



TOWNSHIP OF NORTH KAWARTHA COMPREHENSIVE ZONING BY-LAW

By-law 26-2013
Passed March 5, 2013

**The Corporation of the Township of North Kawartha
By-Law #26-2013**

A by-law to regulate the use of lands and the character, location and use of buildings and structures in the Township of North Kawartha.

Whereas the Planning Act provides that the council of a municipal corporation may pass by-laws to regulate the use of lands and the character, location and use of buildings and structures;

Now Therefore the Council of the Corporation of the Townships of Burleigh and Anstruther Enacts as follows:

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SECTION 1 - INTRODUCTION

1.1 TITLE OF BY-LAW

This By-law may be cited as the "The Zoning By-law of the Township of North Kawartha".

1.2 SCOPE OF BY-LAW

- (a) **Official Plan**
The preservation of naturally –vegetated **shoreline** is encouraged in order to minimize destruction to the **shoreline** and wet beach habitat, minimize visual impact on the **water body**, maintain wildlife habitats and corridors and improve water quality.
- (b) **Vision**
The North Kawartha vision is of a place where water, wild life habitat, natural beauty, recreational opportunities and peace and tranquility are improved and conserved in perpetuity for all human and wildlife generations to come.
- (c) **Planning**
Good planning includes both a **building** plan and a vegetation inventory.
- (d) **Building Permit**
A **building permit** is required for all **renovations/enlargements/new construction**
- (e) **Lands Subject to By-law:**
The provisions of this By-law shall apply to all lands within the corporate limits of the Township of North Kawartha comprised of the Anstruther, Burleigh and Chandos Wards.
- (f) **Conformity with By-law:**
No **building** or **structure** shall hereafter be **erected** or **altered** nor shall the **use** of any **building, structure** or **lot** hereafter be changed, in whole or in part, except in conformity with the provisions of this By-law.
- (g) **Existing Uses Continued:**
Nothing in this By-law shall prevent the **use** of any **lot, building** or **structure** for any purpose prohibited by this By-law if such **lot, building** or **structure** was lawfully used for such purpose

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

(h) **Building permit** Issued:

Nothing in this By-law shall prevent the **erection** or **use** of any **building** or **structure** for a purpose prohibited by this By-law if a complete application for a **Building permit** for such **building** or **structure** was submitted or a **Building permit** issued prior to the date of passing of this by-law, provided:

- (i) when the **building** or **structure** is **erected**, it shall be used and shall continue to be used for the purpose for which the **building permit** was issued; and
- (ii) the **erection** of such **building** or **structure** is commenced within 6 months of the date of the issuance of the **Building permit**

(i) Compliance with Other Restrictions:

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

(j) Committee of Adjustment Variance Approvals

With respect to any lands for which a minor variance from the provisions of By-Law 524-76 as amended and/or By-law 66-1996 as amended has been authorized by the Committee of Adjustment of the Township of North Kawartha. The provisions of By-Law 524-76 as amended and/or By-Law 66-1996 as amended, shall continue to apply to the extent necessary to give effect to such decision until the 30th of June, 2014.

(k) **Island Zoning**

All **islands** located within the boundaries of the Township of North Kawartha, under private ownership, unless otherwise noted will fall within the **Shoreline Residential Island zone**. All **islands** located within the boundaries of the Township of North Kawartha within public ownership, ie. provincially or federally, will fall within an open space **zone**.

1.3 INTERPRETATION OF BY-LAW

(a) Singular and Plural Words:

In this By-law, unless the context requires otherwise:

- (i) words used in the singular number include the plural; and

- (ii) words used in the plural include the singular number.
- (b) **Shall Is Mandatory:**
In this By-law, the word "shall" means mandatory.
- (c) **Used and Occupied:**
In this By-law, unless the context requires otherwise:
 - (i) the word "used" shall include "designed to be used" and "arranged to be used"; and
 - (ii) the word "occupied" shall include "designed to be occupied" and "arranged to be occupied".
- (d) **Building, Structure and Use Classification:**
In this By-law all **buildings, structures** and **uses** named as permitted **uses** and classified under the headings "RESIDENTIAL **USES**" or "**ACCESSORY USES**" may be referred to as Residential or **accessory buildings, structures** or **uses** respectively.
- (e) In this By-law, metric **units** shall be utilized and prevail. Bracketed imperial **units** are indicated for reference purposes only.
- (f) An explanation of the words in bold type can be found in Section 2 – Definitions.
- (g) **Zone Boundaries**
 - (i) Where a roadway is indicated as a boundary, the limits of each **zone** shall be the centerline of the road allowance.
 - (ii) Where a boundary is indicated as generally following **lot** lines, Township borders, or the extent of a registered plan, the limits of each **zone** shall follow such lines.
 - (iii) Boundaries indicated as following such **shorelines**, and in the event of change in the **shoreline** shall be construed as moving with the actual **shoreline**; boundaries indicated as approximately following the centre-lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such centre lines.

1.4 SCHEDULES TO BY-LAW

The following Schedules which are **attached** hereto, are hereby made a part of this By-law as fully and to all intents and purposes as though recited in full herein:

Zone Maps A1 to A14

SECTION 2 - DEFINITIONS

Any definition of any object, structure, item not encompassed herein shall be as defined in the current edition of a dictionary.

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

2.1 ACCESSORY BUILDING (See: BUILDING)

2.2 ACCESSORY DWELLING UNIT (SEE: DWELLING HOUSE)

2.3 ACCESSORY DWELLING UNIT (SEE: DWELLING UNIT)

2.4 ACCESSORY USE (SEE: USE)

2.5 ALTER

"**Alter**", when used in reference to a **building, structure** or part thereof, means:

- (a) to change any one or more of the external dimensions of such **building** or **structure**; or
- (b) to change the type of construction of the exterior walls or roof of such **building** or **structure**; or
- (c) to change the **use** of such **building** or **structure**; or
- (d) to change the number of **uses** or **dwelling units** contained therein.

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

- (e) to change the boundary of such **lot** with respect to a **street** or land; or
- (f) to change any dimension or area, relating to such **lot**, which is covered herein by a **zone provision**; or
- (g) to change the **use** of such **lot**; or
- (h) to change the number of **uses** located thereon.

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

2.6 ATTACHED

"**Attached**" shall mean a **building** otherwise complete in itself, which depends for structural support or complete enclosure upon a division

wall or walls shared in common **use** with adjacent **building** comprised of a floor, walls, partial walls and roof system.

2.7 AUDITORIUM

"**Auditorium**" means a **building, structure** or part thereof where facilities are provided for athletic, civic, educational, political, religious or social events. This definition may include an arena, assembly hall, community centre, gymnasium, stadium, theatre or similar **use**.

2.8 BALCONY

"**Balcony**" means a partially enclosed platform **attached** to and extending horizontally from one or more main walls of a **building**.

2.9 BASEMENT (See: STOREY)

2.10 BED AND BREAKFAST ESTABLISHMENT

"**Bed and breakfast establishment**" means a **dwelling house**, containing not more than three **guest rooms**, used or maintained for the temporary overnight accommodation of the travelling public, in which the proprietor supplies lodging, with or without meals, in return for monetary compensation. Such an establishment must be licensed by the municipality and operated by one or more persons residing in the **dwelling house**. A **Bed and breakfast establishment** shall not mean to include a **restaurant** or a **tourist establishment**

2.11 BEVERAGE ROOM

"**Beverage room**" means a **building** or premises, other than a **restaurant**, licensed under The Liquor License Act.

2.12 BOATHOUSE (See: MARINE FACILITY)

2.13 BOATPORT

"**Boatport**" shall mean an unenclosed, open-walled stand alone **structure** for the docking and storage of watercraft and equipment accessory to the **use** and operation of watercraft.

2.14 BODY SHOP

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

herein.

2.15 BUILDING

"**Building**" means a **structure** consisting of a wall, roof and floor, or any one or more of them, or a structural system serving the function thereof, including all the works, fixtures and service systems appurtenant thereto, and includes such other **structures** as are designated in the regulations inclusive of a Septic System, but does not include a **structure** used directly in the extraction of ore from a mine.

(a) **Accessory building:**

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

(b) **Main building:**

"**Main building**" means the **building** which contains the principal **use** of the **lot** on which such **building** is located.

2.16 BUILDING AREA

"**Building area**" means the percentage of a **lot area** covered by the perpendicular vertical projection of all **buildings** above **grade** onto a horizontal plane.

2.17 BUILDING BY-LAW

"**Building by-law**" means a by-law passed pursuant to Section 5 of the Ontario **Building Code Act** for the purpose of regulating the issuance of **building permits**.

2.18 BUILDING HEIGHT

- a) "**Height**" means, in the case of a **shoreline** or waterfront property, the vertical distance of a **building** measured from the **finished grade** of the front (lakeside) of a **building** to

- i) The highest point of the roof surface of a flat roof;
- ii) The mean level between the eaves and the ridge of a gabled, hip, gambrel, or other type of pitched roof.

and means in all other cases from the average **grade** around the perimeter of the **building** to

- i) The highest point of the roof surface of a flat roof;
 - ii) The mean level between the eaves and the ridge of a gabled, hip, gambrel, or other type of pitched roof.
- b) “**Height**” means in the case of a **Marine facility (boathouse/boatport)** means the vertical distance of a **building** measured between the **original grade** in the case of a dry land **Marine facility** or the normal **high water mark** in the case of a wet slip Marine facility; and
- i) The highest point of the roof surface of a flat roof;
 - ii) The highest point of the roof surface of a gabled, hip, gambrel, or other type of pitched roof

2.19 BUNKHOUSE

“**Bunkhouse** means an **accessory building** to a permitted **recreation dwelling house**, principally intended for **use** as sleeping quarters.

2.20 BUILDING PERMIT

“**Building permit**” means a permit required by the Ontario **Building Code Act** and any municipal by-laws authorized by this Act.

2.21 BUILDING SEPARATION

“**Building separation**” means the horizontal distance between the nearest portions of any **buildings** on a **lot**.

2.22 BULK STORAGE TANK

“**Bulk storage tank**” means a tank for the bulk storage of petroleum, petroleum products, chemicals, gases or similar substances. This definition shall not include a storage tank which is accessory to another **use** on the **lot** where such tank is located.

2.23 BUSINESS OFFICE

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

2.24 CAMPING GROUND

“**Camping ground**” means an open area provided for the **use** of

outdoor camping in tents or similar facilities. This definition shall not include a **tourist camp** or **mobile home park** for temporary accommodation and overnight **use**.

2.25 CARPORT

"**Carport**" means a roofed **structure**, supported by columns, piers or not more than 2 walls, encompassing more than 60% of the **building** perimeter which is used for the sheltering of permitted **vehicles**.

2.26 CELLAR (See: STOREY)

2.27 CHIEF BUILDING OFFICIAL

"**Chief building official**" means the officer or employee of the **Corporation** appointed under Section 3 of the **Building Code Act** charged with the duty of enforcing the provisions of The **Building Code Act**, together with any Regulations made hereunder and the provisions of the **Building by-law**.

2.28 CHURCH

"**Church**" means a **building** owned or occupied by a religious congregation or religious organization dedicated exclusively to worship and other religious activities.

2.29 CLINIC

"**Clinic**" means a **building** or part of a **building** used solely by medical doctors, dentists and/or drug less practitioners, as well as by their staff and their patients, for the purposes of consultation, diagnosis and office treatment. This definition shall not include a hospital or **home professions**.

2.30 CLUB

"**Club**" means a **building** or premises used as an athletic, recreational, service or social **club** or a fraternal organization.

2.31 COMMERCIAL GARAGE (See: GARAGE, COMMERCIAL)

2.32 COMMERCIAL GREENHOUSE

"**Commercial greenhouse**" means a **building** used for the growing of flowers, vegetables, shrubs, trees and similar vegetation for wholesale or retail sale. This definition shall not include any premises used for the growing of mushrooms.

2.33 CONSERVATION USE

"**Conservation use**" means the **use** of land for a comprehensive management and maintenance program whose goal is the preservation, protection and improvement of the components of the natural environment.

2.34 CONTRACTORS YARD

"**Contractors yard**" means a **yard** of any **building** trade or contractor where equipment and material are stored or where a contractor performs shop or assembly work but does not include any other **yard** or establishment otherwise defined or classified herein.

2.35 CORNER LOT (See: LOT)

2.36 CORPORATION

"**Corporation**" means the **Corporation** of the Township of North Kawartha.

2.37 COUNCIL

"**Council**" means the **Council** of the **Corporation** of the Township of North Kawartha.

2.38 COUNTY

"**County**" means the **Corporation** of the **County** of Peterborough.

2.39 DECK

"**Deck**" means an open platform **structure**, without walls or a roof system, which may or may not be **attached** to a **building**, and is accessory to a permitted residential or seasonal residential **use**. A **deck** shall not be enclosed below finished floor level, by a wall or enclosure if it is located in the required **water setback/water yard** setback.

2.40 DELIVERY SPACE

"**Delivery space**" means an area provided for the temporary **parking** of **vehicles** delivering or picking up equipment, goods, materials or persons.

2.41 DETACHED

"**Detached**", when used in reference to a **building**, means a **building** which is not dependent on any other **building** for structural support or enclosure.

2.42 DEVELOPMENT

"**Development**" means the creation of a new **lot**, change in land **use**, or the **erection**, or placing of a **building** or **structure** of any kind or the making of an addition or **alteration** to a **building** or **structure** that has the effect of increasing the size or usability thereof, and includes such related activities as site grading and the placing or dumping of fill and/or other operations that disrupt the natural environment in, on, over or under land or water.

2.43 DINING ROOM

"**Dining room**" means that part of a **restaurant**, or other **building**, which is used for the consumption of food by persons seated at booths, counters, tables or a combination thereof.

2.44 DOCK

"**Dock**" means a **structure**, **attached** to a **shoreline** and/or marine facility on a permanent or semi-permanent basis, which projects into a body of water, with a finished surface elevated above the level of the water, which is used for the mooring/dockage of water craft.

2.45 DRIVE-IN RESTAURANT (See: RESTAURANT, DRIVE-IN)

2.46 DRIVEWAY

"**Driveway**" means an unobstructed passageway used to provide vehicular access from the **entrance** to a **delivery space**, loading space, **parking** space or **structure**.

2.47 DRIVEWAY SETBACK

"**Driveway setback**" means the least horizontal distance permitted between a **lot line** of a **lot** and the nearest portion of any **driveway** on such **lot**.

2.48 DRY CLEANING OR LAUNDRY OUTLET

"**Dry cleaning or laundry outlet**" means a **building** or part of a **building** used for the purpose of receiving articles or goods of fabric to be subjected elsewhere to a process of cleaning, drying or dyeing. Such establishment may also be used for pressing and/or distributing any articles or goods of fabric which have been received therein.

2.49 DUPLEX (See: DWELLING, DUPLEX)

2.50 DWELLING, DUPLEX

“**Duplex**” shall mean a separate **building** containing two (2) or more **storeys** that is divided horizontally into no more than two (2) dwelling units, each of which is completely on a separate **storey**, and each of which has an independent **entrance** either directly or through a common vestibule.

2.51 DWELLING, SEMI-DETACHED

“**Semi-detached**” shall mean a separate **building** containing two (2) single **dwelling units** separated vertically by a common wall, each unit having separate **entrance** and exit facilities.

2.52 DWELLING HOUSE

“**Dwelling house**” means a single **detached building** occupied or capable of being occupied as the home or residence of one or more persons. This definition shall not include any part of any **vehicle** as defined herein. In no case shall there be more than one kitchen or area where food preparation can take place.

(a) **Accessory dwelling house:**

“**Accessory dwelling house**” means a **dwelling house** which is accessory to a permitted non-residential **use**. Such **dwelling house** shall be occupied by either the owner or by a person employed on the **lot** where such **dwelling house** is located.

(b) **Group home:**

“**Group home**” means a single housekeeping unit in a residential **dwelling house** in which three to eight residents live under responsible supervision of staff or a receiving **family**, consistent with the requirements of its residents. The home shall be licensed or approved under Provincial Statute. For the purpose of this by-law “residents” shall not include persons who have been referred from correctional or detention facilities.

(c) **Modular dwelling house:**

“**Modular dwelling house**” means a **detached dwelling house** which has been fabricated in two or more sections which cannot function independently from one another and are designed for transportation on **streets** on a flatbed or other **trailer**. Upon arrival at the site, the sections are placed on a foundation and are assembled to form one complete dwelling

house and generally not intended to be dismantled and relocated but shall not include a **mobile home**.

- (d) **Recreational dwelling house/cottage:**
"Recreational dwelling house/cottage" means a **dwelling house**, containing only one **dwelling unit**, which is constructed and used as a secondary place of residence, for vacation and recreational purpose.

2.53 DWELLING UNIT

"**Dwelling unit**" means a suite of 2 or more **habitable rooms**, occupied by not more than one **family**, in which sanitary conveniences are provided and in which facilities are provided for cooking or for the installation of cooking equipment, and with an independent **entrance** either directly from outside the **building** or through a common corridor or vestibule inside the **building**. This definition shall not include any part of any **vehicle** as defined herein. In no case shall there be more than one kitchen or area where food preparation can take place located with a **dwelling unit**.

- (a) **Accessory dwelling unit:**
"Accessory dwelling unit" means a **dwelling unit** which is part of, and accessory to, a permitted non-residential **building**. Such **dwelling unit** shall be occupied by either the owner or by a person employed on the **lot** where such **dwelling unit** is located.

2.54 DWELLING UNIT AREA (See: FLOOR AREA)

2.55 ENTRANCE

"**Entrance**", when used with reference to a **lot**, means an unobstructed passageway used to provide vehicular access from the traveled portion of a **street** or lane to a **driveway**.

2.56 ENTRANCE SEPARATION

"**Entrance separation**" means the horizontal distance between the nearest portions of any **entrances** on a **lot**.

2.57 ENTRANCE SETBACK

"**Entrance setback**" means the horizontal distance between an

intersection of **street lines** and the nearest portion of any **entrance**, measured along the limit of the traveled portion of the **street** or lane.

2.58 ENTRANCE WIDTH

"**Entrance width**" means the horizontal distance between the extremities of an **entrance**, measured along the limit of the traveled portion of the **street** or lane.

2.59 ERECT

"**Erect**" means to build, construct, place, reconstruct or relocate and, without limiting the generality of the word, also includes:

- (a) **Altering** any **existing building** or **structure** by an addition, enlargement, extension or other structural change; and
- (b) Any work which requires a **building permit**. "**Erected**" and "**Erection**" shall have corresponding meanings.

2.60 EXISTING

"**Existing**" means **existing** in the former Burleigh/Anstruther wards on February 23, 1979 and in the former Chandos ward on November 1, 1976 for **non-conforming** and **non-complying structures** and uses.

2.61 EXISTING LOT (See: LOT)

2.62 FAMILY

"**Family**" means one or more persons who need not be related by blood or marriage.

2.63 FARM

"**Farm**" means land used for the tillage of soil or the growing of vegetables, fruits, grains, legumes, hays, tobacco or other crops. This definition may also apply to land used for livestock raising, dairying or woodlot.

- (a) **Specialized farm:**
"**Specialized farm**" means land on which the predominant economic activity consists of raising chickens, turkeys or other fowl; the raising of fur bearing animals; the raising of swine or goats; the raising of cattle on feed **lots**; or the growing of mushrooms.

2.64 FARM PRODUCE OUTLET

"**Farm produce outlet**" means a **use**, accessory to a **farm**, which consists of the retail sale of agricultural products.

2.65 FINANCIAL OFFICE

"**Financial office**" means the premises of a bank, trust company, finance company, mortgage company, investment company or credit union.

2.66 FIRST STOREY (See: STOREY)

2.67 FLOOD PLAIN

"**Flood plain**" means the area, usually low lands, adjoining a watercourse which has been, or may be covered by flood water.

2.68 FLOOR AREA

"**Floor area**" means the space on any **storey** of a **building** between exterior walls and required fire walls, including the space occupied by interior walls and partitions, but not including exits and vertical service spaces that pierce the **storey**.

(a) **Dwelling unit area:**

"**Dwelling unit area**" means the aggregate of the **floor areas** of all **habitable rooms** in a **dwelling unit**.

(b) **Gross floor area:**

"**Gross floor area**" means the aggregate of all **floor areas** of a **building** or **structure**.

(c) **Ground floor area:**

"**Ground floor area**" means the **floor area** of the **first storey** of a **dwelling unit**, excluding any portion of such **first storey** which is not a **habitable room** and which has no **habitable room**, or portion thereof, located there over.

(d) **Net floor area:**

"**Net floor area**" means that portion of the **gross floor area** of a **building** which is used by **accessory use** defined herein or specifically named elsewhere in this By-law, but excluding:

- (i) any part of such **building** used by another **accessory use** which is defined herein or specifically named elsewhere in this By-law;

- (ii) any part of such **building** used as a **dwelling unit**;
- (iii) any part of such **building** used for the **parking** or storage of **motor vehicles**;
- (iv) any part of such **building** used for equipment to heat such **building** or a portion thereof; and
- (v) the thickness of any exterior walls of such **building**.

2.69 FORESTRY USE

"**Forestry use**" means the management, **development** and cultivation of timber resources.

2.70 FRONTAGE (See: LOT FRONTAGE)

2.71 FRONT LOT LINE (See: LOT FRONTAGE)

2.72 FRONT YARD (See: YARD)

2.73 FUEL PUMP ISLAND

"**Fuel pump island**" means a **structure** which is an **accessory use** intended to provide fuel for **vehicles**.

- (a) **Private fuel pump island:**
"**Private fuel pump island**" means a **fuel pump island** used to dispense fuel solely to **vehicles** owned or leased by the occupant of the **lot** where such **fuel pump island** is located. This definition shall not include an automobile service station or any other facility for the sale of fuels.

2.74 FUNERAL HOME

"**Funeral home**" means a **building** or premises used for the furnishing of funeral supplies and services to the public and may include facilities for the preparation of the human body for interment or cremation.

2.75 GARAGE, COMMERCIAL

"**Commercial garage**" means an establishment or premises where **vehicles** owned by the general public are **repaired** or maintained.

2.76 GARAGE, MAINTENANCE

"**Maintenance garage**" means an establishment or premises where **vehicles** owned or leased by the occupant of such premises are **repaired** or maintained.

2.77 GARAGE, PRIVATE

"**Private garage**" means an **accessory building** (**detached** garage) or portion of a **dwelling house** (**attached** garage) which is fully enclosed and used for the sheltering of permitted **vehicles**. This definition shall not include a **carport** or other open shelter.

2.78 GAZEBO

"**Gazebo**" means an accessory free standing roofed **structure** with open or screened walls enclosing a single area used for the purpose of relaxation. It may be located on a **deck**, but may not be **attached** to a **building** or it may be located on the ground as a non-permanent free-standing **structure**.

2.79 GOLF COURSE

"**Golf course**" means public or private premise which is used for the purpose of playing golf. This definition may include a par-3 golf course, a driving range, a miniature **golf course**, clubhouse or any similar **use**.

2.80 GRADE

i) **Finished grade**

"**Finished grade**" means the average level of proposed or finished ground adjoining a **building** at all exterior walls.

ii) **Original grade**

"**Original grade**" means the **original grade** that existed prior to construction adjoining a **building** at all exterior walls.

2.81 GRAVEL PIT

"**Gravel pit**" means any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral to supply such material for construction, industrial or manufacturing purposes. This definition shall not include:

- (a) Any excavation incidental to the **erection** of a **building** or **structure** for which a **building permit** has been issued;
- (b) Any excavation incidental to the construction of any public

- works;
- (c) Any asphalt plant, cement manufacturing plant or concrete batching plant; or
 - (d) Any **wayside pit** as defined herein.

