed 750m^2. The Holding symbol may be removed once the owner has entered into a Site Plan Agreement with the Town, which includes storm water management plans prepared to the satisfaction of the Town, and completes Noise and Vibration studies prepared to the satisfaction of the Town, in relation to the proximity to the railway line.
R4-18	R1	2007-013	Permitted uses are all those uses in the R4 Zone with a maximum height of the lesser of 16.76 m or 5 storeys and 1.2 parking spaces per dwelling unit

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
R4-19	R4-31	2015-030	Permitted uses are all those uses in the Residential Type 4 (R4) Zone with the exception of an Apartment Dwelling with the following additional provisions: i) The minimum lot frontage is 29.8 metres; ii) The minimum lot area is 1,195 m2 ; iii) Recognize the minimum interior side yard of the existing deck is 1.8 metres, and of the existing main building is 4.0 metres; iv) Recognize the minimum rear yard of the existing deck is 5.2 metres, and of the existing main building is 7.0 metres; and v) Parking spaces are permitted to be located 0 metres from the exterior side lot line.
R4-20	C3-1	2007-112	Permitted uses are all those uses in the R4 Zone including a 46.45 sq m restaurant with parking to be in the rear and interior side yards
R4-21	R1	2008-066	Permitted uses are all those uses in the R4 Zone with a Row Dwelling not to exceed 12 units attached to each other
R4-22H	R4-16	2008-081	Only the existing uses are permitted until such time as the Holding (H) Symbol is removed. Once the Holding (H) Symbol is removed the permitted uses are limited to *Group Housing* with the type of *Dwelling Units* limited to *Detached Dwellings*. The maximum number of dwelling units is 10, minimum frontage of 13.7m, a minimum interior side yard of 1.5m, a minimum exterior side yard of 5.4m, maximum lot coverage of 25% and a minimum setback of 10m from any EP1 Zone. The Holding (H) Symbol may be removed once the developer has entered into a site plan agreement with the Town and a servicing agreement with the District of Muskoka.
R4-23	R3 R4-15	2010-018	Permitted uses are all those uses in the Residential Type 4 (R4) Zone and notwithstanding any provision to the contrary, where a lot fronts onto a condominium road the following provisions apply: i) No minimum lot frontage is required where a lot fronts onto a condominium road; ii) Minimum interior side yard of 3 metres; iii) Minimum exterior side yard of 3 metres; iv) Minimum rear yard of 3 metres; v) Maximum lot coverage of 36%; vi) The setbacks for any lot created by or part of a condominium will be taken from the exterior boundary of the R4-23 Zone; and vii) The lot coverage shall be taken as the total coverage of the lands within the R4-23 Zone.

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
R4-24	R4-19	2010-066	Permitted uses are all those uses in the Residential Type 4 (R4) Zone with the following provisions: 1) That parking spaces are permitted in all yards; and 2) Where a draft condominium description has been approved by the applicable approval authority and the description is proposed to be registered in phases in accordance with Part XI of the Condominium act, 1998, and the registration of each phase occurs in accordance with the approved condominium description, all registered and proposed phases included in the said description are deemed to comply with the provisions of the Zoning Bylaw notwithstanding that the descriptions for all phases have not been registered.
R4-25H	R4-22H	2011-081	Only the existing uses shall be permitted until such time as the Holding (H) Symbol is removed by By-law, at which time the permitted uses are limited to Detached Dwellings and Semi-detached Dwellings, which are vacant land condominium units with the follow provisions: Permitted Uses i) The maximum number of dwelling units on Block 40 shall be 14 and the maximum number of buildings shall be 10; ii) The lot frontage is a minimum of 13.7 metres; iii) No minimum lot frontage is required where a lot fronts onto a condominium road; iv) A minimum interior side yard of 1.5 metres; v) A minimum exterior side yard of 5.4 metres; vi) The setbacks for any lot created by or part of a condominium will be taken from the exterior boundary of the R4-25 Zone; and vii) The minimum setback from any EP1 Zone is 10 metres; viii) The maximum lot coverage is 25%; ix) The lot coverage shall be taken as the total coverage of the lands within the R4-25 Zone; and x) The Holding (H) Symbol may be removed by By-law, once a Site Plan Agreement has been entered into with the Town of Bracebridge and a Servicing Agreement has been entered into with the District of Muskoka.

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
R4-26H	I	2012-047	Permitted uses are limited to a Sales Centre for Residential Units until the Holding (H) Symbol is removed. Once the Holding (H) Symbol is removed the permitted uses area all those uses in the Residential Type 4 (R4) Zone including a Retirement Home with the following provisions: i) a minimum exterior side yard of 3.0 metres; ii) a minimum setback from the centerline of Quebec Street of 9.5 metres; iii) a minimum setback from the west interior side lot line of 0.6 metres for the first storey of a structure; iv) a maximum height of 16.2 metres for the roof of one structure and a maximum height of 13.1 metres for the roof of a second building; v) a mechanical room permitted to project 3.9 metres above the roof; vi) Where a draft condominium description has been approved by the applicable approval authority and the description is proposed to be registered in phases in accordance with Part XI of the Condominium Act, 1998, and the registration of each phase occurs in accordance with the approved condominium description, all registered and proposed phases included in the said description are deemed to comply with the provisions of the Zoning By-law notwithstanding that the descriptions for all phases have not been registered; and BY-LAW NO. 2012-047 Page 2 vii) The Holding (H) Symbol may be removed by By-law, once a Servicing Agreement has been entered into with the District of Muskoka.
R4-27	R4 R4-30	2006-120 94-36	Permitted uses are all those uses in the R4 Zone with a minimum setback of 11.9 metres from the high water mark of the Muskoka River, a minimum setback of 18 metres from the centre of Ecclestone Drive, a minimum setback of 5.8 metres where a lot lines abuts a R1 Zone, a 0 metre setback for all other lot lines including a side lot line setbacks for dockings and no planting strip required where the property abuts a R1 Zone.

7.1.2. Shoreline Zone Exceptions

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
SR1-1	RU-1	75-65	Permitted uses are all those uses in the SR1 Zone with the minimum lot size being 6.8ha
SR1-2	RR-5	88-144	Permitted uses are all those uses in the SR1 Zone with a minimum setback of 30m from the Canadian Railway right-of-way.
SR1-3	SR-13	80-7	Permitted uses are all those uses in the SR1 Zone with the minimum lot area of 2.5 ha.
SR1-4	SR-21	82-68	Permitted uses are all those uses in the SR1 Zone with a sleeping cabin a maximum size of 97.28 m^2 and with a high water mark setback of 17 m.
SR1-5	SR-29	85-46	Permitted uses are all those uses in the SR1 Zone with minimum lot area of 24ha and minimum lot frontage of 335m

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
SR1-6	SR-30	85-46	Permitted uses are all those uses in the SR1 Zone with minimum lot area of 28ha and minimum lot frontage of 880m
SR1-7	SR-31	85-46	Permitted uses are all those uses in the SR1 Zone with minimum lot area of 4ha and minimum lot frontage of 120m
SR1-8	SR-32	85-46	Permitted uses are all those uses in the SR1 Zone with minimum lot area of 30ha and minimum lot frontage of 300m
SR1-9	SR-70	90-184	Permitted uses are all those uses in the SR1 Zone with minimum lot area of 1.8ha
SR1-10	RU-71	94-52	Permitted uses are limited to *Detached Dwelling*. *Seasonal Dwelling*, *Home Occupation* and *Contractor's Yard*, together with associated accessory uses shall be permitted on Parts 1 and 2 of 35R-10663 and the remainder of the lots uses shall be limited to conservation with Parts 2, 3 and 4 of 35R-15702, Parts 7 & 8 of 35R-14390, Parts 1 & 2, 35R-10663 shall be deemed to be one lot for all purposes under the *Planning Act*; the minimum lot area shall be 6ha
SR1-11	SR-92	95-23	Permitted uses are all those uses in the SR1 Zone with no *buildings or structures* permitted on Parts 1 and 5 of 35R-16094
SR1-12	RU-75	96-13	Permitted uses are all those uses in the SR1 Zone for Part 1 on Plan 35R-16407 and the permitted uses are all those uses in the EP1 Zone for Parts 5 and 7 of Plan 35R-16407. All those lands within this zone be considered as one lot for all purposes under the *Planning Act*
SR1-13	SR-96	96-13	Permitted uses are all those uses in the SR1 Zone for Part 8 on Plan 35R-16407 and the permitted uses with are all those uses in the EP1 Zone for Parts 11 and 12 of Plan 35R-16407. All those lands within this zone be considered as one lot for all purposes under the *Planning Act*
SR1-14	SR-109	96-62	Permitted uses are all those uses in the SR1 Zone including a maximum of 3 Seasonal Dwellings and 2 boathouses with a minimum lot area of 0.8ha
SR1-15	SR-101	96-77	Permitted uses are all those uses in the SR1 Zone with a minimum setback of 10.9m from the high water mark.
SR1-16	SR-102	97-17	Permitted use shall be limited to docks and boathouses
SR1-17	RA2-5	98-48	Permitted uses are all those uses in the SR1 Zone with a minimum lot area of 0.6ha
SR1-18	SR2-1	2006-120	Permitted uses are all those uses in the SR1 Zone with the minimum lot area of 3.0 ha and the minimum lot frontage of 74 m.
SR1-19	RU-86	98-72	Permitted uses are all those uses in the SR1 Zone including an accessory apartment dwelling unit with a maximum gross floor area of 102 m^2 with each *Dwelling Unit* having a separate outdoor privacy area of 23m^2
SR1-20	SR-105	98-102	Permitted uses are all those uses in the SR1 Zone with a minimum lot frontage of 89.9m

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
SR1-21	SR-107	99-128	Permitted uses are all those uses in the SR1 Zone with a minimum setback of 30m from the high water mark
SR1-22	RA2-9	99-135	Permitted uses are all those uses in the SR1 Zone with a minimum lot frontage of 90m
SR1-23	RA2-10	99-135	Permitted uses are all those uses in the SR1 Zone with a minimum lot area of 0.6ha, a minimum lot frontage of 150m and the dwelling is limited to the eastern half of the lot.
SR1-24	SR-116	2003-23	Permitted uses are all those uses in the SR1 Zone with a minimum setback of 30m from the *high water mark* of Healy Lake and a minimum setback of 30m from the centreline of the *watercourse* location on the subject lands
SR1-25	SR-129	2004-66	Permitted uses are all those uses in the SR1 Zone within the zone be considered one lot for all purposes under the *Planning Act*
SR1-26	SR-133	2004-130	Permitted uses are all those uses in the SR1 Zone providing all lands located within the zone be considered one lot for all purposes under the *Planning Act*
SR1-27	SR-89	2004-137	Permitted uses are all those uses in the SR1 Zone with minimum setback from the high water mark of 30m, no structures shall be permitted in the front yard except for a dock, and the maximum projection of a dock from the shoreline shall be 2.4m
SR1-28	SR-112	2004-137	Permitted uses are all those uses in the SR1 Zone with the minimum *high water mark* setback of 30m, the minimum setback from the top of bank shall be 7.5m or the submission of a geotechnical report required for consideration of a lesser setback, the minimum setback from the rear lot line shall be 15 m, no structures shall be permitted in the front yard except for a dock and the maximum projection of a dock from the shoreline shall be 2.4m
SR1-29H	SR-135H	2004-137	Only legal conforming existing uses shall be permitted until the Holding Symbol is removed by by-law at which time all those uses as set out in the By-law for SR1 Zone shall be permitted with the minimum *high water mark* setback from the Muskoka River of 30m, no structures shall be permitted in the front yard except for a dock, and the maximum projection of a dock from the shoreline shall be 2.4m, the character of the existing adjacent land use for pit and quarry purposes and operations and uses normally incidental and accessory thereto is hereby recognized and the Holding Symbol shall be removed when a noise and compatibility study is completed to the satisfaction of the Town and District
SR1-30	RA2-14	2005-51	Permitted uses are all those uses in the SR1 Zone with all those lands within the zone be considered one lot for all purposes under the *Planning Act*

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
SR1-31	SR-139	2005-104	Permitted uses are all those uses in the SR1 Zone with a minimum setback from the south lot line of Parts 5 and 7 of Plan BR-692 of 3.6m and all those lands with the zone be considered one lot for all purposes under the *Planning Act*
SR1-32	SR-140	2006-02	Permitted uses are all those uses in the SR1 Zone with all vegetation retained within 22.5m of Fawn Lake except for a 1.8m path, minimum high water mark setback is 22.5m and septic is 30m from high water mark
SR1-33	SR-141	2006-02	Permitted uses are all those uses in the SR1 Zone with all vegetation retained within 24m of Fawn Lake except for a 1.8m path, minimum high water mark setback is 24 and septic is 30m from high water mark, septic must be 22.5m setback from creek, vegetation must be retained within 15m of creek
SR1-34	SR-142	2007-054	Permitted uses are all those uses in the SR1 Zone with minimum lot area of 0.16ha, minimum lot frontage of 30m and minimum setback from the high water mark of 30m
SR1-35	SR2-8	2009-103	Permitted uses are all those uses permitted in the SR1 Zone with the following provisions: i) That all those lands located in the SR1-35 Zone shall be considered one lot for all purposes under the Planning Act. ii) The permitted uses on Lot 20 of Plan BR-1567 are limited to one accessory structure, which is accessory to the dwelling location on Lot 7 of Plan BR- 1567. iii) Lot coverage is calculated on Lot 7 of Plan BR-1567 based on the lot area of Lot 7 of Plan BR-1567. iv) Lot coverage is calculated on Lot 20 of Plan BR-1567 based on the lot area of Lot 20 of Plan BR-1567
SR1-36	SR-144	2007-054 2007-054	Permitted uses are all those uses in the SR1 Zone with minimum setback from the high water mark of 30m
SR1-37	-	2006-120	Permitted uses are limited to the existing uses until a site plan agreement is entered into with the Town at which time the permitted uses are all those uses in the SR1 Zone.
SR1-38	-	2006-122	Permitted uses are all those uses in the SR1 Zone with a minimum lot area of 0.26ha and a minimum lot frontage of 35 m
SR1-39	SR1-35	2006-129	Permitted uses are all those uses in the SR1 Zone with minimum high water mark setback of 30 m for the septic and all buildings and structures
SR1-40	SR1 & RU	2007-027	Permitted uses are all those uses in the SR1 Zone with minimum lot frontage of 29 m and all those lands in the SR1-40 Zone considered one lot for planning purposes
SR1-41	SR1 & RU	2007-027	Permitted uses are all those uses in the SR1 Zone with minimum lot frontage of 32 m and all those lands in the SR1-41 Zone considered one lot for planning purposes
SR1-42	SR1& RU	2007-024	Permitted uses are all those uses in the SR1 Zone with minimum high water mark setback of 30 m

