



**THE CORPORATION
OF THE
TOWNSHIP OF ALGONQUIN HIGHLANDS**

**COMPREHENSIVE ZONING BY-LAW
BY-LAW NO. 03-22**

PASSED: JUNE 19TH, 2003

CONSOLIDATED: DECEMBER 20TH, 2013



Algonquin Highlands Zoning By-law
By-law No. 03-22

Table of Contents

Section 1	ADMINISTRATION AND INTERPRETATION	1
Section 2	COMPLIANCE WITH THE BY-LAW	3
Section 3	DEFINITIONS	5
Section 4	GENERAL PROVISIONS	23
4.1	ACCESSORY APARTMENTS:	23
4.2	ACCESSORY BUILDINGS, STRUCTURES AND USES	23
4.3	ASPHALT PLANT, PERMANENT:	27
4.4	ASPHALT PLANT, PORTABLE:	27
4.5	CONSTRUCTION USES (TEMPORARY):	28
4.6	DWELLING UNITS BELOW GRADE	28
4.7	DWELLING UNITS WITHIN NON-RESIDENTIAL BUILDING:	28
4.8	ENVIRONMENTAL PROTECTION AREA:	28
4.9	ESTABLISHED BUILDING LINE:	28
4.10	EXISTING BUILDINGS, STRUCTURES AND USES	28
4.11	EXISTING LOTS	30
4.12	FRONTAGE REQUIREMENTS	30
4.13	HEIGHT OF BUILDINGS:	31
4.14	HOME OCCUPATION:	32
4.15	HOME INDUSTRY:	32
4.16	HUNT CAMP:	33
4.17	LOADING SPACE REGULATIONS:	33
4.18	MULTIPLE USES ON ONE LOT:	34
4.19	MULTIPLE ZONES ON ONE LOT:	34
4.20	NOXIOUS USES:	34
4.21	OUTDOOR WOOD BURNING FURNACE:	34
4.22	OUTSIDE DISPLAY OF GOODS AND MATERIALS:	34
4.23	OUTSIDE STORAGE:	34
4.24	PARKING AREA REQUIREMENTS	35
4.25	PITS AND/OR QUARRIES:	38
4.26	PLANTING STRIP REGULATIONS	38
4.27	PUBLIC USES	38
4.28	REDUCTION OF REQUIREMENTS:	39
4.29	REFRESHMENT VEHICLES:	39
4.31	SIGHT TRIANGLES:	40
4.32	SIGNS:	40
4.33	SPECIAL SEPARATION REQUIREMENTS:	40
4.34	SPECIAL PROVISIONS FOR THROUGH LOTS:	40
4.35	TRAILER OR MOBILE HOME PARKS:	40
4.36	TRUCK, BUS, COACH BODIES AND DERELICT VEHICLES:	40
4.37	WATERBODY OPEN SPACE (WOS) ZONE:	41
4.38	WAYSIDE PITS AND QUARRIES:	41
Section 5	ZONE PROVISIONS	42
5.1	CLASSIFICATION	42
5.2	ZONE PROVISIONS	42
5.3	EXCEPTIONS TO ZONES	43
5.4	ENACTMENT	75

List of Tables, Illustrations, and Zone Maps

Tables 1A and 1B	Permitted Uses
Table 2	Lot Regulations
Illustration 1	Examples of Yard Definitions
Illustration 2	Illustrations of Building Height
Illustration 3	Reconstruction of Non-Complying Structures
Zone Maps	Schedules A to O, under separate cover

TOWNSHIP OF ALGONQUIN HIGHLANDS

**Comprehensive Zoning By-law
By-law No. 03-22**

**June 19, 2003
Consolidated December 20, 2013**

Section 1 ADMINISTRATION AND INTERPRETATION

1.1 **TITLE:** This by-law shall be known as the Zoning By-law of the Township of Algonquin Highlands.

1.2 **DECLARATION:** The following schedules contained under separate cover are hereby declared to form part of this By-law:

By-law
08-21 and
2013-66

A1 to A2	I1 to I5
B1 to B5	J1 to J5
C1 to C6	K1 to K5
D1 to D7	L1 to L4
E1 to E7	M1 to M5
F1 to F6	N1 to N5
G1 to G5	O1 to O3
H1 to H4"	

1.3 **APPLICATION:** This By-law shall apply and be enforceable with respect to the whole of the Township of Algonquin Highlands. For the purposes of this By-law, the definitions and interpretations given herein shall govern unless the context requires otherwise. The provisions of this By-law may not apply to Crown Land. However, this By-law reflects the established planning policies of the Township of Algonquin Highlands and it is intended that the Crown shall have regard for the provisions of this By-law.

By-law
2013-66

1.4 **ADMINISTRATION:** This By-law shall be administered and enforced by any person, or persons, as may be appointed for such purpose by the Council of the Township from time to time.

1.5 **INTERPRETATION:** For the purposes of this By-law, words used in the present tense include the future; words used in the singular number include the plural and words in the plural include the singular number; the word "shall" is mandatory; the word "may" is permissive; the words "used" and "occupied" shall include the words "arranged" and "designed to be used or occupied".

1.6 **ZONE SYMBOLS:** The Zone Symbols used on the Schedules contained herein refer to the zone categories and the use of land, activities, buildings structures, and excavations permitted by this By-law.

1.7 **SPECIAL ZONE SYMBOLS:** Where the Zone Symbol designating certain lands is followed by a dash and a number, for example SR1-5, then special zone provisions in addition to the normal Zone Provisions apply to such lands. Such special provisions are found by reference to Section 5.3 “Exceptions to Zones”. Lands designated in this manner shall be subject to all the restrictions of the Zone, except as otherwise provided by the special provisions.

1.8 **HOLDING PROVISIONS:** Notwithstanding any other provision in this By-law, where a Zone symbol is followed by the letter (H), no person shall use the land to which the letter (H) applies for any use other than the use which existed on the date this By-law was passed, until the (H) is removed in accordance with the policies of the Official Plan and/or the requirements of any provisions of an amending By-law or “Exceptions to Zone” and the Planning Act, as amended.

By-law
2013-66

1.9 **INTERPRETATION OF ZONE BOUNDARIES:** Unless otherwise shown, the extent and boundary of each zone delineated on the Schedules contained herein, shall be a lot line, street line, centerline of street, or boundary of a registered plan.

Where the extent and boundary of any zone is uncertain, the following provisions shall apply:

- where a zone boundary is indicated as passing through undeveloped land, the location of such boundary shall be determined by scaling the distance on the applicable map schedule;
- where a zone boundary is indicated as following the corporate limits of the Township, such limits shall be the zone boundary; and,
- where a zone boundary is indicated as following a shoreline, then such zone boundary shall follow the shoreline, and in the event of change in the location of the shoreline, the zone boundary shall be construed as moving with the actual shoreline.