2.82 GROSS FLOOR AREA (See: FLOOR AREA)

2.83 GROUND FLOOR AREA (See: FLOOR AREA)

2.84 GROUP HOME (See: DWELLING HOUSE)

2.85 GUEST ROOM

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

2.86 HABITABLE ROOM

"**Habitable room**" means a room designed to provide living, dining, sleeping or kitchen accommodation for persons. This definition may include a bathroom, den, library, office or enclosed sun room but shall not include any **private garage, carport, porch**, veranda, unfinished **attic**, unfinished **basement** or unfinished **cellar**.

2.87 HEIGHT (See: BUILDING HEIGHT)

2.88 HIGH WATER MARK/NORMAL HIGH WATER MARK

"**High water mark**" means the mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

2.89 HOME INDUSTRY

"**Home industry**" means any occupation or activity resembling a construction or industrial-type activity, conducted for gain or profit which is clearly incidental, subordinate and secondary to the principal **use** of the property. Such **uses** may include a carpentry shop, a craft shop, a metal working shop, a plumbing shop, an electrical shop, a welding shop, or other similar **use**. A **home industry** shall be conducted in whole, or in part, in an **accessory building** to a permitted **dwelling house**. Home industries shall be established in accordance with the provisions of Section 3.10 of this by-law.

2.90 HOME OCCUPATION

"**Home occupation**" means any business or service occupation or activity conducted for gain or profit which is clearly incidental, subordinate and secondary to the principle residential of the property. Such **uses** may include hairdressing; instruction in arts, crafts, dancing or music to not more than 6 pupils at any one lesson; molding; painting; sculpting; a **bed and breakfast establishment** offering overnight accommodation in not more than 3 bedrooms of a **dwelling unit**, a **private home daycare**; a professional office or other similar **uses**. A **home occupation** shall be conducted wholly within a permitted **dwelling house**. **Home occupations** shall be established in accordance with the provisions of Section 3.11 of this by-law.

2.91 HOTEL (See: TOURIST ESTABLISHMENT)

2.92 IMPROVED STREET (See: STREET)

2.93 INTERIOR LOT (See: LOT)

2.94 ISLAND

"**Island**" means a land mass surrounded by water.

2.95 KENNEL

"**Kennel**" means a **building**, **structure** or premises used for the raising, breeding or boarding of dogs, cats or other household pets. A **Kennel**, for the purposes of this By-Law, may include both a commercial and/or personal keeping of animals.

2.96 LANDSCAPING AREA

"**Landscaping area**" means that portion of the **lot area** of a **lot** required for the growth and maintenance of grass, flowers, bushes, trees and other landscaping. This definition may include any surfaced walk, surfaced patio, **play facility**, or similar area but shall not include any **driveway** or ramp (whether surfaced or not) nor any curb, retaining wall, **parking area**, **delivery space**, **loading space** nor any open space beneath or within a **building** or **structure**.

2.97 LAUNDROMAT

"**Laundromat**" means a **building** or part of a **building** containing one or more washers, each having a capacity not exceeding 23 kilograms (50 pounds), and drying, ironing, finishing and incidental equipment, provided that only water and soaps or detergents are

used and provided that no such operation shall emit any noise or vibrations which cause a nuisance or inconvenience within or without the premises. This definition may include a self-service **dry cleaning** outlet.

2.98 LEGAL SIGN (See: SIGN)

2.99 LOADING SPACE

"**Loading space**" means an area provided for the temporary **parking** of **vehicles** loading or unloading animals, equipment, goods or materials.

2.100 LODGE (See: TOURIST ESTABLISHMENT)

2.101 LOT

"**Lot**" means a parcel of land which is capable of being legally conveyed in accordance with the provisions of The Planning Act.

(a) **Corner lot:**

"**Corner lot**" means a **lot** having 4 or fewer **lot lines** and situated at the intersection of 2 **street lines** which contain an angle of not more than 135 degrees.

(b) **Existing lot/Lot of Record**

"**Existing lot/lot of record**" means a **lot** which was held under distinct and separate ownership from abutting **lots** as shown by a registered conveyance in the records of the Registry Office or Land Titles Office or an **existing lot/lot of record** that has had lands removed through the consent process or a plan of sub-division or in the alternative, has been enlarged as a result of conveyance from another property, public or private.

(c) **Interior lot:**

"**Interior lot**" means a **lot**, other than a **corner lot** or a through **lot**, which has **street access** but has no **water access**.

(d) **Standard waterfront lot:**

"**Standard waterfront lot**" means a **lot** which has water access on one **shoreline** only.

(e) **Through lot:**

"**Through lot**" means a **lot**, other than a **corner lot**, which has **street access** on 2 or more **street lines** but has no **water**

access.

- (f) **Through waterfront lot:**
"Through waterfront lot" means a **lot** which has **water access** on more than one **shoreline**.
- (g) **Unserviced lot:**
"Unserviced lot" means a **lot** which is served by neither a public water system nor a sanitary system.

2.102 LOT AREA

"**Lot area**" means the total area within the **lot lines** of a **lot** excluding the area of any Environmental Constraint (EC) **zoned** land or any area below the **normal high water mark** located on such **lot**.

2.103 LOT COVERAGE

"**Lot coverage**" is the percentage of the area of a property covered by all **buildings** inclusive of any **decks**, **porches** and attachments thereto.

2.104 LOT FRONTAGE

(refer to Appendix A at the end of the document)

"**Lot frontage**" means:

- (i) for a **lot** fronting on a road, the horizontal distance between the **side lot lines** measured at right angles. Where such **lines** are not parallel, the **lot frontage** shall be the distance between the side **lot lines** measured on a line 15 metres (49.2 feet) from the front **lot line**;
- (ii) for a **lot** which abuts two sides of a public **street**, the shorter **lot line** that so abuts shall be deemed the **lot frontage**;
- (iii) for a **corner lot** where the **street lines** are curved, the **lot frontage** shall be the lesser of the side **lot lines** produced to their point of intersection;
- (iv) for a **lot** directly abutting a navigable waterway and which does not abut a public **street**, the straight line distance between the two most widely separated points on any one **shoreline** of a **lot** shall be deemed the **lot frontage**; for a **lot** on a point or an

island the **frontage** will be the circumference of the point or **island** at the **normal high water mark**

- (v) for a **lot** fronting on a **shoreline** road allowance, the horizontal distance between the **side lot lines** measured along a straight line between the points where the **side lot lines** meet the **shoreline** road allowance; or where applicable, the straight line distance between the two most widely separated points on any one **shoreline** road allowance of a **lot** shall be deemed the **lot frontage**;
- (vi) for a **lot** abutting a public **street** and a navigable waterway or a **shoreline** road allowance, the straight line distance between the two most widely separated points on any one **shoreline** or **shoreline** road allowance of a **lot** shall be deemed the **lot frontage**;
 - In this circumstance, where the **rear lot line** abuts a public **street**, lane or public or private right-of-way, the **frontage** of the **rear lot line** adjacent thereto shall be at least 15 metres (50 feet).

2.105 LOT LINE

"**Lot line**" means any boundary of a **lot**.

2.106 LOT LINE (FRONT)

"**Front lot line**" shall be defined as a portion of property abutting a publicly maintained or private road but where a property abuts a body of water, other than Eels Creek or the Crowe River, the **frontage** will be the body of water.

2.107 LOT LINE (REAR)

"**Rear lot line**" shall be directly opposite of the **front lot line** as described above.

2.108 LOT LINE (SIDE)

"**Side lot line**" will be the property lines at right angles or any angle to the front and rear property line.

2.109 MAIN BUILDING (See: BUILDING)

2.110 MAINTENANCE GARAGE (See: GARAGE, MAINTENANCE)

2.111 MAIN USE (See: USE)

2.112 MARINA

"**Marina**" means an establishment or premises, containing docking facilities and located on a **waterbody**, where boats or boat accessories are berthed, stored, serviced, **repaired** or kept for sale or rent and where facilities for the sale of marine fuels, lubricants or refreshments may be provided.

2.113 MARINE FACILITY

"**Marine facility**" means a **building** or **structure** which is used to place a boat into or take a boat out of a **waterbody**; or to moor, to berth or to store a boat. This definition may include a boat launching ramp, boat lift, , marine railway, or **boathouse**, but shall not include any **building** used for human habitation, a **marina** or any boat service, **repair** or sales facility.

2.114 MERCHANDISE SERVICE SHOP (See: SERVICE SHOP, MERCHANDISE)

2.115 MINING

"**Mining**" means the removal of sand, gravel, earth, rock, stone or mineral bearing substance from the ground for the purposes of obtaining any mineral there from.

2.116 MOBILE HOME

"**Mobile home**" means a prefabricated **building**, designed to be transported on its own chassis (Notwithstanding that its running gear is or may be removed), or by other means, and designed and equipped for year-round occupancy, containing therein facilities for cooking or for the installation of cooking equipment as well as sanitary facilities including a flush toilet and a shower or bathtub. This definition shall not include any **tourist vehicle** or any **trailer** which has a **gross floor area** of less than 60 square metres (645 square feet).

2.117 MOBILE HOME PARK

"**Mobile home park**" means land which has been provided and designed for the location thereon of two or more occupied mobile

homes.

2.118 MODULAR DWELLING HOUSE (See: DWELLING HOUSE)

2.119 MOTEL (See: TOURIST ESTABLISHMENT)

2.120 MOTOR HOME (See: TOURIST VEHICLE)

2.121 MOTOR VEHICLE (See: VEHICLE)

2.122 NAVIGABLE WATERWAY

"**Navigable waterway**" is defined by the Provincial or Federal Government.

2.123 NET FLOOR AREA (See: FLOOR AREA)

2.124 NON-COMPLYING

"**Non-complying**", when used in reference to a **lot, building** or **structure**, means a **lot, building** or **structure** which does not comply with one or more of the **zone provisions** of the **zone** in which such **lot, building** or **structure** is located.

2.125 NON-CONFORMING

"**Non-conforming**", when used in reference to a **use, building** or **structure**, means a **use, building** or **structure** which is not a permitted **use** in the **zone** where such **use, building** or **structure** is located.

2.126 NOXIOUS USE

"**Noxious use**" means a **use** which, by its nature or the materials used or produced therein, is declared to be a noxious trade, business or manufacture pursuant to The Public Health Act or any Regulations made hereunder.

2.127 NURSERY

"**Nursery**" means land used for the growing of sod, flowers, bushes, trees or other gardening, landscaping or orchard stock for wholesale or retail sale.

2.128 ONE-HALF STOREY (See: STOREY)

2.129 OPEN STORAGE AREA

"**Open storage area**" means land used for the outside storage of equipment, goods or materials. This definition shall not include a

storage **use** located in a **building**, a **salvage yard**, a **parking area**, a **delivery space** or a **parking space**.

2.130 PARK

"**Park**" means an area, consisting largely of open space, which may include a recreational area, playground, play field or similar **use**, but shall not include a **mobile home park** or a **tourist camp**.

(a) **Public park:**

"**Public park**" means a **park** owned or operated by the **Corporation** or the **County**, any local board of the **Corporation** or the **County**, or any Authority, Board, Commission or Ministry established under any statute of Ontario or Canada.

(b) **Private park:**

"**Private park**" means a **park** other than a **public park**.

2.131 PARKING AREA

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

2.132 PLAY FACILITY

"**Play facility**" means a fenced or enclosed space, above ground, which is designed for **use** by children.

2.133 PLAY FACILITY AREA

"**Play facility area**" means that portion of the **lot area** of a **lot** required to be used for all play facilities on such **lot**.

2.134 PORCH

"**Porch**" means a **deck** which is **attached** to **main building** and has a roof which constitutes an integral part of the **building** to which the **deck** is **attached**. This definition may include an open **porch**, a **screened porch** and a four season **porch** (glassed and insulated). For all intents and purposes, a **porch** shall be considered structurally permanent.

2.135 PORCH (Non Permanent)

"**Porch (non permanent)**" means a freestanding screened roofed area located on an **existing** open **deck attached** to a dwelling or

located within a required **yard**. Direct access from the dwelling to the **porch** is not permitted, and a **porch** classified as a non-permanent **structure** can only be located by way of Planning Relief (i.e., Minor Variance or Amendment to the Zoning By-Law)

2.136 PRIVATE GARAGE (See: GARAGE, PRIVATE)

2.137 PRIVATE FUEL PUMP ISLAND (See: FUEL PUMP ISLAND)

2.138 PRIVATE HOME DAYCARE

“Private Home Daycare” means the temporary care for reward or compensation of five children or less who are under 10 years of age where such care is provided in a private residence, other than the home of the parent or guardian of any child, for a continuous period not exceeding twenty-four hours.

2.139 PRIVATE PARK (See: PARK)

2.140 PUBLIC PARK (See: PARK)

2.141 PUBLIC USE

“Public use” means a **building, structure** or **lot** used for public services by the **Corporation** or the **County**, any local board of the **Corporation** or the **County**, any Authority, Board, Commission or Ministry established under any statute of Ontario or Canada or Ontario Hydro.

2.142 PUMP HOUSE

“Pump house” means an **accessory building** measuring not more than 1.2 metres (4 feet) in width, 1.2 metres (4 feet) in length and 1.2 metres (4 feet) in **height** and **erected** for the purpose of mechanically drawing water from a **waterbody** for **use** by residents of the **dwelling unit**, or for firefighting purposes.

2.143 REAR LOT LINE (See: LOT LINE)

2.144 REAR YARD (See: YARD)

2.145 RECONSTRUCTION

“Reconstruction” shall mean to replace a **structure** or portion of a **structure** in conformance with all General and **Zone** provisions as may be applicable.

2.146 RECREATION CAMP

"**Recreation camp**" means a **building** having a **net floor area** of less than 139.4 square metres (1500 square feet) **erected** for the purpose to provide temporary accommodation. .

2.147 RECREATIONAL ESTABLISHMENT

"**Recreational establishment**" means a billiard or pool hall, bowling alley, curling or skating rink, or similar **use**.

2.148 RECREATION DWELLING HOUSE (See: DWELLING HOUSE)

2.149 RENOVATE

"**Renovate**" shall be defined as changes to an **existing structure** to improve the conditions within a **structure** for human habitation and/or the **use** of the **structure**.

2.150 RENTAL COTTAGE (See: TOURIST ESTABLISHMENT)

2.151 REPAIR

"**Repair**" shall be defined as maintaining the minimum standards for Health and Safety for a **structure** that is utilized for human habitation on a permanent or seasonal basis as outlined in the Ontario **Building Code**.

2.152 RESORT CONDOMINIUM

"**Resort condominium**" shall mean a **building** or cluster of **buildings** consisting of freehold ownership vacation accommodation units together with undivided co-ownership interest in the common elements; which are designed for seasonal occupancy by either the owner or guests.

2.153 RESTAURANT

"**Restaurant**" means a **building** or part of a **building** where food is offered for sale or sold to the public for immediate consumption in the **dining room** of such **building** or for consumption off the premises.

2.154 RESTAURANT, DRIVE-IN

"**Drive-in restaurant**" means an establishment where food is offered for sale or sold to the public for consumption, such establishment being designed for consumption of the food within a **motor vehicle** parked in a permitted **parking** space on the premises of the establishment.

2.155 RETAIL STORE

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

2.156 SALVAGE YARD

"**Salvage yard**" means an establishment or premises where bottles, junk, scrap metals, white goods/appliances, wrecked **vehicles** or parts there from are stored wholly or partly in the open.

2.157 SCHOOL

"**School**" means a **school** under the jurisdiction of a Board as defined in The Education Act.

2.158 SEMI-DETACHED (See: DWELLING, SEMI-DETACHED)

2.159 SERVICE SHOP, MERCHANDISE

"**Merchandise service shop**" means an establishment wherein articles or goods such as appliances, furniture or similar items may be **repaired** or serviced. This definition shall not include any manufacturing operation or establishment used for the service or **repair** of **vehicles**.

2.160 SERVICE SHOP, PERSONAL

"**Personal service shop**" means an establishment wherein a personal service is performed. This definition may include a barber shop, a beauty salon, a dressmaking shop, a shoe **repair** shop, a tailor shop, a photographic studio or similar **use**.

2.161 SEWER SYSTEM, SANITARY

"**Sanitary sewer system**" means a system of underground conduits, operated by a private **corporation**, by the **Corporation** or by the Ministry of the Environment, which carries sewage to a sewage treatment facility.

2.162 SHORELINE

"**Shoreline**" means any **lot line** or portion thereof which abuts a **waterbody**.

2.163 SIDE LOT LINE (See: LOT LINE)

2.164 SIDE YARD (See: YARD)

2.165 SIGHT TRIANGLE

"**Sight triangle**" means the triangular space on a **lot** formed by 2 intersecting **street lines** and a line drawn from a point in one **street line** across such **lot** to a point in the other **street line**, each such point being 7.5 metres (25 feet) from the point of intersection of the **street lines** (measured along the **street lines**). Where the 2 **street lines** do not intersect at a point, the point of intersection of the **street lines** shall be deemed to be the intersection of the projection of the **street lines** or the intersection of the tangents to the **street lines**.

2.166 SIGN

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

(a) **Legal sign:**

"**Legal sign**" means a **sign** which complies with the **sign** by-laws of any governing body.

2.167 SKI AREA

"**Ski area**" means land used for snow skiing and may include ski lifts, tows, maintenance shops, ski equipment sales shops, **dining rooms, beverage rooms** and similar **accessory uses**. This definition shall not include a **tourist establishment**.

2.168 SOLID WASTE DISPOSAL SITE

"**Solid waste disposal site**" means a municipally owned or operated place where garbage, refuse or domestic or industrial waste, exclusive of liquid industrial waste, is disposed of, deposited, dumped, and/or processed under controlled conditions, and, for the purposes of this By-Law, may include a sanitary landfill site.

2.169 SPECIALIZED FARM (See: FARM)

2.170 STANDARD WATERFRONT LOT (See: LOT)

2.171 STONE QUARRY

"**Stone quarry**" means any open excavation made for the removal of

any limestone, sandstone, shale or consolidated rock or mineral to supply such material for construction, industrial or manufacturing purposes and Licensed under the Aggregate Resources Act. This definition shall not include:

- (a) Any excavation incidental to the **erection** of a **building** or **structure** for which a **building permit** has been issued;
- (b) Any excavation incidental to any public works; or
- (c) Any asphalt plant, cement manufacturing plant or concrete batching plant.

2.172 **STOREY**

"**Storey**" means that portion of a **building** which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

- (a) **Attic:**
"**Attic**" means the space between the roof and the ceiling of the top **storey** or between a dwarf wall and a sloping roof.
- (b) **Basement:**
"**Basement**" means that portion of a **building** between two floor levels which is completely or partly underground but which has at least one-half of its **height**, from finished floor to the underside of the floor joists of the next above **storey**, below the adjacent **finished grade** level adjacent to the exterior walls of the **building** and in which the **height** from **finished grade** to the underside of the floor joists of the next above **storey** is less than 1.2 metres (4 feet).
- (c) **Cellar:**
"**Cellar**" means that portion of a **building** between two floor levels which is partly or wholly underground and which has more than one-half of its **height**, from finished floor to the underside of the floor joists of the **storey** next above, below the **finished grade** level adjacent the exterior walls of the **building**.
- (d) **First storey:**
"**First storey**" means the **storey** with its floor closest to finished **grade** having its ceiling at least 1.8 metres above **finished grade**.

- (e) **One-half storey:**
"One-half storey" means that portion of a **building** situated wholly or in part within the roof and having its floor level not lower than 1.2 metres (4 feet) below the line where roof and outer wall meet and in which there is sufficient space to provide a distance between finished floor and finished ceiling of at least 2.3 metres over a **floor area** equal to at least 50% of the area of the floor next below.

2.173 **STREET**

"**Street**" means a public thoroughfare under the jurisdiction of the **Corporation**, the **County** of Peterborough or the Province of Ontario. This definition shall not include a lane, a private right-of-way or an original shore road allowance.

"**Street Allowance**" shall have a corresponding meaning.

- (a) **Provincial highway:**
"Provincial highway" means a **street** under the jurisdiction of the Province of Ontario.
- (b) **County road:**
"County road" means a **street** under the jurisdiction of the **County** of Peterborough.
- (c) **Improved street/road:**
"Improved street" means a **street** under the jurisdiction of the Province of Ontario, the **County** of Peterborough or the Township of North Kawartha.

2.174 **STREET ACCESS**

"**Street access**" means, when referring to a **lot**, that such **lot** has a **lot line** or portion thereof which is also a **street line**.

2.175 **STREET LINE**

"**Street line**" means the limit of a **street** allowance and is the dividing line between a **lot** and a **street**.

2.176 **STREET SETBACK**

"**Street setback**" means the horizontal distance required between the edge of a private right-of-way and the nearest part of any **building** on a **lot**.

2.177 STRUCTURE

"**Structure**" means a **building** consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including **structures** designated in the **building** code.

2.178 THROUGH LOT (See: LOT)

2.179 THROUGH WATERFRONT LOT (See: LOT)

2.180 TOURIST CAMP

"**Tourist camp**" means any land used to provide temporary accommodation for the public, or members of an organization, in tents, **tourist trailers** or **tourist vehicles** whether or not a fee is charged or paid for such accommodation.

2.181 TOURIST ESTABLISHMENT

"**Tourist establishment**" means a **building** or **buildings** designed or used for the accommodation of the traveling or vacationing public.

(a) **Hotel:**

"**Hotel**" means a **tourist establishment** containing therein 5 or more **guest rooms** served by a common **building entrance**. **Accessory uses** may include accommodation for staff and one or more **beverage rooms, dining rooms, meeting rooms** or similar **uses**.

(b) **Lodge:**

"**Lodge**" means a **tourist establishment** containing therein 5 or more **guest rooms** served by a common **building entrance** while additional **guest rooms** may have separate **entrance** directly from outside the **building**. **Accessory uses** may include rental cabins, accommodation for staff and one or more **beverage rooms, dining rooms, meeting rooms, recreational facilities** or similar **uses**.

(c) **Motel:**

"**Motel**" means a **tourist establishment** containing therein 5 or more **guest rooms**, each **guest room** having a separate **entrance** directly from outside the **building**. **Accessory uses** may include accommodation for staff and one or more **beverage rooms, dining rooms, meeting rooms** or similar **uses**.

(d) **Rental cottage:**

"Rental cottage" means a **tourist establishment** designed to accommodate persons in a **detached building**.

2.182 TOURIST TRAILER (See: TRAILER)

2.183 TOURIST VEHICLE

"Tourist vehicle" means a self-propelled **vehicle** capable of being used for the temporary living, sleeping or eating accommodation of persons. This definition may include a bus, **motor home**, truck or van. For the purposes of this By-law, **"tourist vehicle"** shall include a **tourist trailer**.

2.184 TRAILER

"Trailer" means any **vehicle** designed to be towed by a **motor vehicle**.

(a) **Tourist trailer:**

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

2.185 TRANSFER STATION

"Transfer station" means a temporary location for the placement of household garbage, recyclable materials and hazardous waste as defined by the **County** of Peterborough, all as approved for operation by the Minister of Environment by certificate of approval, prior to the transfer to other certified locations outside of the Township.

2.186 UNSERVICED LOT (See: LOT)

2.187 USE

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

"Uses" shall have a corresponding meaning.

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

(a) **Accessory use:**

"Accessory use" means a **use** which is incidental, subordinate and exclusively devoted to a **main building** or **main use** and located on the same **lot** therewith.