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
SR1-43	SR1	2007-120	Permitted uses are all those uses in the SR1 Zone with minimum lot area of 0.25 ha and minimum lot frontage of 40 m
SR1-44	SR2-10	2016-046	Permitted uses are all those uses permitted in the SR1 Zone with the following provisions: i) The minimum lot frontage is 38 metres; and ii) The minimum lot area is 0.1 hectares.
SR1-45	SR1 & RU	2008-002	Permitted uses are all those uses in the SR1 Zone with all those lands within the SR1-45 Zone to be considered one lot for planning purposes, the lot coverage is calculated on the eastern portion of the subject lands based on the lot area of the eastern portion of the subject lands and the lot coverage is calculated on the western portion of the subject lands based on the lot area of the western portion of the subject lands
SR1-46	SR1	2008-023	Permitted uses are all those uses in the SR1 Zone with an accessory boat port permitted prior to the establishment of the principal building
SR1-47	SR-147	2006-091	Permitted uses are all those uses in the SR1 Zone with a minimum lot area of 0.2 ha, minimum lot frontage of 30 m, minimum high water mark setback for the existing dwelling of 18.2 m, minimum setback for the existing deck of 14.6 m, maximum height of the accessory structure of 6.1 m, a maximum of one employee, other than the residents of the household may be employed in the Home Occupation, and Home Occupation is permitted in an accessory building
SR1-48	SR-146	2006-082	Permitted uses are all those uses in the SR1 Zone with a minimum lot area of 0.16 ha, minimum lot frontage of 42.6 m and a minimum setback from the high water mark for all *buildings and structures* including a septic system of 22.8 m
SR1-49	SR1	2010-026	Permitted uses are all those uses in the Shoreline Residential Type 1 (SR1) Zone with the following special requirements: i) The minimum setback from the high water mark is 4.57 metres to recognize the existing structure with an addition proposed; ii) The minimum lot area is 0.3 hectares
SR1-50	SR1	2010-026	Permitted uses are all those uses in the Shoreline Residential Type 1 (SR1) Zone with the following special requirements: i) The south lot line shall be used to calculate lot frontage; ii) The minimum lot area is 0.38 hectares
SR1-51	SR2-11	2016-046	Permitted uses are all those uses permitted in the SR1 Zone with the following provisions: i) The minimum lot frontage is 67 metres; and ii) The minimum lot area is 0.15 hectares.

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
SR1-52	RU SR1	2009-024	Permitted uses are all those uses in the Shoreline Residential Type 1 (SR1) Zone with the following provisions: 1) That all those lands in the SR1-52 zone shall be considered one lot for all purposes under the Planning Act. 2) Lot coverage is calculated on the eastern portion of the subject lands based on the lot area of the eastern portion of the subject lands. 3) Lot coverage is calculated on the western portion of the subject lands based on the lot area of the western portion of the subject lands
SR1-53	RU SR1	2009-024	Permitted uses are all those uses in the Shoreline Residential Type 1 (SR1) Zone with the following provisions: 1) That all those lands outlined in SR1-53 zone shall be considered one lot for all purposes under the Planning Act. 2) Lot coverage is calculated on the eastern portion of the subject lands based on the lot area of the eastern portion of the subject lands. 3) Lot coverage is calculated on the western portion of the subject lands based on the lot area of the western portion of the subject lands
SR1-54	SR1	2009-031	Permitted uses are all those uses in the Shoreline Residential Type 1 (SR1) Zone with the following provisions: i) The existing dryland boathouse have a minimum south interior side yard of 2.1 metres; ii) The existing dryland boathouse have a minimum high water mark setback of 0.3 metres; iii) The eastern most existing accessory structure have a minimum interior side yard of 2.8 metres; iv) The eastern most existing accessory structure not be used for human habitation; v) The proposed dwelling have a minimum setback from the high water mark of 13.4 metres; and vi) The proposed deck attached to the proposed dwelling have a minimum setback from the high water mark of 10.6 metres
SR1-55	SR1	2009-054	Permitted uses are all those uses in the Shoreline Residential Type 1 (SR1) Zone with a minimum lot area of 0.28 hectares and a minimum lot frontage of 55 metres
SR1-56	SR1	2009-055	Permitted uses are all those uses in the Shoreline Residential Type 1 (SR1) Zone with a minimum lot area of 0.23 hectares and a minimum lot frontage of 48 metres
SR1-57	SR1	2010-067	Permitted uses are all those uses permitted in the Shoreline Residential Type 1 (SR1) Zone with a minimum front yard of 30 metres
SR1-58	SR1 RR	2010-063	Permitted uses are all those uses in the Shoreline Residential Type 1 (SR1) Zone with the following provisions: 1) That only a dock is permitted on the portion of the lands within the SR1-58 Zone located east of Fraserburg Road; 2) That the lot coverage be taken as the individual lot coverage of each lot; 3) That all those lands located within the SR1-58 Zone are considered one lot for planning purposes

SECTION 7: SPECIAL PROVISIONS

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
SR1-59	SR1	2012-059	Permitted uses are all those uses in the Shoreline Residential Type 1 (SR1) Zone with the following provisions: The minimum lot frontage is 26 metres; 1) The existing accessory building is permitted prior to a detached dwelling; 2) The existing accessory building cannot be used for human habitation; and 3) The existing accessory building cannot be enlarged.
SR1-60	SR1 RU	2012-088	Permitted uses are all those uses in the Shoreline Residential Type 1 (SR1) Zone with the following provisions: Permitted Uses i) That all those lands located within the SR1-60 Zone are considered one lot for planning purposes; and ii) That the lot coverage be taken as the individual lot coverage of each lot
SR1-61	SR2	2013-027	Permitted uses are all those uses in the Shoreline Residential Type 1 (SR1) with a deck with a maximum area of 27.9 square metres (300 square feet) permitted at a high water mark setback of 9.5 metres
SR1-62	RU-24	2014-064	Permitted uses are all those uses in the Shoreline Residential Type 1 (SR1) Zone with the following provisions: i) A minimum setback of 15 metres is required from the top of bank; and ii) The top of bank is considered the 231 metre contour
SR1-63H	SR1-67H	2016-016	Permitted uses are limited to the existing uses until the Holding Symbol is removed by by-law, at which time the permitted uses are all those uses in the Shoreline Residential Type 1 (SR1) Zone with the following provisions: i) That a dwelling and septic system constructed within 60 metres (200 feet) of the high water mark of Lake Muskoka be located above the contour elevation of 250 metres; and ii) The Holding (H) Symbol may only be removed once a Site Plan Agreement has been entered into with the Town of Bracebridge.
SR1-64	SR1	2014-081	Permitted uses are all those uses in the Shoreline Residential Type 1 (SR1) recognizing the existing dwelling with a side yard of 1.208 metres
SR1-65	SR1	2014-081	Permitted uses are all those uses in the Shoreline Residential Type 1 (SR1) Zone with the following provisions: i) The minimum lot area is 1,368.4 square metres; and ii) The minimum lot frontage is 37.7 metres

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
SR1-66H	SR1 RU	2006-120	Permitted uses are limited to the existing uses until the Holding Symbol is removed by by-law, at which time the permitted uses are all those uses in the Shoreline Residential Type 1 (SR1) Zone with the following provisions: i) All those lands located in the Shoreline Residential Type 1 Special – 66 (SR1-66) Zone shall be considered one lot for all purposes under the Planning Act; ii) Lot coverage shall be based on the lot area of the parcel which the buildings or structures are located on, not the entire lot as defined above; iii) That only accessory uses are permitted on Part 32, BR-692 subject to the setback, height and lot coverage requirements for accessory structures; and (iv) The Holding (H) Symbol may only be removed once a Site Plan Agreement has been entered into with the Town of Bracebridge.
SR1-67H	SR1 RU	2006-120	Permitted uses are limited to the uses that legally existing at the date of passing of this By-law until the Holding Symbol is removed by by-law, at which time the permitted uses are all those uses in the Shoreline Residential Type 1 (SR1) Zone. The Holding (H) Symbol may only be removed once a Site Plan Agreement has been entered into with the Town of Bracebridge that demonstrates to the satisfaction of the Town that the floodplain regulations can be met with respect to building and septic locations and the site can be safely access during times of flooding.
SR1-68	RU RR-16	2006-120	Permitted uses are all those uses in the SR1 zone with the front lot line being the street line abutting Cedar Lane and the rear lot line being the high water mark of the Muskoka River.
SR1-69	RR-31	2009-077	Permitted uses are all those uses in the SR1 Zone with the lot fronting on the Muskoka River and having no road frontage and all habitable structures shall be constructed above the 273 metre contour line. .
SR1-70	RR-16	2006-120	Permitted uses are all those uses in the SR1 Zone with all habitable structures shall be constructed above the 273m contour line.
SR1-71	RR-17	2006-120	Permitted uses are all those uses in the SR1 Zone with all habitable structures shall be constructed above the 273m contour line and any structures shall be a minimum of 30m from the rear of the property described as Part of Lot 5, Con. 4, Macaulay Ward, being Part 2 of Plan 35R-9436.
SR2-1	SR2-7	2009-078	Permitted uses are all those uses in the SR2 Zone with a minimum front yard of 20.5 metres
SR2-2	SR-99	96-61	Permitted uses are all those uses in the SR2 Zone with a minimum setback of 36m from the high water mark with the septic to be located as far setback from Spring Lake as possible.

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
SR2-3	SR-108	2000-58	Permitted uses are all those uses permitted in the SR2 Zone with the tile bed and mantle a minimum of 300m from the *high water mark* of Pine Lake and Bigwind Lake
SR2-4H	SR-114H	2003-21	Only the existing uses shall be permitted until the Holding Symbol removed by entering into a Site Plan Agreement with the Town and then the permitted uses are all uses permitted in a SR2 Zone with certain minimum lot area and minimum lot frontage shall be that as existing as of Jan. 17, 2003, the minimum setback from the *high water mark* shall be 30m for all *buildings or structures* with the exception of docking facilities, location of the tile bed by site plan process
SR2-5	SR-132	2004-129	Permitted uses are all those uses as permitted in a SR1 Zone providing all lands located within the zone be considered one lot for all purposes under the *Planning Act*
SR2-6	SR2-9	2016-015	Permitted uses are all those uses in the SR2 Zone with the following provisions: i) All those lands located in the SR2-6 Zone shall be considered one lot for all purposes under the Planning Act; ii) Lot coverage shall be based on the lot area of the parcel which the buildings or structures are located on, not the entire lot as defined above; and iii) That only accessory uses are permitted on the backlot parcel subject to the setback, height and lot coverage requirements for accessory structures.
SR3-1	SR1-18	2006-120	Permitted uses are all those uses in the SR3 Zone with a minimum lot area of 1.0ha
SR3-2	SR1-9	2008-081	Permitted uses are all those uses in the SR3 Zone with minimum lot area of 1.8ha
SR4-1	SR3-1	-	Permitted uses are limited to the existing uses until a site plan agreement is entered into with the Town at which time the permitted uses are all those uses in the SR4 Zone.
SR4-2	RR-23	2005-124	Permitted uses are all those uses in the SR4 Zone with a minimum setback of 9m from the pond.
SR4-3H	SR3-5H	2015-071	Permitted uses are limited to the existing uses until the Holding Symbol is removed by by-law, at which time the permitted uses are all those uses in the SR4 Zone with the following provisions: i) One accessory storage building is permitted at a minimum high water mark setback of 10.6 metres with the deck attached to that accessory storage building to have a minimum high water mark setback of 8.8 metres. ii) The Holding (H) Symbol may only be removed once a Site Plan Agreement has been entered into with the Town of Bracebridge
SR4-4	SR3-3	2008-101	Permitted uses are limited to the existing uses until a site plan agreement is entered into with the Town at which time the permitted uses are all those uses in the SR4 Zone with all lands located in the SR4-4 considered one lot for planning purposes

7.1.3. Commercial Zone Exceptions

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
C1-1	C1-17 C1-32	87-129 2001-100	Permitted uses are all those uses in the C1 Zone excluding *Medical Clinic*
C1-2	C1-3	2013-079	Permitted uses are all those uses in the Office Commercial (C1) Zone with the following provisions: i) The existing rear yard is recognized at 2.16 metres (7.1 feet); and ii) An Office or Medical Clinic used by Health Practitioner(s) would require three (3) parking spaces for every one (1) Health Practitioner. For the C1-2 Zone, a Health Practitioner would be defined as a member of the medical profession that treated patients through physical therapy or manipulation such as a Registered Massage Therapist, Certified Drainage Therapist, Physiotherapist, Occupational Therapist or Kinesiologist but would not include a General Practitioner
C1-3	C1-5	2016-041	Permitted uses are all those uses permitted in the Office Commercial (C1) Zone with the following provisions: i) A residential component is not required to be associated with a Medical Clinic or Office; ii) The minimum front yard, rear yard, and exterior side yard setbacks are 3 metres; iii) The minimum setback from the centreline of Hiram Street is 12 metres; iv) The minimum setback from the centreline of MacDonald Street is 10 metres; v) The maximum lot coverage is 36.5% of the lot area; and vi) The minimum parking requirement is 1 space per 31 square metres of gross floor area.
C2-1	-	-	Permitted uses are limited to those uses existing at the date of the passing of this By-law
C2-2	C2-20	2000-38	Permitted uses are all those uses in the C2 Zone including a *Home Improvement Centre* with a minimum setback of 70m from the lot line abutting Highway #11, a minimum setback of 20m from the lot line abutting Taylor Road, a maximum height of a roof top architectural element of 13.5m, the maximum floor area of the *Home Improvement Centre* is 12,700 m^2 and a minimum of number of 420 parking spaces shall be required for the *Home Improvement Centre*.
C2-3	C2-22	2004-119	Permitted uses are all those uses in the C2 Zone including *Community Living Facility.*

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
C2-4H	C2-4	2013-062	Permitted uses are all those uses in the Special Purpose Commercial (C2) Zone including Financial Institution, and Motor Vehicle Rental uses, and excluding Beer Store, Home Improvement Centre, Liquor Store, and Supermarket uses subject to the following provisions: i) The minimum unit size for a Financial Institution, Financial Services Establishment, Printing and Publishing Establishment, Retail Store, Specialty Food Store, and Tourist Commercial Store is 185 square metres of gross floor area, however six (6) units of less than 185 square metres of gross floor area will be permitted within the C2-4 Zone for these uses; ii) A maximum of one (1) Financial Institution is permitted on lands zoned C2-4 or C2-5; iii) The minimum setback from any lot line abutting Provincial Highway 11 shall be 70 metres; 2 iv) The minimum setback from all other lots lines, except the lot line abutting Taylor Road shall be 3 metes; v) There shall be no minimum loading space requirements; vi) The provisions of Section 4.10 of this By-law, shall not apply to these lands; and vii) All lands located within the C2-5 Zone shall be considered one lot for the purposes of the Zoning By-law
C2-5H	C2-8H	2013-062	The permitted uses are only the existing uses until the Holding (H) Symbol is removed by By-law, at which the permitted uses shall be all those uses in the Special Purpose Commercial (C2) Zone including Financial Institution and excluding Beer Store, Department Store, Home Improvement Centre, Liquor Store, Supermarket subject to the following provisions: i) The minimum unit size for a Financial Institution, Financial Services Establishment, Printing and Publishing Establishment, Retail Store, Specialty Food Store, and Tourist Commercial Store is 185 square metres of gross floor area, however six (6) units of less than 185 square metres of gross floor area will be permitted within the C2-5 Zone for these uses; ii) A maximum of one (1) Financial Institution is permitted on lands zoned C2-4 or C2-5; iii) The minimum setback from the easterly property lines abutting Provincial Highway 11 shall be delineated by a line running perpendicular to the north property line commencing at a point which is 40 metres west of the northeast corner of the C2-5 Zone; iv) The minimum setback from any lot line abutting Provincial Highway 11 shall be 70 metres; v) The minimum setback from all other lots lines shall be 3 metes; vi) There shall be no minimum loading space requirements; vii) All lands located within the C2-5 Zone shall be considered one lot for the purposes of the Zoning By-law; and viii) The Holding (H) Symbol shall only be removed following site plan approval being granted for the development of the lands.