1.10 **ZONING OF ISLANDS:** Islands without a specific zone symbol on the Schedules contained herein, shall be zoned Open Space.

By-law
2013-66

1.11 **ZONING OF PRIVATE LANDS NOT IDENTIFIED ON SCHEDULES:** The private patented lands located within Part of Lots 11 & 12, Concession 14, former Township of Nightingale, located on Whitefish Lake within Algonquin Park are zoned “Shoreline Residential Type Two (SR2).

By-law
2013-66

1.12 **HEADINGS:** The headings of the Parts, Sections, Subsections and clauses of this By-law, including the Schedules contained herein, together with the illustrations, examples, and explanatory notes appearing at various places throughout this By-law, have been inserted as a matter of convenience, for reference only, and in no way define, limit or enlarge the scope or meaning of this By-law or any of its provisions.

1.13 **ROAD CLOSINGS:** In the event that a dedicated street or road delineated on the Schedules contained herein is closed, the property formerly within such street or road shall be included within the Zone of the adjoining property on either side of such closed street or road. Where a closed street or road is the boundary between two or more different Zones, the Zone boundary shall be the former centerline of the closed street or road.

Section 2 COMPLIANCE WITH THE BY-LAW

- 2.1 **COMPLIANCE:** No land, building, structure, or excavation shall be used or occupied, and no land, building, structure, or excavation shall be erected or altered, in whole or in part, except in conformity and compliance with the provisions of this By-law. This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by the Federal or Provincial Government, or the County of Haliburton, having jurisdiction to impose such restrictions.
- 2.2 **REQUIREMENTS:** The provisions of this By-law shall be held to be the minimum requirement except where the word maximum is used, in which case the maximum requirement shall apply.
- 2.3 **CHANGE IN LOT SIZE:** No lot shall be changed in area, depth or width, either by the conveyance of land or otherwise, so that the lot coverage exceeds the maximum permitted by this By-law, or so that any existing or resulting lot area, lot width or yard will be less than the minimum permitted by the provisions of this By-law.
- 2.4 **CHANGE IN USE:** A use or occupation of land, building, structure, or excavation, or any activity in connection therewith which, under the provisions of this By-law, is not permissible within the Zone in which such land, building, or structure or excavation is located, shall not be changed except to a use or occupation which is permissible within such zone.
- 2.5 **PUBLIC ACQUISITION:** No person shall be deemed to have contravened any provision of this By-law by reason of the fact that any part or parts of any lot has or have been conveyed to or acquired by any Public Authority.
- 2.6 **BUILDING AND OTHER PERMITS:** No building permit or occupancy permit shall be issued where the proposed building, structure, excavation, use or activity would be in violation of any of the provisions of this By-law.
- 2.7 **ENFORCEMENT:** Any designated employee of the Township of Algonquin Highlands acting under their direction may, at any reasonable hour and upon producing proper identification, enter and inspect any property but shall not enter any building or structure used as a dwelling unit without the consent of the occupier, or the authority of a Search Warrant issued pursuant to the provisions of the Provincial Offences Act.
- 2.8 **VIOLATION AND PENALTIES:** Any person or corporation who contravenes any provision of this By-law is guilty of an offense and upon conviction is liable to the fine(s) as provided for under the Planning Act, R.S.O. 1990, c.P.13, as amended.
- 2.9 **SEVERABILITY:** A decision of a court that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this By-law.
- 2.10 **EFFECTIVE DATE:** This By-law shall come into force the day that it was passed, if no appeals are received. If an appeal(s) is received, this By-law, or portions thereof, shall come into force upon the approval of the Ontario Municipal Board and in accordance with the provisions of the Planning Act, as amended.

By-law
2013-66

By-law
2013-66

2.11 **REPEAL OF FORMER BY-LAWS:** The provisions of By-laws 85-7 (Stanhope) and 98-08 (Sherborne) and all amendments thereto are hereby repealed.

2.12 **TRANSITION PROVISIONS:**

By-law
2013-66

- a) **Minor Variance:** Where the Committee of Adjustment for the Township of Algonquin Highlands or the Ontario Municipal Board has authorized a minor variance from the provisions of this By-law prior to October 3, 2013, nothing in this By-law shall prevent the issuance of a Building Permit for a building or structure provided:
- the development occurs in accordance with the plans filed with the Township in support of the minor variance application; and,
 - with the exception of the relief that was granted by the minor variance, the development would comply with all of the other applicable By-law provisions as they read at the time of the granting of the minor variance; and,
 - a Building Permit for the building or structure is issued the later of within three years of the granting of the minor variance or by October 3, 2016.
- b) **Site Plan:** This By-law does not prevent the issuance of a Building Permit for a development where a site plan agreement has been entered into prior to October 3, 2013, provided the development proceeds in accordance with the terms of the site plan agreement.
- c) **Building Permit:** This By-law does not prevent the erection or use of a building or structure for which a Building Permit was issued prior to October 3, 2013, 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 Building Permit has not been revoked.

Section 3 DEFINITIONS

By-law
2013-66

3.1 **ACCESSORY APARTMENT:** An accessory dwelling unit contained within a single detached dwelling and secondary to the main dwelling unit of the building.

By-law
2013-66

3.2 **ACCESSORY BUILDING OR STRUCTURE:** A detached building or structure that is not used for human habitation (except for a sleeping cabin), the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot.

3.3 **ACCESSORY USE:** A use customarily incidental, subordinate, and exclusively devoted to the principal use of the lot, building or structure and located on the same lot.

By-law
2013-66

3.4 **ACCOMMODATION UNIT:** A room or rooms designed as a unit to provide accommodation for the traveling or recreational public, including a room and/or rooms in a hotel, motel, tourist establishment, a rental cottage or cabin, a recreational mobile home or a tent or trailer site.

By-law
2013-66

3.5 **AGGREGATE STOCKPILING:** The storing of aggregate material for later use, sale or disposal.

3.6 **AIRPORT, MUNICIPAL:** Any land and associated buildings and structures, which is owned, operated or maintained by the Corporation of the Township of Algonquin Highlands for the landing and takeoff of aircraft, inclusive of facilities for the storage, maintenance and repair of aircraft, in accordance with the regulations of Transport Canada as may be amended from time to time.

By-law
2013-66

3.7 **AISLE:** The area used by motor vehicles for access to and from all off-street parking spaces, but does not include an access driveway.

3.8 **ALTER:** When used in reference to a building or part thereof, to change any one or more of the internal or external dimensions of such building, or to change the type of construction of the exterior walls or roof thereof.