(b) **Main use:**

"**Main use**" means the principal **use** of a **lot**.

2.188 VEHICLE

"**Vehicle**" means an automobile, a boat, a commercial **motor vehicle**, a **farm** implement, a **mobile home**, a motorcycle, a snowmobile, a **tourist vehicle** or a **trailer**.

2.189 VEHICLE AGENCY

"**Vehicle agency**" means an establishment having as its **main use** the storage of **vehicles** for sale, rent or lease. **Accessory uses** may include facilities for the **repair** or maintenance of **vehicles**.

2.190 WAREHOUSE

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

2.191 WATER ACCESS

"**Water access**" means, when referring to a **lot**, that such **lot** has a **lot line** or portion thereof which is also a **shoreline** and/or access to the subject **lot** is via watercraft from a **parking area** and **dock** located elsewhere on the **waterbody**.

2.192 WATERBODY

"**Waterbody**" means any bay, lake, natural watercourse or canal, other than a drainage ditch or irrigation channel.

2.193 WATER SETBACK/WATER YARD

"**Water setback/water yard**" means the straight line horizontal distance from the **high water mark** of a **waterbody** to the nearest part of any **building**, **structure** or **open storage area** on the **lot**. and for the purposes of this By-Law shall be an open, uncovered space which is unoccupied by **buildings** or **structures** except as may be expressly permitted in this by-law.

2.194 WAYSIDE PIT

"**Wayside pit**" means a temporary open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral, opened and used by a public road authority solely for the purpose of a particular project or contract of road construction.

2.195 YARD

"**Yard**" means an open, uncovered space on a **lot** appurtenant to a **building** and unoccupied by **buildings, structures** or any goods or materials thereon except as may be expressly permitted in this by-law, and in determining **yard** measurements minimum horizontal distance from the respective **lot lines** is to be used.

2.196 YARD, FLANK

"**Yard, flank**" means the **side yard** facing a publicly maintained road, **street** or highway.

2.197 YARD, FRONT

"**Yard, front**" means a **yard** extending across the full width of a **lot** between the **front lot line** and the nearest wall of any **building, structure** or attachment thereto on the **lot**.

2.198 YARD, MINIMUM FRONT

"**Yard, minimum front**" means the minimum depth of a **front yard** on a **lot** between the **front lot line** and the nearest wall of any **building, structure** or attachment thereto on the **lot**.

2.199 YARD, REAR

"**Yard, rear**" means a **yard** extending across the full width of a **lot** between the **rear lot line** and the nearest wall of any **building, structure** or attachment thereto on the **lot**.

2.200 YARD, MINIMUM REAR

"**Yard, minimum rear**" means the minimum depth of a **rear lot line** between the **rear lot line** and the nearest wall of any **building, structure** or attachment thereto on the **lot**.

2.201 YARD, SIDE

"**Yard, side**" means a **yard** extending from the **front yard** to the rear **yard** of a **lot**, and between a **side lot line** and the nearest wall of any **building, structure** or attachment thereto on the **lot**.

2.202 YARD EXTERIOR SIDE

"**Yard exterior side**" means a **side yard** immediately adjoining a **street** or right-of-way.

2.203 YARD, INTERIOR SIDE

"**Yard, interior side**" means a **side yard** other than an exterior side yard.

2.204 YARD, MINIMUM SIDE

"**Yard, minimum side**" means the minimum width of a **side yard** on a **lot** between a **side lot line** and the nearest wall of any **building, structure** or attachment thereto on the **lot**.

2.205 YARD, WATER

"**Yard, water**" means the **yard** extending from the **high water mark** on any body of water to the nearest wall of any **building, structure** or attachment thereto on the **lot**.

2.206 ZONE

"**Zone**" means a designated area of land **use** shown on the **attached** Zoning Schedules to this By-law.

2.207 ZONE PROVISION

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

2.208 ZONED AREA

"**Zoned area**" means all the lands within the corporate limits of the Township of North Kawartha.

2.209 ZONING ADMINISTRATOR

"**Zoning administrator**" means the officer or employee of the **Corporation** charged with the duty of enforcing the provisions of this By-law.

Any definition of any object, structure, item not encompassed herein shall be as defined in the current edition of a dictionary.

SECTION 3 - GENERAL PROVISIONS

3.1 ACCESSORY USES, BUILDINGS AND STRUCTURES

(a) Permitted **Uses**

Any **use**, **building** or **structure** which is accessory to a permitted **use** in a **zone** shall be permitted in such **zone** except that none of the following **accessory uses** shall be permitted in any **zone** unless such **accessory use** is listed as a permitted **use** in such **zone**:

- (i) an accessory manufacturing **use**;
- (ii) a **building** or portion thereof used for human habitation;
- (iii) a **fuel pump island**;
- (iv) a livestock **building**
- (v) a **marine facility**;
- (vi) any occupation for gain or profit conducted within or accessory to a **dwelling unit**;
- (vii) an **open storage area**

Properties **zoned** Rural (RU) in hamlet areas shall be restricted to a **dwelling house** only and those legal **uses existing** at the date of passing of this by-law.

(b) Relation to **Street**

(i) Residential **Zones**

An **accessory building** or **structure**, which is not part of the principal or **main building** on the **lot**, shall not be **erected** closer to the **street line** than the principal or **main building** on the **lot** and shall further be **erected** in conformity with the setback requirements of the respective Residential **Zone** except as may otherwise be provided for herein.

(ii) Non-Residential **Zones**

No **accessory building** or **structure** shall be **erected** closer to the **street line** than the minimum required setback requirements of the respective Non-Residential **Zone** and further shall not be **erected** closer than 3 metres (10 feet) to a side or **rear lot line** except as may otherwise be provided for herein.

Notwithstanding the foregoing, a gatehouse or information kiosk or other similar accessory **structure** shall be permitted within a

required front or side **building** setback or within the area between the **street line** and the required setback provided such facility does not have a **gross floor area** exceeding 10 square metres (108 square feet).

- (c) **Relation to Principal or Main building**
Except as may otherwise be provided herein, any **accessory building** or **structure**, which is not part of the principal or **main building**, shall not be **erected** closer than 1.5 metres (5 feet) to the principal or **main building**.
- (d) **Building area and Height**
The total **building area** of all **accessory buildings** and **structures**, except swimming pools, shall not exceed five per cent (5%) of the **lot area**. No **accessory building** singularly shall be more than 5% of the **lot area** nor shall the **height** of any **accessory building** or **structure** exceed 4.9 metres (16 feet) from **grade** to the peak of the roof, nor exceed one **storey** except where expressly permitted otherwise in the by-law.
- (e) **Accessory Structure Encroachments**
Notwithstanding the **building** setback requirements of this By-law to the contrary, drop awnings, clothes poles, flag poles, garden trellises, retaining walls, fences, **signs** or similar **uses** which comply with the licensing and/or regulatory By-laws of the **Corporation**, shall be permitted in any required **building** setback or in the area between the **street line** or **shoreline** and the required setback.
- (f) **Pump houses**
 - (i) Notwithstanding any other provision of this By-law to the contrary, a **pump house** may be **erected** and used in the required **yard** and **water setback/water yard** of a **lot** abutting a **waterbody** provided such **accessory building** or **structure** is not located closer than three metres to the **side lot line** and is in accordance with the provisions of Section 3.31.
- (g) **Fire Escapes**
Notwithstanding the **building** setback provisions of this By-law to the contrary, unenclosed fire escapes may project into any required setback a maximum distance of 1.2 metres (4 feet).
- (h) **Private garages**
A **detached private garage** may be **erected** and used in a front,

side or **rear yard** provided that:

- (i) where such **accessory building** is located in a **side yard**, it shall not be closer than 3.0 metres (10 feet) to the **side lot line**; or,
- (ii) where such **accessory building** is located in a **rear yard** it shall not be closer than 3.0 metres (10 feet) to the **side lot line** or **rear lot line**; or,
- (iii) where such an **accessory building** is located in a **rear yard** it shall not be closer than 3.0 metres (10 feet) to the **side lot line** or **rear lot line**, EXCEPT where a **detached private garage** is **erected** with a direct access from a lane, private road or right-of-way or public **street**, in which case the **structure** shall not be located closer than 3.0 metres (10 feet) to the **side lot line** or 6.0 metres (20 feet) to the **rear lot line** and shall comply with the minimum side **building** setback requirements of the respective **zone**.
- (iv) where such an **accessory building** is located in a front or flank **yard**, whether **attached to** or not attached to and forming part of the principal or **main building** or **detached** there from, such **accessory building** shall not be located closer to the **lot line**, than the required front or **side yard** set forth under the respective **zone**.
- (v) where the **lot** on which the **accessory building** is located has a deeded right-of-way or cottage road thereon the setback shall be 6.0 metres (20 feet) from said right-of-way or traveled cottage road.

(i) **Ornamental Structures**

Notwithstanding the **building** setback provisions of this By-law to the contrary, sills, bay windows, chimneys, cornices, eaves, gutters, parapets, pilasters, or other ornamental **structures** may project into any required **building** setback or the area between the **street line** and the required setback a maximum distance of 0.6 metres (2 feet).

(j) **Swimming Pools**

Private swimming pools, including in-ground and above-ground pools, may be constructed and maintained as **accessory uses** in accordance with the following provisions:

i) **Building Setbacks**

Swimming pool locations shall comply with the applicable side, rear, front and **water setback/water yard** requirements for the **zones** in which they are located. The location of the swimming pool includes all unenclosed water circulating or treatment equipment such as pumps or filters.

ii) **Water Setback/water yard**

In addition to the above, outdoor swimming pools shall not be permitted in the **water setback/water yard** or 30 metres (100 feet) from the **high water mark**.

iii) **Fencing**

The pool shall be enclosed with a fence of not less than 1.52 metres (5 feet) in **height** from **grade**.

(iv) **Building Area**

The maximum **building area** of an outdoor swimming pool shall be part of the allowable 15% **lot coverage**.

(v) **Height**

The **height** of any swimming pool shall not exceed 1.75 metres (5.7 feet) above **grade**.

(vi) **Further Safety Requirements**

If, in the future, **Council** passes any further safety requirements upon swimming pools within the Township, they shall be enforced without an amendment to this By-Law.

(k) **Marine Facilities (Boathouses and Boatports)**

(i) **Relation to Street or Lot line**

Notwithstanding the **building** setback provisions of this By-Law the minimum setback requirements of the respective **Shoreline Zone** shall apply and, further, no **marine facility** shall be **erected** closer than 12.19 metres (40 feet) to a **side lot line**.

(ii) **Relation to Principal or Main building**

Notwithstanding any other provisions of this By-Law to the contrary, no **marine facility** shall be **erected** closer than 1.5 metres (5 feet) to the principal or **main building**.

iii) **Building area and Height**

Notwithstanding the **building area** and **height** provisions of this By-Law to the contrary, the total **building area** of any **marine facility** shall not exceed 62.7 square metres (675 square feet), nor shall the maximum **height** of the **marine facility** exceed 4.57 metres (15 feet) for a gable roof **marine facility**, or one **storey**. Further, a flat roof **marine facility** is permitted, provided the maximum **height** of such **marine facility** does not exceed 3.0 metres (10 feet). All dimensions for **height** are to be measured from **original grade**

or lake level to the **deck** of the flat roof, or the ridge/peak of a gable roof.

(iv) Setback from **High water mark**

Notwithstanding the **water setback/water yard** provisions of this By-law to the contrary, a **marine facility** may have a 0 metre (0 foot) setback from the **high water mark** of a water body, except on Jack's Lake where a **marine facility** shall be setback a minimum distance of 9.0 metres (30 feet) from the **high water mark**.

(v) Special Provision

Notwithstanding any other provisions of this By-law to the contrary, the **marine facility** shall not contain a **dwelling unit, guest room or habitable room** of any type.

(vi) Cold Water/Lake Trout Lakes

(a) New **marine facilities** located on land shall be excluded from the following Cold Water/Lake Trout Lakes.

Anstruther Lake	Buzzard Lake
Chandos Lake	Cherry Lake
Cox Lake	Eels Lake
Long Lake	Loucks Lake
McGee Lake	Rathbun Lake
Stoplog Lake	Sucker Lake
Tallon Lake	Triangle Lake
Little Anstruther Lake	Jack Lake

(b) New **boatports** located on land shall be permitted on the following Cold Water/Lake Trout Lakes, pursuant to policies in Section 3.1(I)(vii), but no **marine facilities** shall be permitted on:

Anstruther Lake Rathbun Lake

(vii) Special Provisions for Permitted **Boatports** on Cold Water/Lake Trout Lakes

Notwithstanding the **zone provisions** of this By-Law to the contrary, the following restrictions and requirements shall regulate the **use, erection and building of boatports** on those Cold Water/Lake Trout Lakes where **boatports** are permitted,

in addition to those requirements outlined in the Ministry of Natural Resources Fact Sheet “Working Around Water”:

- (a) **Building area** (Maximum):
30 square metres (320 square feet)
- (b) **Height** (Maximum) one (1) **storey**:
4.57metres (15 feet) gable roof
- (c) **Side yard** (Minimum):
12.19 metres (40 feet)
- (d) Open **Decks** on Roof:
Not Permitted
- (e) Perimeter Walls:
Not permitted
- (f) Prior to application for a **building permit** the Applicant must first consult with the Ministry of Natural Resources or any other authority having jurisdiction approval for the siting of a **boatport**, with regard to safe distances from fish spawning beds and other environmentally sensitive areas.

If the proposed construction requires a permit from the Ministry of Natural Resources or any other authority having jurisdiction, the approved permit shall be granted prior to making the application for a municipal **building** permit.

- (l) **Docks**
Docks attached to the **shoreline** shall not be located closer than 4.5 metres (15 feet) to any **side lot line** and shall not be more than 2.5 metres (8 feet) in width at the point where such **dock** attaches to the **shoreline**.
- (m) **Bunkhouses**
Bunkhouse shall not be located less than 4.5 metres (15 feet) to any **side lot line** and shall comply with the provisions of the **zone** in which it is situated.

3.2 FRONTAGE REGULATIONS

(a) **Frontage on Improved streets:**

No person shall **erect** any **building** or **structure** in any portion of the **zoned area** unless the **lot** upon which such **building** or **structure** is to be **erected** abuts an **improved street** as defined herein. This provision shall not apply to a **lot** on a registered plan of subdivision registered subsequent to the date of passing of this By-law.

(b) **Exemption to Frontage Regulations on Improved streets:**

If a **lot** is located in a **Shoreline Residential (SR) Zone**, a **Shoreline Residential Island (SRI)**, a **Shoreline Commercial Zone (CS)** or a **Crown Land (CL) Zone**, and if such **lot** has no **street access**, then the said **lot** shall be exempt from the provisions of clause (a) of this subsection, provided such **lot** has **water access** and/or private right-of-way access.

3.3 CONSTRUCTION USES

(a) The following **uses** shall be permitted in any portion of the **Zoned area**:

a **building** or **structure** incidental to construction on the **lot** where such **building** or **structure** is situated, but only for as long as it is necessary for the work in progress and until the work is completed or abandoned; but in no case shall the length of time exceed 6 months.

3.4 DELIVERY SPACE REGULATIONS

(a) **Size:**

Each **delivery space** shall be at least 9 metres (29 feet) long, 3.5 metres (11 feet) wide and have a vertical clearance of at least 3 metres (10 feet).

(b) **More Than One Use On A Lot:**

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

(c) **Location:**

The required **delivery spaces** shall be provided on the **lot**

occupied by the **building, structure** or **use** for which the said **delivery spaces** are required and shall not form a part of any **street, lane, parking space** or **loading space**. No portion of any **delivery space** shall be located closer than:

- (i) 3 metres (10 feet) to any **street line**; or
- (ii) 6 metres (20 feet) to any Residential **zone**.

(d) Access:

Access to **delivery spaces** shall be by means of a **driveway** at least 7.5 metres (25 feet) wide contained within the **lot** on which the **delivery spaces** are located and leading to a **street** or lane located within or adjoining the **zone** in which the **use** is located.

(e) Surface:

The **driveways** and **delivery spaces** shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

(f) Addition To Or Change of **Existing Use**:

When a **building** or **structure** has insufficient **delivery spaces** on the date of passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition if such addition does not increase the gross floor area of such **building** or **structure** by more than 10%.

However, no addition may be built and no change of **use** may occur if the effect of an addition or change of **use** would be to increase such deficiency.

3.5 DWELLING UNITS

(a) Location of **Dwelling house**:

No **dwelling house**, in its entirety, shall be located in a **basement** or **private garage**.

Only one **dwelling unit** per property is permitted unless otherwise permitted and no **accessory building/use** is permitted until the principal **building/use** has been established.

(b) Location In **Cellar** or **Basement**:

No **dwelling unit** shall be located in the **cellar** or **basement** of any **accessory building**. No part of any **dwelling unit**, except a bedroom, furnace room, laundry room, recreation

room, storage room, washroom or similar room, shall be located in the **cellar** or **basement** of a Residential **building**.

- (c) Notwithstanding any other provisions in this By-Law, where a person wishes to retain an **existing** dwelling, permanent or seasonal, while a new dwelling, permanent or seasonal is being constructed, may do so upon entering into a formal agreement with the Municipality in respect to a maximum time frame for two main dwellings on a property with suitable security deposit as part of the agreement. Said agreement will be registered on title. All costs associated are the responsibility of the property owner.

3.6 FLOODPLAIN

No **building** or **structure** other than a flood control **use** or **shoreline** protection shall be **erected** in a floodplain as defined herein.

3.7 GRAVEL PITS AND STONE QUARRIES

No **gravel pit** or **stone quarry** shall be established or made in any portion of the **Zoned area** except in a **zone** where such **use** is a permitted **use**. No **gravel pit** or **stone quarry** shall be established or made in any landscaping area or planting strip required by this By-law.

3.8 GROUP HOMES

Notwithstanding any other provision of this by-law to the contrary, a **group home** as defined herein, shall be permitted in the General Residential (R) **Zone**, the Rural Residential (RR) **Zone** or the Rural (RU) **Zone** provided that:

- (a) The regulations for a **dwelling house** in the applicable **zone** are complied with;

3.9 HEIGHT EXCEPTIONS

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

an air conditioner duct;	a feed or bedding storage use ;
a barn;	a flag pole;
a belfry;	a power transmission tower;

a bridge;	a radio antenna;
a bulk storage tank ;	a silo;
a chimney;	a stack;
a church spire;	a television antenna;
a clock tower;	a ventilator;
a communications tower;	a water storage tank;
a corn crib;	a farm implement shed;
a drying elevator;	a windmill;
an electric power facility other than a building .	

3.10 HOME INDUSTRIES

No **home industry** shall be permitted in any portion of the **zoned area** unless such **home industry** is located in an **accessory building** and complies with the following provisions:

- (a) No more than two persons, other than those residing in the residence on the **lot** shall be employed in the **home industry**;
- (b) There shall be no external display or advertising, other than a lawful **sign**, to indicate to persons outside that any part of the **lot** is being used for **home industry** purposes.
- (c) A **home industry** shall not occupy a total **floor area** in excess of 40 square metres (430 square feet) and at no time shall there be more than one (1) **home industry** permitted on a **lot**.
- (d) On any **lot** containing a **home industry**, there shall be no goods, wares or merchandise other than those produced on the premises offered for sale or rent outside of any **buildings**.
- (e) No part of any **lot** containing a **home industry** shall be used for open storage, accessory to that **home industry use**.
- (f) Prior to the implementation of a **home industry**, approval shall be granted from the following agencies: the authority having jurisdiction for waste disposal and higher potential occupant loads, the roads authority having jurisdiction over the entranceway requirements, and the North Kawartha Building Department for compliance with the Ontario **Building Code**.
- (g) The **home industry** shall be clearly secondary to the principle

use on the **lot** and shall not change the character of the property nor create or become a public nuisance in regard to noise, vibration, noxious odours, glare, emissions of smoke, electrical interference, traffic or parking.

- (h) Any **vehicles** associated with such **home industry** shall be parked in an area other than a public **street** or a required front, side or **rear yard** in accordance with the provisions of the applicable **zone** and Section 3.21.

3.11 HOME OCCUPATIONS

No **home occupation** shall be permitted in any portion of the **zoned area** unless such **home occupation** is located within a permitted **dwelling unit** and complies with the following provisions:

- (a) No more than two persons, other than those residing in the residence on the **lot** shall be employed in the **home occupation**.
- (b) There shall be no external display or advertising, other than a lawful **sign** to indicate to persons outside that any part of the **lot** is being used for **home occupation** purposes.
- (c) A **home occupation** shall not occupy more than 25% of the **dwelling unit area**, or a total **floor area** in excess of 40 square metres (430 square feet) within the **dwelling unit**, whichever is lesser. At no time shall there be more than one (1) **home occupation** permitted on a **lot**.
- (d) No **accessory building** shall be **erected, altered** or used for the purposes of a **home occupation**.
- (e) On any **lot** containing a **home occupation** there shall be no goods, wares or merchandise, other than those produced on the premises, offered for sale or rent outside of any **buildings**.
- (f) No part of any **lot** containing a **home occupation** shall be used for open storage accessory to that **home occupation use**.
- (g) Prior to the implementation of a **home occupation**, approval shall be granted from the following agencies: the authority having jurisdiction for waste disposal and higher potential occupant loads, the roads authority having jurisdiction over the

entranceway requirements, and the North Kawartha **Building** Department for compliance with the Ontario **Building** Code.

- (h) The **home occupation** shall be clearly secondary to the principle **use** on the **lot** and shall not change the character of the property nor create or become a public nuisance in regard to noise, vibration, noxious odours, glare, emissions of smoke, electrical interference, traffic or parking.
- (i) Any **vehicles** associated with such **home occupation** shall be parked in an area other than a public **street** or a required front, side or **rear yard** in accordance with the provisions of the applicable **zone** and Section 3.21.

3.12 ILLUMINATION

Lighting fixtures, which are not **public uses** and which are designed for exterior illumination, shall be installed with the light directed downward and deflected away from adjacent **lots**, **street** and water bodies. Such lighting fixtures shall not be more than 9.25 metres above **finished grade** and no closer than 4.5 metres to any **street** or **lot line**; save and except for any fixture which exclusively serves as an aid to navigation.

3.13 KENNELS

Notwithstanding the minimum **yard** provisions of this By-Law to the contrary, no person shall **use** any land or **erect** or **use** any **building** or **structure** for a **kennel** as defined in this By-Law, except as provided herein.

A **kennel use** shall only be permitted to locate in a Rural (RU) or Rural Residential (RR) **Zone**:

- a) A **kennel** cannot be located within 150 metres (492 feet) of any **lot line**.

3.14 LOADING SPACE REGULATIONS

- (a) Size:
Each **loading space** shall be at least 14 metres long, 3.5 metres (11 feet) wide and have a vertical clearance of at least

4.5 metres (15 feet).

(b) More Than One **Use** On A **Lot**:

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

(c) Location:

The required **loading spaces** shall be provided on the **lot** occupied by the **building, structure** or **use** for which the said **loading spaces** are required and shall not form a part of any **street**, lane, **parking space** or **delivery space**. No portion of any **loading space** shall be located closer to any **street line** than the minimum front **building** setback for such **building, structure** or **use** in the **zone** where it is located or closer than 7.5 metres (25 feet) to any other **lot line**.

(d) Access:

Access to **loading spaces** shall be by means of a **driveway** at least 7.5 metres (25 feet) wide contained within the **lot** on which the **loading spaces** are located and leading to a **street** or lane located within or adjoining the **zone** in which the **use** is located.