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
C3-1	-	-	Permitted uses are limited to *Accessory Dwelling Unit, Convenience Store, Detached Dwelling, Office, Retail Store* and *Personal Service Shop* with a minimum front yard of 7.5m, minimum interior side yards of 1.2m and 3m, minimum rear yard of 7.5m and maximum lot coverage of 30%.
C3-2	C3-35	95-56	Permitted uses are all those uses in the C3 Zone excluding *Convenience Store, Hotel, Laundry Establishment, Motel, Outside Display and Sales, Place of Entertainment, Printing and Publishing Establishment,* and *Personal Service Shop*
C3-3	C3-45	2003-101	Permitted uses are all those uses in the C3 Zone with a maximum of 6 residential units may be permitted on the 2nd floor of the building, a minimum of 9 onsite parking spaces, property is deemed to comply with the parking requirements if property is used for commercial purposes and does not contain more than 3 residential dwelling units, any residential parking requirement in excess of 3 parking spaces is deemed to displace an equivalent number of commercial parking spaces for which cash in lieu of parking will be required to be paid and the available on site parking spaces will be allotted to meet the residential parking requirements in priority to the commercial parking requirements
C3-4	C3-46	2004-02	Permitted uses are all those uses in the C3 Zone excluding *Laundry Establishment, and Motor Vehicle Dealership* and including *Passenger Transportation Depot*
C3-5	C3-9	2007-094	Permitted uses are all those uses in the C3 Zone including Indoor Storage Facilities in all areas of the existing building except the front half of the ground floor
C3-6	C3-50	2005-125	Permitted uses are all those uses in the C3 Zone with a minimum interior side yard of 0 feet where the property abuts a Residential zone and a minimum of 3 parking spaces
C3-7	C-19	2006-14	Permitted uses are limited to *Detached Dwelling, Office, Retail Store,* and *Personal Service Shop* with minimum lot frontage of 30m, minimum lot area of 1,114m^2, a minimum rear yard of 9m, maximum gross floor area of the Retail Store is 181m^2 and planting strip along the rear yard shall be 2.4m wide
C3-8	C3-11	2016-014	Permitted uses are all those uses in the C3 Zone with all lands in the C3-8 and R1-26 Zones to be considered one lot for planning purposes.
C4-H	C4-1	-	The permitted uses are limited to the existing uses until the Holding (H) Symbol is removed by By-law, at which the permitted uses shall be all those uses in the C4 Zone The Holding (H) Symbol shall only be removed once a site plan agreement is entered into with the Town of Bracebridge and a servicing agreement is entered into with the District of Muskoka.
C4-1	-	-	Permitted uses are limited to those uses existing at the date of the passing of this By-law

SECTION 7: SPECIAL PROVISIONS

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
C4-2	C-8	89-120	Permitted uses are limited to *Office*, *Retail Store* and *Personal Service Shop* with a minimum interior side yard of 5.6m and a minimum setback from MR #118 of 1.3m
C4-3	C-16	2000-76	Permitted uses are all those uses in the C4 Zone with a *Supermarket* to have a maximum *gross leasable floor area* of 12,259m^2, all other permitted uses are each to have a maximum *gross leasable floor area* of 2,000m^2 with the *Motor Vehicle Gasoline Bar* to have a minimum front yard of 7.6 metres to the wall of the kiosk and 6.5 metres for the canopy and a minimum setback from the centerline of Wellington Street of 19 metres. In the C4-3 Zone notwithstanding Section 4.18 of this By-Law, *Outside Display and Sale* may be covered and may be located in any yard.
C4-4	C-18	2005-72	Permitted uses are limited to *Office* and *Veterinary Clinic* and all structures shall have a maximum height of 9m, a continuous unpierced hedgerow of cedar trees, not exceeding 1.8m in height shall be along the rear of Parts 3, 6, 9, 14, 17 and 18 of Plan 35R- 11853, all required parking shall be provided on site – no cash in lieu of parking shall be acceptable, no unenclosed, outside storage of garbage shall be permitted, no motorized mechanical apparatus shall be permitted to be located on the roof of any structure
C4-5	C4	2011-042	Changed to C4 Zone. Previous Provisions: Permitted uses are all those uses in the District Shopping (C4) Zone including Recreational Facilities
C5-1H	R1	2008-125	Permitted uses are limited to the existing uses until a site plan agreement is entered into with the Town and a traffic impact analysis is complete at which time the permitted uses are all those uses in the C5 Zone including a Restaurant with a maximum floor area of 92.9 sq. m.
C5-2	R1	2008-011	Permitted uses are all those uses in the C5 Zone including a Restaurant with maximum gross floor area of 92.9 sq m
C5-3	C5-9	2016-39	Permitted uses are *Convenience Store, Motor Vehicle Dealership with a maximum lot coverage of 25% including the parking of vehicles for sale, Motor Vehicle Detailing Shop, Motor Vehicle Gas Bar, Motor Vehicle Parts Establishment, Motor Vehicle Rental Agency, Motor Vehicle Repair Garage, Motor Vehicle Automatic Wash, Motor Vehicle Self Serve Wash, Repair Shop, Personal Service Shop* and *Restaurant* to a maximum of *gross floor area* of 100m^2
C5-4	C5-3	2010-014	Permitted uses are all those uses in the Convenience Commercial (C5) Zone including a maximum of three (3) *Apartment Dwelling Unit* with a minimum exterior side yard of 5.3 metres

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
C5-5	R1-31	2011-084	Permitted uses are *Convenience Store; Dwelling Unit, Accessory; Farm Produce Retail Outlet; Financial Services Establishment; Garden Centre and Nursery; Market Garden; Motor Vehicle Service Station; Office; Open Air Farmers Market; Outside Display and Sale, Accessory Retail Store; Personal Service Shop Specialty Food Store*; and *Tourist Commercial Store*; With the provision that the uses are permitted only if the use does not include or require direct consumption of water, except for auxiliary facilities such as washrooms, staff kitchen and lunchroom
C5-6	RU	2012-048	Permitted uses are all those uses in the C5 Zone with the following provisions: i) Where a lot line abuts a front lot line and an exterior side lot line, a 22 metre setback shall be maintained; ii) The 22 metre front lot line and exterior side lot line setbacks shall remain in a fully natural state, with no clearing, re-grading, soil disturbance, or placement of materials or facilities, until such time as a site plan agreement is registered on title; iii) Where a lot line abuts an interior side lot line and a rear lot line, a minimum setback of 30 metres will be required; iv) A vegetative buffer shall be maintained adjacent to Highway #118 East until such time as a site plan agreement is registered on title; v) Uses are only permitted if the use does not include or require direct consumption of water, except for auxiliary facilities such as washrooms, staff kitchen and lunchrooms; and vi) The maximum lot coverage is 20%
C5-7	R1-37	2015-022	Permitted uses are limited to the existing uses until the Holding Symbol is removed by bylaw, at which time the permitted uses are all those uses in the Convenience Commercial (C5) Zone including a *Motor Vehicle Wash, Automatic* and Accessory *Restaurant* with Accessory *Restaurant* use is only permitted within a Convenience Store building associated with a Motor Vehicle Gasoline Bar and the Holding (H) Symbol may only be removed once confirmation is received from the District of Muskoka that adequate capacity is available to ensure the appropriate allocation of services for the proposal, a Servicing Agreement has been entered into with the District of Muskoka and a Site Plan Agreement has been entered into with the Town of Bracebridge.

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
C5-8	R1-1	2016-	Permitted uses are *Artisan Studio, Convenience Store, Farm Produce Retail Outlet, Financial Services Establishment, Garden Centre, Office, Personal Service Shop, Retail Store, Specialty Food Store, Tourist Commercial Store, Accessory Apartment Dwelling Unit* and *Accessory Outside Display and Sale* with a 3 metre Landscaped Area which includes a visual barrier required adjacent to the rear lot line and notwithstanding section 4.25, the land can be used and buildings or structures can be erected in the absence of municipal sanitary sewer services subject to the use being confirmed as a low water user by the District of Muskoka
C6-1	-	-	Permitted uses are limited to *Convenience Store, Hotel, Motel, Motor Vehicle Gas Bar*, *Restaurant, Restaurant Drive-Thru, Retail Store,* and *Tourist Establishment* until 220 residential building permits have been issued by the Town in the South Bracebridge Adult Lifestyle Residential designation at which time the permitted uses are all those uses in the C6 Zone with all those permitted uses except *Convenience Store, Hotel, Motel, Motor Vehicle Gas Bar*, *Restaurant, Restaurant Drive-Thru, Retail Store,* and *Tourist Establishment* limited to be developed within an area of 3.5 ha.

7.1.4. Tourist Commercial Zone Exceptions

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
CT1-1	CT-1	2006-120	Permitted uses are limited *Hotel, Motel, Passenger Transportation Depot, Recreational Facilities, Restaurant*, and *Accessory Retail Store* with a maximum gross floor area of 25% of main building
CT1-2	CT-3		Permitted uses are limited to a Tourist Establishment
CT1-3	CT-8	2005-81	Permitted uses are all those uses in the CT1 Zone including a *Home Industry* with a minimum lot frontage of 30m on Kirst Road and 75m on flooded land, the minimum lot area shall be 0.8ha, the total gross floor area of the accessory building used for a home industry shall not exceed 140m^2 and such accessory building or buildings which is used for a home industry shall not be located within the front yard of the residential lot or within 4.5m of the side or rear lot line, all other provisions for a *Home Industry* shall apply
CT1-4	CT-10	2006-120	Permitted Uses are limited to *Hotel*, *Motel, Recreational Facilities, Restaurant, Accessory Dwelling Unit* and *Retail Store* with the *Retail Store* to a have a maximum gross floor area of 25% of main *building*

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
CT2-1	CT-7	2000-89	Permitted uses are all those uses in the CT2 Zone with no campsite to be located within 45m of any lot line, except to the rear of the abutting properties on Santa's Village Road where the minimum setback for a campsite may be reduced to 30m provided landscaped buffer is provided; no swimming pool may be located within 60m of any lot line except that where the lot line abuts Part 3 on Plan 35R-7500, the minimum setback may be reduced to 15m
CT2-2	CT		Permitted uses are all those uses in the CT2 Zone plus a *Children's Camp*.

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
CT2-3H	CT-9H	2006-120	Permitted uses are limited to those lands, buildings and structures existing at the date of passing of this By-law, until the Holding Symbol is removed by By-law, at which time the provisions of this section shall apply. The Holding Symbol may only be removed when a site plan agreement has been entered into for the expansion of the *Tourist Camp* and all required studies in support of the expansion have been approved by the Town including a Site Evaluation Report. Notwithstanding the provisions of Section 3.5 to the contrary, for those lands zoned Tourist Commercial Two Special – 3 (CT2-3) in Part of Lot 20, Con 7, Draper, no person shall use any land, or erect, alter or use any building or structure except for a *Tourist Camp* in accordance with the following: a) Permitted Uses • Maximum of 93 seasonal sites for tents and trailers • Maximum of 7 cabins for seasonal use • Maximum of 2 dwellings for use by the owner/operator of the *Tourist Camp* • Recreational facilities accessory to the use of the *Tourist Camp* • Tuck shop and laundry facilities, in a building not larger than 200 square metres • Maximum of two comfort stations • Season group camping is not permitted b) Regulations • Minimum Lot Area – 20 hectares • Minimum Lot Frontage (Muskoka River) – 400 metres • Minimum Front Yard (Muskoka River) – 30 metres • Minimum Westerly Side Yard – 60 metres • Minimum Easterly Side Yard – 60 metres from Ashley Lane provided the minimum distance from any other property line shall be 23 metres • Minimum Rear Yard – 60 metres • Maximum Lot Coverage – 5% • Minimum Landscape Area – 50% • Maximum number of docks – 10 with a maximum of 20 boat slips • Maximum dock projection (into the water) – 7 metres Cont'd on next page

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
CT2-3H	CT-9H	2006-120	Cont'd from previous page c) Other Zone Provisions • For the purposes of this section, a landscaped area shall include a naturalized buffer area within the required yard and characterized with significant coniferous and deciduous vegetation, which functions as a visual buffer from the side and rear lot lines and a minimum of 60% of the width along the front lone line. • The naturalized buffer area references above shall be maintained or restored in its natural state except for any approved driveway entrance and for the removal of dead or decaying trees posing a safety hazard. • In all other respects the provisions of the Tourist Commercial Two (CT2) zone shall apply
CT3-1	CT-11	2010-041 2012-010	Permitted uses are all those uses in a CT3 Zone with the following provisions: iii) The parking on Parts 1 and 2 of Plan 35R-20489 must be setback a minimum of 30 metres from the high water mark of Allport Lake, with the 30 metres to stay in its natural state; iv) The existing vegetation be maintained along Beaumont Drive; v) All those lands located within the CT3-1 Zone are considered one lot for planning purposes; and vi) The lot coverage be taken as the individual lot coverage of each lot.
CT3-2	CT-2	81-77	Permitted uses are all those uses in the CT Zone with a 3 m buffer area along east boundary abutting residential, and southern portion of the lands remain in existing natural state.