When used in reference to a lot, to decrease the width, depth or area of any required yard, setback, landscaped open space or parking area, or to change the location of any boundary of such lot with respect to a public highway or laneway, whether such alteration is made by conveyance of any portion of said lot, or otherwise. The words "altered" and "alteration" shall have corresponding meanings.

3.9 **ARENA:** A building, or part thereof, in which the principal facilities provided are for such recreational activities as curling, skating, hockey, lacrosse, broomball or other similar athletic activity, and may include dressing rooms, concession booths for the provision of food and refreshments to the general public, bleachers, plant equipment for the making of artificial ice and/or other incidental and subordinate facilities or public use.

By-law
2013-66

3.10 **ARTISAN'S STUDIO:** A building or part of a building used for the creation, finishing, refinishing or similar production of paintings, sculptures, photographs, pottery, or other works of arts or hand-made crafts by the proprietor, together with the sale of such commodities, but does not include any use otherwise defined in this By-law.

- 3.11 **ASPHALT PLANT, PERMANENT:** A facility for the mixing of asphalt components, including hot mix asphalt, for transfer to a job site.
- 3.12 **ASPHALT PLANT, PORTABLE:** Equipment that is used to produce asphalt and which is capable of being readily drawn by a motor vehicle and which is not permanently affixed to the ground.
- 3.13 **ATTACHED:** A building, otherwise complete in itself, which depends for structural support or complete closure, upon a division wall or walls shared in common with an adjacent building or buildings.
- 3.14 **ATTIC:** That portion of a building situated wholly, or in part, within the roof and which is not a one-half storey.
- 3.15 **BASEMENT:** That portion of a building between two floor levels which is 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, above the average 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 1.8 metres (6 feet).
- 3.16 **BASEMENT, WALKOUT:** That portion of a building which is partly underground, but which has more than fifty per cent (50%) of the finished floor area not greater than 0.6 metres (2 feet) below the finished grade level adjacent to the exterior walls of the building, and which has a door at or above the adjacent finished grade, for entrance and exit directly to the outside.
- 3.17 **BED AND BREAKFAST:** An owner occupied single detached dwelling in which no more than three (3) guest rooms are made available for temporary accommodation of the traveling or vacationing public; such an establishment may offer light meals to those persons temporarily residing at the establishment, but shall not include a restaurant or a tourist establishment.
- 3.18 **BOAT HOUSE:** A detached accessory building or structure located on or near the shoreline, designed or used for the berthing or sheltering of a boat and/or other water craft and marine equipment, and may include storage of accessory equipment incidental to the residential use permitted on the lot, but shall not include any areas intended for human habitation.
- 3.19 **BOAT PORT:** A roofed accessory building built or anchored near the shore for the purposes of berthing and sheltering of boats or other marine related equipment and is not enclosed by more than one wall.
- 3.20 **BUILDING:** A structure that has one or more floors and a roof, used for the shelter or enclosure of persons, animals or chattel, and includes any structure serving the same purpose such as a tent, awning or carport.
- 3.21 **BUILDING SUPPLY OUTLET:** A building or structure in which building, construction, and/or home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials and products related to home improvements.

- 3.22 **BULK STORAGE TANK:** A tank for the bulk storage of petroleum, gasoline, diesel, propane, oil, or other fuels or flammable liquid or fluid but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use on the premises where such tank is located.
- 3.23 **BUSINESS, PROFESSIONAL OR ADMINISTRATIVE OFFICE:** A building, or part thereof, in which one or more persons are employed in the management, direction or conduction of a business or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment and may include the administrative offices of a non-profit or charitable organization.
- 3.24 **CAMPING ESTABLISHMENT:** A tourist establishment consisting of camping sites and comprising land used or maintained as grounds for the camping or temporary parking of trailers, motorized mobile homes, truck campers, campers or tents, but does not include parks or camping grounds maintained by any department of the Government of Ontario or Canada, or any Crown corporation, commission or board.
- 3.25 **CAMPING SITE:** That part of a camping establishment which is occupied on a temporary basis only, by a trailer, motorized home, truck camper, camper or tent, which shall have a minimum area of 75 square meters (800 square feet) and a minimum frontage on a private driveway of 6 metres (20 feet).
- 3.26 **CARGO OR SHIPPING CONTAINER:** A metal container customarily used for the transport of freight or storage.
- 3.27 **CARPORT:** A portion of a dwelling which is a roofed enclosure designed for the storage or parking of a motor vehicle, with at least 40 per cent (40%) of the total perimeter open and unobstructed. For the purposes of this By-law, perimeter shall include the main wall of the building to which the carport is attached.
- 3.28 **CARTAGE OR TRANSPORT DEPOT:** A building, structure or place where trucks or tractor trailers are rented, leased, kept for hire, stored, or parked for remuneration, or, from which trucks or tractor trailers, stored or parked on the property, are dispatched for hire as common carriers.
- 3.29 **CELLAR:** 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 average finished grade level adjacent the exterior walls of the building.
- 3.30 **CEMETERY:** Land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried.
- 3.31 **CHIEF BUILDING OFFICIAL:** An official employed by the Township of Algonquin Highlands appointed by By-law to perform the duties as set out in the Ontario Building Code Act, as amended, and shall include any Inspector likewise employed and appointed.

By-law
2013-66

By-law
2013-66

- 3.32 **COMMERCIAL SELF-STORAGE FACILITY:** Premises used for the temporary storage of household items and seasonal, recreational or commercial vehicles, boats and trailers in storage areas or lockers that are generally accessible by means of individual loading doors.
- 3.33 **COMMUNITY CENTRE:** Any land, building, structure, or part thereof, used for community activities, the control of which is vested in the Township or other Public Authority.
- 3.34 **CONSERVATION:** The preservation, protection and improvement of the natural environment through comprehensive management and maintenance.
- 3.35 **CONTRACTOR'S YARD:** An area of land where equipment and materials used by a general contractor are stored or where a contractor performs shop assembly work.
- 3.36 **COUNCIL:** The Municipal Council of the Corporation of the Township of Algonquin Highlands.
- 3.37 **COUNTY:** The Corporation of the County of Haliburton.
- By-law 2013-66
3.38 **DAY NURSERY:** The use of land or buildings for the purposes of providing temporary care, for pre-school age children within the meaning of the Day Nurseries Act, as amended.
- By-law 2013-66
3.39 **DECK:** A floor system structure without a roof or walls, having footings, a foundation or cantilevered, which is above finished grade and may be attached to or abutting one or more walls of a building or constructed separate from a building.
- By-law 08-21
3.33A **DEVELOPMENT:** Consists of the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*.
- 3.40 **DOCK:** An accessory structure built at the shoreline or anchored over water at which watercraft are berthed or stored and which may provide a foundation for a boathouse or contain a non-permanent tent to provide shelter for such watercraft.
- By-law 2013-66
3.41 **DOCK, SEASONAL:** A dock that is not permanently affixed to the shoreline or lake bed and is designed for seasonal removal. Such docks may include a floating dock, post/pole dock or wheel in dock, but shall not include a cantilevered dock or docks supported by cribs, steel piles, or any supporting structures permanently affixed to the lake bed or shoreline.
- 3.42 **DRY-CLEANING ESTABLISHMENT:** Premises used only for the purpose of collection, distribution, and processing of articles or goods of fabric to be subjected to the process of dry cleaning, dry dyeing, cleaning, and spotting and stain removing, and for the pressing of any such articles or goods.