(e) Surface:

The **driveways** and **loading spaces** shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

(f) Addition To Or Change Of **Existing Use**:

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

3.15 LOTS CONTAINING MORE THAN ONE USE

Where a **lot** contains more than one **use** which is not an **accessory use** as defined herein except for an accessory dwelling house or **dwelling unit**, the **lot area** requirement shall be the sum of the requirements for the separate **uses** thereof; however, the **lot frontage** requirement shall be the greatest of the **lot frontage** requirements for each individual **use** in the **zone** where such **lot** is located.

3.16 LOTS DIVIDED INTO MORE THAN ONE ZONE

Where a **lot** is divided into more than one **zone**, each such portion of the **lot** shall be used in accordance with the provisions of this By-law for the **zone** where such portion of the **lot** is located.
Notwithstanding the above, where there are two **zones** on a **lot** of record, the **lot of record** is restricted to one principle.

3.17 MINIMUM DISTANCE SEPARATION REQUIREMENTS

- (a) Notwithstanding any other **yard**, setback, or distance separation provisions of this By-law to the contrary, no non-**farm** residential, commercial, industrial, institutional or recreational **use**, located on a separate **lot** and permitted by this By-law, shall be **erected** or **altered** unless it complies with the minimum distance separation as shown on MDS data sheets available from the Ministry of Agriculture, Food and Rural Affairs (www.omafra.gov.on.ca).
- (b) Notwithstanding any other **yard**, setback, or distance separation provision of the By-law to the contrary, no livestock facility shall be **erected** or **altered** unless it complies with the minimum distance distance separation as shown on MDS data sheets available from the Ministry of Agriculture, Food and Rural Affairs (www.omafra.gov.on.ca).
- (c) The provisions of subsection 3.17(a) shall not apply to **lots existing** as of the date of the passing of this By-law which are less than 4 hectares (10 acres) in area.
- (d) Notwithstanding any other provisions of this By-law to the contrary, where a **dwelling house** is destroyed in whole or in part by a catastrophe, Minimum Distance Separation Formula 1 will not be applied when the **dwelling house** is rebuilt, provided it is built no closer to **existing** livestock facilities than before the catastrophe.

3.18 NON-COMPLYING BUILDINGS, STRUCTURES AND LOTS

- (a) Alterations To **Non-complying Buildings And Structures**:
Nothing in this By-law shall prevent the enlargement, **reconstruction, renovation or repair** of an **existing**, non-complying **building or structure**, or a building or **structure** that was lawfully removed or damaged/destroyed, provided such enlargement, **reconstruction, renovation or repair** shall not:
- (i) increase the portion of the **lot area** covered by **buildings**, if such coverage exceeds the applicable maximum **building** area permitted herein;
 - (ii) reduce the size of any **yard** adjoining that portion of such **building or structure** which is less than the applicable minimum **building** setback required herein;
 - (iii) reduce the distance between 2 **buildings** if such distance is less than the applicable minimum **building separation** required herein;
 - (iv) increase the overall vertical dimension of such **building or structure** if such dimension exceeds the applicable maximum **building height** permitted herein;
 - (v) reduce the **dwelling unit area** of any **dwelling unit** if it is less than the applicable minimum **dwelling unit area** required herein;
 - (vi) reduce the **gross floor area** of any **building or structure** if it is less than the applicable minimum **gross floor area** required herein;
 - (vii) increase the **net floor area** of any **building or structure** if it exceeds the applicable maximum **net floor area** permitted herein;
 - (viii) reduce the portion of the **lot** used for landscaping purposes if such portion is less than the applicable minimum **landscaping area** required herein;
 - (ix) reduce the size of any planting strip required herein; or contravene any other **zone provisions**.

- (b) **Existing Undersize Lots:**
Notwithstanding anything to the contrary in this By-Law, where a **lot** having a lesser **lot area** and/or **lot frontage** than that required herein is held under distinct and separate ownership from abutting **lots**, as shown by a registered conveyance in the records of the Registry of Land Titles Office on the date of the passing of this By-law, or where such a **lot** is created as a result of an expropriation, the smaller **lot** may be used for a purpose permitted in the **zone** and a **building** or **structure** may be **erected, altered** or used on the smaller **lot**, provided such **erection, alteration** or **use** does not contravene any other provisions of this By-Law.
- (c) **Existing Buildings and Structures on the Shoreline Road Allowance**
Notwithstanding the above, if a **building** or **structure** is partially or wholly located in the **Shoreline** Road Allowance, it may be **repaired** or **renovated** but in no case will this imply or permit the expansion of any **structure** unless the **Shoreline** Road Allowance has been conveyed to private ownership. For the purposes of clarification, **repair** shall be defined as maintaining the habitation on a permanent or seasonal basis as set out in the Ontario **Building** Code. Further, **renovated** shall be defined as changes to an **existing structure** to improve the conditions within a **structure** for human habitation.

3.19 NON-CONFORMING BUILDINGS AND STRUCTURES

- (a) **Rebuilding or Repair Permitted:**
Nothing in this By-law shall prevent the rebuilding or **repair** of an **existing non-conforming building** or **structure** that is damaged or destroyed subsequent to the date of passing of this By-law, provided that the external dimensions of the original **building** or **structure** are not increased and the **use** of the **building** or **structure** is not **altered**, unless **altered** to a permitted **use**.
- (b) **Strengthening Permitted:**
Nothing in this By-law shall prevent the strengthening to a safe condition of an **existing non-conforming building** or **structure**, provided that the external dimensions of the original **building** or **structure** are not increased and the **use** of the

building or **structure** is not **altered**, unless **altered** to a permitted **use**.

- (c) **Discontinuation of Use**
Where a **use, building** or **structure** which was established prior to the date of the passing of this By-Law has been used for a purpose not permitted in the **zone** in which it is situated but said **use** has been discontinued for a period of twelve consecutive months or longer, the said **building** or **structure** may only be used again for a **use** that conforms to this By-Law.
- (d) **Prior Approval of Plan**
The regulations of this By-Law shall not apply to prevent the **erection** or **use** of any land, **building** or **structure**, for a purpose prohibited by the By-Law of where the **building permit** has been issued prior to the date of the passing of the By-Law, so long as the **building** or **structure** when **erected** is used and continues to be used for the purpose for which it was **erected**, and provided the **erection** of such **building** or **structure** is commenced within six months after the date of the passing of the By-Law and such **building** is substantially completed within one year after the **erection** thereof is commenced.

3.20 NOXIOUS USES

No person shall, within the **Zoned area**, **use** any land or **erect, alter** or **use** any **building** or **structure** for any of the following purposes:

blood boiling **use**;
a fertilizer manufacturing **use**;
an animal or fish glue manufacturing **use**;
a gas manufacturing **use**;
a **noxious use**
a tannery.

3.21 PARKING AREA REGULATIONS

- (a) **Size:**
Each **parking** space shall be at least 6 metres (20 feet) long, 3 metres (10 feet) wide and have a vertical clearance of at least 2 metres (7 feet).
- (b) **More Than One Use on a Lot:**
When a **building, structure** or **lot** accommodates more than

one **use**, the **parking** space requirement for each **building**, **structure** or **lot** shall be the sum of the requirements for the separate **uses** thereof.

- (c) **Location:**
The required **parking area** shall not form a part of any **street**, lane, **delivery space** or **loading space**. The required **parking area** shall be provided on the **lot** occupied by the **building**, **structure** or **use** for which the said **parking area** is required.
- (d) **Surface:**
Each **parking area**, **driveway** and **entrance** connecting the **parking area** with a **street** shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.
- (e) **Addition To or Change of Existing Use:**
When a **building** or **structure** has insufficient **parking** spaces on the date of passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition, if such addition does not increase the gross **floor area** of such **building** or **structure** by more than 10%. However, no addition may be built and no change of **use** may occur if the effect of an addition or change of **use** would be to increase such deficiency.
- (f) **Restrictions in Residential Zones:**
No person shall **use** any **parking area** or **parking** space in a Residential **zone** except in accordance with the following:
 - (i) Not more than one **vehicle** per **dwelling unit** shall be a commercial **motor vehicle** as defined in The Highway Traffic Act.
 - (ii) No commercial **vehicle** in excess of three tonnes (3,000 kilograms, 6,614 pounds) of gross **vehicle** weight shall be stored in a residential **zone**.
- (g) **Special Needs Parking:**
Special needs **parking** spaces shall be provided for all commercial and **public uses** listed in this by-law and zoning schedules **attached** thereto at the rate of 1 space per 500

square metres (5,382 square feet) with a minimum of 2 spaces. Notwithstanding this provision any commercial or public **buildings** with an area of 232 square metres (2,497 square feet) or less will only require one special needs **parking area**. Special needs **parking** spaces should be a minimum of 3.5 metres (11 feet)wide with a 1.2 metre (4 foot) aisle in between spaces and be located in close proximity to the commercial or public establishment.

- h) **Additions To or Change in Use of Buildings:**
The **parking** space requirements referred to herein will apply to **existing buildings** where additions larger than 46 square metres (495 square feet) are undertaken and to any **building** where there is a change in occupancy to an occupancy that requires a higher standard for **parking area**, the **parking areas** will be added.

3.22 PLANTING STRIPS

- (a) **Landscaping area:**
A planting strip referred to in this subsection may form part of any **landscaping area** required by this By-law.
- (b) **Interruption for Driveway or Walkway:**
Where a **driveway** or walkway extends through a planting strip, it shall be permissible to interrupt the planting strip within 3 metres (10 feet) of the edge of such **driveway** or within 1.5 metres (5 feet) of the edge of such walkway.
- (c) **Vegetation Height in Sight triangle:**
No vegetation within a **sight triangle** shall exceed a **height** of 1 metre (3 feet).

3.23 PUBLIC USES

- (a) **Streets and Installations:**
Nothing in this By-law shall prevent the **use** of land for a **street** or prevent the installation of a water main, sanitary sewer main, storm sewer main, gas main, pipeline, lighting fixture, or overhead or underground electrical, telephone or other supply or communication line, or **structure** clearly ancillary to the foregoing, provided that the location of such **street**, main, line, fixture or **structure** has been approved by the **Corporation**. Notwithstanding the preceding sentence, this approval by the **Corporation** shall not be required for any public works project

where the location of the **streets**, mains, **lines**, fixtures and **structures** which make up such project have been authorized pursuant to The Environmental Assessment Act.

(b) **Zones** Where Permitted:

The provisions of this by-law do not apply to prevent any public **use** as defined herein and such **use**, **building** or **structure** may be permitted provided that:

- (i) The **lot area** and **frontage** and **building** setbacks required for the **zone** in which such land, **building** or **structure** is located are complied with;
- (ii) No goods, material or equipment are stored in the open in a Residential **zone** or on a **lot** adjacent to a residential **zone**;
- (iii) Any **parking** and/or loading requirements for the **use** are complied with; and
- (iv) Areas not used for **parking** or storage shall be maintained as landscaped open space.

(c) Requirements in Residential **Zones**:

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

3.24 REDUCED STANDARDS

The following table is a catalogue of all properties which have been granted reduced standards. The **zone** which is shown on the **Zone** Map for the property still prevails. However, this table organizes those reduced standards for easy reference. While the Reference By-Law will have been repealed in effect upon passing of this By-Law, it can still be used for quick reference.

Applicable amendments that have standing in this document.

LOCATION CON LOT	ROLL NUMBER	ZONE MAP	DESCRIPTION	REFERENCE BY-LAW
16 Pt.25	020-002-37101	A8	Site specific	20-1996
11 Pt. 1	020-003-05300	A6	Site specific	57-1996

LOCATION CON LOT	ROLL NUMBER	ZONE MAP	DESCRIPTION	REFERENCE BY-LAW
16 15		A6	Site specific	84-1996
5 4	020-001-48405	A1	Site specific	106-1997
4 Pt. 3	020-001-38303	A7	Site specific	111-1997
8&9 39	020-202-32500 020-202-31000	A9	Site specific	86-1998
Lt 3 Isl 72, Plan 5	020-001-11900	A2	Site specific	103-1998
10 Pt. 3	020-003-01900	A2	Site specific	104-1998
10 Pt. 33	020-201-29720	A9	Site specific	111-1998
Island #3 Lot 5	020-001-03100	A1	Site specific	24-1999
Large Burl Island, Blks G & J	020-001-01501 020-001-01500	A1	Site specific	65-1999
6 Pt. 2	020-001-62300	A6	Site specific	66-1999
7 Pt.18&19	020-202-11008	A12	Site specific	77-1999
12 Pt. 21	010-102-03602	A13	Site specific	04-2000
Large Burl Isl. Blk D,H,K	020-001-01700 020-001-01800	A1	Site specific	07-2000
16 Pt. 25	020-002-37101	A8	Site specific	17-2000
4 Pt. 10	020-001-40500	A3	Site specific	32-2000
5 Pt. 13	010-200-25500	A12	Site specific	35-2000
4 Pt. 3	020-001-38200	A1	Site specific	57-2000
4 Pt. 3	020-001-37300	A1	Site specific	59-2000
7 3	020-001-66300	A2	Site specific	62-2000
4 Pt. 10	020-001-40500	A3	Site specific	69-2000
4 Pt. 12	020-001-42600	A3	Site specific	72-2000
13 Pt. 36	020-202-37113	A10	Site specific	25-2001
Pl.19 9	020-001-79300	A2	Site specific	50-2001
10 Pt. 7	010-100-02418	A11	Site specific	52-2001
7 10	010-201-12500	A11	Site specific	16-2002
Pl.24 4	020-003-01200	A2	Site specific	20-2002
11 Pt. 1	020-003-05300	A2	Site specific	23-2002
7 3	020-001-72400	A2	Site specific	28-2002
1 34	020-201-16200	A8	Site specific	58-2002
4 Pt. 22	010-200-21400	A14	Site specific	59-2002
2&3 Pt 13		A7	Site specific	60-2002
13 Pt. 16	010-102-06200	A13	Site specific	64-2002

LOCATION CON LOT	ROLL NUMBER	ZONE MAP	DESCRIPTION	REFERENCE BY-LAW
Lrg. Burleigh Is. Blk M	020-001-02200	A1	Site specific	73-2002
16 Pt. 38	020-203-09900	A10	Site specific	74-2002
5 Pt 2	020-001-45500	A1	Site specific	75-2002
3 Pt. 10	020-001-30100	A3	Site specific	91-02
1 Pt. 34	020-201-21800	A8	Site specific	94-2002
7 Pt. 25	010-003-08100	A12	Site specific	11-2003
7 Pt. 19	010-202-09205	A12	Site specific	24-2003
14 Pt. 25	020-002-26601	A8	Site specific	25-2003
6 Pt. 15	020-001-65530	A6	Site specific	35-2003
5 Pt. 20	010-200-24300	A12	Site specific	36-2003
11 Pt. 1	020-003-05300	A2	Site specific	43-2003
1 Pt. 37	020-201-28000	A8	Site specific	40-2003
Plan 8, Lot 7 Casement Island	020-001-10918	A2	Sites specific	50-2003
16 Pt 14&15	020-002-35200	A5	Site specific	51-2003
10 Pt. 11	010-100-15700	A13	Site specific	57-2003
14 11	010-102-11600	A13	Site specific	74-2003
2260 Stoney Lk Isle. 15 Burleigh	020-001-05900	A1	Site specific	75-2003
Con 7 Pt. Lt. 3, Lot 14 Plan 8, Casement Island	020-001-10914	A2	Site specific	11-2004
8 3	020-001-82405	A6	Site specific	15-2004
5 Pt. 2	020-001-44950	A1	Site specific	38-2004
4 Pt. 22	010-200-20600	A14	Site specific	49-2004
9 Pt. 3	020-001-84303	A2	Site specific	55-2004
8 25	010-003-13665	A12	Site specific	62-2004
1 Pt 34	020-201-16700	A8	Site specific	66-2004
2 Pt. 4	020-001-16200	A1	Site specific	63-2004
8 4	010-202-16800	A11	Site specific	103-2004
11 1	020-003-05200	A2	Site specific	16-2005
1 34	020-201-22000	A8	Site specific	26-2005
8 Pt. 3 Plan	020-001-80800	A2	Site specific	36-2005

LOCATION CON LOT	ROLL NUMBER	ZONE MAP	DESCRIPTION	REFERENCE BY-LAW
19 Lots 23 & 24				
11 Pt. 17	010-101-17406	A12	Site specific	37-2005
10 Pt. 8	010-100-02700	A11	Site specific	73-2005
4 Pt. 20	010-200-17200	A12	Site specific	79-2005
6 Pt. 12	020-001-65000	A6	Site specific	82-2005
16 Pt. 13 Parts 1 to 7 & 16 Pt. 13	020-002-32700 020-002-34000	A5	Site specific	24-2006
4 Pt. 3	020-001-38200	A1	Site specific	38-2006
3 Pt. 6	020-001-24400	A1	Site specific	72-2006
10 8	010	A13	Site specific	73-2006
2 Pt. 37	020-201-32150	A8	Site specific	83-2006
2 Pt. 34	020-201-30500	A8	Site specific	12-2007
16 Pt. 13		A5	Site specific	20-2007
5 Pt 7		A1	Site specific	42-2007
1 Pt. 9	020-202-11000	A7	Site specific	69A-2007
3 Pt. 12	020-001-32800	A6	Site specific	91-2007
6 Pt. 6&7	020-001-63700	A3	Site specific	94-2007
9 Pt. 2	020-002-10801	A6	Site specific	100-2007
3 Pt. 16	020-002-02401	A4	Site specific	118-2007
7 Pt 17	010-202-03100	A12	Site specific	12-2008
10 Pt. 3	020-003-03300	A2	Site specific	20-2008
5 22	020-202-02400	A9	Site specific	21-2008
3 10	020-001-28100	A3	Site specific	42-2008
14 Pt. 24	020-002-25400	A8	Site specific	61-2008
10 Pt. 12	010-100-20500	A13	Site specific	63-2008
1, Pt. 34	020-201-21400	A8	Site specific	64-2008
8 Pt 3	020-001-83003	A2	Site specific	83-2008
3 Pt.10	020-001-25800	A3	Site specific	90-2008
8 Pt. 25	010-003-17600	A12	Site specific	92-2008
10 Pt. 9	010-100-08400	A11	Site specific	95-2008
10 Pt. 3 Burleigh	020-003-03300	A2	Site specific	102-2008
8 Pt. 3&4	020-001-83020	A2	Site specific	103-2008
3 Pt 14	020-202-07000	A7	Site specific	109-2008
10 Pt. 24	010-003-27700	A13	Site specific	111-2008
5 Pt. 15	020-202-03700	A7	Site specific	04-2009

LOCATION CON LOT	ROLL NUMBER	ZONE MAP	DESCRIPTION	REFERENCE BY-LAW
11 Pt. 4	020-003-12203	A2	Site specific	22-2009
18 Pt. 36	020-203-19300	A10	Site specific	23-2009
10 7	010-100-02300	A11	Site specific	24-2009
5 Pt. 18	010-200-30400	A12	Site specific	31-2009
10 Pt. 19	010-101-09650	A12	Site specific	34-2009
1 Pt. 34	020-201-20900	A8	Site specific	35-2009
5 Pt. 1	020-001-09500	A1	Site specific	36-2009
5 Pt. 7	020-001-50100	A3	Site specific	42-2009
7 Pt 8	010-201-08900	A11	Site specific	43-2009
3 Pt 4	020-202-15500	A7	Site specific	44-2009
1 Pt. 9	020-001-14600	A6	Site specific	45-2009
7 Pt. 19	010-202-05450	A12	Site specific	46-2009
Plan 16 1	020-001-76100	A7	Site specific	52-2009
5 Pt. 15	020-202-03700	A7	Site specific	61-2009
13&14 Pt 22- 24,	020-002-24800	A8	Site specific	62-2009
10 Pt. 11	010-100-18900	A11	Site specific	63-2009
9 25	010-003-20500	A13	Site specific	64-2009
10 Pt. 18	010-101-09202	A11	Site specific	74-2009
10 Pt. 24	010-003-25800	A13	Site specific	77-2009
4 Pt. 3	020-001-38302	A1	Site specific	78-2009
7 Pt 14	010-201-20100	A12	Site specific	79-2009
18 Pt 34	020-203-13900	A9	Site specific	86-2009
5 Pt. 20	010-200-34400	A14	Site specific	88-2009
3 Pt. 3	020-001-20900	A1	Site specific	89-2009
13, Pt. 36	020-202-37114	A10	Site specific	109-2009
8 Pt 3	020-001-83010	A2	Site specific	128-2009
6, Pt 15	020-001-65520	A6	Site specific	17-2010
16, Pt.14&15	020-002-35300	A5	Site specific	18-2010
5, Pt. 15	010-200-28200	A12	Site specific	23-2010
1, Pt. 35	020-201-26400	A8	Site specific	24-2010
15&16, Pt 25	020-002-37100	A8	Site specific	31-2010
7, Pt. 8	010-201-07400	A11	Site specific	55-2010
11, Pt. 17	010-101-17401	A12	Site specific	56-2010
11, Pt. 23	010-003-32100	A12	Site specific	67-2010
Pl. 16, 15	020-001-77500	A2	Site specific	77-2010
7, Pt. 7&8	010-201-06200	A11	Site specific	78-2010
4, Pt. 5,	020-001-38704	A1	Site specific	79-2010
10, Pt. 11	010-100-16600	A11	Site specific	84-2010

LOCATION CON LOT	ROLL NUMBER	ZONE MAP	DESCRIPTION	REFERENCE BY-LAW
8, Pt. 25	010-003-16900	A12	Site specific	88-2010
6, Pt. 1	020-001-57700	A1	Site specific	89-2010
5, Pt. 7	020-001-50705	A3	Site specific	91-2010
6, Pt. 13	020-001-65320	A6	Site specific	92-2010
7, Pt. 3	020-001-71300	A2	Site specific	100-2010
Island 64 Stoney Lake	020-001-11200	A2	Site specific	101-2010
10, Pt. 12,	010-100-19601	A11	Site specific	102-2010
3, 14	020-202-070300	A7	Site specific	108-2010
12, Pt. 28	010-003-35600	A13	Site specific	109-2010
8, Pt. 3	020-001-79900	A2	Site specific	110-2010
11, 3	020-003-09300	A2	Site specific	111-2010
10, Pt. 11	010-100-12815	A11	Site specific	7-2011
9, Pt. 1	010-202-23300	A11	Site specific	18-2011
10, Pt. 4	020-003-04000	A2	Site specific	19-2011
7, Pt. 17	010-202-02800	A12	Site specific	20-2011
11, Pt. 1	020-003-05310	A2	Site specific	25-2011
15, Pt. 24	020-203-01100	A9	Site specific	27-2011
7, Pt. 35	020-202-29100	A9	Site specific	29-2011
8, Pt. 25	010-003-16900	A12	Site specific	30-2011
5, Pt. 15	010-200-28210	A12	Site specific	34-2011
8, Pt. L6	010-202-20600	A11	Site specific	35-2011
15, Pt. 8	020-002-27503	A5	Site specific	40-2011
Pl.28, 13	020-001-33000	A3	Site specific	46-2011
7, Pt. 16	010-202-11060	A12	Site specific	47-2011
1, Pt. 9	020-001-14600	A6	Site specific	52-2011
11, Pt. 2&3	020-003-07700	A6	Site specific	53-2011
11, Pt. 3	020-003-10300	A6	Site specific	54-2011
13, 23	020-002-24810	A8	Site specific	58-2011
4, Pt. 13	010-200-14500	A14	Site specific	59-2011
13, Pt 11	010-102-05500	A13	Site specific	60-2011
6, Pt. 6 & 7	020-001-63700	A3	Site specific	64-2011
7, Pt. 19	010-202-19044	A13	Site specific	65-2011
10, Pt. 9	010-100-06400	A13	Site specific	66-2011
7, Pt. 19	010-202-10912	A12	Site specific	73-2011
8, Pt. 5	010-202-18300	A11	Site specific	74-2011
15, Pt. 25	020-002-30001	A8	Site specific	75-2011
18, Lt. 13, 14, 15	020-203-16500	A9	Site specific	84-2011

LOCATION CON LOT	ROLL NUMBER	ZONE MAP	DESCRIPTION	REFERENCE BY-LAW
4, Pt. 8	020-202-18900	A7	Site specific	85-2011
5, Pt. 20	010-200-40300	A12	Site specific	89-2011
5, Pt. 20	010-200-35500	A12	Site specific	95-2011
Plan M15, Lot 50	010-202-10955	A11	Site specific	96-2011
4, Lot 11	020-202-20200	A7	Site specific	97-2011
1, Pt. 9 & 10	020-202-08100	A7	Site specific	112-2011
16, Pt. 37	020-203-08800	A13	Site specific	08-2012
10, Pt. 14	010-100-25800	A11	Site specific	11-2012
13 & 14, Pt. 22 & 23,	020-002-24810	A8	Site specific	17-2012
1, Pt 18	020-201-02100	A7	Site specific	18-2012
10, Pt. 9	010-100-08200	A11	Site specific	24-2012
1, Pt. 6 & 7	020-001-13301	A1	Site specific	27-2012
7, 3	020-001-71700	A2	Site specific	29-2012
9, Pt. 3	010-003-216.01	A11	Site specific	34-2012
2, Pt. 33	020-201-29720	A8		35-2012
7, Pt. 3	020-001-10800	A2	Site specific	36-2012
10, 37	020-202-33700	A9		37-2012
10, Pt. 13	010-100-23800	A11	Site specific	43-2012
3, Pt. 11	010-200-08820	A14	Site specific	44-2012
10, Pt. 12	010-100-20900	A11	Site specific	45-2012

3.25 RENEWABLE ENERGY SYSTEMS

Reserved

3.26 TRUCK, BUS, COACH BODIES AND SHIPPING CONTAINERS

Except as otherwise specifically permitted in this By-Law, no truck, **trailer**, bus, coach, streetcar body, **mobile home**, portable commercial **structure**, moveable office, shipping containers or part thereof shall be used for residential, commercial, or industrial purposes or for accessory storage purposes, whether or not the same is mounted on wheels or other form of mounting or foundation.