7.1.5. Industrial Zone Exceptions

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
M1-1	CT-5	86-9	Permitted uses are all those uses in the M1 Zone including *Motel* with the Motel to comply with the CT zoning provisions
M1-2	M1-7	87-81	Permitted uses are all those uses in the M1 Zone including *Convenience Store, Drug Store, Office, Retail Store,* and *Restaurant*
M1-3	M1-19	2005-61	Permitted uses are all those uses in the M1 Zone including *Drive-Thru Restaurant* and *Restaurant* with a minimum exterior side yard of 6.4m

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
M1-4	M1	2007-01	Permitted uses are all those uses in the M1 zone including Outside Storage with the Outside Storage to be accessory to the use on Pt 1 of 35R-4080 or a use on the same lot, the Outside Storage to have a minimum setback of 7.5 m from the lot line abutting Armstrong Street, the Outside Storage to have a minimum setback of 3 m from the west lot line and the Outside Storage to meet all other applicable zone provisions
M1-5	M1-14	2016-072	Permitted uses are all those uses in the Business Park Industrial (M1) Zone and the following: i) Hotel; ii) Motel; iii) Financial Services Establishment; iv) Office within the existing building not to exceed 3842 square metres (41,356 square feet) total; v) School within the existing building not to exceed 2745 square metres (29,548 square feet) total; vi) Accessory Apartment Dwelling Unit occupied by the owner, caretaker or watchman and vii) Farm Produce Retail Outlet that is permitted with a minimum front yard of 3 metres and minimum setback from the centreline of Ecclestone Drive of 15 metres.
M1-6	M2	2009-034	Permitted uses are all those uses in the Business Park Industrial (M1) Zone and the General Industrial (M2) Zone excluding Assembly Hall, Day Nursery, Place of Entertainment, Recreational Facilities, Restaurant, and Restaurant Drive-Thru with the following provisions: i) The minimum lot frontage for Lot 6, as shown on Schedule ‘A’ to By-law 2009-034 is 23.5 metres. ii) The minimum lot frontage for Lots 13 and 14, as shown on Schedule ‘A’ to By-law 2009-034 is 19 metres. iii) The minimum front yard for Lots 3, 5, 15, 17 and 18, as shown on Schedule ‘A’ to By-law 2009-034 is 7.5 metres. iv) The minimum front yard for Lots 8, and 16, as shown on Schedule ‘A’ to By-law 2009-034 is 10 metres. v) The minimum exterior side yard for Lot 3, as shown on Schedule ‘A’ to By-law 2009-034 is 10 metres. vi) Where a lot line abuts an EP1 Zone, a 10 metre vegetative buffer shall be maintained in a fully natural state, with no clearing, re-grading, soil disturbance, or placement of materials or facilities, including those associate with storm water management. vii) Where a lot line abuts an EP1 Zone, a minimum setback of 20 metres will be required.

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
M1-7	M1-5 M1-6	2011-041	Permitted uses are all those uses in the Business Park Industrial (M1) Zone and the General Industrial (M2) Zone excluding Assembly Hall, Day Nursery, Place of Entertainment, Recreational Facilities, Restaurant, and Restaurant Drive-Thru with the following provisions: 1. Where a lot line abuts an EP1 Zone, a 10 metre vegetative buffer shall be maintained in a fully natural state, with no clearing, re-grading, soil disturbance, or placement of materials or facilities, including those associate with storm water management. 2. Where a lot line abuts an EP1 Zone, a minimum setback of 20 metres will be required. 3. Where a lot line abuts a railway, a building setback of 15 metres shall be required from that lot line
M1-8	M1-5 M1-6	2011-041	Permitted uses are all those uses in the Business Park Industrial (M1) Zone and the General Industrial (M2) Zone excluding Assembly Hall, Day Nursery, Place of Entertainment, Recreational Facilities, Restaurant, and Restaurant Drive-Thru with the following provisions: 1. The minimum front yard is 7.5 metres. 2. The minimum exterior side yard is 10 metres. 3. Where a lot line abuts an EP1 Zone, a 10 metre vegetative buffer shall be maintained in a fully natural state, with no clearing, re-grading, soil disturbance, or placement of materials or facilities, including those associate with storm water management. 4. Where a lot line abuts an EP1 Zone, a minimum setback of 20 metres will be required.
M1-9	M1-5 M1-6	2011-041	Permitted uses are all those uses in the Business Park Industrial (M1) Zone and the General Industrial (M2) Zone excluding Assembly Hall, Day Nursery, Place of Entertainment, Recreational Facilities, Restaurant, and Restaurant Drive-Thru with the following provisions: 1. The minimum lot frontage is 14 metres 2. Where a lot line abuts an EP1 Zone, a 10 metre vegetative buffer shall be maintained in a fully natural state, with no clearing, re-grading, soil disturbance, or placement of materials or facilities, including those associate with storm water management. 3. Where a lot line abuts an EP1 Zone, a minimum setback of 20 metres will be required.
M1-10	M1-5 M1-6	2011-041	Permitted uses are all those uses in the Business Park Industrial (M1) Zone and the General Industrial (M2) Zone excluding Assembly Hall, Day Nursery, Place of Entertainment, Recreational Facilities, Restaurant, and Restaurant Drive-Thru with the following provisions: 1. The minimum lot frontage is 25 metres 2. Where a lot line abuts an EP1 Zone, a 10 metre vegetative buffer shall be maintained in a fully natural state, with no clearing, re-grading, soil disturbance, or placement of materials or facilities, including those associate with storm water management. 3. Where a lot line abuts an EP1 Zone, a minimum setback of 20 metres will be required.

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
M1-11	M2	2013-088	Permitted uses are all those uses in the Business Park Industrial (M1) Zone including Hotel, Motel, Financial Services Establishment and Arena
M1-12	M2	2013-088	Permitted uses are all those uses in the Business Park Industrial (M1) Zone and the following: i) Hotel; ii) Motel; iii) Financial Services Establishment; iv) Office within the existing building not to exceed 3842 square metres (41,356 square feet) total; v) School within the existing building not to exceed 2745 square metres (29,548 square feet) total; and vi) Accessory Apartment Dwelling Unit occupied by the owner, caretaker or watchman
M2-1	-	-	Permitted uses are all those uses in the M2 Zone including *Motor Vehicle Gasoline Bar*
M2-2	M2-2	77-65	Permitted uses are limited to Accessory *Outside Display, Bus Storage, Contractor's Yard, Equipment Sales and Rental, Farm Implement Dealer, Laundry Establishment Printing and Publishing Establishment, Warehousing* and *Workshop*
M2-3	M2-9	2016-039	Permitted uses are all those uses in the M2 Zone including a *Brewery*
M2-4	M2	2008-126	Permitted uses are all those uses in the M2 Zone including *Outdoor Storage* permitted as a main use
M2-5	M2	2011-059	Permitted uses are all those uses in the General Industrial (M2) Zone including a Place of Worship with the following provisions i) The minimum exterior side yard for a building used as a Place of Worship is 7.5 metres ii) The minimum setback from the Canadian National Railway normal right-of-way or projection of the normal right-of-way for a building used as a Place of Worship is 30 metres
M2-6	M2	2012-017	Permitted uses are limited to the Display and Sale of Model Homes and associated Offices with the following provisions i) The uses are permitted on private water and private sewer services ii) No outdoor storage is permitted iii) All vegetation within the required rear yard must be maintained iv) Minimum lot frontage 22 metres on private services v) Minimum lot area 0.44 ha on private services vi) Minimum front yard 15 metres vii) Minimum rear yard 14 metres

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
M2-7H	M2-8H	2016-017	Permitted uses are Artisan Studio, Assembly Hall, Audio Visual Studio, Brewery, Distillery, Light Manufacturing, Open Air Farmer's Market, Place of Entertainment, Restaurant, Retail Store, Service and Repair Shop, and Specialty Food Store. Retail Store uses not associated with another permitted use shall be restricted to a maximum of 10% of the total floor area of the building and Retail Store uses operating in conjunction with another permitted use restricted to a maximum of 40% of the total floor area of the building. Assembly Hall and Restaurant uses restricted to a combined total floor area of 40% of the total floor area of the building. Existing building deemed to satisfy the minimum yard requirements and setback from Centreline of Road. Minimum parking space requirement shall be that required by Section 5 of the Comprehensive Zoning By-law for each use within the building or 100 spaces, whichever is less. Assembly Hall, Brewery, Distillery and Place of Entertainment shall not be permitted until the Holding Symbol is removed by By-law at which time the permitted uses shall be all those listed above. No more than 60% of the total floor area of the building may be used until the Holding Symbol is removed by By-law. The Holding Symbol may be removed once the developer has prepared a Traffic Impact Study to the satisfaction of the District of Muskoka and the Town of Bracebridge, and an agreement has been entered into with the District of Muskoka to address the quality of effluent generated, servicing capacity allocation and other servicing and traffic matters.
M3P-1	M3-1	2006-120	Permitted uses are all those uses as permitted in a M3 Zone including C*ontractor's Yard* and *Workshop*
M3Q-1	RU	2006-120	Permitted uses are limited to the uses existing at the date of passing of the by-law.
M4-1	M3 RU	2009-092	Permitted uses are all those uses permitted in the Waste Disposal (M4) Zone and Gravel Pit and Quarry uses with the following provisions: i) The existing building is to have a minimum front yard of 12.7 metres; ii) The existing building is to have a minimum north interior side yard of 13.1 metres; iii) The existing building shall not have a minimum setback from the centreline of Rosewarne Drive

7.1.6. Institutional Zone Exceptions

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
I-1	I-7	87-94	Permitted uses are all those uses in the I Zone including a *Medical Clinic* being accessory a *Hospital*
I-2	I-10	89-42	Permitted uses are limited to *Office* for a children's counseling service, Public *Office* and *Public Park*
I-3	I-13	92-59	Permitted uses are limited to an *Assembly Hall*, conducted in the existing building and connected to a municipal water supply and a private sewage system with adequate capacity for the proposed use to the satisfaction for the Ministry of Environment and an *Assembly Hall, Day Nursery, Public Office, Place of Worship*, and *Public Park* when the site is connected to both a municipal water supply and sanitary sewage service
I-4	I-14	2016-013	Permitted uses are limited to a Children's Camp and associated accessory structures and facilities with the following provisions: i) The minimum setback from a lot line abutting a lot with any Rural (RU) or Rural Residential (RR) zoning is 60 metres; ii) All vegetation must be retained within 45 metres of a lot line abutting a lot with any Rural (RU) or Rural Residential (RR) zoning; iii) Notwithstanding other provisions to the contrary, accessory buildings to the existing detached dwelling are permitted with a minimum side yard of 4.5 metres and shall be located not closer to the lot line abutting Fraserburg Road than the existing detached dwelling; iv) The maximum lot coverage is 10%; v) The maximum height of a Zip Line Tower is 24.5 metres; vi) The minimum setback from any lot line abutting Fraserburg Road is 122 metres for a Zip Line Tower; vii) Permitted shoreline structures include docks, boathouses, boat ports, boardwalks, water cable towers and lines, storage buildings, pavilions, gazebos and viewing stand ; viii) The cumulative width of docks, boathouses and boat ports shall not exceed 25% of the lot frontage; ix) A gazebo shall be permitted on the dock; and x) A water cable tower shall not exceed a height of 10 metres.
I-5	R3-19	2002-01	Permitted uses are limited to *Retirement Home* with a maximum of 73 quest rooms
I-6	I-14	2004-39	Permitted uses are all those uses in the I Zone including *Recreational Facilities* with minimum of 330 parking spaces
I-7	-	No applicable previous Zoning By-law. Regulated by By-law 2006-090	Permitted uses are all those uses existing at the date of passing of this By-law until By-Law 2006-090 is in effect at which time the permitted use are all those uses permitted in the I-17 Zone in By-law 2006-090 provided that the development standards of By-law 2006-090 and this By-law are complied with.

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
I-8	-	No applicable previous Zoning By-law. Regulated by By-law 2006-090	Permitted uses are all those uses existing at the date of passing of this By-law until By-Law 2006-090 is in effect at which time the permitted use are all those uses permitted in the I-18 Zone in By-law 2006-090 provided that the development standards of By-law 2006-090 and this By-law are complied with.
I-8H	-	No applicable previous Zoning By-law. Regulated by By-law 2006-090	Permitted uses are all those uses existing at the date of passing of this By-law until By-Law 2006-090 is in effect at which time the permitted use are all those uses permitted in the I-18H Zone in By-law 2006-090 provided that the development standards of By-law 2006-090 and this By-law are complied with.
I-9H	-	-	Permitted uses are limited to those uses existing at the date of passing of this By-law until the Holding Symbol is removed by By-law at which time the permitted uses are all those uses in the I Zone including a *Medical Clinic* and *Recreational Facilities*. The Holding Symbol may be removed once a Conceptual Plan for the entire I-9H Zone has been accepted by the Town.
I-10	C3-40	-	Permitted uses are all those uses in the I Zone including *Funeral Home* with the *Funeral Home* to have a maximum floor area of 650 m^2 and the *Funeral Home* to have a minimum parking standard of one space per 25 m^2 of *gross floor area.*
I-11H	I-13	2015-017	Permitted uses are limited to the existing uses until the Holding Symbol is removed by by-law, at which time the permitted uses are all those uses in the Institutional (I) Zone with the following provisions: i) Section 4.25 of the Comprehensive Zoning By-law 2006-120 does not apply to a Place of Worship; ii) A Place of Worship require the greater of a minimum of 1 parking space per 4 person seating capacity in the sanctuary or 1 parking space per 23 square metres gross floor area for the entire building; and iii) The Holding (H) Symbol may only be removed once, a Servicing Agreement has been entered into with the District of Muskoka
I-12	R1	2010-064	Permitted uses are limited to Family Services Office, (i), and Public Office with the following provisions: i) A minimum of 1 parking space is required per 37 square metres of gross floor area; and ii) A minimum buffer of 1.5 metres is required from any Residential Zone in the side and rear yards. Family Services Office shall mean an office for family services relating to the support, care, protection, adoption and social well being of children and youth.
I-13	R3-9H	2006-120	Permitted uses are all those uses in the I Zone with no public access from any of Gow Street, Joseph Street or Birch Street, a minimum east interior side yard of 3.0 metres.
I-14	R1	-	Permitted uses are all those uses in the I Zone with the total site to require a minimum of 300 parking spaces.