By-law
2013-66

3.43 **DWELLING:** A building or part of a building occupied or capable of being occupied, in whole or in part as the home, residence or sleeping place of one or more persons either continuously, permanently, temporarily or transiently and may include a modular home but shall not include a trailer, a travel or tent trailer, a mobile home, a motorized mobile home, a truck camper, or an accommodation unit in a tourist establishment..

By-law
2013-66

3.44 **DWELLING, ACCESSORY:** A dwelling, accessory to the main use of the property and in the form of a single detached dwelling.

By-law
2013-66

3.45 **DWELLING, DUPLEX:** A building that is divided horizontally into two (2) separate dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.

3.46 **DWELLING, MODULAR:** A factory constructed sectional dwelling, manufactured in accordance with the applicable standards of the Canadian Standards Association (CSA) and the Ontario Building Code (OBC), which is transported and permanently affixed to a foundation with the necessary service connections, and, from which the steel carriage used for transportation is removed upon erection.

3.47 **DWELLING, MOBILE HOME:** Any dwelling unit that is designed to be mobile and which is constructed or manufactured to provide a permanent residence that is certified in accordance with CSA Standard Z240 or CSA Standard A277, but which does not include a travel trailer, recreational mobile home, tent trailer or trailer.

By-law
2013-66

3.48 **DWELLING, SEMI-DETACHED:** A building that is divided vertically into two separate dwelling units, each of which has an independent entrance directly from the outside.

By-law
2013-66

3.49 **DWELLING, SINGLE DETACHED:** A building containing one dwelling unit only not including an accessory apartment.

3.50 **DWELLING UNIT:** A room or rooms in which a kitchen, living quarters and sanitary conveniences are provided for the exclusive use of the resident(s), with a private entrance from outside the building or from a common hallway or stairway.

By-law
2013-66

3.51 **DWELLING UNIT, ACCESSORY:** A dwelling unit, accessory to the main use of the property and contained within the main building.

3.52 **DWELLING UNIT AREA:** The habitable area contained within the inside walls of a dwelling unit, excluding any private garage, carport, porch, verandah, unfinished attic, cellar, basement, or sunroom (unless such sunroom is habitable in all seasons of the year), excluding public or common halls or areas, stairways and the thickness of outside walls.

3.53 **EAVE:** A roof overhang, free of enclosing walls, without supporting columns.

3.54 **EQUESTRIAN FACILITY:** An area of land where three or more horses are boarded or rented to others and/or where riding lessons may be given.

- 3.55 **EQUIPMENT SALES AND RENTAL, HEAVY:** Premises in which heavy machinery and equipment are offered or kept for sale, rent, lease or hire under agreement, for compensation.
- 3.56 **EQUIPMENT SALES AND RENTAL, LIGHT:** Premises in which light machinery and equipment such as air compressors and related tools and accessories, augers, automotive tools, cleaning equipment, concrete masonry equipment, electric tools and accessories, fastening devices such as staplers and tackers, floor and carpet tools, hoses, ladders, light-compacting equipment, moving equipment, painting and decorating equipment, pipe tools and accessories, plumbing tools and accessories, pumps, scaffolding, welding equipment and other similar tools and appurtenances are offered or kept for sale, rent, lease, or hire, under agreement, for compensation.
- 3.57 **ERECT:** Set up, build, construct, reconstruct or relocate, and, without limiting the generality of the work, also includes:
- any preliminary physical operation, such as excavating, filling or drainage;
 - altering any existing building or structure by an addition, enlargement, extension, relocation or other structural change;
 - any work for the doing of which a Building Permit is required under The Building Code Act and Regulations; and,
 - erect, erected, and erection shall have a corresponding meaning.
- 3.58 **ESTABLISHED BUILDING LINE:** The average setback from the street line of existing buildings when at least five (5) buildings have been erected on any one side of a continuous 200 metres (650 feet) of land with frontage on an improved public street.
- 3.59 **EXISTING:** In existence on the date of passing of this by-law.
- 3.60 **FARM:** Any farming or agricultural use and includes apiaries; aviaries; berry or bush crops; breeding, raising, or training of horses or cattle; greenhouses; lands devoted to the hatching, raising and/or marketing of chickens, turkeys, or other fowl or game birds, animals, fish or frogs; lands used for grazing, flower gardening, field crops; growing, raising, picking, treating and storing of vegetable or fruit produce grown on the lands or in greenhouses; mushroom farms; nurseries; orchards; riding stables; the raising of sheep, goats, or swine; tree crops; market gardening; wood lots; and such other uses or enterprises as are customarily carried on in the field of general agriculture. "Farm" shall include a single detached dwelling and such principal buildings as barns and silos, which are incidental to the operation of the farm.
- 3.61 **FARM PRODUCE OUTLET:** A use accessory to a farm that consists of the retail sale of agricultural products produced on the farm where such outlet is located.
- 3.62 **FLOOR AREA, GROSS:** The total floor area, as hereinafter defined, exclusive of any portion of the building or structure below finished grade which is used for heating, the storage of goods or personal effects, laundry facilities, recreational areas, the storage or parking of motor vehicles or quarters used by the caretaker,

watchman or other supervisor of the building or structures; and, in the case of a dwelling house, exclusive of any private garage, carport, basement, walkout basement, cellar, porch, verandah or sunroom unless such sunroom is habitable during all seasons of the year.