3.27 SIGHT TRIANGLES

- (a) **Size:**
The distance from the point of intersection of the **street lines** shall be 7.5 metres (25 feet).
- (b) **Uses Prohibited:**
Within any area defined as a **sight triangle**, the following **uses** shall be prohibited:
 - (i) a **building, structure** or **use** which would obstruct the vision of drivers of **motor vehicles**;
 - (ii) a fence, tree, hedge, bush or other vegetation, the top of which exceeds 1 metres (3 feet) in **height** above the elevation of the **street**;
 - (iii) any portion of a **parking** space;
 - (iv) a berm or other ground surface which exceeds the elevation of the **street** by more than 0.5 metres (2 feet);
 - (v) a **sign**, other than a pole **sign**, the body of which is not less than 4 metres (13 feet) above the elevation of the centerline of the **street**.

3.28 SIGNS

Nothing in this By-law shall apply to prevent the **erection, alteration** or **use** of any **sign**, provided such **sign** complies with the by-laws of the **Corporation** regulating **signs** and provided such **sign** complies with the provisions of this By-law regarding **sight triangles**. Further, the **erection, alteration** or **use** of any **sign** within the Township shall not be so illuminated as to directly shine on, or cause adverse effect to nearby dwellings.

3.29 STREET SETBACKS

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

- (a) **Provincial highway** - as required by the Ministry of Transportation or the minimum front **building** setback required

for such **use** in the **zone** where it is located, whichever is greater.

- (b) Collector Road - as required by the **County** of Peterborough for roads under their jurisdiction, where applicable, or the minimum front **building** setback required for such **use** in the **zone** where it is located, whichever is greater.
- (c) Other **Street** - The minimum front **building** setback required for such **use** in the **zone** where it is located.
- (d) Deeded Private Right-of-way or Traveled Road - the applicable **building** setback.

Notwithstanding the above, where a right-of-way runs through a property under private ownership, the applicable setback requirements for the **main building** shall be reduced to 50% of those required by the **zone** provisions that would normally apply to the property.

3.30 TOURIST VEHICLES AND MOBILE HOMES

- (a) Location of **Tourist vehicles**:
No **tourist vehicle** shall be **erected, altered** or used in any portion of the **Zoned area** except in a permitted **tourist camp**.
- (b) Location of **Mobile homes**:
No **mobile home** shall be **erected, altered** or used in any portion of the **Zoned area** except in a permitted **mobile home park**.

3.31 WATER SETBACKS/WATER YARD

All new **development** and sewage system leaching beds shall be setback at least 30 metres (100 feet) from the ordinary high water marks of all water bodies.

- a) Permitted Exceptions
Notwithstanding anything in this Section to the contrary, **structures** such as pump houses, **boathouses, docks**, holding tanks, septic tanks and other treatment **units** shall be a permitted **use** and may encroach into the 30 metre setback without a Minor Variance or Zoning By-Law Amendment provided that the property owner can demonstrate to the Township's satisfaction and, if appropriate, the authority having

jurisdiction over the waterway, that it does not negatively affect the waterfront environment and the **use** is permitted within that geographical area of the Township.

Structures that are legally **existing** that do not comply with the required setback provisions that require replacement due to structural defects or destruction by fire or other natural causes or by permitted demolitions will be permitted to be replaced on the same footprint and may only be enlarged in accordance with the provisions of this By-law and where the enlargement does not further encroach into the 30 metre setback.

Sewage system leaching beds, septic system pumping chambers, and holding tanks requiring replacement due to structural damage or malfunction should be setback a minimum of 30 metres from the **high water mark** if possible or to the greatest setback that is achievable to the satisfaction of the authority having jurisdiction. Due to their importance in ensuring public health and/or safety, a Minor Variance or Zoning By-Law Amendment may not be required in the case where the replacement system must be located within the 30 metre setback.

- b) Vacant **Lots** of Record
Vacant **lots** of record as of October 22, 2008 shall attempt to have **structures** and septic systems setback a minimum of 30 metres from the **high water mark**. Where it is not possible to achieve the 30 metre setback, then new **buildings** and **structures** shall be setback as far as possible from the **high water mark**. In this regard, a Minor Variance or Zoning By-Law Amendment for a reduced setback for the **existing** vacant **lots** may be permitted provided that the relief is minor in nature, maintains the intent of the Official Plan regarding environmental objectives and is desirable and appropriate for the area.
- c) Stairs and Landings
Notwithstanding the above, stairs and landings which are intended to provide safe access to land near the water's edge are exempted from **yard** setbacks provided that such stairs are not more than 1.25 metre (4.1 feet) in width and such landings are not more than 1.52 metres (5 feet) by 1.25 metres (4.1 feet) in dimension

SECTION 4 - HAMLET RESIDENTIAL (HR)

Apsley & Woodview

4.1 USES PERMITTED

No person shall within any (HR) **zone use** any **lot** or **erect, alter,** locate or **use** any **building** or **structure** for any purpose except one or more , of the following (HR) **uses**, namely

- (a) **Residential Uses:**
 - a **dwelling house**;
 - one unit of a **semi-detached dwelling** on one **lot**;
 - one **semi-detached dwelling** on one **lot**;
 - one **duplex dwelling** on one **lot**
- (b) **Accessory Uses:**
 - a **home occupation**

4.2 ZONE PROVISIONS

No person shall within any (HR) **zone use** any **lot** or **erect, alter,** locate or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):
 - a **dwelling house** : 4,000 square metres (43,057 square feet)
 - one unit of a **semi-detached dwelling**: 3,000 square metres (32,292 square feet)
 - one **semi-detached dwelling** or **duplex dwelling** : 6,000 square metres (6,4585 square feet)
- (b) **Lot frontage** (minimum):
 - single-**detached** dwelling: 30 metres (100 feet)
 - one unit of a **semi-detached dwelling**: 22.5 metres (75 feet)
 - one **semi-detached dwelling** or **duplex dwelling**: 45 metres (148 feet)
- (c) **Dwelling Unit Per Lot** (maximum):
 - 1 only for **dwelling house**
 - 2 units for a **duplex** or **semi-detached**

- (d) **Building area and Floor area**
 - **Building area:** 20% maximum
 - **Floor area** (minimum) :Per unit – 70 square metres (750 square feet)
 - Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% coverage of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).
- (e) **Front yard** (minimum):
 - 9 metres (30 feet)
- (f) **Interior side yard** (minimum):
 - 4.5 metres (15 feet) for a **dwelling house, semi-detached** dwelling on one **lot** or a duplex
 - no **interior side yard** shall be required between the common vertical wall dividing one **dwelling unit** from another for a semi-**detached** dwelling
- (g) **Exterior side yard** (minimum):
 - 9 metres (30 feet)
- (h) **Rear yard** (minimum):
 - 9 metres (30 feet)
- (i) **Water setback/water yard:**

Except as otherwise provided in Section 3.31, a water setback of at least 30 metres (100 feet) shall be required for all **buildings** and **structures** from the **high water mark** of a **waterbody**.
- (j) **Building separation** (minimum):
 - 1.5 metres (5 feet)
- (k) **Building height** (maximum):
 - 10 metres (33 feet)
- (l) **Entrance setback** (minimum):
 - 3 metres (10 feet)

- (m) **Parking Spaces (minimum):**
 - i) **Residential uses**
2 for each **dwelling unit** and 2 for each additional **dwelling unit**
 - ii) **Accessory Uses**
The greater of: 2 per **lot**; or 1 for each 20 square metres (215 square feet) of **net floor area** or portion thereof and one for each employee not residing on the property
- (n) **Parking area:**
 - i) No **parking** space shall be located within 3 metres (10 feet) of a **lot line**
- (o) Outside Storage is prohibited in the Hamlet Residential **Zone**
- (p) General Provisions:
In accordance with the provisions of Section 3 hereof.

SECTION 4.5 – GENERAL RESIDENTIAL ZONE (R)

4.5.1 USES PERMITTED

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

- (a) **Residential Uses:**
a **dwelling house**
- (b) **Accessory Uses:**
a **home occupation**;
a home profession

4.5.2 ZONE PROVISIONS

No person shall within any (R) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum)
- 4,000 square metres (43,057 square feet)
- (b) **Lot Frontage** (minimum)
- 45 metres (148 feet)
- (c) **Dwelling Houses Per Lot** (maximum)
- 1 only
- (d) **Building Area and Floor Area**
 - i) **Building area** (maximum) - 15%
 - ii) **Floor area** (minimum) – 70 square metres (750 square feet)
 - iii) Notwithstanding any provisions in this By-Law where the **main building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100

feet).

- (e) **Front Yard** (minimum)
 - 9.0 metres (30 feet)
- (f) **Interior Side Yard** (minimum)
 - 4.5 metres (15 feet)
- (g) **Exterior Side Yard** (minimum)
 - 9.0 metres (30 feet)
- (h) **Rear Yard** (minimum)
 - 9.0 metres (30 feet)
- (i) **Water Setback/water yard**
 - Except as otherwise provided for in Section 3.31, a water setback of at least 30 metres (100 feet) shall be required from the **high water mark** of a **waterbody**.
- (j) **Building Separation** (minimum)
 - 1.5 metres (5 feet)
- (k) **Building Height** (maximum)
 - 10 metres (33 feet)
- (l) **Entrance Setback** (minimum)
 - 3 metres (10 feet)
- (m) **Parking Spaces** (minimum)
 - (i) Residential **uses**
 - 1 for each **dwelling unit**
 - (ii) Non-Residential **uses**
 - the greater of: 2 per **lot**; or 1 for each 20.0 square metres (215 square feet) of **net floor area** or portion thereof
- (n) General Provisions
 - In accordance with the provisions of Section 3 hereof

4.5.3 R-1 ZONE

R-1 **Zone** left blank for future **use**.

4.5.4 R-2 ZONE

Notwithstanding Section 4.5.1 and 4.5.2, hereof to the contrary, no person shall in any “General Residential Two **Zone** (R-2)” in **Lot** 34, Concession 1, Township of Anstruther and shown on **Zone** Map A-13, **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Uses** Permitted in R-2 **Zones**:
 - two, six – unit apartment **buildings**
- (b) **Parking** Spaces:
 - 18 spaces provided
- (c) Special Provisions for R-2 **Zones**:

For the purposes of this section, apartment **building** shall mean the whole of the **building** that contains more than four apartment dwellings which have a common corridor.

4.5.5 R-3 ZONE

Notwithstanding Section 4.5.1 and 4.5.2, hereof to the contrary, no person shall in any “General Residential Three **Zone** (R-3)” in **Lot** 14, Concession 11, Township of Burleigh (North) and shown on **Zone** Map A-6; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) Special Provisions for R-3 **Zones**:

No **existing building** or **structure** shall be extended nor enlarged nor shall any new **building** or **structure** be **erected**.

4.5.6 R-4 ZONE

Notwithstanding Section 4.5.2 and 3.2 (a), hereof to the contrary, no person shall in any “General Residential Four **Zone** (R-4)” in **Lot** 3, Concession 5 (western portion), Township of Burleigh (South) and shown on **Zone** Map A-2; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot Area** (minimum)
- 1.2 hectares (3.06 acres)
- (b) **Frontage on Improved Streets**
Said **lot** is exempt from the provisions of Section 3.2 (a) of this By-Law.

4.5.7 **R-5 ZONE**

Notwithstanding Section 4.5.1 and 4.5.2, hereof to the contrary, no person shall in any “General Residential Five **Zone** (R-5)”, **Lot** 25, Concession 15, Township of Burleigh (North) and shown on **Zone** Map A-13; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Special Provisions for R-5 Zones:**
Refer to Freestanding Zoning By-Law No. 16-1979 for specific provisions.

4.5.8 **R-6 ZONE**

Notwithstanding Section 4.5.1 and 4.5.2, hereof to the contrary, no person shall in any “General Residential Six **Zone** (R-6)”, **Lot** 25, Concession 15, Township of Burleigh (North) and shown on **Zone** Map A-13; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Uses Permitted in R-6 Zones**
a **group home** of a class providing support care of up to eight (8) senior citizens
- (b) **Special Provisions for R-6 Zones**

Such home shall include accommodation for up to 8 persons, plus any necessary care givers and shall include common areas for eating, recreation, washing, laundry and other day to day functions as are necessary. This home, inclusive of the accommodation units, shall be considered as a **dwelling house**.

SECTION 5 - RURAL RESIDENTIAL ZONE (RR)

5.1 USES PERMITTED

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

- (a) Residential **Uses**:
a **dwelling house**.
- (b) **Accessory Uses**:
a **home industry**; or
a **home occupation**;

5.2 ZONE PROVISIONS

No person shall within any (RR) **zone use** any **lot** or **erect, alter**, locate or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):
1 hectare (2.47 acres)
- (b) **Lot frontage** (minimum):
60metres (200 feet)
- (c) **Dwelling houses Per Lot** (maximum):
1 only
- (d) **Building area and Floor area**
 - i) **Building area** (maximum): 15%
 - ii) **Floor area** (minimum)
Single **Storey**: 70 square metres (750 square feet)
1-1/2, Split or 2 **Storey**: 55 square metres (600 square feet of **ground floor area**)
 - iii) Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).

- (e) **Front yard** (minimum):
15 metres (50 feet)
- (f) **Interior side yard** (minimum):
9 metres (30 feet)
- (g) **Exterior side yard** (minimum):
15 metres (50 feet)
- (h) **Rear yard** (minimum):
9 metres (30 feet)
- (i) **Water setback/water yard**:
Except as otherwise provided in Section 3.31, a **water setback/water yard** of at least 30 metres (100 feet) shall be required from the high water mark of a **waterbody**.
- (j) **Building separation** (minimum):
1.5 metres (5 feet)
- (k) **Building height** (maximum):
11 metres (36 feet)
- (l) **Entrance setback** (minimum):
9 metres (30 feet)
- (m) **Parking Spaces** (minimum):
 - (i) **Residential uses**
1 for each **dwelling unit**
 - (ii) **Accessory uses**
the greater of: 2 per **lot**; or 1 for each 20 square metres (215 square feet) of **net floor area** or portion thereof.
 - (iii) 1 for each employee
- (n) **General Provisions**:
In accordance with the provisions of Section 3 hereof.

5.3 RR-1 ZONE

All of the provisions and regulations of Section 5.1 and 5.2 shall apply to the 'Rural Residential One **Zone** (RR-1)' in **Lot** 3, Concession 5, Township of Burleigh (South) and shown on **Zone** Map A1; and the following special provision shall also apply:

- (a) **USES PERMITTED IN RR-1 ZONES:**
a small engine **repair** and sales outlet

5.4 RR-2 ZONE

The RR-2 **zone** does not exist in the present document. However, a space has been left should this **zone** be required at a later time.

5.5 RR-3 ZONE

All of the provisions and regulations of Section 5.1 and 5.2 shall apply to the "Rural Residential Three **Zone**(RR-3)' in **Lot** 4, Concession 5, Township of Burleigh (South) and shown on **Zone** Map A1; and the following special provision shall also apply:

- (a) The operation of an automotive and marine **repair** facility in an **existing** 223 square metres (2,400 square foot) accessory **building**.

5.6 RR-4 ZONE

The RR-4 **zone** does not exist in the present document. However, a space has been left should this **zone** be required at a later time.

5.7 RR-5 ZONE

All of the provisions and regulations of Section 5.1 and 5.2 shall apply to the 'Rural Residential Five **Zone** (RR-5)' in **Lot** 21, Concession 16, Township of Burleigh (North) and shown on **Zone** Map A8; and the following special provision shall also apply:

- (a) **USES PERMITTED IN RR-5 ZONES:**
a landscape contraction business and retail outlet for the sale of shrubs, trees, plants, silk plants, and landscape products

SECTION 6 - SHORELINE RESIDENTIAL ZONE (SR)

6.1 USES PERMITTED

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

- (a) Residential **Uses**:
a **recreation dwelling house**;
- (b) **Accessory Uses**:
a **bunkhouse**;
a **private park**;
a **home occupation**, excluding a bed and breakfast establishment;
a **marine facility**;
a **dock**
a garage
a shed

6.2 ZONE PROVISIONS

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

- (a) **Lot area** (minimum):
0.5 hectares (1.2 acres)
- (b) **Lot frontage** (minimum):
46 metres (150 feet)
- (c) **Dwelling houses Per Lot** (maximum):
0 **recreation dwelling house**
- (d) **Bunkhouse** per **Lot** (maximum:
1 only having a maximum area of 37 square metres (400 square feet) in measurement outside dimensions inclusive of all area (**porches/open decks/etc.**). Washroom facilities may be permitted in **bunkhouses**, with the approval of the authority having jurisdiction for a sleeping area with waste disposal. No cooking facilities are permitted.

An **existing bunkhouse** located within the required wateryard setback of 30 metres (100 feet) if less than 37 square metres (400 square feet) in area may be expanded upon to a maximum of 37 square metres (400 square feet) and will contribute to linear expansion of any **structures** located within the wateryard setback and will be subject to the same restrictions.

- (e) **Gazebo or Screened porch or Detached open deck**
 - (i) Maximum area – 10 square metres (107.38 square feet)
 - (ii) Maximum **height** – 3 metres (10 feet)
 - (iii) Maximum of 30% of the area of the perimeter wall may be enclosed
 - (iv) A **gazebo** or **screened porch** or **detached open deck** set on the ground shall be a permitted **use** and may encroach into the 30 metre setback with a minimum of 9 metres (30 feet) setback from the **high water mark**.
 - (v) The **gazebo** or **screened porch** or **detached open deck** shall be non-permanent in nature, located on the ground and can be on cottage slabs or pier blocks.
 - (vi) The **gazebo** may be located on a **deck**, but may not be **attached** to a **building** or it may be located on the ground as a non-permanent free-standing **structure**.

- (f) **Building area and Floor area**
 - (i) **Building area** (maximum)
 - Main **Dwelling unit**: 10% of **lot area**
 - **Accessory buildings, Structures** and **Uses**: 5% of **lot area**
 - (ii) **Floor area** (minimum)
 - Single **Storey**: 70 square metres (750 square feet)
 - 1-1/2, Split or 2 **Storey** – 55 square metres (600 square feet) of **ground floor area**
 - (iii) - Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) setback, **development** will be limited to a maximum of 10% coverage of the land area of that property encompassed within the area the width of the property by the depth of the required setback ie 30 metres (100 feet).

- (g) **Front yard** (minimum)
9 metres (30 feet)
- (h) **Interior side yard** (minimum):
4 metres (15 feet)
- (i) **Exterior side yard** (minimum):
9 metres (30 feet)
- (j) **Rear yard** (minimum):
9 metres (30 feet)
- (k) **Water setback/water yard**:
Except as otherwise provided in Section 3.31 and 6.2 (q), a **water setback/water yard** of at least 30 metres (100 feet) shall be required from the **high water mark** of a **waterbody**.
- (l) **Building separation** (minimum):
1.5 metres (5 feet)
- (m) **Building height** (maximum):
7.6 metres (25 feet)
- (n) **Ground floor area** (minimum)
54 square metres (600 square feet) for a **dwelling house**
- (o) **Entrance setback** (minimum):
9 metres (30 feet)
- (p) **Parking Spaces** (minimum):
2 for each **dwelling unit** plus 1 per private cabin, behind established **building** line
- (q) **Shoreline Building Enlargements**
The enlargement of main or **accessory buildings** into or further into the **water setback/wateryard**, and towards the **waterbody**, than that which already exists is not permitted.

Notwithstanding Sections 3.18(a)(ii) and 3.31, **existing** main **buildings** situated within the **water setback/water yard** may be enlarged towards the **side lot lines** provided such final enlarged **main building**, including **decks** is not wider across the front than forty percent (40%) of the **existing shoreline lot**

frontage to a maximum of 18.3 metres (60 feet) provided however new, open, **attached decks** and enlargements to **existing decks** will not be permitted within 9 metres (30 feet) of the **high water mark** inclusive of a free standing **screened porch** or **gazebo**, 12 square metres (144 square feet) in area separate from the cottage and located on the **deck**. The definition of the front of the **building** is inclusive of any front portion/face of the **building** or attachment thereto that is facing the water.

Applicable **side yard** requirements as stated for this **zone** must be complied with, provided however no **building** enlargement shall take place within 9 metres (30 feet) of the high water mark.

Notwithstanding Sections 3.18(a) (ii) and 3.31, new, open, **attached decks** and enlargements to **existing decks** will be permitted in the **water setback/water yard** up to a total finished maximum of 3.7 metres (12 feet) in depth. This total shall be inclusive of stairs and ramps, and shall be calculated from the **main building** line towards the **water yard**.

For the purpose of this section, open **decks** shall not be supported by permanent walls or a perimeter foundation nor shall they have a permanent roof. This section shall not apply to **boathouses**.

- (r) General Provisions:
In accordance with the provisions of Section 3 hereof.

6.3 SR-1 ZONES

All of the provisions and regulations of Section 6.1 and 6.2 shall apply to the '**Shoreline Residential One Zone (SR-1)**' in west Part **Island 16**, on **Grassy Island** in the Township of Burleigh (South) and shown on **Zone Map A1**; and the following special provisions shall also apply:

- (a) **Uses** permitted in SR-1 **Zones**:
a second private cabin
a **marine facility**
- (b) **Gross floor area** of second private cabin (maximum):

- 27 square metres (300 square feet)
- (c) Special provisions for second private cabin
The cabin shall not contain sanitary conveniences, or cooking facilities.