7.1.7. Rural Zone Exceptions

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
RR-1	RR-4	76-55	Permitted uses are all those uses in the RR Zone with the minimum lot frontage of 120m
RR-2	A-5	81-15	Permitted uses are all those uses in the RR Zone with no *public road* frontage.
RR-3	RR-13	81-23	Permitted uses are all those uses in the RR Zone with minimum lot area of 1.1 ha and minimum lot frontage of 22 m.
RR-4	RR-12	81-31	Permitted uses are all those uses in the RR Zone with the minimum lot area of 24.0 ha and the minimum lot frontage of 63 m.
RR-5	RR-29	2007-121	Permitted uses are all those uses in the RR Zone with minimum lot area of 23.5 ha
RR-6	RR-30	2006-120	Permitted uses are all those uses in the RR Zone with an existing structure permitted prior to a detached dwelling with a minimum lot frontage of 33.5 m on an unopened road allowance, minimum lot area of 1,997 sq m, minimum exterior side yard of 3.9 m for the existing accessory building, and minimum rear yard of 7.25 m for the existing accessory building
RR-7	RR-45	90-64	Permitted uses are all those uses in the RR Zone provided no dwelling units are constructed within 30m of the Canadian National Railway right of way
RR-8	R3-11	91-72	Permitted uses are all those uses in the RR Zone including an *Apartment Dwelling* with a maximum of 3 *Dwelling Units* with minimum lot area of 2.4ha and minimum lot frontage of 167m
RR-9	RR-53	91-116	Permitted uses are all those uses in the RR Zone with the provision that no building permit shall be issued until a potable water source has been tested and deemed acceptable with respect to both quality and quantity of supply by the authorities having or required to assume jurisdiction.
RR-10	A-14	92-36	Permitted uses are all those uses in the RR Zone including Veterinary Clinic and parking shall be permitted in the side and rear yards, a minimum of 3m m from side and rear lot lines, which 3m shall be reserved for no other purpose than a planting strip
RR-11	RR-57	92-121	Permitted uses are all those uses in the RR Zone with minimum area of 1.2ha and a minimum frontage of 106m, except that lots fronting on a curvature of the road shall have a minimum frontage of 60m and further, frontage for said lots may be measured at a distance 7.5m back from the front lot line
RR-12	A-17	95-22	Permitted uses are all those uses in the RR Zone with a minimum front yard of 18m
RR-13	RR-69	96-102	Permitted uses are all those uses in the RR Zone with a provision that one garage may be permitted in front of the *detached dwelling*, provide the garage is setback a minimum of 4.5m from the front lot line.

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
RR-14	A-19	97-83	Permitted uses are all those uses in the RR Zone including an accessory apartment dwelling unit with each *Dwelling Unit* having a separate outdoor privacy area of 23m^2 with a minimum of 4 parking spaces required
RR-15H	RR-38H	2016-049	Permitted uses are limited to the existing uses until the Holding Symbol is removed by by-law, at which time the permitted uses are all those uses in the Rural Residential (RR) Zone except Bed & Breakfast Establishment, Group Home 'A', Hobby Farm, with the following provisions: i) Frontage is not required on a year round municipally maintained road for one (1) Detached Dwelling with accessory structures; ii) The minimum lot size shall be 1.6 ha; and iii) the Holding (H) Symbol may only be removed once a Site Plan Agreement have been entered into with the Town of Bracebridge which includes a condition requiring a Road Allowance Use Agreement be entered into with the Town
RR-16	RR-28	2007-110	Permitted uses are all those uses in the RR Zone with only EP1 uses permitted on lands described as 30 metres wide from both sides of the stream
RR-17	RR-26	2006-154	Permitted uses are all those uses in the RR Zone with minimum lot area of 0.68 ha
RR-18	RR-88	2005-24	Permitted uses are all those uses in the RR Zone including a *Home Industry* which can operate in a maximum of 74.3m^2 of an accessory structure, accessory building may be constructed at a maximum height of 5.4m and contain the Home Industry within the 2nd storey and one accessory building may have a minimum exterior side yard of 6.4m, all other provisions for a *Home Industry* shall apply
RR-19	RR-89	2005-63	Permitted uses are all those uses in the RR Zone with only EP1 uses to be permitted on the lands described as 20 metres wide from both sides of the stream located on the property
RR-20	RR-92	2005-81	Permitted uses are all those uses in the RR Zone with a minimum lot frontage of 137m on Hwy 118 E and 53m on Kirst Road
RR-21	RR-32	2009-010	Permitted uses are all those uses in the RR Zone including a *Sawmill* with minimum lot area of 1.45 ha, *Sawmill* may have one accessory structure which may be permitted in the front yard provided there is a minimum setback of 30 metres from front yard and the *Sawmill* use is a minimum of 150 meters from a navigable waterway.
RR-22	RR-33	2011-096	Permitted uses are all those uses in the RR Zone with minimum lot area of 0.4 ha and minimum lot frontage of 58 metres
RR-23	RR-37	2016-013	Permitted uses are all those uses in the RR Zone with a minimum lot area of 2.0 hectares and a minimum lot frontage of 134 metres.

SECTION 7: SPECIAL PROVISIONS

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
RR-24	RU-96	2006-33	Permitted uses are all those uses in the RR Zone with minimum lot area of 2.0ha and minimum lot frontage of 99m
RR-25	RR	2006-145	Permitted uses are all those uses in the RR Zone with minimum lot area of 0.68 ha and a minimum front yard of 4.75 m for the existing dwelling
RU-1	RU-13	78-8	Permitted uses are all those uses in the RU Zone with the minimum lot frontage of 168m
RU-2	RU-24	81-71	Permitted uses are all those uses in the RU Zone excluding Detached Dwelling.
RU-3	A-10	85-62	Permitted uses are all those uses in the RU Zone with a minimum lot frontage of 260m and a minimum front yard for the accessory buildings of 15m
RU-4	RU-35	88-21	Permitted uses are all those uses in the RU Zone including Group Home 'A' with a maximum of 9 residents.
RU-5	RU-37	88-53	Permitted uses are limited to a communication tower.
RU-6	RU-47	90-103	Permitted uses are all those uses in the RU Zone with all structures prohibited with the exception of a dock, being located below the elevation of 291.08m
RU-7	RU-64	92-32	Permitted uses are limited to Detached Dwelling, Cemetery, Greenhouse, Home Industry, Home Occupation, Accessory Convenience Store which will operate within the dwelling house and shall be limited to 37.1m2 of floor area
RU-8	RU-61	92-37	Permitted uses are all those uses in the RU Zone with the provision that no *building or structure*, with the exception of a dock or boathouse, be permitted within 45m of the centerline of the stream, and provided that there be a minimum 60m setback from the easterly lot line of Lot 19 and the lot frontage shall be considered to be on District Road No. 14
RU-9	RU-63	92-67	Permitted uses are all those uses in the RU Zone including Motor Vehicle Repair Shop within the existing 111m2 garage and any outside storage must be confined to the area directly to the rear of the garage and not exceed an area of 185m2 or maximum of 10 motor vehicles whichever is greater and enclosed by a solid planting strip or fence, only operable currently licensed vehicles are permitted in any other area, a 3m treed area must be maintained from the northeast corner down the easterly side lot boundary from the northeast corner for a distance of 90m and westerly across the frontage for a distance of 21m
RU-10	RU-69	93-54	Permitted uses are all those uses in the RU Zone with the provision that only EP1 uses shall be permitted on the lands described as 30 metres wide from both sides of the stream which runs through the property
RU-11	RU-69	93-60	Permitted uses are all those uses in the RU Zone with the provision that only EP1 uses shall be permitted on the lands described as 30 metres wide from both sides of the stream which runs through the property

SECTION 7: SPECIAL PROVISIONS

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
RU-12	RU-54	2011-090	Permitted uses are all those uses in the Rural (RU) Zone including a Workshop, subject to the following: i) A maximum of one building is permitted for the Workshop; and ii) The building to be used for the Workshop is a maximum of 300 square metres
RU-13	RU-72	94-85	Permitted uses are all those uses in the RU Zone provided there shall be no vegetation removed or disturbance permitted from the valley of the creek and its tributaries to the top of their banks
RU-14	RU-74	94-96	Permitted uses are all those uses in the RU Zone including a woodworking shop may operate as a Home Industry in a building with a maximum gross floor area 335m2
RU-15	RU-51	2009-081	Permitted uses are all those uses in the RU Zone including a *Seasonal Dwelling*.
RU-16	RU-77	96-53	Permitted uses are all those uses in the RU Zone with Home Industry to be used as an antique business, which may operate in two accessory buildings with a combined maximum floor area of 372m2
RU-17	RU-78	96-54	Permitted uses are all those uses in the RU Zone with the valley of the creek and its tributaries to be kept in its natural state to the top of bank.
RU-18	RU-87	98-90	Permitted uses are limited to one accessory structure to a waterfront lot directly across Fox Point Road from the subject lands provided both properties are under the same ownership.
RU-19	RU-88	98-108	Permitted uses are all those uses in the RU Zone with minimum buffer of 20 m to be maintained in the natural state around the stream running through the property
RU-20	RU-89	98-108	Permitted uses are all those uses in the RU Zone with minimum buffer of 20 m to be maintained in the natural state around the stream running through the property
RU-21	A-20	99-120	Permitted uses are all those uses in the RU Zone with minimum setback of 150m from the high water mark of the Muskoka River.
RU-22	A-22	2002-02	Permitted uses are all those uses in the RU Zone with minimum lot area of 8 ha and no *public road* frontage
RU-23	A-23	2002-54	Permitted uses are limited to *Detached Dwelling* and a *Home Industry* for wood working purposes only, in a building with a maximum floor area of 167m^2 and minimum lot frontage of 150m
RU-24	RU-100	2003-36	Only the existing uses shall be permitted until the Holding Symbol is removed by By-law at which time permitted uses shall be all those uses set out in the by-law for the Rural (RU) Zone with the minimum lot frontage shall be 25m and the Holding Symbol may only be removed when an Environmental Assessment process has been completed to determine the location of the west arterial by-pass route and a site plan agreement has been entered into for a building location

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
RU-25	RU-52	2010-065	Permitted uses are all those uses in the RU Zone with total gross floor area used for a *Home Industry* in accessory buildings does not exceed 158 square metres, maximum of 25% of the gross floor area of the dwelling may be used for the Home Industry, Accessory Outside Storage is permitted in the rear yard, no portion of the *Home Industry* other than *Outside Storage* is permitted outside, accessory Outside Storage does not exceed a lot coverage of 5%, vegetative buffer is required adjacent to the Outside Storage, and vegetative buffer is required along the front lot line except for within 7.5 metres of the driveway
RU-26	RU-106	2004-79	Permitted uses are all those uses in the RU Zone including a *Convenience Store* which a maximum gross floor area of 27.9m^2
RU-27	RU-101	2004-117	Permitted uses are all those uses in the RU Zone with all those lands located within this zone be considered as one lot for all purposes under the *Planning Act*
RU-28	A-24	2005-01	Permitted uses are all those uses in the RU Zone including *Animal Shelter* and *Veterinary Clinic* with outdoor runs only to be used between 9:00am and 6:00pm on any day.
RU-29	RU-113	2005-37	Permitted uses are all those uses in the RU Zone with minimum lot frontage of 146m
RU-30	RU-116	2005-63	Permitted uses are all those uses in the RU Zone on a lot with only EP1 uses to be permitted on the lands described as 20 metres wide from both sides of the stream located on the property
RU-31	-	-	Permitted uses are limited to the existing uses until a site plan agreement is entered into with the Town at which time the permitted uses are all those uses in the RU Zone.
RU-32	RU	2007-014	Permitted uses are all those uses in the RU Zone with a Seasonal Dwelling to have a minimum total floor area of 80 sq m
RU-33	RU	2007-025	Permitted uses are all those uses in the RU Zone with minimum lot area of 3.9 ha
RU-34	RU	2007-025	Permitted uses are all those uses in the RU Zone with minimum lot area of 1.25 ha and minimum lot frontage of 109 m
RU-35	RU	2007-025	Permitted uses are all those uses in the RU Zone with minimum lot area of 1.75 ha
RU-36	RU	2007-052	Permitted uses are all those uses in the RU Zone including a Paintball Operation, as defined in By-law 2007-052 with the Paintball Operation to be operated wholly within Part 6 of Plan 35R-18489 except the parking area
RU-37	RU	2007-109	Permitted uses are all those uses in the RU Zone with minimum lot area of 3.0 ha

SECTION 7: SPECIAL PROVISIONS

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
RU-38	RU-53	2011-082	Permitted uses are all those uses in the RU Zone with a minimum lot frontage of 29 metres and any development of the property to occur within 300 metres of the north lot line abutting Stephenson Road #1. The portion of the lands not within 300 metres of Stephenson Road #1 shall remain in their natural state.
RU-39	RU-55	2014-086	Permitted uses are all those uses in the RU Zone with a minimum lot area is 24 hectares and Section 4.10 shall not apply to lands within the RU-55 Zone.
RU-40	RU-56	2016-39	Permitted uses are all those uses in the RU Zone with a minimum lot area of 3.5 ha
RU-41	RU	2007-116	Permitted uses are all those uses in the RU Zone with minimum lot area of 1.53 ha and minimum lot frontage of 112 m
RU-42	RU	2007-116	Permitted uses are all those uses in the RU Zone with minimum lot frontage of 106 m
RU-43	RU	2008-012	Permitted uses are all those uses in the RU Zone with minimum lot frontage of 73.15m
RU-44	RU	2008-017	Permitted uses are all those uses in the RU Zone with Hunt Camp permitted with minimum lot area of 35 ha
RU-45	-	2008-081	Permitted uses are all those uses in the RU Zone with a minimum lot frontage of 106m and an accessory structure permitted in the front yard at a minimum setback of 15m from the *front lot line*
RU-46	-	2008-081	Permitted uses are all those uses in the RU Zone with a minimum lot frontage of 99m
RU-47	RU	2008-103	Permitted uses are all those uses in the RU Zone with a minimum lot area of 3.0 ha
RU-48	RU-57	2016-040	Permitted uses are all those uses in the Rural (RU) Zone including a Hunt Camp with the following provisions: i) A Hunt Camp is permitted on a lot which is a minimum of 31 ha in area; ii) The maximum total floor area for a Hunt Camp is 140 square metres, of which a minimum of 18.5 square metres is to be used for storage; and iii) For the purposes of a Rural Special – 57 (RU-57) Zone the following definition shall apply: *Hunt Camp* means a base camp for recreational activities that may include hunting or forest management, which provides temporary accommodation in a location where municipal services are not available, and may also include buildings used
RU-49	RU-25	2009-077	Permitted uses are all those uses in the RU Zone with minimum lot frontage of 88 metres, All habitable structures shall be constructed above the 273 metre contour line and all those lands in the RU-49 Zone shall be considered one lot for planning purposes.