- 3.63 **FLOOR AREA, GROUND:** The total ground floor area of a building measured to the outside walls, exclusive of any parking areas within the building and in the case of a dwelling house, any basement or cellar or any private garage, carport, porch, verandah or sunroom, unless such sunroom is habitable at all seasons of the year.
- 3.64 **FLOOR AREA, MANUFACTURING:** That portion of the gross floor area of an establishment that is used for manufacturing purposes but does not include areas for storage of finished products or offices.
- 3.65 **FLOOR AREA, TOTAL:** The aggregate of the horizontal areas of each floor, whether any such floor is above or below grade, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor.
- 3.66 **GARAGE, PRIVATE:** A detached accessory building or portion of a dwelling which is fully enclosed and roofed, and is designed or used for the sheltering of a private motor vehicle and storage of household equipment incidental to the residential occupancy. For the purposes of this By-law, a private garage excludes a carport or other open shelter, but may include a sleeping cabin on the second storey.
- 3.67 **GARDEN NURSERY SALES AND SUPPLY ESTABLISHMENT:** Premises devoted to the growing or displaying of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation which is sold to the public at retail and shall also include the sale of such goods, products and equipment as are normally associated with gardening or landscaping.
- 3.68 **GAZEBO:** A freestanding, roofed, accessory structure which is not closed, except for screening or glass, and which is utilized for the purposes of relaxation.
- 3.69 **GOLF COURSE:** A public or private area operated for the purpose of playing golf, and includes a par 3 golf course and clubhouse facilities, but does not include driving ranges, miniature courses or similar uses.
- 3.70 **GOLF DRIVING RANGE:** An outdoor public or private facility used for the practice of golf by the driving of balls from fixed golf tees.
- 3.71 **GRADE, ESTABLISHED:** The average elevation of the natural and finished levels of the ground measured on any side of a building or structure.
- 3.72 **GREENHOUSE, COMMERCIAL:** Premises used for the growing of flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation which are sold directly from such lot at wholesale or retail.

- 3.73 **GROUP HOME:** A dwelling unit in which not more than 10 persons, having physical, social or mental disabilities reside in an open custody situation, under the appropriate supervision of personnel who may also reside in the dwelling unit, and which operates in compliance with applicable Provincial legislation and municipal By-laws.
- 3.74 **GUEST:** A person, other than a border, who contracts for accommodation and includes all members of the person's party.
- 3.75 **GUEST ROOM:** A room or suite of rooms used or maintained for the accommodation of an individual or individuals to whom hospitality is extended for compensation.
- 3.76 **HABITABLE ROOM:** A room designed for living, sleeping, eating, or food preparation, and includes a den, library, sewing room, or enclosed sunroom.
- 3.77 **HEIGHT AND HEIGHT OF BUILDING:** The vertical distance, measured between the finished grade at the front of the building, and:
- in the case of a mansard roof, the deck roof line;
 - in the case of a flat roof, the highest point of the roof surface;
 - in the case of a gambrel, gable or hip roof, the average height between the eaves and ridge; and
 - in the case of an A-frame, 75% of the distance between the finished grade measured at the midpoint of the front and rear of the building and the ridge.

Accessory structures, such as chimneys, towers, steeples or televisions antennas, shall be disregarded in calculating the height of a building.

- 3.78 **HIGH WATER MARK:** The normal ordinary or regulated high water mark of any body of water, as indicated by the character of the vegetation or soil.
- 3.79 **HIGHWAY:** A highway within the meaning of The Municipal Act, R.S.O. 1980, c. 305, as amended and The Highway Traffic Act, R.S. O., 1980, c. 198, as amended.
- 3.80 **HOME INDUSTRY:** A small scale industrial use, such as a carpentry shop, a metal working shop, a welding shop or an electrical shop that provides services or wares to the community and which is an accessory use to a single detached dwelling. For the purposes of this By-law, the repairing of motor vehicles, mobile homes and trailers is not a home industry.
- 3.81 **HOME OCCUPATION:** An occupation conducted for gain that is carried on in accordance with the provisions of this By-law, as an accessory use to a single detached dwelling.
- 3.82 **HUNT CAMP:** A building or structure consisting of one or more rooms which are at least partially furnished and may include facilities for the preparation of food and overnight accommodation, for persons angling or hunting wildlife, on a temporary basis.

- 3.83 **INDUSTRIAL USE:** The use of land, building or structures for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage of goods, and related accessory uses. Such use shall not require a water supply other than that available from within the limits of the lot upon which the use is located. Any use requiring a Permit to Take Water from a Provincial agency shall be permitted only through site specific zoning amendment.
- 3.84 **KENNEL, COMMERCIAL:** Premises where dogs and other domestic household pets are kept, bred or boarded on a commercial basis.
- 3.85 **LANDSCAPED OPEN SPACE:** The open unobstructed space from ground to sky at finished grade on a lot and which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any surfaced walk, patio or similar area but does not include any driveway or ramp, whether surfaced or not, nor any curb, retaining wall, parking area or any open space beneath or within any building or structure.
- 3.86 **LAGOON:** A shallow pond used in the process of treating waste.
- 3.87 **LAUNDROMAT, COIN-OPERATED:** Premises where the service of coin-operated laundry machines, using only water, detergents and additives are made available to the public for the purpose of laundry cleaning.
- 3.88 **LOADING SPACE:** An off-street space on the same lot as the building, or contiguous group of buildings, for the temporary parking of a commercial vehicle while loading or unloading of merchandise or materials, which abuts upon a street, lane, road, highway or other appropriate means of access.
- 3.89 **LOT:** A parcel or tract of land, described in a deed or other legal document, that is capable of being conveyed.
- 3.90 **LOT AREA:** The total horizontal area within the boundaries of a lot, measured above the normal or maintained high water mark, but shall not include the Original Shore Road Allowance, unless it has been closed and conveyed.
- 3.91 **LOT, CORNER:** A lot situated at the intersection of two streets, of which two adjacent sides that abut the intersecting streets contain an angle of not more than one hundred and thirty-five (135) degrees; where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street line drawn through the extremities of the interior lot lines, provided that in the latter case, the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents.
- 3.92 **LOT COVERAGE:** That percentage of the lot area covered by all buildings and covered structures, including boathouses and boatports appertaining to the lot but shall not include that portion of such lot area that is occupied by a building or portion thereof that is completely below grade.
- 3.93 **LOT DEPTH:** The horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, "lot depth" shall mean the length of a straight line joining the middle of the front lot line with the middle of the rear lot line.

By-law
2013-66

By-law
2013-66

When there is no rear lot line, "lot depth" shall mean the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

3.94 **LOT FRONTAGE:** The horizontal straight-line distance determined as follows:

By-law
08-21

- a) Where the front lot line is the shoreline or abuts an original shore road allowance, the straight-line distance between the points where the side lot lines or their straight line projections intersect the shoreline;
- b) Where there are no side lot lines, the greatest distance between any point on the front lot line and any point on the rear lot line;
- c) Where there are two (2) front lot lines abutting the same street or shoreline, the longer of the two front lot lines shall be used to measure frontage; or
- d) In all cases other than those above, the distance between the points where the side lot lines intersect with the front lot line.

3.95 **LOT, INTERIOR:** A lot other than a corner lot.

3.96 **LOT LINE:** Any boundary of a lot or the vertical projection thereof.

By-law
2013-66

3.97 **LOT LINE, EXTERIOR SIDE:** A lot line, other than a front lot line or rear lot line, which abuts an improved public street, highway or an unopened road allowance on a corner lot.