6.4 SR-2 ZONES

6.4.1 Notwithstanding Section 6.1 and 6.2, hereof to the contrary, no person shall in any '**Shoreline Residential Two Zone (SR-2)**' in **Lot 3, Concession 7 (Northern portion, parts 1 &4), Township of Burleigh (South)** and shown on **Zone Map A2**; **use** any land, or **erect, alter or use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Uses** permitted in SR-2 **Zones**:
a garage only
- (b) **Lot area** (minimum):
0.21 hectares (0.5 acres)
- (c) **Gross Floor Area** of garage (maximum):
60.38 square metres (650 square feet)

6.4.2 Notwithstanding Section 6.1 and 6.2, hereof to the contrary, no person shall in any '**Shoreline Residential Two Zone (SR-2)**' in **Lot 3, Concession 7 (Southern portion, part 3), Township of Burleigh (South)** and shown on **Zone Map A2**; **use** any land, or **erect, alter or use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Uses** permitted in SR-2 **Zones**:
a single car **park**
- (b) **Lot area** (minimum):
39 square metres (420 square feet)
- (c) **Lot frontage** (minimum):
6 metres (20 feet)

6.5 SR-3 ZONES

All of the provisions and regulation of Section 6.1 and 6.2 shall apply to the "**Shoreline Residential Three Zone (SR-3)**" in **Lot 3, Concession 8, Township of Burleigh (South)** and shown on **Zone Map A2**; and the following special provision shall also apply:

- (a) **Gross Floor Area** of a private cabin (maximum)
- 66.88 square metres (720 square feet)
- (b) Special provisions for a private cabin:
The cabin shall not contain sanitary conveniences, or cooking facilities.

6.6 SR-4 ZONES

Notwithstanding Section 6.1 and 6.2, hereof to the contrary, no person shall in any '**Shoreline Residential Four Zone (SR-4)**' in **Lot 3**, Concession 10, Township of Burleigh (South) and shown on **Zone Map A2**; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) Special Provisions for SR-4 **Zones**
Refer to Freestanding Zoning By-Law No. 18-1980 for specific provisions.

6.7 SR-5 ZONES

Notwithstanding Section 6.1 and 6.2, hereof to the contrary, no person shall in any '**Shoreline Residential Five Zone (SR-5)**', being a portion of a plan of subdivision in **Lot 8**, Concession 5, Township of Burleigh (South) and shown on **Zone Map A3**; **use** any land, or **erect, alter** or **use** any **building** except in accordance with the following provisions:

- (a) **Uses** permitted in SR-5 **Zones**:
a **dwelling house**
- (b) **Lot area** (minimum):
0.34 hectares (1 acre)
- (c) **Lot frontage** (minimum):
38 metres (125 feet)
- (d) **Water setback/water yard**:
30 metres (100 feet) from the **high water mark** of a water body.

6.8 SR-6 ZONE

No person shall within any **Shoreline Residential Zones (SR-6)** **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) Permitted **uses**:
a recreation dwelling

- (b) **Lot** requirements:
Minimum **Lot** area – 4 Ha (10 acres)
Minimum **Lot Frontage** on a navigable waterway – 90 metres (300 ft)
- (c) Minimum **floor area**
Single **storey** – 70 sq. metres (750 sq. ft.)
1-1/2 **storey**, split level or 2 **storey** – minimum 55 sq. metres (600 sq. ft.) of **ground floor area**
- (d) Maximum **floor area**
232 sq. metres (2500 sq. ft.)
- (e) Maximum **height**
9 metres (30 feet)
- (f) **Minimum front yard**
- 15 m (50 feet), save and except where a **lot** fronts on a watercourse, **waterbody** or **shoreline** road allowance, the front **yard** requirement shall be 30 metres (100 feet). The latter distance to be measured from the **high water mark**, including **lots** which abut the **shoreline** road allowance
- (g) Minimum **interior side yard**
4.5 metres (15 feet)
- (h) Minimum **exterior side yard**
6 metres (20 feet)
- (i) **Minimum rear yard**
6 metres (20 feet)
- (j) **Parking** spaces (minimum)
2 for each **dwelling unit** plus 1 per private cabin, behind established **building** line

6.9 SR-7 ZONE

All of the provisions and regulations of Section 6.1 and 6.2 shall apply to the '**Shoreline Residential 7 Zone (SR-7)**' and the following special provisions shall also apply:

- (a) **Uses** permitted in SR-7 **Zones**:
a private camp defined as a youth camp for recreational activities of private camp patrons including sleeping cabins,

dining hall and kitchen facilities, washroom facilities, craft **buildings**, workshop, an office, **accessory uses buildings** including a residence for the owner, caretaker or watchman.

- (b) Water **frontage** (minimum)
76 metres (250 feet)
- (c) **Lot area** (minimum)
23 ha (56.8 acre)
- (d) Minimum **yard** requirement from the **high water mark**
60 metres (200 feet)
- (e) **Side yard** (minimum)
15 metres (50 feet)
- (f) Minimum **yard** requirements for camp **buildings** and **structures** from the Balmer Road but excluding a residence for the owners, caretaker or watchman
30 metres (98 feet)
- (g) **Lot coverage** (maximum)
15%

6.10SR-8 ZONE

All of the provisions and regulations of Section 6.1 and 6.2 shall apply to the '**Shoreline Residential 8 Zone (SR-8)**' and the following:

- (a) Water **frontage** (minimum)
135.076 metres (481 feet)
- (b) **Lot area** (minimum)

Note: On the properties **zone** SR-8 and SR-9 the Environmental Impact Study (EIS) dated January, 2006 by Niblett and Associates are applicable and all requirements and recommendations apply.

6.11 SR-9 ZONE

All of the provisions and regulations of Section 6.1 and 6.2 shall apply to the '**Shoreline Residential 9 Zone (SR-9)**' and the following:

- (a) Water **frontage** (minimum)
151.077 metres (491 feet)

- (b) **Lot area** (minimum)
11.74 hectares (29 acres)

Note: On the properties **zoned** SR-8 and SR-9 the Environmental Impact Study (EIS) dated January, 2006 by Niblett and Associates are applicable and all requirements and recommendations apply.

6.12 SR-10 ZONE

All of the provisions and regulations of Section 6.1 and 6.2 shall apply to the “**Shoreline Residential 10 Zone** (SR-10) and the following:

- (a) Notwithstanding any other provisions in this by-law, stairs and landings are not permitted in the 30 metre (97.5 foot) water **yard** setback which will be classified as a Vegetation Buffer **zone**.
- (b) Notwithstanding the **Shoreline Building** Enlargement of **zone** provisions in a **Shoreline Residential Zone**, a 3.7 metre (12 foot) in width open **deck** is not permitted in the 30 metre (97.5 foot) **water setback/water yard** setback which will be classified as a Vegetation Buffer **zone**.
- (c) Site Plan control will be applicable to the properties subject to Consent Applications B-190-04 and B-191-04 and the approved Environmental Impact Study by Curry Jefferson & Associates as ordered by the Ontario Municipal Board (OMB).

SECTION 7 - SHORELINE RESIDENTIAL ISLAND ZONE (SRI)

7.1 USES PERMITTED

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

- (a) **Residential Uses:**
a **recreation dwelling house**;
- (b) **Accessory Uses:**
a **bunkhouse**
a **marine facility**;
a **dock**.

7.2 ZONE PROVISIONS

No person shall within any (SRI) **zone use** any **lot** or **erect, alter,** locate or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):
0.5 hectares (1.2 acre)
- (b) **Lot frontage** (minimum):
46 metres (150 feet)
- (c) **Recreation dwelling houses Per Lot** (Maximum):
1 only
- (d) **Bunkhouse per Lot** (maximum):
1 only having a maximum area of 37 square metres (400 square feet) in measurement outside dimensions inclusive of all area (**porches/open decks/etc.**). Washroom facilities may be permitted in **bunkhouses**, with the approval of the authority having jurisdiction for a sleeping area with waste disposal. No cooking facilities are permitted.

An **existing bunkhouse** located within the required wateryard setback of 30 metres (100 feet) if less than 37 square metres (400 square feet) in area may be expanded upon to a maximum of 37 square metres (400 square feet) and will contribute to

linear expansion of any **structures** located within the wateryard setback and will be subject to the same restrictions.

- (e) **Gazebo or Screen porch or detached open deck**
 - (i) Maximum area – 10 square metres (107.38 square feet)
 - (ii) Maximum **height** – 3 metres (10 feet)
 - (iii) Maximum of 30% of the area of the perimeter wall may be enclosed
 - (iv) A **gazebo** or **screened porch** or **detached open deck** set on the ground shall be a permitted **use** and may encroach into the 30 metre setback with a minimum of 9 metres (30 feet) setback from the **high water mark**.
 - (v) The **gazebo** or **screened porch** or **detached open deck** shall be non-permanent in nature, located on the ground and can be on cottage slabs or pier blocks.
 - (vi) The **gazebo** may be located on a **deck**, but may not be **attached** to a **building** or it may be located on the ground as a non-permanent free-standing **structure**.
- (f) **Building area and Floor area**
 - (i) **Building area** (maximum)
 - Main **Dwelling unit**: 10%
 - **Accessory buildings, Structures & Uses**
 - 5%
 - (ii) **Floor area** (minimum)
 - Single **Storey**: 70 square metres (750 square feet)
 - 1-1/2, Split or 2 **Storey** – 55 square metres (600 square feet) of **ground floor area**
 - (iii) Notwithstanding any provisions in this By-Law where the **main building/use** is located within the 30 metre (100 feet) setback **development** will be limited to a maximum of 10% coverage of the land area encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).
- (g) **Interior side yard** (minimum):
4.5 metres (15 feet)
- (h) **Exterior side yard** (minimum):
9 metres (30 feet)

- (i) **Rear yard** (minimum):
9 metres (30 feet)
- (j) **Water setback/water yard**:
Except as otherwise provided in Section 3.31 and 6.2(o), a **water setback/water yard** of at least 30 metres (100 feet) shall be required from the **high water mark** of a **waterbody** at any location on the circumference of the **island**.
- (k) **Building separation** (minimum):
1.5 metres (5 feet)
- (l) **Building height** (maximum):
7.6 metres (25 feet)
- (m) **Ground floor area** (minimum):
54 square metres (600 square feet) for a **dwelling house**
- (n) **Parking Spaces** (minimum):
1 per each **dwelling unit** plus 1 per **bunkhouse**. It must be shown that adequate mainland parking and docking is provided.

Adequate mainland parking is a mainland property within the ownership of the **island** property owner or a designated spot for parking and dockage at a commercial or private property holding on the mainland.

- (o) **Shoreline Building Enlargements**:
The enlargement of main or **accessory buildings** into or further into the **water setback/water yard** and towards the **waterbody**, than that which already exists is not permitted.

Notwithstanding Sections 3.18(a) (ii) and 3.31, **existing** main **buildings** situated within the **water setback/water yard** may be enlarged towards the **side lot lines** provided such final enlarged main **building**, including **decks** is not wider across the front than forty percent (40%) of the **existing shoreline lot frontage** to a maximum of 18.3 metres (60 feet). The definition of the front of the **building** is inclusive of any front portion/face of the **building** or attachment thereto that is facing the water.

Applicable **side yard** requirements as stated for this **zone** must

be complied with, provided however no **building** enlargement shall take place within 9 metres (30 feet) of the high water mark.

Notwithstanding Sections 3.18(a) (ii) and 3.31, new, open, **attached decks** and enlargements to **existing decks** will be permitted in the **water setback/water yard** up to a total finished maximum of 3.7 metres (12 feet) in depth. This total shall be inclusive of stairs and ramps, and shall be calculated from the **main building** line towards the **water setback/water yard**, provided however new, open, **attached decks** and enlargement to **existing decks** will not be permitted within 9 metres (30 feet) of the **high water mark**.

For the purpose of this section, open **decks** shall not be supported by permanent walls or a perimeter foundation nor shall they have a permanent roof.

- (p) General Provisions:
In accordance with the provisions of Section 3 hereof.

SECTION 8 - INSTITUTIONAL ZONES (I)

8.1 USES PERMITTED

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

- (a) **Residential Uses:**
a **dwelling house** or **dwelling unit** accessory to a **church**.
- (b) **Permitted Uses:**
an **auditorium**; a municipal office;
a cemetery; a municipal parking **lot**;
a **church**; a museum;
a **clinic**; a post office;
a **club**; a public library;
a fire hall; a **school**;
an arena a **financial office**
a community centre

8.2 ZONE PROVISIONS

No person shall within any (I) **zone use** any **lot** or **erect, alter**, locate or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):
2,040 square metres (21,959 square feet)
- (b) **Lot frontage** (minimum):
38 metres (125 feet)
- (c) **Building area** (maximum):
30%
- Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).
- (d) **Front yard** (minimum):
15 metres (50 feet)

- (e) **Interior side yard** (minimum):
4.5 metres (15 feet)
- (f) **Exterior side yard** (minimum):
15 metres (50 feet)
- (g) **Rear yard** (minimum):
9 metres (30 feet)
- (h) **Water setback/water yard**:
Except as otherwise provided in Section 3.31, a **water setback/water yard** of a least 30 metres (100 feet) shall be required from the high water mark of a **waterbody**.
- (i) **Building separation** (minimum):
3 metres (10 feet) (unless otherwise required by the Ontario **Building Code** or Fire Code)
- (j) **Building height** (maximum):
11 metres (36 feet)
- (k) **Dwelling unit Floor area**:
The minimum **floor area** requirement for accessory **dwelling units** shall be 69.6 square metres (750 square feet).
- (l) **Planting Strip Location**:
A planting strip shall be required along any portion of a rear **lot** line or any portion of a **side lot line** which abuts a Residential **zone** or which abuts a **lot** having a Residential **use** situated thereon.
- (m) **Planting Strip Width** (minimum):
3 metres (10 feet)
- (n) **Entrances per Lot** (maximum):
2
- (o) **Entrance setback** (minimum):
6 metres (20 feet) unless a greater distance is required by the appropriate road authority
- (p) **Entrance separation** (minimum):

22.5 metres (75 feet)

- (q) **Entrance width** (minimum):
3 metres (10 feet)
- (r) **Entrance width** (maximum):
9.5 metres (30 feet)
- (s) **Driveway setback** (minimum):
1.5 metres (5 feet) provided that where a **lot line** abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon, the minimum **driveway setback** from such **lot line** shall be 4.5 metres (15 feet).
- (t) **Parking Spaces** (minimum)
 - (i) Residential **uses**
1 for each **dwelling unit**.
 - (ii) **auditorium or church**
the greater of: 1 for each 5 fixed seats or fraction thereof;
or 1 for each 9 square metre (97 square feet) of **net floor area** or portion thereof.
 - (iii) **clinic**
the greater of: 4 for each practitioner; or 1 for each 10 square metres (108 square feet) of **net floor area** or portion thereof.
 - (iv) **club**
the greater of: 1 for each 18 square metres (194 square feet) of **net floor area** or portion thereof; or 1 for each 4 persons design capacity.
 - (v) fire hall, museum, post office or public library
1 for each 45 square metres (484 square feet) of net floor area or portion thereof.
 - (vi) municipal office
1 for each 30 square metres (322 square feet) of net **floor area** or portion thereof.
 - (vii) **school**, elementary (up to **grade 8**)
2 for each classroom.

- (viii) other **accessory uses**
not applicable
- (ix) community centre
the greater of: 1 for each 18.0 square metres (194 square feet) of **net floor area** or portion thereof; or 1 for each 4 persons design capacity
- (x) arena
the greater of: 1 for each 18.0 square metres (194 square feet) of **net floor area** or portion thereof; or 1 for each 4 persons design capacity
- (u) Parking Space Location:
No part of any parking space shall be located closer than:
 - (i) 1.5 metres (5 feet) to any **street line**; or
 - (ii) 4.5 metres (15 feet) to any **lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon; or
 - (iii) within the **water setback/water yard**.
- (v) **Delivery spaces** (minimum):
 - (i) Residential **uses**
not applicable
 - (ii) **auditorium**, cemetery, **church** or **clinic**
2 per **lot**
 - (iii) **club**, museum, post office or public library
1 per **lot**
 - (iv) **school**
4 per **lot**
 - (v) other permitted **uses**
not applicable
- (w) General Provisions:
In accordance with the provisions of Section 3 hereof.

SECTION 9 – GENERAL COMMERCIALZONE (C)

9.1 USES PERMITTED

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

- (a) Residential **Uses:**
an **accessory dwelling house** or
an **accessory dwelling unit** (apartment)
- (b) Permitted **Uses:**
an **auditorium**; a **personal service shop**;
a **business office**; a post office;
a professional office; a **funeral home**;
a **financial office**; a **restaurant**;
a **recreational establishment**; a **parking area**;
a **retail store**; a telephone exchange;
a **merchandise service shop**;
a **dry cleaning** or **laundry outlet**.

9.2 ZONE PROVISIONS

No person shall within an (C) **zone use** any **lot** or **erect, alter**, locate or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):
3,000 square metres (32,280 square feet)
- (b) **Lot frontage** (minimum):
38 metres (125 feet)
- (c) **Dwelling units Per Lot** (maximum):
1 only
- (d) **Building area** (maximum):
25%
- Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% of the land area on that

property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).

- (e) **Front yard** (minimum):
15 metres (50 feet)
- (f) **Interior side yard** (minimum):
4.5 metres (15 feet), provided that where a **side lot line** abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon, the **minimum side yard** requirement shall be 7.5 metres (25 feet).
- (g) **Exterior side yard** (minimum):
15 metres (50 feet)
- (h) **Rear yard** (minimum):
12 metres (40 feet) provided that where a **lot line** abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon, the **minimum rear yard** requirement shall be 15 metres (50 feet).
- (i) **Water setback/water yard**
Except as otherwise provided in Section 3.31, a **water setback/water yard** of at least 30 metres (100 feet) shall be required from the high water mark of a **waterbody**.
- (j) **Building separation** (minimum):
3 metres (10 feet) (unless otherwise required by the Ontario **Building Code** and the Fire Code)
- (k) **Building height** (maximum):
11 metres (36 feet)
- (l) **Dwelling unit areas** (minimum):
 - (i) bachelor **dwelling unit**
55 square metres (592 square feet)
 - (ii) other **dwelling units**
55 square metres (592 square feet), plus an additional 15 square metres (162 square feet) for each bedroom.
- (m) Planting Strip Location:

A planting strip shall be required along any portion of a rear **lot** line or any portion of a **side lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon.

- (n) Planting Strip Width (minimum):
3 metres (10 feet)
- (o) **Entrances** per **Lot** (maximum):
2
- (p) **Entrance setback** (minimum):
15 metres (50 feet)
- (q) **Entrance** separation (minimum):
22.5 metres (75 feet) unless a greater distance is required by the appropriate road authority
- (r) **Entrance width** (minimum):
3 metres (10 feet)
- (s) **Entrance width** (maximum):
9.5 metres (30 feet)
- (t) **Driveway setback** (minimum):
15 metres (50 feet)
- (u) Parking Spaces (minimum):
 - (i) Residential **uses**
1 for each **dwelling unit**.
 - (ii) **auditorium/arena**
1 for each 5 fixed seats or fraction thereof.
 - (iii) business/**financial office** or professional office
1 for each 30 square metres (323 square feet) of net **floor area** or portion thereof.
 - (iv) **funeral home**
1 for each 10 seats or fraction thereof.
 - (v) **restaurant**
the greater of: 1 for each 15 square metres (161 square feet) of **net floor area**; or 1 for each 4 persons design capacity of all **dining rooms**.
 - (vi) other **accessory uses**
1 for each 30 square metres (320 square feet) of net

floor area or portion thereof.

- (v) **Parking Space Location:**
No part of any parking space shall be located closer than:
 - (i) 1.5 metres (5 feet) to any **street line**; or
 - (ii) 4.5 metres (15 feet) to any **lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon; or
 - (iii) within the **Water setback/water yard**
- (w) **Delivery spaces** (minimum):
 - (i) Residential **uses**
not applicable
 - (ii) **auditorium**
2 per **lot**
 - (iii) other permitted **uses**
not applicable
- (x) **Loading spaces** (minimum):
 - (i) Residential **uses**
not applicable
 - (ii) business/**financial office, personal service shop,**
professional office or **restaurant**
not applicable
 - (iii) other permitted **uses**
1 for each 2,400 square metres (25,834 square feet) of
net floor area or portion thereof in excess of 200 square
metres (2,153 square feet).
- (y) **General Provisions:**
In accordance with the provisions of Section 3 hereof.

9.3 C-1 ZONES

All of the provisions and regulations of Section 9.1 and 9.2 shall apply to the 'General Commercial One **Zone** (C-1)' in **Lot** 9, Concession 10, Township of Burleigh (North) and shown on **Zone** Map A5; and the following special provisions shall also apply:

- (a) **Uses** permitted in C-1 **Zones**:
a licensed **restaurant**
recreation **uses** that do not need permanent **structures**;
including but not limited to hunting, fishing, canoeing and
camping

9.4 C-2 ZONE

Notwithstanding Section 9.1 and 9.2, hereof to the contrary, no person shall in any 'General Commercial Two **Zone** (C-2)' in **Lot** 7, Concession 5, Township of Burleigh (South) and shown on **Zone** Map A1; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Uses** permitted in C-2 **Zones**:
 - a woodworking shop
 - a retail outlet
 - a shop and retail outlet for automotive parts and five (5) antique **vehicles**
 - a **dwelling house**

9.5 C-3 ZONES

All of the provision and regulations of Section 9.1 and 9.2 shall apply to the 'General Commercial Three **Zone** (C-3)' in **Lot** 34, Concession 2, Township of Anstruther and shown on **Zone** Map A8; and the following special provision shall also apply:

- (a) **Uses** permitted in C-3 **Zones**:
 - a garden centre for the sale of plants, vegetables and landscaping products

9.6 C-4 ZONE

All of the provisions and regulations of Section 9.1 and 9.2 shall apply to the 'General Commercial Four **Zone** (C-4)' in **Lot** 24, Concession 14, Township of Burleigh (North) and shown on **Zone** Map A8; and the following special provisions shall also apply:

- (a) **Uses** permitted in C-4 **Zones**:
 - The housing of domestic pets accessory to a veterinary **clinic**

9.7 C-5 ZONES

All of the provisions and regulation of Section 9.1 and 9.2 shall apply to the 'General Commercial Five **Zone** (C-5)' in **Lot** 34, Concession 1, Township of Anstruther and shown on **Zone** Map A8; and the following special provision shall also apply:

- (a) **Uses** permitted in C-5 **Zones**:
 - 15 self contained apartment **units**;
 - retail stores**;
 - a **restaurant**.

9.8 C-6 ZONES

The C-6 **zone** does not exist in the present document. However, a space has been left should this **zone** be required at a later time.