SECTION 7: SPECIAL PROVISIONS

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
RU-50	RU	2009-079	Permitted uses are all those uses in the RU Zone including a *Golf Driving Range* and a *Motor Vehicle Detailing Shop* with minimum lot area shall be 14 hectares, minimum lot frontage is 337 metres, *Golf Driving Range* must be located in the rear yard and a minimum of one parking space must be provided for each individual tee deck, *Motor Vehicle Detailing Shop* must be located in the rear yard and may only employ residents of the Group Home located on the subject lands and is accessory to the *Group Home* located on the subject lands, a maximum of 3 parking spaces shall be provided for the *Motor Vehicle Detailing Shop.*
RU-51	RU	2006-120	Permitted uses are all those uses in the RU zone with the front lot line being the street line abutting Cedar Lane and the rear lot line being the high water mark of the Muskoka River.″
RC-1	-	-	Permitted uses are all those uses permitted in the RC Zone including Motor Vehicle Gasoline Bar
RC-2	RR	2007-066	Permitted uses are all those uses in the RC Zone including *Mobile Food Service*, which is only to be operated annually from May 1 to October 1
RUM-1	RUI-1	2006-120	Permitted uses are limited to Motor Vehicle Body Shop and Motor Vehicle Salvage Yard.
RUM-2	RUI-2	2006-120	Permitted uses are limited to *Saw Mill* and *Contractor's Yard*.
RUM-3	RUI-3	2006-120	Permitted uses are limited to Accessory Detached Dwelling, Accessory Outside Display and Sale, Contractor's Yard, Cottage Industry, and Equipment Sales and Rental
RUM-4	RUI-4	2006-120	Permitted uses are limited to Accessory Dwelling Unit and Light Manufacturing with a maximum of one structure be constructed at a maximum gross floor area 743.2m2, minimum 30m vegetated buffer shall be required along the rear, west and east property lines that abut the RU zone, a minimum 30m vegetated buffer, with the exception of an entrance shall be required along the frontage of District Road 117
RUM-5	RUI-7	2008-030	Permitted uses are all those uses in the RUM Zone excluding Bulk Fuel Sales and Sawmill and including Boat Storage and Repair as defined in By-law 2008-030 with a minimum interior side yard of 23 metres with all vegetation to be retained within the required setback, all vegetation to be retained within the minimum front yard with the exception of a maximum 10 metre wide area for the entrance, 15 metre vegetation buffer between the Repair Shop and the outdoor boat storage area with the exception of a maximum 10 metre wide area for the purpose of vehicle access
RUM-6	RUI-8	2008-082	Permitted uses are all those uses in the RUM Zone including Motor Vehicle Body Shop, Outside Storage, Repair Shop, Truck or Transport Depot, Warehouse and Workshop with minimum lot area of 0.96 ha

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
RUM-7	RUI-9	2008-082	Permitted uses are all those uses in the RUM Zone with a minimum lot frontage of 20 metres
RUM-8	RUI-10	2009-032	Permitted uses are all those uses permitted in the RUM Zone including a *Private Waste Transfer Facility* with minimum setback from all property of 15 metres and maximum lot coverage is the lot coverage of all existing structures on the subject lands.
RUM-9	RUI-11	2012-016	Permitted uses are limit to a *Contractor's Yard, Craftsman Shop, Detached Dwelling, Equipment Sales and Rental, Farm Implement Dealer, Garden Centre and Nursery, Manufacturing, Motor Vehicle Body Shop,* Accessory *Motor Vehicle Sales*, Accessory *Open Storage*, Accessory *Retail Store* limited to 15% of gross floor area of the building, Sawmill, Repair Shop and Warehouse with minimum front yard of 21 metres, minimum rear yard of 15 metres unless abutting a Residential Zone setback is 24 metres, a minimum interior side yard of 7.5 metres unless abutting a Residential Zone then setback is 22.5 metres, a minimum exterior side yard of 21 metres unless abutting a Residential Zone then setback is 30 metres, Accessory *Open Space* may have a maximum lot coverage of the lesser of 30% of the lot area or twice the building floor area and must be setbacks of the zone, Accessory *Motor Vehicle Sales* is limited to a maximum of ten (10) Motor Vehicles and minimum visual barrier of 3 metres is required where the zone abuts a Residential Zone
RUM-10	RUI-12	2016-039	Permitted uses are all those uses permitted in the RUM Zone including a *Workshop*
RUM-11	RU	-	Permitted uses are all those uses in the RUM Zone including a *Home Improvement Centre*

7.1.8. Open Space Exceptions

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
OS1-1	OS-10	91-108	Permitted uses shall be limited to *Private Park* and shall include road and *driveway* construction, docking, mooring and recreational facilities including the construction of a storage building of up to 47m^2 provided that the facilities is located above the 311.55 metre contour.
OS1-2	OS-11	91-108 92-106	Permitted uses shall be limited to *Private Park* and shall include a road and *driveway* construction, docking, mooring and recreational facilities
OS1-3	OS-15	94-13	Permitted uses are limited to *Detached Dwelling*, conservation, nordic ski trails, pathways, both for pedestrians and non-motorized bicycles, pro-shop limited to gross floor area on two levels of 250m^2, designed to provide for no more than 30 seats for coffee shop use, the detached dwelling may only be occupied by the owner of the lot

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
OS1-4	M1-5 M1-6	2011-041	Permitted uses are all those uses in the Open Space One (OS1) Zone including Storm Water Management Facilities
OS2-1	OS-2	82-81	Permitted uses are limited to a parking area for the lands to the north and no visual barrier is required.
OS3-1	-	-	Permitted uses are all those uses in the OS3 Zone including *Private Park,* and *Recreational Facilities*

7.1.9. Environmental Protection Zone Exceptions

Special Zone	Previous Zone	Previous Zoning By-Law	Permitted Use and Provisions
EP1-1	O-3	96-85	Permitted uses are all those uses in the EP1 zone including a training base for the operation of a sailing school and other related aquatic activities with ancillary uses including maintenance, repair and storage of boats and equipment used for the school. Boats may not be moored to the dock when the sailing school is not in operation

8. ENACTMENT

This By-law shall come into force and effect on the date it is passed by the Council of the Corporation of the Town of Bracebridge if no appeals are received, subject to the applicable provisions of The Planning Act, R.S.O., 1990, as amended. 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.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 30th DAY OF NOVEMBER 2016.

Mayor, Graydon Smith

Director of Corporate Services/
Clerk, Lori McDonald

APPENDIX A: MINIMUM SEPARATION DISTANCE TABLE

Calculation Table MDS II

Animal Type or Material	Description	# per NU	Manure Form	Existing Maximum Capacity	Existing NU	Proposed NU to be Added	Added NU	Total NU	Factor A	Factor D
				Totals						

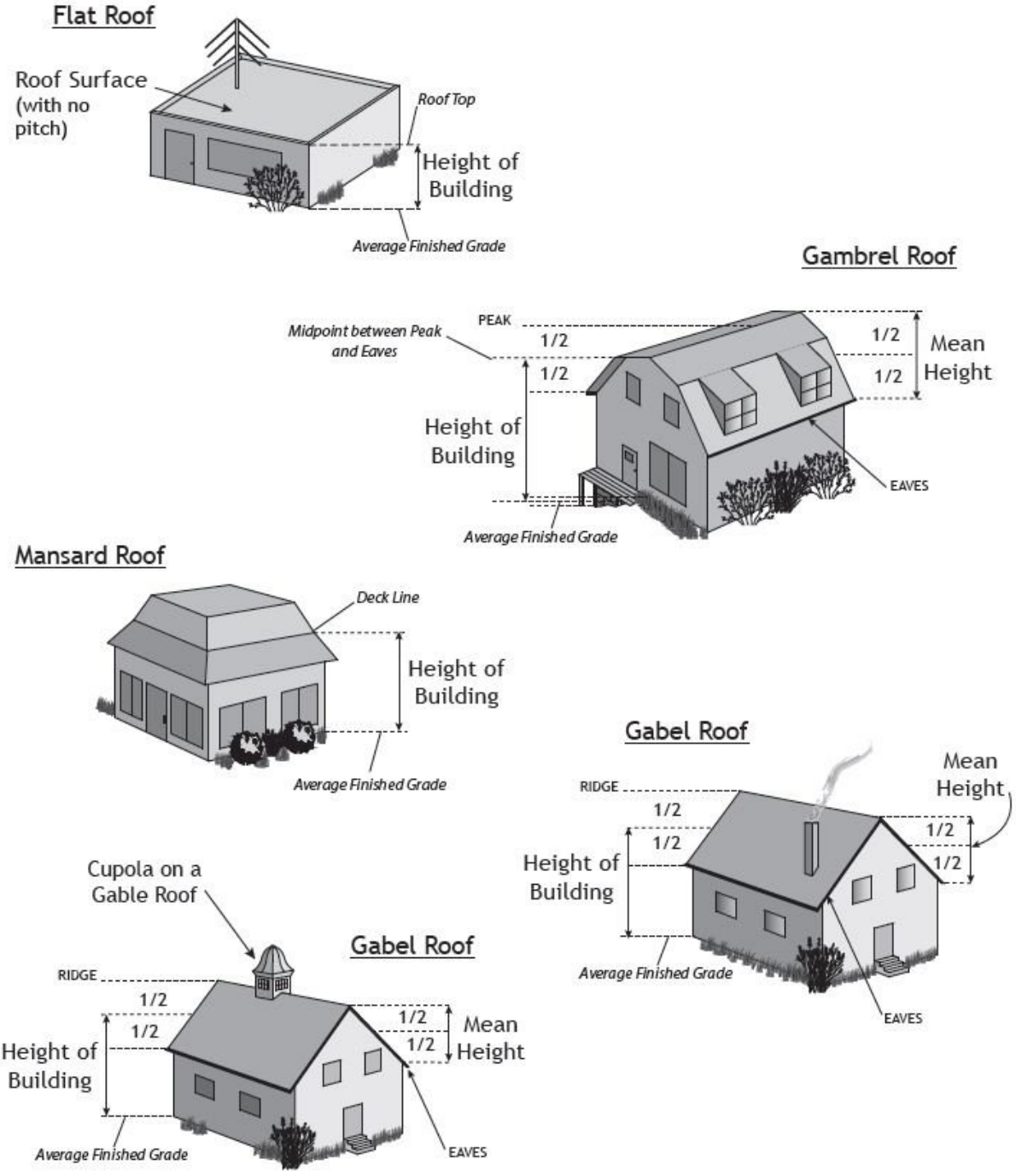
Factor A (Odour Potential Factor) weighted average may be necessary		
Factor D (Manure Form Factor) weighted average may be necessary		
Factor B (*Nutrient Units* Factor)		
Has a building permit been issued for the *livestock facility* on this property, in the last 3 years that has increased its *livestock housing capacity*?	No? (**Approach i**)	Yes? (**Approach ii**)

Approach (i) - No Building Permits in Last 3 Years		**Approach (ii)** - Building Permit(s) issued in Last 3 Years	
Calculation of Percentage Increase		Calculation of Percentage Increase	
Total 2 - Total Added NU (From Above)		Total 2 - Total Added NU (From Above) + Total Added NU from building permit(s) issued in the last 3 Years	
Total 1 - Total Existing NU (From Above)		Total 1 - Total Existing NU at *Livestock Facility* - 3 Years Ago	
If Total 1 = Zero - Treat as a *First Livestock Facility*		If Total 1 = Zero - Treat as a *First Livestock Facility*	
Percentage Increase: (Total 2 / Total 1) x 100		Percentage Increase: (Total 2 / Total 1) x 100	

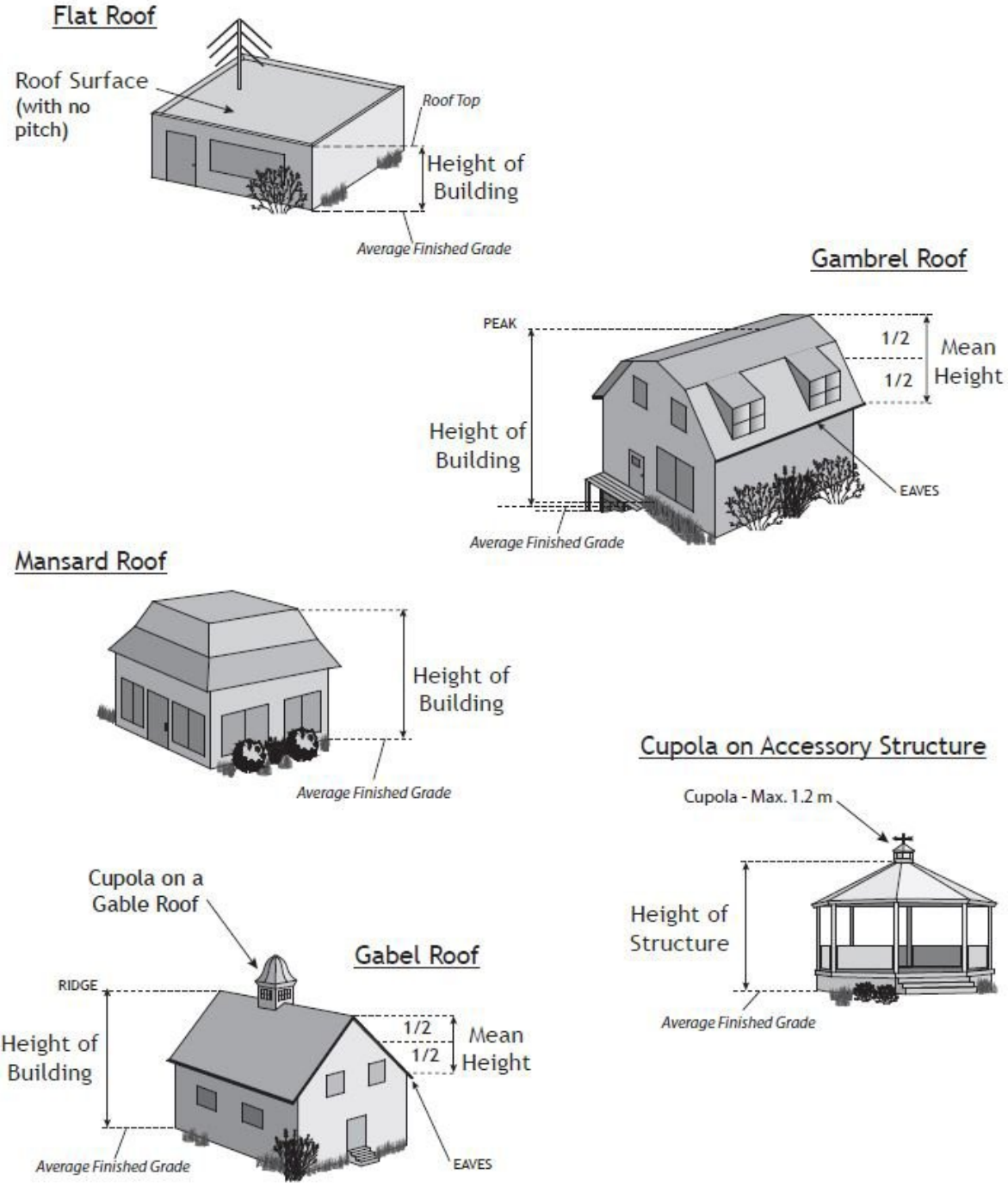
Factor C (Orderly Expansion Factor)	
F (Building Base Distance, m) = Factor A x Factor D x Factor B x Factor C	
S (*Manure Storage* Base Distance, m)	

Now What?	Apply MDS calculation to building permit application as appropriate. For Type A land uses, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 1.0 to determine the required MDS setback. For Type B land uses, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 2.0 to determine the required MDS setback. Implementation Guideline # 40 provides direction around setbacks from rear *lot* lines, side *lot* lines and road allowances. For rear and side *lot* lines, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 0.1 to determine the required MDS setback. In accordance with Implementation Guideline # 44, the required MDS setback from a rear or side *lot* line should never exceed 30 meters. For road allowances, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 0.2 to determine the required MDS setback.