3.98 **LOT LINE, FRONT:**

- a) In the case of an interior lot, the line dividing the lot from the street or private right-of-way;
- b) In the case of a corner lot, the shorter lot line abutting a street or private right-of-way shall be deemed the front lot line and the longer lot line abutting a street or private right-of-way shall be deemed a side lot line;
- c) In the case where a lot fronts upon a watercourse or waterbody or onto a shore road allowance, the shoreline or lot line abutting the shore road allowance shall be deemed to be the front lot line; or
- d) In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line, with the exception of where the lot abuts the shoreline or a shore road allowance, in which case the shoreline or shore road allowance is the front lot line.

By-law
2013-66

3.99 **LOT LINE, INTERIOR SIDE:** A lot line other than an exterior side, front or rear lot line.

3.100 **LOT LINE, REAR:** The lot line farthest from and opposite to the front lot line.

3.101 **LOT LINE, SIDE:** A lot line, other than a rear lot line, that does not abut a public street.

3.102 **LOT, THROUGH:** A lot bounded on both the front and rear lot lines by streets.

By-law
2013-66

- 3.103 **MARINA:** Premises inclusive of docking facilities, located on a navigable waterway, where boats, other watercraft and boating accessories, and recreational vehicles (excluding motorized mobile homes) are stored, serviced, repaired, or kept for sale or rental and where facilities for the sale of marine fuels, lubricants and propane may be provided.
- 3.104 **MARINE SALES AND SERVICE ESTABLISHMENT:** A building or part of a building and associated lands where a dealer displays new and used boats and marine accessories for sale at retail or for rental, and where marine equipment is serviced or repaired and may include boat storage facilities.
- 3.105 **MEDICAL OR DENTAL CLINIC:** Premises where members of the medical profession, dentists, chiropractors, osteopaths, optometrists, physicians occupational therapists, either singularly or in union, provide diagnosis and treatment to the general public without overnight accommodation and may include such uses as reception areas, offices for consultation, x-ray and minor operating rooms, and/or a pharmaceutical dispensary providing that all such uses have access only from the interior of the building.
- 3.106 **MOTOR VEHICLE:** Any equipment self-propelled by an engine or a motor mounted on the vehicle, within the meaning of The Highway Traffic Act.
- 3.107 **MOTOR VEHICLE, COMMERCIAL:** A commercial motor vehicle within the meaning of The Highway Traffic Act.
- 3.108 **MOTOR VEHICLE, DERELICT:** A motor vehicle within the meaning of The Highway Traffic Act, whether or not same is intended for use as a private passenger motor vehicle or not, which is inoperable and has no market value as a means of transportation or has a market value that is less than the cost or repairs required to render the motor vehicle operable.
- 3.109 **MOTOR VEHICLE DEALERSHIP:** Premises where a dealer displays new motor vehicles for sale or rent or where used motor vehicles are kept for sale in conjunction with which there may be a motor vehicle repair garage or a motor vehicle body shop.
- 3.110 **MOTOR VEHICLE SERVICE STATION:** Premises where services are performed or executed on motor vehicles for compensation, and may include diagnostics; facilities for washing motor vehicles; interior or exterior repair, including painting; sales and installation of parts, fuels and other related fluids; and in conjunction with which there may be towing services and/or motor vehicle rentals for customers while the motor vehicle is being serviced.
- 3.111 **MOTOR VEHICLE WASH, AUTOMATIC:** Premises containing facilities for washing motor vehicles for profit or gain using production line methods and mechanical devices or a self-service operation, and for the purposes of this By-law may include a motor vehicle gasoline bar.
- 3.112 **MOTORIZED MOBILE HOME:** Any motor vehicle so constructed as to be a self-contained, self-propelled unit, capable of being utilized for the living, eating or sleeping accommodation of persons.

- 3.113 **MOTORIZED SNOW VEHICLE:** A motorized snow vehicle within the meaning of The Motorized Snow Vehicle Act, as amended, or re-enacted from time to time.
- 3.114 **NON-COMPLYING:** A permitted building, structure or lot that does not meet the requirement(s) of this By-law.
- 3.115 **NON-CONFORMING:** A use which is not permitted in the Zone in which the use is situated.
- 3.116 **NOXIOUS:** When used with reference to any use or activity in respect of any land, building or structure or a use or activity which, from its nature or form the manner of carrying on same, creates or is liable to create, by reason of destructive gas or fumes, dust, objectionable merchandise, salvage, machinery parts, junk, waste or other material(s), conditions which may become hazardous or injurious as regards to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use or activity in respect of any land, building or structure.
- 3.117 **OUTDOOR DISPLAY AND SALES AREA:** An area of land, used in conjunction with a business located within a building or structure on the same lot, for the display or sale of produce, merchandise or the supply of services.
- 3.118 **OUTSIDE STORAGE:** Accessory storage outside of a principal building on a lot.
- 3.119 **PARKING AREA:** An area provided for the parking of motor vehicles and may include aisles, parking spaces, pedestrian walkways, and related ingress and egress lanes, but shall not include any part of a public street.
- 3.120 **PARKING SPACE:** An area, exclusive of any aisles, ingress and egress lanes, for the temporary parking or storage of motor vehicles, and shall include a private garage or carport.
- 3.121 **PATIO:** A platform or surface area without a roof, the surface of which is not more than 0.3 metres above finished grade.
- 3.122 **PIT:** A place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being, or has been, removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit.
- 3.123 **PLACE OF WORSHIP:** A building dedicated to religious worship and includes a church, synagogue or assembly hall and may include such accessory uses as a nursery school or a school of religious education.
- 3.124 **PORCH:** A structure attached to a permitted building which is covered and enclosed partially or wholly on its sides by screening.
- 3.125 **PORTABLE PROCESSING PLANT:** Equipment for the crushing, screening or washing of sand and gravel aggregate materials, but not including a concrete batching plant or an asphalt plant, which equipment is capable of being readily drawn or readily propelled by a motor vehicle and which equipment is not considered permanently affixed to the site.