9.9 C-7 ZONE

All of the provisions and regulations of Section 9.1 and 9.2 shall apply to the 'General Commercial Seven **Zone** (C-7)' in **Lots** 11 & 12, Concession 11, Township of Burleigh (North) and shown on **Zone** Map A5; and the following special provision shall also apply:

- (a) **Uses** permitted C-7 **Zones**:
 - retail sales of bait and pet food
 - one **dwelling house**

SECTION 10 - SERVICE COMMERCIAL ZONE (CH)

10.1 USES PERMITTED

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

- (a) **Residential Uses:**
 - an **accessory dwelling unit** (apartment); or
 - an **accessory dwelling house**.
- (b) **Permitted Uses:**
 - an automobile service station;
 - a **commercial garage**;
 - a **drive-in restaurant**;
 - an equipment or machinery sales and/or service establishment;
 - a **farm** implement sales and/or service establishment;
 - a **fuel pump island**;
 - a **hotel**;
 - a manufacturing **use** accessory to a permitted (CH) **use**;
 - a **merchandise service shop**;
 - a **motel**;
 - an **open storage area** accessory to a **vehicle agency**;
 - an outside display or sales area accessory to a (CH) **use**;
 - a **restaurant**;
 - a **retail store**;
 - a **vehicle agency**;
 - a **marina** & recreational equipment sales and service establishment

10.2 ZONE PROVISIONS

No person shall within any (CH) **zone use** any **lot** or **erect, alter,** locate or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):
 - 3,000 square metres (32,280 square feet)
- (b) **Lot frontage** (minimum):
 - 38 metres (125 feet)

- (c) **Dwelling units Per Lot** (maximum):
1 only
- (d) **Building area** (maximum):
30%
- Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).
- (e) **Front yard** (minimum):
15 metres (50 feet)
- (f) **Interior side yard** (minimum):
4.5 metres (15 feet) not beside residential **zone**
7.5 metres (25 feet) beside residential **zone**
- (g) **Exterior side yard** (minimum):
15 metres (50 feet)
- (h) **Rear yard** (minimum):
12 metres (40 feet) provided that where a **rear lot line** abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon, the **minimum rear yard** requirement shall be 15 metres (50 feet).
- (i) **Water setback/water yard**
Except as otherwise provided in Section 3.31, a **water setback/water yard** of at least 30 metres (100 feet) shall be required from the high water mark of a **waterbody**.
- (j) **Building separation** (minimum):
3 metres (10 feet)
- (k) **Building height** (maximum):
11 metres (36 feet)
- (l) **Dwelling unit areas** (minimum):
 - a) bachelor **dwelling unit**
55 square metres (592 square feet)
 - b) other **dwelling units**
55 square metres (592 square feet), plus an

additional 15 square metres (162 square feet) for
each bedroom

- (m) **Planting Strip Location:**
A planting strip shall be required along any portion of a rear **lot** line or any portion of a **side lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon.
- (n) **Planting Strip Width (minimum):**
3 metres (10 feet)
- (o) **Entrances per Lot (maximum):**
2
- (p) **Entrance setback (minimum):**
15 metres (50 feet)
- (q) **Entrance separation (minimum):**
22.5 metres (75 feet)
- (r) **Entrance width (minimum):**
3 metres (10 feet)
- (s) **Entrance width (maximum):**
9.5 metres (30 feet)
- (t) **Driveway setback (Minimum):**
15 metres (50 feet)
- (u) **Parking Spaces (minimum):**
 - (i) **Residential uses**
1 for each **dwelling unit**
 - (ii) **drive-in restaurant**
the greater of: 10 per establishment; or 1 for each 2.5 square metres (27 square feet) of **gross floor area** or portion thereof.
 - (iii) automobile service station, **commercial garage** or gasoline pump **island**
10 per **lot**
 - (iv) **hotel or motel**
1 per **guest room** plus 1 for each 5 square metres (54 square feet) of **net floor area** in all **beverage rooms** plus 1 for each 30 square metres (323 square feet) of net floor

- area in all **dining rooms** and meeting **rooms**.
 - (v) **open storage area** or outside display area
none
 - (vi) **restaurant**
the greater of: 1 for each 15 square metres (161 square feet) of **net floor area**; or 1 for each 4 persons design capacity of all **dining rooms**.
 - (vii) other permitted **uses**
1 for each 30 square metres (320 square feet) of gross **floor area** or portion thereof.
- (v) **Parking Space Location:**
No part of any parking space shall be located closer than:
- (i) 1.5 metres (5 feet) to any **street line**; or
 - (ii) 4.5 metres (15 feet) to any **lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon; or
 - (iii) within the **water setback/water yard**
- (w) **Delivery spaces** (minimum):
- (i) Residential **uses**
not applicable
 - (ii) **drive-in restaurant** or **restaurant**
1 per **lot**
 - (iii) **hotel** or **motel**
1 per **lot**
 - (iv) other **accessory uses**
not applicable
- (x) **Loading spaces** (minimum):
- (i) Residential **uses**
not applicable
 - (ii) **drive-in restaurant** or **restaurant**
not applicable
 - (iii) **commercial garage** or **fuel pump island**
1 per **lot**
 - (iv) other permitted **uses**
1 for each 2,400 square metres (25,835 square feet) of **gross floor area** or portion thereof in excess of 200 square metres (2,153 square feet).
- (y) **Fuel pump island** location:
No part of any **fuel pump island** shall be located closer than:

- (i) 6 metres (20 feet) to any **lot line**; or
 - (ii) 3 metres (10 feet) to any **sight triangle**.
- (z) **Outside Display or Sales Area Regulations:**
 No outside display or sales area shall be permitted except in accordance with the following provisions:
- (i) no outside display or sales area shall be permitted in a rear **yard** adjacent to a **rear lot line** of such **lot** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon; and
 - (ii) no outside display or sales area shall be permitted in a side **yard** adjacent to a **side lot line** of such **lot** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon.
- (aa) **Open storage area Regulations:**
 No **open storage area** shall be permitted except in accordance with the following provisions.
- (i) no **open storage area** shall be permitted in a **rear yard** adjacent to a **rear lot line** of such **lot** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon;
 - (ii) no **open storage area** shall be permitted in a **side yard** adjacent to a **side lot line** of such **lot** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon;
 - (iii) every **open storage area** or **lot** having an **open storage area** situated thereon shall be enclosed by a wall or fence not less than 2 metres (7 feet) in **height** and constructed of uniform material; and
 - (iv) no portion of any **open storage area** for combustible materials shall be located closer than 6 metres (20 feet) to any **lot line**.
- (bb) **General Provisions:**
 In accordance with the provisions of Section 3 hereof.

10.3 CH-1 ZONES

All of the provisions and regulations of Section 10.2 shall apply to the 'Service Commercial One **Zone** (CH-1) in **Lot** 11, Concession 6, Township of Burleigh (South) and shown on **Zone** Map A-3; and the following special provision shall also apply:

- (a) **Uses** permitted in CH-1 **Zones**:
 - a marine and recreational equipment sales and/or service establishment
 - an automobile and marine refinishing establishment
 - a boat storage facility
 - a dry land **marina**

10.4 CH-2 ZONE (MEHARG STORAGE)

Notwithstanding Sections 10.1 and 10.2 hereof to the contrary, no person shall in any Service Commercial Special – 2 (CH-2) **Zone, Lot 7, Concession 5, former Township of Burleigh (South), and shown on Zone Map A-3, use any land or erect, alter or use any building or structure** except in accordance with the following provisions;

- (a) **Uses** permitted in CH-2 **Zone**
 - i) **Residential Uses**:
 - an **accessory dwelling unit**
 - ii) **Non-Residential Uses**:
 - a **retail store** for the sales of camping equipment and supplies
 - self-storage rental **building**
 - an **open storage area** only for boats, **trailers**, recreational **vehicles**, **motor homes**, snowmobiles, all-terrain **vehicles**, and similar items
 - a **business office**
- (b) Special provisions for CH-2 **Zone**
 - i) **Front yard** (minimum)
15 metres (50 feet)
 - ii) **Interior Side Yard** (minimum)
15 metres (50 feet)
 - iii) **Rear yard** (minimum)
15 metres (50 feet)
 - iv) **Floor area** for a **retail store** (maximum)
93 square metres (1000 sq. ft.)
 - v) Maximum number of self-storage rental **buildings**
12
 - vi) **Building Area** (maximum)
30%
 - vii) Parking spaces for self-storage rental **buildings** (minimum)
not applicable
 - viii) Special Regulations for an **Open Storage Area**:

No **Open Storage Area** shall be permitted except in accordance with the following special provisions:

- Minimum setback from **front lot line**
100 metres (328 feet)
 - Minimum setback from side and **rear lot lines**
15 metres (50 feet)
 - Maximum **lot coverage**
20%
 - Every **Open Storage Area** or **lot** having an Open Storage Area situated thereon shall be enclosed by a wall or fence not less than 2 metres (6.5 feet) in **height** and constructed of uniform material
 - No portion of any **Open Storage Area** for materials shall be located closer than 15 metres (50 feet) to any **lot line**
- ix) For the purposes of the CH-3 **Zone**, the term “self-storage rental **building**” shall mean a **building or buildings** containing separate, individual self-storage units divided from the floor to the ceiling by a wall with an independent **entrance** from the exterior of the **building**, designed to be rented or leased to the general public for private storage of personal goods, materials, or equipment

10.5 CH-3 ZONE

The CH-3 **zone** does not exist in the present document. However, a space has been left should this **zone** be required at a later time.

10.6 CH-4 ZONE

All of the provisions and regulations of Section 10.2 shall apply to the ‘Service Commercial Four **Zone** (CH-4)’ in **Lot** 12, Concession 11, Township of Burleigh (North) and shown on **Zone** Map A5; and the following special provisions shall also apply:

- (a) **Uses** permitted in CH-4 **Zones**:
- a display area for model homes
 - a marine sales, service and storage establishment
- (b) Special provisions for CH-4 **Zones**:
- The chemical treatment of lumber and lumber products shall not be permitted.

10.7 CH-5 ZONE

The CH-5 **zone** does not exist in the present document. However, a space has been left should this **zone** be required at a later time.

10.8 CH-6 ZONE

The CH-6 **zone** does not exist in the present document. However, a space has been left should this **zone** be required at a later time.

10.9 CH-7 ZONE

All of the provisions and regulations of Section 10.2 shall apply to the 'Service Commercial Seven **Zone** (CH-7)' in **Lot** 22, Concession 13, Township of Burleigh (North) and shown on **Zone** Map A-5; and the following special provisions shall also apply:

- (a) **Uses** permitted in CH-7 **Zones**:
 - a **dwelling house**
 - a combination workshop/storage **building**
- (b) Special provisions for CH-7 **Zones**:
 - Open Storage - prohibited

10.10 CH-8 ZONE

All of the provisions and regulations of Section 10.2 shall apply to the 'Service Commercial Eight **Zone** (CH-8)' in **Lot** 34, Concession 2, Township of Anstruther and shown on **Zone** Map A8; and the following special provision shall also apply:

- (a) **Uses** permitted in CH-8 **Zones**:
 - an apartment dwelling
 - a professional office
 - a commercial recreation establishment
 - a general office
 - an institution

10.11 CH-9 ZONE

All of the provisions and regulations of Section 10.2 shall apply to the 'Service Commercial Nine **Zone** (CH-9)' in **Lot** 25, Concession 15, Township of Burleigh (North) and shown on **Zone** Map A-7; and the following special provision shall also apply;

- (a) **Uses** permitted in CH-9 **Zones**:
 - a marine and sport products retail sales establishment
 - a marine and sport products **repair** and storage facility

SECTION 11 - SHORELINE COMMERCIAL ZONE (CS)

11.1 USES PERMITTED

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

- (a) Residential **Uses**:
 - an **accessory dwelling house** or
 - an **accessory dwelling unit** (apartment)
- (b) Permitted **Uses**:
 - a **fuel pump island** accessory to a **marina**;
 - a **marina**;
 - a **marine facility**;
 - an **open storage area** accessory to a **marina**;
 - a **private park**;
 - a **recreational establishment**;
 - a **restaurant**;
 - a **retail store** accessory to a (CS) **use**;
 - a **tourist establishment**;
 - a **parking area**.

11.2 ZONE PROVISIONS

No person shall within any (CS) **zone use** any **lot** or **erect, alter,** locate or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot areas** (minimum):
 - (i) Residential **uses**
4,800 square metres (1.2 acres)
 - (ii) **marina**
4,800 square metres (1.2 acres)
 - (iii) **tourist establishment**
the greater of: 1,390 square metres (14,962 square feet);
or 278 square metres (2,992 square feet) for each guest
room or **rental cottage**.
 - (iv) other **accessory uses**
2,040 square metres (21,959 square feet)

- (b) **Lot frontages** (minimum):
 - (i) Residential **uses**
46 metres (150 feet)
 - (ii) **tourist establishment**
46 metres (150 feet)
 - (iii) other permitted **uses**
46 metres (150 feet)
- (c) **Multiple Uses on One Lot:**
Notwithstanding Section 3.15, where any **lot** is used for more than one **use** as contained in Section 12.1, then the applicable minimum **lot area** and **lot frontage** requirements for each **use** shall be complied with.
- (d) **Dwelling units Per Lot** (maximum):
1 only
- (e) **Building area** (maximum):
30%
- Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).
- (f) **Front yard** (minimum):
15 metres (50 feet)
- (g) **Interior side yard** (minimum):
4.5 metres (15 feet), provided that where a **side lot line** abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon, the **minimum side yard** requirement shall be 7.5 metres (25 feet).
- (h) **Exterior side yard** (minimum):
15 metres (50 feet)
- (i) **Rear yard** (minimum):
12 metres (40 feet), provided that where a **rear lot line** abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon, the **minimum rear yard** requirement shall be

15 metres (50 feet).

- (j) **Water setback/water yard**
Except as provided in Section 3.31, a **water setback/water yard** of at least 30 metres (100 feet) shall be required from the **high water mark** of any **waterbody**.
- (k) **Building separation** (minimum):
 - (i) between **tourist establishment buildings**
6 metres (20 feet)
 - (ii) between other **buildings**
3 metres (10 feet)
- (l) **Building height** (maximum):
- from **finished grade** to the peak of the roof on the front of a **building** facing the **waterbody**
11 metres (36 feet)
- (m) **Dwelling house Area** (minimum):
102 square metres (1,098 square feet)
- (n) **Dwelling unit area** (minimum):
55 square metres (592 square feet)
- (o) **Planting Strip Location**:
A planting strip shall be required along any portion of a rear **lot** line or any portion of a **side lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon.
- (p) **Planting Strip Width** (minimum):
3 metres (10 feet)
- (q) **Parking Spaces**:
 - (i) Residential **uses**
1 for each **dwelling unit**
 - (ii) **marina**
1 for each boat mooring space
 - (iii) **tourist establishment**
1 for each **guest room** or **rental cottage**.
 - (iv) **restaurant**
the greater of: 1 for each 15 square metres (161 square feet) of **net floor area**; or 1 for each 4 persons design capacity of all **dining rooms**.

- (v) other permitted **uses**
1 for each 30 square metres (320 square feet) of gross **floor area** or portion thereof
- (r) **Parking Space Location:**
no part of any parking space shall be located closer than:
 - (i) 1.5 metres (5 feet) to any **street line**; or
 - (ii) 4.5 metres (15 feet) to any **lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon; or
 - (iii) within the **Water setback/water yard**
- (s) **Delivery spaces** (minimum):
 - (i) Residential **use**
not applicable
 - (ii) **tourist establishment**
1 for each 20 **guest rooms** or **rental cottages** or portion thereof in excess of 5.
 - (iii) other permitted **uses**
not applicable
- (t) **Loading spaces** (minimum):
 - (i) Residential **uses**
not applicable
 - (ii) **marina**
1 per **lot**
 - (iii) **tourist establishment**
1 for each 2,040 square metres (21,959 square feet) of **net floor area** or portion thereof in excess of 200 square metres (2,153 square feet).
 - (iv) other permitted **uses**
-not applicable
- (u) **Fuel pump island Location:**
No part of any **fuel pump island** shall be located closer than:
 - (i) 3 metres (10 feet) to any **shoreline**;
 - (ii) 4.5 metres (15 feet) to any **street line**; or
 - (iii) 6 metres (20 feet) to any other **lot line**.
- (v) **Open storage area Regulations:**
No **open storage area** shall be permitted except in accordance with the following provisions:

- (i) no **open storage area** shall be permitted in a **rear yard** adjacent to a **rear lot line** of such **lot** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon.
- (ii) no **open storage area** shall be permitted in a **side yard** adjacent to a **side lot line** of such **lot** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon;
- (iii) every **open storage area** or **lot** having an **open storage area** situated thereon shall be enclosed by a wall or fence not less than 2 metres (6.5 feet) in **height** and constructed of uniform material; and
- (iv) no portion of any **open storage area** for combustible materials shall be located closer than 6 metres (19.6 feet) to any **lot line**.

(w) General Provisions:

In accordance with the provisions of Section 3 hereof.

11.3 CS-1 ZONE

Notwithstanding Section 11.1 and 11.2, hereof to the contrary, no person shall in any '**Shoreline Commercial One Zone (CS-1)**' in **Lot** 3, Concession 5, Township of Burleigh (South) and shown on **Zone Map A1**; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) Number of **buildings** (maximum):
8 rental cottages
- (b) 54 square metres (600 square feet) in area

11.4 CS-2 ZONE

Notwithstanding Section 11.1 (b), hereof to the contrary, no person shall in any '**Shoreline Commercial Two Zone (CS-2)**' in **Lot** 12, Concession 7, Township of Chandos, Roll #010-201-18100, accessory to West Bay Narrows Marine through agreement #D606640

- (a) Permitted **uses**:

Boat storage facility for the off season storage of water craft

- (b) Maximum **building area**
20%
- (c) Minimum **yard setback**
15 metres (49.2 feet)
- (d) Maximum **building height**
- (e) 8 metres (26.2 feet)

11.5 CS-3 ZONE

Notwithstanding Sections 11.1 and 11.2, hereof to the contrary, no person shall in any **Shoreline Commercial Three Zone (CS-3)** in **Lot 13**, Concession 2 and 3, former Township of Anstruther, and as shown on Map A-7; **use** any land or **erect, alter or use** any **building** or **structure** except in accordance with the following provisions.

- (1) Permitted **uses**;
 - a) Residential **uses**
a **resort condominium**
 - b) Non-residential **uses**
an accessory **gazebo**
an accessory parking **lot**
boat **docks**
- (2) **Zone provisions**
 - (a) Minimum **lot area**
1.61 hectares (4 acres)
 - (b) Minimum **frontage (shoreline)**
613 metres (2011 feet)
 - (c) Special provisions for residential **uses**:
 - i) **Dwelling Units Per Lot** (maximum)
25
 - ii) **Building area** (maximum)

10%

- iii) Minimum **yard setbacks**
Front yard – 15 metres (49 feet)
Interior side yards – 7.5 metres (25 feet)
Water Setback/Water yard – 21.33 metres (70 feet)
- iv) Maximum **height**
11 metres (36 feet)
- v) **Floor area** (minimum per unit)
55 square metres (592 square feet)
- (d) Special provisions for accessory **gazebo**
 - i) Minimum **water setback/water yard**
6.1 metres (20 feet)
 - ii) Maximum **floor area**
25 square metres (269 square feet)
- (e) Parking spaces (minimum)
 - i) 1 for each **dwelling unit**
 - ii) 1 for each boat docking space not associated with on-site **dwelling units**
- (f) Parking space location
No parking space shall be located closer than:
 - i) 1.5 metres (5 feet) to any **street line**; or
 - ii) 4.5 metres (15 feet) to any **lot line** which abuts a Residential **zone** or abuts a **lot** having a residential **use** situated thereon; or
 - iii) 21.33 metres (70 feet) of the high water mark

SECTION 12 - GENERAL INDUSTRIAL ZONE (M)

12.1 USES PERMITTED

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

- (a) Residential **Uses**:
prohibited.
- (b) Permitted **Uses**:
 - an assembly plant;
 - a **motor vehicle body shop**,
 - a bulk storage, except hazardous waste, fuels, explosives, fossil fuels;
 - a **business office**;
 - a **commercial garage**;
 - a communications tower (public or private)
 - a contractor's **yard**;
 - an electric power substation;
 - an equipment storage **building**;
 - a **fuel pump island**;
 - a **building** supply **yard**;
 - a **maintenance garage**;
 - a manufacturing plant;
 - a **merchandise service shop**;
 - open storage of goods or materials;
 - a **parking area**;
 - a **warehouse**;
 - a truck or transportation terminal;
 - an **existing** dwelling;
 - a commercial **use** accessory to a permitted (M) **use**.

12.2 ZONE PROVISIONS

No person shall within any (M) **zone use** any **lot** or **erect, alter**, locate or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):
2 hectares (5 acre)

- (b) **Lot frontage** (minimum):
60 metres (200 feet)
- (c) **Building area** (maximum):
30%
- Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).
- (d) **Front yard** (minimum):
30 metres (100 feet)
- (e) **Interior side yard** (minimum):
7.5 metres (25 feet), provided that where a **side lot line** abuts a **zone** other than an Industrial **zone**, the minimum side **yard** requirement in addition to the width of any **driveways** shall be 15 metres (50 feet).
- (f) **Exterior side yard** (minimum):
30 metres (100 feet)
- (g) **Rear yard** (minimum):
15 metres (50 feet)
- (h) **Water setback/water yard**:
Except as provided in Section 3.31, a **water setback/water yard** of at least 30 metres (100 feet) shall be required from the **high water mark** of any **waterbody**.
- (i) **Building separation** (minimum):
3 metres (10 feet) unless otherwise required by the Ontario **Building Code**
- (j) **Building height** (maximum):
11 metres (36 feet)
- (k) **Planting Strip Location**:
A planting strip shall be required along any portion of a side **lot** line or any portion of a **rear lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon.

- (l) Planting Strip Width (minimum):
4.5 metres (15 feet)
- (m) **Driveway setback** (minimum):
None except where, a **lot line** abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon, the minimum **driveway setback** from such **lot line** shall be 9 metres (30 feet).
- (n) Parking Spaces (minimum):
 - (i) **body shop or commercial garage**
1 for each 5 square metres (54 square feet) of gross floor area or portion thereof.
 - (ii) **business office** or merchandise service shop
1 for each 20 square metres (215 square feet) of net floor area or portion thereof.
 - (iii) manufacturing plant
1 for each 40 square metres (430 square feet) of net floor area or portion thereof.
 - (iv) **warehouse**
1 for each 90 square metres (969 square feet) of net floor area or portion thereof.
 - (v) other permitted **uses**
the greater of: 5 per **lot**; or 1 for each 90 square metres (969 square feet) of **gross floor area** or portion thereof; or 1 for each 3 employees.
- (o) Parking Space Location:
No part of any parking space shall be located closer than:
 - (i) 1.5 metres (5 feet) to any **street line**; or
 - (ii) 6 metres (20 feet) to any **lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon; or
 - (iii) within the **water setback/water yard**.
- (p) **Delivery spaces** (minimum):
 - (i) **body shop or commercial garage**
1 per **lot**
 - (ii) other permitted **uses**
not applicable

- (q) **Loading spaces** (minimum):
 - (i) **body shop, business office or commercial garage.**
not applicable
 - (ii) other permitted **uses**
the greater of: 1 per **lot**; or 1 for each 2,400 square metres (25,834 square feet) of **gross floor area** or portion thereof in excess of 200 square metres (2,153 square feet).
- (r) **Fuel pump island** Location
No part of any **fuel pump island** shall be located closer than:
 - (i) 9 metres (30 feet) to any **street line**; or
 - (ii) 9 metres (30 feet) to any other **lot line**.
- (s) **Open storage area** Regulations:
No **open storage area** shall be permitted except in accordance with the following provisions:
 - (i) no **open storage area** shall be permitted in a **front yard** or **side yard**;
 - (ii) no **open storage area** shall be permitted in a **rear yard** adjacent to a **rear lot line** of such **lot** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon;
 - (iii) no **open storage area** shall be permitted in a **side yard** adjacent to a **side lot line** of such **lot** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon;
 - (iv) every **open storage area** or **lot** having an **open storage area** situated thereon shall be enclosed by a wall or fence not less than 2 metres (7 feet) in **height** and constructed of uniform material; and
 - (v) no portion of any **open storage area** for combustible materials shall be located closer than 6 metres (20 feet) to any **lot line** or 30 metres (100 feet) to any **building**.
- (t) General Provisions:
In accordance with the provisions of Section 3 hereof.