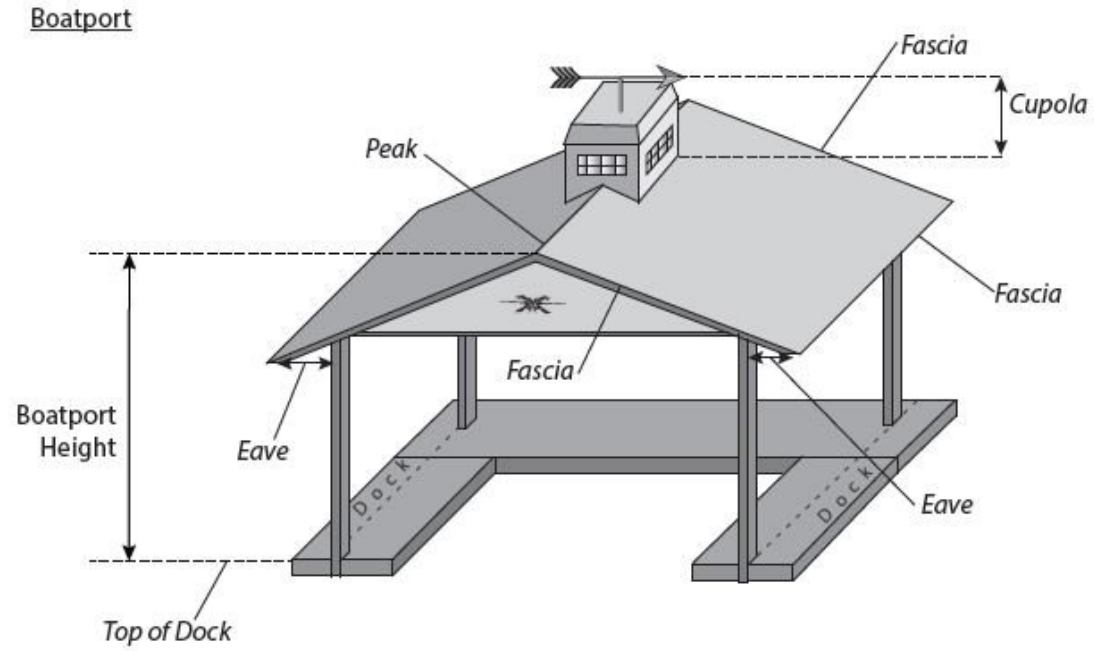
APPENDIX B: HEIGHT OF PRINCIPLE BUILDING

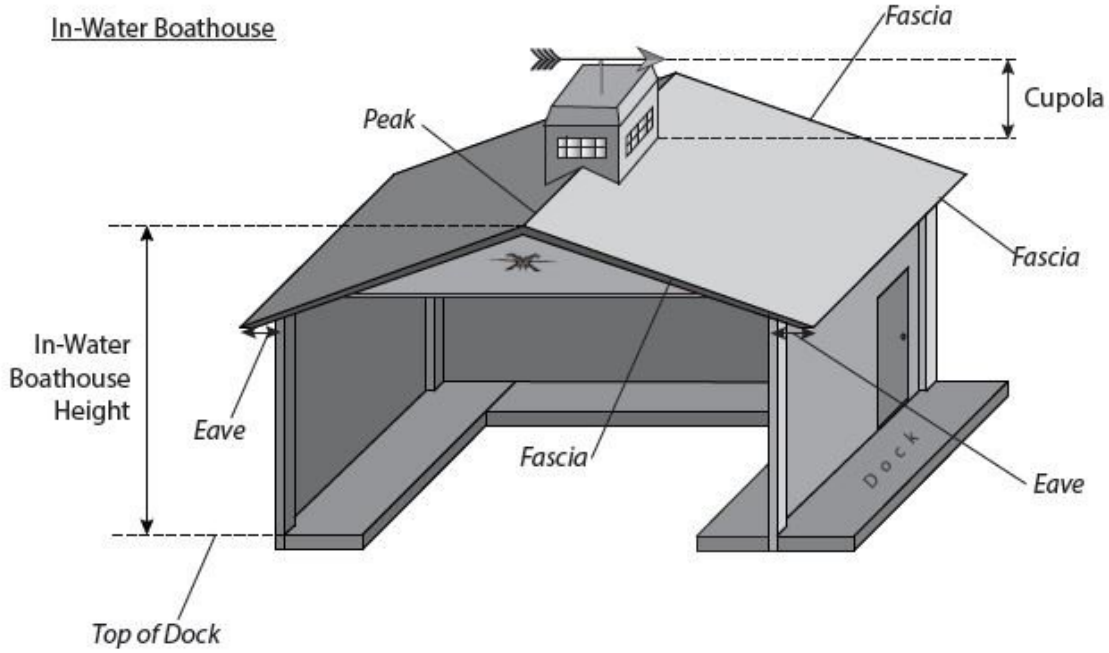


APPENDIX C: HEIGHT OF ACCESSORY BUILDING

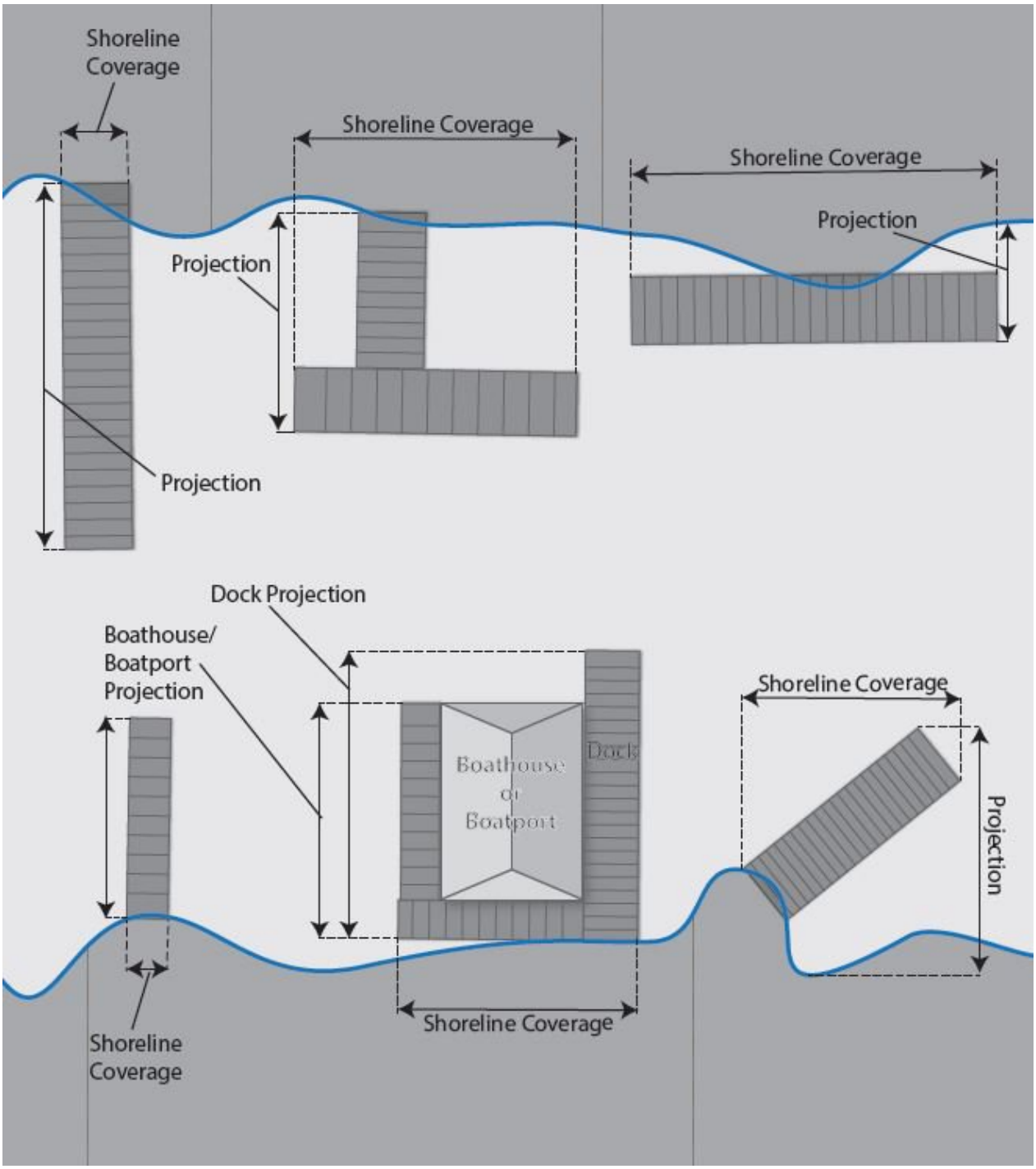


APPENDIX D: HEIGHT OF BOATHOUSE AND BOAT PORT

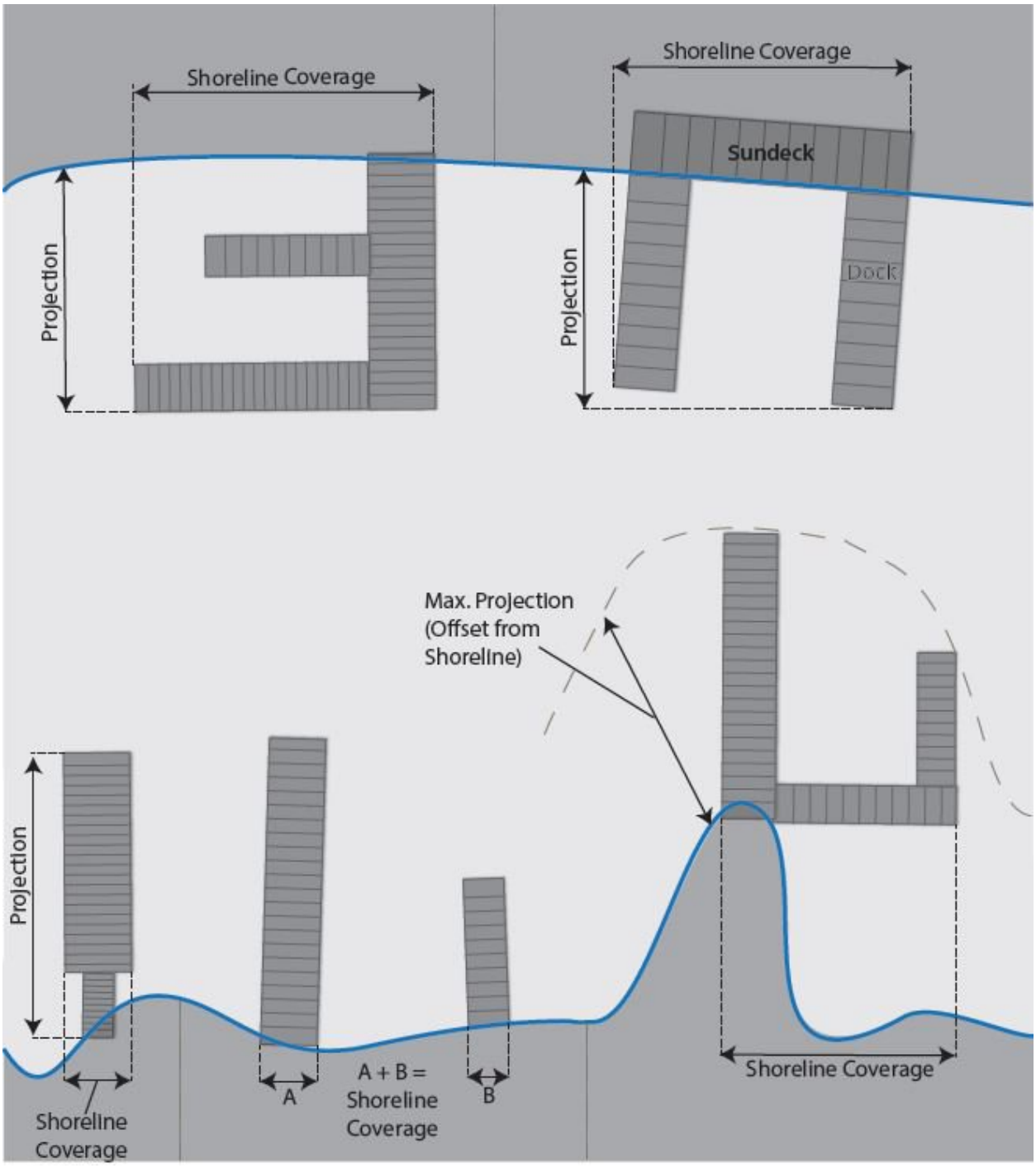




APPENDIX E: SHORELINE STRUCTURE COVERAGE AND PROJECTION



APPENDIX E: SHORELINE STRUCTURE COVERAGE AND PROJECTION



CONVERSION TABLE FOR LENGTH

LENGTH

Metric	Imperial
0.3 m	0.98 ft
0.5 m	1.64 ft
0.6 m	1.96 ft
1 m	3.28 ft
1.2 m	3.93 ft
1.8 m	5.90 ft
2.6 m	8.53 ft
3.0 m	9.84 ft
3.5 m	11.48 ft
3.6 m	11.81 ft
4 m	13.12 ft
4.5 m	14.76 ft
5 m	16.40 ft
5.2 m	17.06 ft
5.5 m	18.04 ft
5.8 m	19.03 ft
6 m	19.69 ft
6.7 m	21.98 ft
7.5 m	24.61 ft
9 m	29.53 ft
10 m	32.81 ft
10.5 m	34.45 ft
12 m	39.37 ft
12.5 m	41.01 ft
13 m	42.65 ft
13.5 m	44.29 ft
15 m	49.21 ft
17.5 m	57.41 ft
18 m	59.06 ft
20 m	65.62 ft
20.5 m	67.26 ft
22 m	72.18 ft

LENGTH

Metric	Imperial
23 m	75.46 ft
24 m	78.74 ft
25 m	82.03 ft
26 m	85.30 ft
28 m	91.86 ft
30 m	98.43 ft
30.5 m	100.07 ft
31.5 m	103.35 ft
33.5 m	109.91 ft
35 m	114.83 ft
36 m	118.11 ft
38 m	124.67 ft
39.5 m	129.59 ft
40.5 m	132.87 ft
43.5 m	142.72 ft
45 m	147.64 ft
48.8m	160.10 ft
53 m	173.88 ft
60 m	196.85 ft
70 m	229.66 ft
71 m	232.94 ft
74 m	242.78 ft
79 m	259.19 ft
90 m	295.28 ft
100 m	328.08 ft
120 m	393.70 ft
135 m	443.91 ft
150 m	492.13 ft
250 m	820.21 ft
400 m	1,312.34 ft
500 m	1,640.42 ft

This table is for reference only and any requirement must meet the metric provisions in the By-Law, which this table does not form a part of the By-law.