By-law
2013-66

By-law
2013-66

- 3.126 **PREMISES:** That portion of a building, structure, or lot, occupied or used by a business or enterprise.
- 3.127 **PRINCIPAL OR MAIN BUILDING:** The building in which the principal purpose for which the building or lot is used is carried on.
- 3.128 **PRINTING OR PUBLISHING ESTABLISHMENT:** Premises in which the business of producing books, newspapers or periodicals, by mechanical means and reproducing techniques, such as photo copying, is carried on, and may include the sale of newspapers, books, magazines, periodicals, or other similar documents, to the general public.
- 3.129 **PUBLIC AUTHORITY:** Federal, Provincial, County or Municipal agencies, including any commission, board, authority or department established by such agency and for the purposes of this By-law shall include any hydro, telephone or telegraph company.
- 3.130 **PUBLIC USE:** Any activity, occupation, business or operation carried on by any Federal, Provincial, County, Municipal or utility corporation or its authorized agent.
- 3.131 **QUARRY:** An area where consolidated rock has been, or is being, removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit metal mine.
- 3.132 **RECREATIONAL MOBILE HOME:** An accommodation unit that is designed to be mobile and which is constructed or manufactured and is certified in accordance with CSZ Standard Z241, Series M, located on a camp site in a trailer park, used essentially for recreation or relaxation from time to time, by the owner, who normally resides in another location.
- 3.133 **RECREATIONAL VEHICLE:** A vehicle which is drawn, propelled or driven by any kind of power; which is used by the public in connection with any recreational activity, and includes a motorized mobile home.
- 3.134 **RECREATIONAL VEHICLE SALES AND SERVICE ESTABLISHMENT:** Premises where recreational vehicles and related equipment and accessories are displayed for sale at retail or for rental, and are stored, serviced or repaired.
- 3.135 **REFRESHMENT VEHICLE:** A stationary vehicle, either mounted on blocks or supported by a conventional wheel, tire and axle system, from which food and beverages are stored, prepared and/or offered for sale to the public.
- 3.136 **RESTAURANT:** Premises where food is offered for sale or sold to the public for immediate consumption and may include a dining room, café, cafeteria, ice cream parlour, tea room, dairy bar, coffee shop, or snack bar.
- 3.137 **RETAIL COMMERCIAL ESTABLISHMENT:** Premises in which goods, wares, merchandise, substances, articles, and/or services are offered or kept for sale at retail or on a rental basis.

By-law
2013-66

By-law
2013-66

- 3.138 **RETAIL GASOLINE ESTABLISHMENT:** Premises where gasoline is sold at retail to the public as a principal or incidental operation and for the purposes of this By-law may include the sale of propane fuel.
- 3.139 **RETIREMENT HOME:** Premises that provide accommodation primarily to retired persons where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and where common lounges, recreation rooms and medical care facilities may also be provided.
- 3.140 **RIGHT-OF-WAY, PRIVATE:** An area of land that is legally described in a registered deed for the provision of private access on which there is usually a traveled road.
- 3.141 **SALVAGE YARD:** A lot or premises for the storage, handling or sale of scrap or used materials, which without limiting the generality of the foregoing, shall include waste paper, rags, wood, bottles, bicycles, vehicles, metal or other scrap material, and salvage and includes a junk yard, a scrap metal yard, or a motor vehicle wrecking yard, including an ancillary motor vehicle sales and service establishment and premises.
- By-law 2013-66 3.142 **SAUNA:** An accessory building or structure wherein facilities are provided for the purpose of a steam bath and may include a change room.
- By-law 2013-66 3.143 **SAW AND/OR PLANING MILL:** A building, structure or area where timber is cut, sawed or planed, either to finished lumber, firewood or as an intermediate step, and may include facilities for the kiln drying of lumber and/or the distribution of such products on a wholesale or retail basis.
- 3.144 **SCHOOL, COMMERCIAL:** A school conducted for hire or gain, other than a private, public, religious or philanthropic school, and shall include the studio of a dancing teacher or a music teacher, art school, golf school, school of calisthenics, a business or trade school and any other specialized school conducted for profit or gain.
- 3.145 **SCHOOL, PUBLIC:** A school under the jurisdiction of a Board as defined by the Ministry of Education.
- 3.146 **SCHOOL, PRIVATE:** A school other than a public school or a commercial school as otherwise defined or classified in this By-law.
- 3.147 **SERVICE SHOP, LIGHT:** Premises, whether conducted in conjunction with a retail store or not, for the servicing or repairing of household or domestic articles and, without limiting the generality of the foregoing, shall include, but not be limited to the repair and servicing of radio and television receivers, vacuum cleaners, appliances, shoes, cameras, toys, watches, clocks, bicycles or other similar goods and appliances but shall not include industrial or manufacturing uses or motor vehicle repair shops as may otherwise be defined or classified in this by-law.

3.148 **SERVICE SHOP, PERSONAL:** A building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, such as a barber's shop, a ladies hairdressing establishment or other similar services.

3.149 **SIGN:** A structure or advertising device having illustrations affixed thereto or displayed thereon in any manner, used to identify, advertise or attract attention to any object, product, place, activity, person, institution, organization, firm, group, profession, enterprise, industry or business, including any letter, work, model number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement.

3.150 **SLEEPING CABIN:** An accessory building separate from the principal residential dwelling, located on the same lot as the principal building, for the accommodation of persons but shall not contain cooking or kitchen facilities. Cooking or kitchen facilities are defined as an area where food is stored or prepared or cooked and which has cooking appliances and/or a kitchen sink. A sleeping cabin may contain sanitary facilities with the approval of the appropriate authority. A sleeping cabin shall not be used for monetary gain.

By-law 08-21
and By-law
2013-66

3.151 **SHORELINE:** The boundary between the water and land fronting on and providing access to a watercourse, bay or lake.

3.137A **SHORELINE BUFFER:** A natural area maintained in its natural pre-development state, with the exception of minimal pruning of vegetation and the removal of trees for safety reasons, for the purpose of buffering buildings or structures on a lot. Where the natural state has been altered, the area may be planted with indigenous trees and shrubs. Where the natural shoreline of a property is a natural beach or is a rock outcropping with little or no soil, such shall be deemed to comply.

By-law
08-21

3.152 **SOCIAL CENTRE:** A building, or part thereof, used for the gathering together of groups of people for social functions, conventions, banquets, and other similar functions. Full kitchen facilities for the preparation of food shall be permitted.

3.153 **STOREY:** The portion of a building, other than an attic, basement or cellar, included between any floor level and the floor, ceiling or roof next above it.

3.154 **STOREY, FIRST:** The lowest storey of a building closest to finished grade having its ceiling 1.8 metres (6 feet) or more above average finished grade.

3.155 **STOREY, ONE-HALF:** 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 the 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 2.1 metres (7 feet) over a floor area equal to at least 50 percent of the area of the floor next below.

3.156 **STREET OR ROAD:** A highway as defined by the Municipal Act, as amended, and the Highway Traffic Act, as amended, which affords the principal means of access to abutting lots and does not include a private right-of-way.

3.157 **STREET, IMPROVED PUBLIC:** A street or road under the jurisdiction of the Province of Ontario, the County of Haliburton or the Corporation of the Township of Algonquin Highlands which is maintained so as to allow normal vehicular access to adjacent properties.

3.158 **STREET LINE:** The dividing line between a lot or block and a street or road.