12.3 M-1 ZONES

- (a) **Uses** permitted in M-1 **Zones**:

a small office **building**
a facility for the outdoor storage and sale of sand, gravel and topsoil products which includes government inspected weigh scales
a single **family** dwelling

12.4 M-2 ZONE

'General Industrial Two **Zone** (M-2)' in **Lot** 22, Concession 13, Township of Burleigh (North) and shown on **Zone** Map A8; the following provision shall apply:

- (a) **Uses** permitted M-2 **Zones**:
- a wood product processing facility
 - a furniture manufacturing and assembly establishment
 - a **warehouse** for storing furniture manufactured or assembled on the premises
 - a **warehouse** for storing lumber for **use** on the premises
 - a retail or wholesale outlet or **business office** accessory to the **uses** permitted in this section
 - a **dwelling house** if occupied by a caretaker, watchman or other similar person employed fulltime on the **lot** on which such **dwelling house**

12.5 M-3 ZONE

'General Industrial Three **Zone** (M-3)' in Part **Lot** 1, Concession 17 lying west of the King's Highway No. 28 and south of Chandos Township Road No. 18 and shown on **Zone** Map A13; the following provisions shall apply:

- (a) **Uses** permitted in M-3 **Zones**;
- a machine shop
 - machinery **repair** and parts fabrication operation
 - a plant for the assembly and/or manufacture of goods and/or products
 - a cartage, express truck transport terminal or **yard**
 - a contractor's **yard**
 - a fuel storage tank or supply **yard**
 - a **warehouse**
 - a retail outlet or wholesale outlet or **business office** accessory to a permitted **use**

a **detached** single-family **dwelling house** if occupied by a caretaker, watchman or other similar person employed full time on the **lot** on which such **dwelling house** is located

SECTION 13 - AGGREGATE RESOURCE ZONE (MA)

The **uses** permitted in this section also require a license from the Ministry of Natural Resources (MNR) under the Aggregate Resources Act.

13.1 USES PERMITTED

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

- (a) Residential **Uses**:
prohibited
- (b) Permitted **Uses**:
an aggregate crushing and screening operation;
a **gravel pit**;
an **open storage area** accessory to an (MA) **use**;
an enclosed storage area accessory to an (MA) **use**;
a **stone quarry**;
a **business office** accessory to a permitted (MA) **use**

13.2 ZONE PROVISIONS

No person shall within any (MA) **zone use** any **lot** or **erect, alter**, locate or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):
10 hectares (25 acres)
- (b) **Lot frontage** (minimum):
300 metres (985 feet)
- (c) **Building area** Of Enclosed Storage Area/Storage Shed or **Business Office** (maximum):
105 square metres (1,138 square feet)
- Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).

- (d) **Front yard** (minimum):
30 metres (100 square feet)
- (e) **Interior side yard** (minimum):
30 metres (100 feet), except where a **side lot line** abuts a Residential **zone**, the **minimum side yard** shall be 90 metres (295 feet).
- (f) **Exterior side yard** (minimum):
30 metres (100 feet)
- (g) **Rear yard** (minimum):
30 metres (100 feet) provided that where a **rear lot line** abuts a Residential **zone**, the **minimum rear yard** shall be 90 metres (295 feet).
- (h) **Water setback/water yard**
A **water setback/water yard** of a least 90 metres (295 feet) shall be required from the **high water mark** of a **waterbody**.
- (i) **Building separation** (minimum):
30 metres (100 feet)
- (j) **Building height** (maximum):
7.6 metres (25 feet)
- (k) **Planting Strip Location**:
A planting strip shall be required along any **front lot line** plus any portion of a **side lot line** or any portion of a **rear lot line** which abuts a Residential **zone**.
- (l) **Planting Strip Width** (minimum):
15 metres (50 feet)
- (m) **Entrance per Lot** (maximum):
2
- (n) **Entrance setback** (minimum):
30 metres (100 feet)
- (o) **Entrance separation** (minimum):
30 metres (100 feet) unless a greater distance is required from

the appropriate road authority

- (p) **Entrance width** (maximum):
13.5 metres (44 feet)
- (q) **Parking Spaces** (minimum):
the greater of: 5 per **lot**; or 1 for each 90 square metres (969 square feet) of **gross floor area** or portion thereof.
- (r) **Parking Space Location**:
No part of any **parking** space shall be located closer than:
 - (i) 3 metres (10 feet) to any **street line**; or
 - (ii) 9 metres (30 feet) to any **lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon.
- (s) **Loading spaces** (minimum):
the greater of: 3 per **lot**; or 1 for each 4 hectares (10 acres) of **lot** area or portion thereof.
- (t) **Open storage area** Regulations:
No part of any **open storage area** shall be located closer than 30 metres (100 feet) to any **lot line** or 90 metres (295 feet) to any **lot line** which abuts a Residential **zone**.
- (u) **General Provisions**:
In accordance with the provisions of Section 3 hereof.

SECTION 14 - DISPOSAL INDUSTRIAL ZONE (MD)

The Ministry of Environment is responsible for the licensing of **uses** permitted in this **zone**.

14.1 USES PERMITTED

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

- (a) **Residential Uses:**
prohibited.
- (b) **Permitted Uses:**
an approved **solid waste disposal site** or **transfer station** or a former approved **solid waste disposal site** that has been closed as required by the Ministry of Environment

14.2 ZONE PROVISIONS

No person shall within any (MD) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):
20 hectares (50 acres)
- (b) **Lot frontage** (minimum):
100 metres (328 feet)
- (c) **Building area** (maximum):
10%
- Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).
- (d) **Front yard** (minimum):
90 metres (295 feet)
- (e) **Interior side yard** (minimum):

90 metres (295 feet)

- (f) **Exterior side yard** (minimum):
90 metres (295 feet)
- (g) **Rear yard** (minimum):
90 metres (295 feet)
- (h) **Water setback/water yard** (minimum):
A **water setback/water yard** of at least 90 metres (295 feet) shall be required for all **buildings, structures** and waste disposal sites from the **high water mark** of a **waterbody**.
- (i) **Building separation** (minimum):
3 metres (10 feet)
- (j) **Building height** (maximum):
11 metres (36 feet)
- (k) **Planting Strip**:
Where any (MD) **Zone** abuts a Residential, Commercial, Institutional or Open Space **Zone**, a planting strip shall be provided and maintained along that **lot line** so abutting in accordance with the provisions of Sections 2 and 3 of this By-law.
- (l) **Fencing**:
A 1.8 metre (6 foot) solid board fence shall be provided and maintained along any portion of a (MD) **Zone** which abuts a public **street**.
- (m) **Entrance per Lot** (maximum):
2
- (n) **Entrance setback** (minimum):
150 metres (493 feet)
- (o) **Entrance separation** (minimum):
22.5 metres (74 feet)
- (p) **Entrance width** (maximum):
9.5 metres (31 feet)

- (q) **Driveway setback** (minimum):
30 metres (100 feet) except where a **lot line** abuts a
an (MD) or (MA) **zone**, the minimum **driveway**
setback from such **lot line** shall be 9 metres (30 feet).
- (r) **Parking Spaces** (minimum):
1 for each 0.4 hectares (43,055 square feet) of **lot area** or
portion thereof.
- (s) **Parking Space Location**:
No part of any parking space shall be located closer than:
 - (i) 3 metres (10 feet) to any **street line**; or
 - (ii) 9 metres (30 feet) to any **lot line** which abuts a **zone**
other than an (MD) or (MA) **zone**.
- (t) **Loading spaces** (minimum):
2 per **lot**
- (u) **Special Provisions**:
Notwithstanding any other provisions of this By-law to the
contrary, no **solid waste disposal site** shall be located within
500 metres (1640 feet) of any Residential or Commercial **use**.
- (v) **General Provisions**:
In accordance with the provisions of Section 3 hereof.

SECTION 15 - MAJOR RECREATION OPEN SPACE ZONE (OS)

15.1 USES PERMITTED

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

- (a) Residential **Uses**:
prohibited
- (b) Permitted **Uses**:
a beach;
a **conservation use**;
a **forestry use**;
a **private park**;
a public forest;
a **public park**;

15.2 ZONE PROVISIONS

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

- (a) **Lot area** (minimum):
2,300 square metres (24,758 square feet)
- (b) **Lot frontage** (minimum):
30 metres (100 feet)
- (c) **Water setback/water yard**
Except as otherwise provided in Section 3.31, a **water setback/water yard** of at least 30 metres (100 feet) shall be required from the high water mark of a **waterbody**.
- (d) **Building separation** (minimum):
3 metres (10 feet)
- (e) **Building height** (maximum):
11 metres (36 feet)
- (f) **Parking Spaces** (minimum):

One for each picnic area/table and one for each ten feet on a **waterbody** that is utilized by the public or one for each 1 hectare (2.2 acres) of land, whichever is greater.

- (g) Parking Space Location:
No part of any parking space shall be located closer than:
 - (i) 1.5 metres (5 feet) to any **street line**; or
 - (ii) 4.5 metres (15 feet) to any **lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon.
- (h) General Provisions:
In accordance with the provisions of Section 3 hereof.

SECTION 16 - ENVIRONMENTAL CONSTRAINT ZONE (EC)

16.1 USES PERMITTED

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

- (a) Permitted **Uses**:
 - a **conservation use**;
 - a flood control **use**;

16.2 ZONE PROVISIONS

No person shall within an (EC) **zone use** any **lot** or **erect, alter,** locate or **use** any **building** or **structure** except as set out in 16.1 (a) unless for **conservation use** or flood control **use** or **structures** that may be necessary to support these permitted **uses**.

- (a) General Provisions:

In accordance with the provisions of Section 3 hereof.

SECTION 17 -RURAL ZONE (RU)

17.1 USES PERMITTED

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

- (a) **Residential Uses:**
a **dwelling house**.
- (b) **Permitted Uses:**
a **farm** equipment storage **building**;
a **farm**;
a **conservation use**;
a **farm produce outlet**;
a **forestry use**;
a **home industry**;
a **home occupation**;
a livestock **building**;
a produce **building**;
a woodlot;
a **recreation camp**;
a riding **school** or boarding stables;
an animal hospital.

17.2 ZONE PROVISIONS

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

- (a) **Lot area** (minimum):
10 hectares (25 acres)
20 hectares (50 acres) (for a recreational camp)
- (b) **Lot frontage** (minimum):
90 metres (295 feet)
- (c) **Dwelling houses Per Lot** (maximum):
1 only
- (d) **Building area and Floor area**
 - (i) **Building area** (maximum):
15%
 - (ii) **Floor area** (minimum):
- Single **Storey** – 70 square metres (750 square feet)

- 1-1/2, Split or 2 **Storey** – 55 square metres (600 square feet) of **ground floor area**
- (iii) - Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).
- (e) **Front yard** (minimum):
30 metres (100 feet)
- (f) **Interior side yard** (minimum):
15 metres (50 feet)
- (g) **Exterior side yard** (minimum):
15 metres (50 feet)
- (h) **Rear yard** (minimum):
15 metres (50 feet)
- (i) **Water setbacks/water yard**:
Except as otherwise provided in Section 3.31, a **water setback/water yard** of at least 30 metres (100 feet) shall be required from the high water mark of a **waterbody**.
- (j) **Building separation** (minimum):
 - (i) between **main building** and **detached accessory building**, garage or storage shed
1.5 metres (5 feet)
 - (ii) between **detached accessory buildings**
11 metres (36 feet)
- (k) **Building height** (maximum):
11 metres (36 feet)
- (l) **Parking Spaces** (minimum):
 - (i) **Residential uses**
1 for each **dwelling unit**
 - (ii) **home industry, home occupation** or home profession
the greater of: 2 per **lot**; or 1 for each 20 square metres (215 square feet) of **net floor area** or portion thereof.
 - (iii) other **accessory uses**
not applicable

- (m) **Dwelling house Location:**
 - (i) No Residential **building** shall be **erected** within any distance of any manure storage area or any livestock **building** or **structure**, except in accordance with Section 3.17 herein, unless such Residential **building** is located on the same **lot** therewith.
 - (ii) No Residential **building** shall be **erected** within 60 metres (200 feet) of an MA **zone**.
- (n) **Farm Building** and Storage Locations:
No livestock **building** or **structure** and no manure storage area shall be located within any distance of any **lot line** or a residential **building** on another **lot**, except in accordance with Section 3.15 herein.
- (o) Consent Given By Land Division Committee for Residential **Lot** Outside of Areas Designated Hamlet or **Shoreline** Area:
Notwithstanding any provisions of Section 17.2(a) and 17.2(b) to the contrary, where a consent is given by the Approval Authority to create a residential **lot**, such **lot** may be used for a **dwelling house** provided such **lot** and **use** has a minimum **lot area** and **frontage** of 2 hectares (4.9 acres) and 60 metres (200 feet) respectively and complies with the other provisions of Section 6.2 of this By-law, and provided the residual **lot** complies with the provisions of Section 17 of this By-law.
- (p) General Provisions:
In accordance with the provisions of Section 3 hereof.
- (q) Properties **zoned** Rural (RU) in hamlet areas shall be restricted to a **dwelling house** only and those **uses existing** at the date of passing of this by-law.

17.3 RU-1 ZONES

Notwithstanding Section 17.1 and 17.2, hereof to the contrary, no person shall in any 'Rural One **Zone** (RU-1)' in **Lot** 9, Concession 1, Township of Burleigh (South) and shown on **Zone** Map A6; **use** any land, or **erect**, **alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Dwelling house** per **lot** (maximum):
2 only

17.4 RU-2 ZONE

Notwithstanding Section 17.1 and 17.2, hereof to the contrary, no person shall in any 'Rural Two **Zone** (RU-2)' in **Lot** 3, Concession 6,

Township of Burleigh (South) and shown on **Zone Map A1**; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Uses** permitted in RU-2 **Zones**:
a **recreation camp**
- (b) **Lot frontage** (minimum):
20.1 metres (66 feet)

17.5 RU-3 ZONE

Notwithstanding Section 17.1 and 17.2 hereof to the contrary, no person shall in a 'Rural – Site Specific **Zone** (RU-3) in part of **Lot 6 & 7**, Concession 6, formerly Township of Burleigh (South) and shown on **zone Map A3**, **use** any land or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Uses** permitted in RU-3 **Zone**:
 - i) Nine (9) Hole **Golf Course**
 - ii) **Uses, building** and **structures** accessory to **golf course** including:

Pro Shop	max 185.88 m. sq. (2,000 sq. ft.)
Pump House	max 9.3 m. sq. (100 sq. ft.)
Storage Shed	max 74.35 m. q. (800 sq. ft.)
Chipping/Driving Range	

Site Plan Control is applicable in the RU-3 **Zone**.

17.6 RU-4 ZONES

All of the provisions and regulations of Section 17.1 and 17.2 shall apply to the 'Rural Four **Zone** (RU-4)' in **Lot 15**, Concession 11, Township of Burleigh (North) and shown on **Zone Map A4**; and the following special provision shall also apply:

- (a) **Uses** permitted RU-4 **Zones**:
a **home occupation** taxidermy business

17.7 RU-6 ZONE

Notwithstanding Section 17.1 and 17.2, hereof to the contrary, no person shall in any 'Rural Six **Zone** (RU-6)' in **Lot 16**, Concession 12, Township of Burleigh (North) and shown on **Zone Map A4**; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Uses** permitted in RU-6 **Zones**

a private cabin

- (b) **Building area** of accessory guest dwelling (maximum):
44.5 square metres (480 square feet)

17.8 RU-8 ZONE

All of the provisions and regulation of Section 17.1 and 17.2 shall apply to the 'Rural Eight **Zone** (RU-8)' in **Lot** 36, Concession 1, Township of Anstruther and shown on **Zone** Map A-13; and the following special provision shall also apply:

- (a) **Uses** permitted in RU-8 **Zones**:
a **home occupation** for baking and the sale of baked goods

17.9 RU-9 ZONE

All of the provisions and regulations of Section 17.1 and 17.2 shall apply to the 'Rural Nine **Zone** (RU-9)' in **Lot** 25, Concession 16, Township of Burleigh (North) and shown on **Zone** Map A-13; and the following special provision shall also apply:

- (a) **Uses** permitted in RU-9 **Zones**:
the outside storage of materials and the **parking** of **vehicles** and equipment and automotive **repair**
- (b) Special provisions for RU-9 **Zones**:
these lands are subject to site plan control

17.10 RU-11 ZONE

Notwithstanding Section 17.1 and 17.2, hereof to the contrary, no person shall in any 'Rural Eleven **Zone** (RU-11)' being a portion of a plan of subdivision in **Lot** 8, Concession 5, Township of Burleigh (South) and shown on **Zone** Map A3; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):
0.8 hectares (2 acres)
- (b) **Lot frontage** (minimum):
45.7 metres (150 feet)
- (c) **Front yard** (minimum):
15 metres (50 feet)
- (d) **Interior side yard** (minimum):
15 metres (50 feet)

- (e) **Exterior side yard** (minimum):
15 metres (50 **yards**)
- (f) **Rear yard** (minimum):
9 metres (feet)

SECTION 18 - CROWN LAND ZONE (CL)

18.1 USES PERMITTED

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

- (a) **Residential Uses:**
prohibited
- (b) **Permitted Uses:**
 - a **conservation use**;
 - a **forestry use**;
 - a **public park**;
 - a **wood lot**;
 - a **wayside pit** or quarry;
 - an **existing** mine;
 - an **existing gravel pit** or quarry;
 - a hunt camp;
 - a private **recreation camp**

18.2 ZONE PROVISIONS

No person shall within any (CL) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Front yard** (minimum):
30 metres (100 feet)
- (b) **Interior side yard** (minimum):
15 metres (49 feet)
- (c) **Exterior side yard** (minimum):
30 metres (100 feet)
- (d) **Rear yard** (minimum):
15 metres (49 feet)
- (e) **Water setback/water yard:**
Except as otherwise provided in Section 3.31, a **water setback/water yard** of at least 30 metres (100 feet) shall be required from the high water mark of a **waterbody**.
- (f) **Building separation** (minimum):

1.5 metres (5 feet)

- (g) **Building height** (maximum):
11 metres (36 feet)
- (h) General Provisions:
In accordance with the provisions of Section 3 hereof.

SECTION 19 - SPECIAL DISTRICT ZONE

Lists all by-law amendments to date to be recorded in new comprehensive **zone**, SP-1 and SP-2 and continues for all amendments rather than listing in each **zone** category.

SECTION 20 - ADMINISTRATION

20.1 ZONING ADMINISTRATOR

This By-law shall be administered by the **Zoning administrator**.

20.2 APPLICATION FOR BUILDING PERMITS

In addition to the requirements of the **Building by-law**, every application for a **building permit** shall be accompanied by a plan in duplicate, drawn to scale and showing the following:

- (i) the true shape and dimension of the **lot** to be used or upon which it is proposed to **erect** any **building** or **structure**:
- (ii) the proposed location, **height** and dimensions of any **building**, **structure** or **use** proposed for such **lot**;
- (iii) proposed locations and dimensions of any **yards**, setbacks, backfill/**grade**, vegetation buffer **zones** where applicable, off-**street** parking spaces or off-**street** loading facilities required by this By-law;
- (iv) the location of all **existing buildings**, **structures** or private right-of-way on the **lot** and **existing** vegetation within the affected area; and
- (v) a statement signed by the owner or his agent duly authorized there unto in writing, filed with the **building** inspector, disclosing the current and intended **use** of each **building** and **structure** or part thereof, the sanitary facilities available and all information necessary to determine whether or not such proposed or **existing building structure** or **use** conforms to the requirements of the By-law.

20.3 ISSUANCE OF BUILDING PERMITS

Notwithstanding any provision of the Ontario **Building** Code Act, the **Corporations Building by-law** or another by-law of the **Corporation** to the contrary, no **building permit** shall be issued where the proposed **building**, **structure** or **use** would be in violation of any provision of this By-law.

20.4 CERTIFICATE OF OCCUPANCY

No land is to be used or occupied, and no **building** or **structure** which has been **erected** or **altered** is to be used or changed in **use**, in whole or in part, until a Certificate of Occupancy has been issued by the Municipality stating that the proposed **use** and occupancy of such land, **building** or **structure** complies with the provisions of this By-law.

20.5 REQUESTS FOR AMENDMENTS

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

20.6 INSPECTION

- (a) Conditions for Entry
Subject to clause (b) of this subsection, the **Zoning administrator**, the **Chief building official** of the **Corporation**, acting under the direction of **Council**, is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purpose of carrying out his duties under this By-law.
- (b) Restrictions For Entry of **Dwelling units**:
Notwithstanding any provision of clause (a) of this subsection to the contrary, no officer or employee of the **Corporation** shall enter any room or place being used as a **dwelling unit** or part thereof without the consent of the occupant except under the authority of a search warrant issued pursuant to The Summary Convictions Act.

20.7 REMEDIES

Where any **building** or **structure** is or is proposed to be **erected, altered, reconstructed, extended or enlarged**, or any **building** or **structure** or part thereof is or is proposed to be used, or any land is or is proposed to be used, in contravention of the provisions of this By-law, the same may be restrained by action at the instance of any ratepayer, or of the **Council** of the Municipality pursuant to the provisions of The Planning Act.

20.8 VIOLATION AND PENALTY

- (i) Every person who contravenes this By-law is guilty of an offence and on conviction is liable. On a first conviction, to a fine of not more than \$20,000.00; and on a subsequent conviction, to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which he was first convicted.
- (ii) Where a **corporation** is convicted, the maximum penalty that may be imposed is: on a first conviction, a fine of not more than \$50,000.00; and on a subsequent conviction, a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the **corporation** was first convicted, and not as provided in Subsection (i).
- (iii) Where a conviction is entered in addition to any other remedy or any penalty provided by law, the court in which the conviction has been

entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.

Every fine imposed under the provisions of this Section is recoverable under the Provincial Offences Act.

20.9 VALIDITY

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

20.10 APPROVAL

THAT, subject to notice of the passing of this By-law in accordance with the provisions of Section 34(17) of the Planning Act, this By-law shall come into force on the date of passing by the **Council** of the Township of North Kawartha where no notice of appeal or objection is received pursuant to the provisions of Section 34(19) of the Planning Act, R.S.O. 1990, Chap P.13. Where notice of an appeal or objection is received as a result of the circulation of the notice of passing of the By-law, this By-law does not come into force until all such appeals have been disposed of whereupon the By-law shall be deemed to have come into force on the day it was passed pursuant to Section 34 of the Planning Act, R.S.O. 1990, Chap. P.13. Previous By-law 526-76, former Township of Chandos as amended and By-Law 66-1996, former Townships of Burleigh and Anstruther, as amended, will subsequently be repealed at the first Council Meeting held after the By-law herein comes into force and effect.

READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN
COUNCIL THIS 5TH DAY OF MARCH, 2013.

MAYOR:

CLERK:

I, Connie Parent, Clerk of the **Corporation** of the Townships of North Kawartha do hereby certify that the foregoing is a true copy of By-law No. 26-2013 passed by **Council** of the said **Corporation** on the 5th day of March, 2013; and amendments thereto.

Clerk