CONVERSION TABLE FOR AREA

AREA

Metric	Imperial
3 m^2	32.3 ft^2
9.3 m^2	100.1 ft^2
10 m^2	107.6 ft^2
13 m^2	139.9 ft^2
15 m^2	161.5 ft^2
18.5 m^2	199.1 ft^2
23 m^2	247.6 ft^2
25 m^2	269.1 ft^2
26.5 m^2	285.3 ft^2
30 m^2	322.9 ft^2
31 m^2	333.7 ft^2
37 m^2	398.3 ft^2
45 m^2	484.4 ft^2
46.5 m^2	500.5 ft^2
48 m^2	516.7 ft^2
60 m^2	645.9 ft^2
65 m^2	699.7 ft^2
70 m^2	753.5 ft^2
80 m^2	861.1 ft^2
83.5 m^2	898.8 ft^2
92.9 m^2	1,000.0 ft^2
93 m^2	1,001.1 ft^2
100 m^2	1,076.4 ft^2
185 m^2	1,991.4 ft^2
230 m^2	2,475.8 ft^2
325 m^2	3,498.4 ft^2
350 m^2	3,767.5 ft^2
400 m^2	4,305.7 ft^2

AREA

Metric	Imperial
460 m^2	4,951.6 ft^2
500 m^2	5,382.1 ft^2
555 m^2	5,974.2 ft^2
600 m^2	6,458.6 ft^2
650 m^2	6,996.8 ft^2
695 m^2	7,481.2 ft^2
850 m^2	9,149.6 ft^2
925 m^2	9,956.9 ft^2
1,000 m^2	10,764.3 ft^2
1,205 m^2	12,970.9 ft^2
1,390 m^2	14,962.3 ft^2
2,000 m^2	21,528.5 ft^2
2,040 m^2	21,959.1 ft^2
2,322 m^2	24,994.6 ft^2
2,785 m^2	29,978.5 ft^2
2,800 m^2	30,1339.9ft^2
5,000 m^2	53,821.3 ft^2
8,259 m^2	88,902.0 ft^2
8,360 m^2	89,989.2 ft^2
10,000 m^2	107,642.6 ft^2
11,600 m^2	124,865.4 ft^2
12,700 m^2	136,706.1 ft^2
0.4 ha	0.99 ac
0.8 ha	1.98 ac
1.2 ha	2.97 ac
4 ha	9.88 ac
40 ha	98.83 ac

This table is for reference only and any requirement must meet the metric provisions in the By-Law, which this table does not form a part of the By-law.

Town of Bracebridge in the District of Muskoka

Schedule A
Urban Centre

Zoning By-law 2016-088

Primary Zone

- C1
- C2
- C3
- C4
- C5
- C6
- CT1
- CT2
- CT3
- EP1
- EPW1
- EPW2
- I
- M1
- M2
- M3P
- M3Q
- M4
- OS1
- OS2
- OS3
- R1
- R2
- R3
- R4
- RC
- RR
- RU
- RUI
- RUM
- SR1
- SR2
- SR3
- SR4
- SR5
- Special Exceptions

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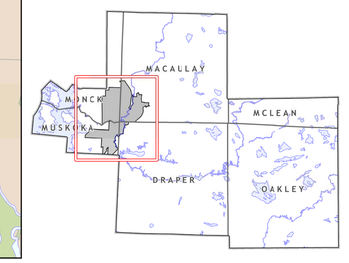
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Town of Bracebridge Zoning Bylaw
Schedule A Urban Centre



Town of Bracebridge in the District of Muskoka

Schedule B
Muskoka North and Monck South Wards

Zoning By-law 2016-088

Primary Zone

- C1
- C2
- C3
- C4
- C5
- C6
- CT1
- CT2
- CT3
- EP1
- EPW1
- EPW2
- I
- M1
- M2
- M3P
- M3Q
- M4
- OS1
- OS2
- OS3
- R1
- R2
- R3
- R4
- RC
- RR
- RU
- RUI
- RUM
- SR1
- SR2
- SR3
- SR4
- SR5
- Special Exceptions

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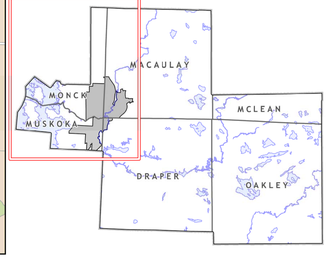
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Town of Bracebridge Zoning Bylaw Schedule B Muskoka North and Monck South Wards



TOWNSHIP OF MUSKOKA LAKES

MONCK

WOOD

MUSKOKA

TOWN OF GRAVENHURST

Bracebridge Urban Centre
See Schedule A

DRAPER

MACAULAY

STEPHENSON

Town of Bracebridge in the District of Muskoka

Schedule C
Macaulay Ward

Zoning By-law 2016-088

Primary Zone

- C1
- C2
- C3
- C4
- C5
- C6
- CT1
- CT2
- CT3
- EP1
- EPW1
- EPW2
- I
- M1
- M2
- M3P
- M3Q
- M4
- OS1
- OS2
- OS3
- R1
- R2
- R3
- R4
- RC
- RR
- RU
- RUI
- RUM
- SR1
- SR2
- SR3
- SR4
- SR5
- Special Exceptions

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Kilometres

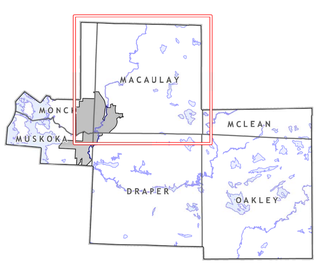
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Town of Bracebridge Zoning Bylaw
Schedule C Macaulay Ward



Bracebridge Urban Centre
See Schedule C

Town of Bracebridge in the District of Muskoka

Schedule D
Draper Ward

Zoning By-law 2016-088

Primary Zone

- C1
- C2
- C3
- C4
- C5
- C6
- CT1
- CT2
- CT3
- EP1
- EPW1
- EPW2
- I
- M1
- M2
- M3P
- M3Q
- M4
- OS1
- OS2
- OS3
- R1
- R2
- R3
- R4
- RC
- RR
- RU
- RUI
- RUM
- SR1
- SR2
- SR3
- SR4
- SR5
- Special Exceptions

Scale 1 : 16,000

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Kilometres

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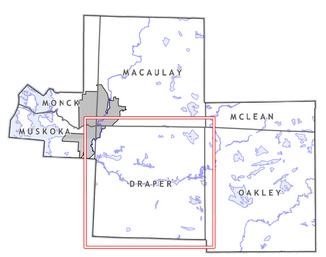
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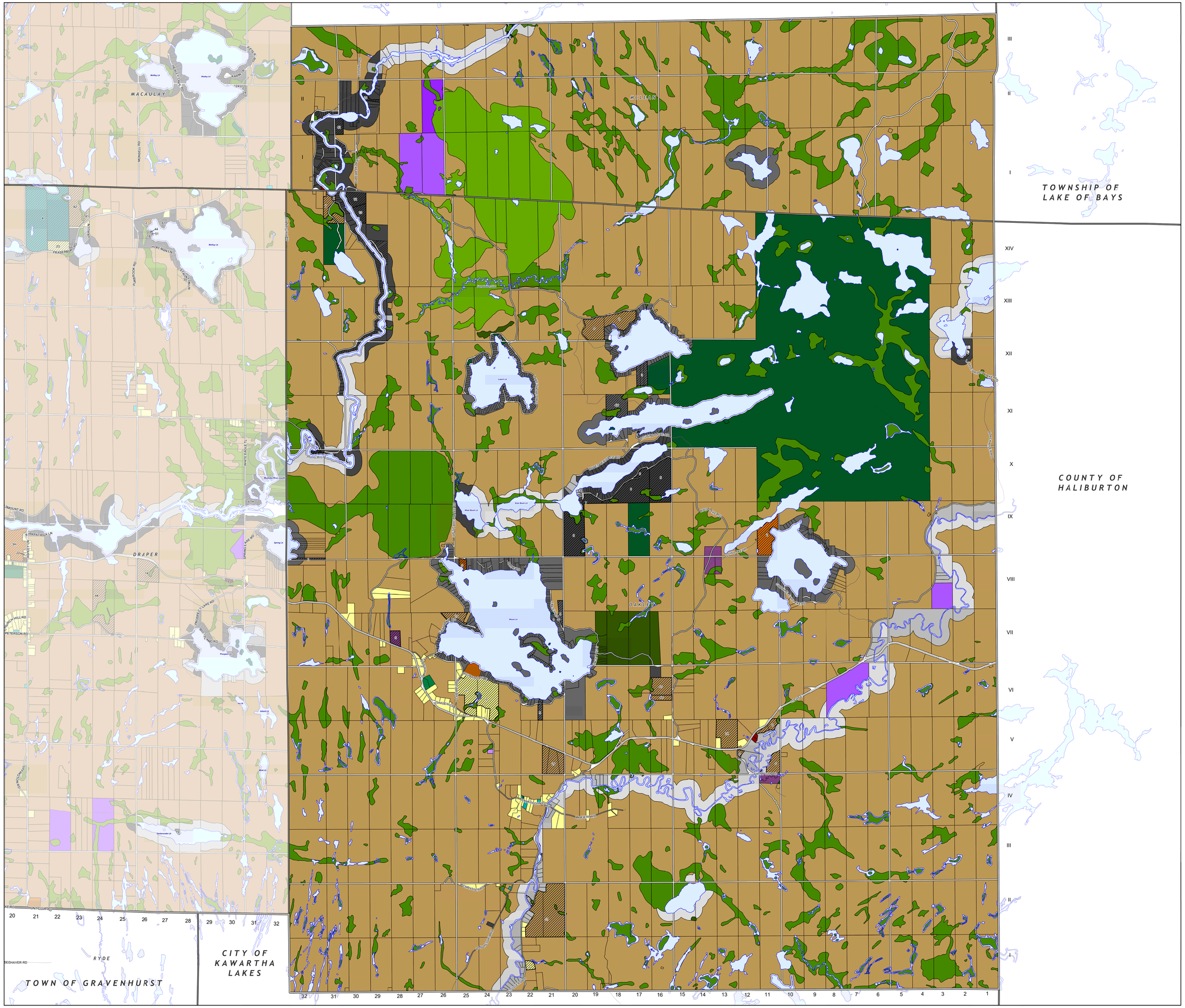
Town of Bracebridge Zoning Bylaw
Schedule D Draper Ward



Town of Bracebridge in the District of Muskoka

Schedule E
Oakley Ward

Zoning By-law 2016-088



Primary Zone

- C1
- C2
- C3
- C4
- C5
- C6
- CT1
- CT2
- CT3
- EP1
- EPW1
- EPW2
- I
- M1
- M2
- M3P
- M3Q
- M4
- OS1
- OS2
- OS3
- R1
- R2
- R3
- R4
- RC
- RR
- RU
- RUI
- RUM
- SR1
- SR2
- SR3
- SR4
- SR5
- Special Exceptions

Scale 1 : 21,000

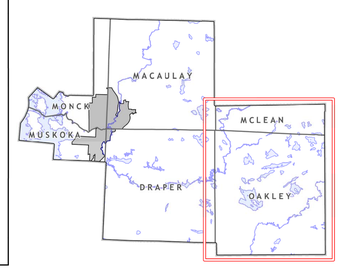
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Kilometres

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Town of Bracebridge Zoning Bylaw
Schedule E Oakley Ward



Town of Bracebridge in the District of Muskoka

Schedule F
Flood Plain Phase I

Zoning By-law 2016-088

END OF PHASE I
STUDY AREA

Lake Muskoka

Golden Beach Road

Muskoka Road #118 West

Wellington Street

Cedar Lane

Beaumont Drive

Stephens Bay Road

Ecclestone Drive

Highway #11

END OF PHASE I
STUDY AREA

Spence Lake

TOWN OF GRAVENHURST

FLOOD PLAIN ONE ZONE (F1)

FLOOD PLAIN TWO ZONE (F2)

TRANSCANADA PIPELINE

Scale 1 : 12,500

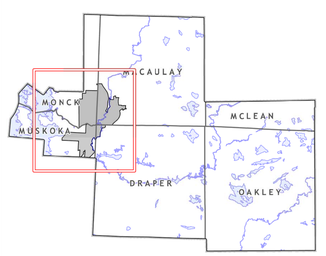
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kilometers

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Town of Bracebridge Zoning Bylaw
Schedule F - Flood Plain Phase I



Town of Bracebridge in the District of Muskoka

Schedule G
Flood Plain Phase II

Zoning By-law 2016-088

FLOOD PLAIN THREE ZONE (F3)

TRANSCANADA PIPELINE

MACAULAY WARD

MONCK SOUTH WARD

MUSKOKA NORTH WARD

DRAPER WARD

OAKLEY WARD

END OF PHASE I STUDY AREA

END OF PHASE I STUDY AREA

Fawn Lake

Woodpile Lake

Gilleach Lake

Bonnie Lake

Atkins Lake

Ralway Lake

Stoneleigh Lake

North Healey Lake

Healey Lake

McKay Lake

Pine Lake

Leech Lake

Big Wind Lake

Bird Lake

West Buck Lake

Spring Lake

Muskoka River (North branch)

Muskoka River (North branch)

Muskoka River

GB153A102

GB153A102

N

Scale 1 : 25,000

0 1 2

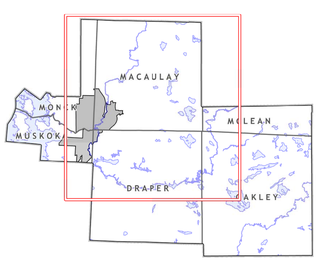
kilometers

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Town of Bracebridge Zoning Bylaw
Schedule G - Flood Plain Phase II



Town of Bracebridge in the District of Muskoka

Schedule H
Parking Policy Area

Zoning By-law 2016-088

PARKING POLICY AREA

NOTE: THIS SCHEDULE REFERS TO PROVISIONS IN SECTION 5.7 OF THE TEXT.

Scale 1 : 1,500

0 75 150

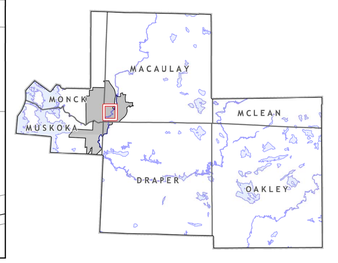
meters

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Town of Bracebridge Zoning Bylaw
Schedule H - Parking Policy Area



Town of Bracebridge in the District of Muskoka

Schedule I Municipal Water and Sewer Services Area

Zoning By-law 2016-088

FULL SERVICE BOUNDARY

WATER ONLY AREA

NOTE: THIS SCHEDULE REFERS TO PROVISIONS IN SECTION 4.25 OF THE TEXT.

Scale 1 : 11,000

0 0.5 1

kilometers

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Town of Bracebridge Zoning Bylaw Schedule I - Municipal Water and Sewer Services Area