By-law
2013-66

3.159 **STRUCTURE:** Anything constructed or erected, the use of which requires location on the ground, or attached to something having location on the ground. All docks, whether attached to the shoreline or floating, shall be considered a structure. For the purposes of this By-law, a septic system, all fences, a retaining wall that has a height of one metre or less, and light standards shall not be considered structures.

By-law
2013-66

3.160 **SWIMMING POOL:** An artificial body of water, the container of which is constructed of cement, fiberglass or similar material, having a depth greater than 0.5 metres and intended primarily for bathing, swimming and diving, but shall not include a natural, dug or dammed pond primarily intended for aesthetic or agricultural purposes.

3.161 **TENT:** Every kind of temporary shelter for sleeping to which the term is normally considered to apply, that is not permanently affixed to the site and that is capable of being easily moved and is not considered a structure.

3.162 **TOURIST ESTABLISHMENT:** Any premises operated to provide sleeping accommodation for the traveling or vacationing public, and may include services and facilities in connection with which sleeping accommodation is provided.

3.163 **TOWNSHIP:** The Corporation of the Township of Algonquin Highlands.

3.164 **TRAILER:** A vehicle that may be drawn upon a public street by a motor vehicle but, for the purposes of this By-law, does not include a mobile dwelling or a recreational mobile home.

3.165 **TRAILER, TRAVEL OR TENT:** Any trailer that is designed to be temporarily utilized for living, shelter and sleeping accommodation, with or without cooking facilities, which is not permanently affixed to the ground and has running gear and towing equipment that is permanently attached.

3.166 **TRUCK CAMPER:** Any unit so constructed that it may be attached upon a motor vehicle, as a separate unit, and is capable of being utilized for the living, eating and/or sleeping accommodation of persons.

By-law
2013-66

3.167 **USE:** When used as a noun, the purpose for which a lot or building or structure, or any combination thereof, is designed, arranged, occupied or maintained and when used as a verb, "used" shall have a corresponding meaning.

By-law
2013-66

3.168 **UTILITY SHED:** A building or structure maintained and used for the purposes of storing lawn and garden equipment or similar household related appurtenances.

By-law
2013-66

3.169 **VERANDA:** An unenclosed structure attached to a building having a floor and roof.

- 3.170 **VETERINARY CLINIC:** Premises where a veterinary surgeon treats domestic animals, birds or other livestock and in which animals may be boarded.
- 3.171 **WAREHOUSE:** Premises used for the storage and distribution of goods, wares, merchandise, substances, articles, or things, and may include facilities for a wholesale or retail commercial outlet, but shall not include a cartage or transport depot.
- 3.172 **WASTE DISPOSAL AREA:** An area of land where garbage, refuse and/or domestic waste is disposed of or dumped and, for the purposes of this By-law, shall include a sanitary landfill site or sewage lagoon owned, operated and maintained by the Township or the Ministry of the Environment or their agents, but shall not include a private or communal septic system.
- 3.173 **WATERCOURSE:** A body of water or the natural channel for a perennial or intermittent stream of water.
- 3.174 **WAYSIDE PIT OR QUARRY:** A temporary pit or quarry opened and used by a public authority solely for the purpose of a specific project or contract for road construction.
- 3.175 **WHOLESALE ESTABLISHMENT:** Premises used for the purposes of selling or offering for sale goods, wares, or merchandise on a wholesale basis and includes the storage or warehousing of such goods, wares or merchandise.
- 3.176 **WORKSHOP:** Premises where fabrication or manufacturing is performed by tradespersons requiring manual or mechanical skills and may include an upholsterer's shop, a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a machine and/or welder's shop, or other similar uses.
- 3.177 **WORKS YARD:** Any land, building or structure owned by the Township, the County of Haliburton, or the Province of Ontario used for the storage, maintenance or repair of equipment, machinery or motor vehicles used in connection with civic works and shall include a public works yard or works yard of a hydro company, a telephone company or similar public use specified in this By-law.
- 3.178 **YARD:** An open, uncovered space on a lot appurtenant to a principal building and unoccupied by buildings or structures except as specifically permitted in this By-law.
- By-law 2013-66 3.179 **YARD, EXTERIOR SIDE:** A yard extending from the required front yard to the required rear yard and from the exterior side lot line of the lot to the nearest wall of the principal building or structure on the lot.
- By-law 2013-66 3.180 **YARD, FRONT:** A yard extending across the full width of the lot between the front lot line of the lot and the nearest wall of the principal building or structure on the lot.
- By-law 2013-66 3.181 **YARD, INTERIOR SIDE:** A yard extending from the required front yard to the required rear yard and from the interior side lot line of the lot to the nearest wall of the principal building or structure on the lot.

By-law
2013-66

- 3.182 **YARD, REAR:** A yard extending across the full width of the lot between the rear lot line of the lot and the nearest wall of the principal building or structure on the lot.
- 3.183 **YARD, REQUIRED:** The minimum yard required by the provisions of this By-law.
- 3.184 **YARD, SIDE:** A yard extending from the required front yard to the required rear yard and from the side lot line of the lot to the nearest part of any building or structure on the lot, the nearest outside storage use on the lot, or edge or rim of an excavation on the lot.

Section 4 GENERAL PROVISIONS

Unless specifically exempted or regulated elsewhere in this By-law, the following regulations apply to all lands covered by this By-law.

By-law
2013-66

4.1 **ACCESSORY APARTMENTS:** Notwithstanding any other provisions of this By-law regarding the number of dwelling units on a single lot, an accessory apartment is permitted in the "Rural", "Hamlet Residential" and "Rural Residential" zones subject to the following provisions:

- a) The accessory apartment is located within a permitted single detached dwelling;
- b) Only one (1) accessory apartment may be created within the single detached dwelling;
- c) An accessory apartment shall have a minimum floor area of 25.0 square metres for a studio or bachelor apartment; a minimum floor area of 32.0 square metres for a one-bedroom apartment; an additional 9.0 square metres for each additional bedroom.
- d) The maximum floor area of an accessory apartment shall not exceed the lesser of 35% of the floor area of the single detached dwelling or 60.0 square metres;
- e) The appropriate approval authority has approved the private sewage disposal system to service the single detached dwelling and accessory apartment; and,
- f) The accessory apartment and single detached dwelling shall meet all other applicable provisions of this By-law and any other fire, health, safety, or occupancy regulations or by-laws.

4.2 **ACCESSORY BUILDINGS, STRUCTURES AND USES**

4.2.1 **Permitted Uses:** Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or use, but shall not include the following: any occupation for gain or profit conducted within or accessory to a dwelling unit or on such lot, except as is specifically permitted in accordance with this By-law; or, any building used for human habitation except as is specifically permitted in accordance with this By-law.

4.2.2 **Relation to Street and Location on Lot**

- a) **Residential Zones:** An accessory building or structure which is not part of the principal building shall not be erected in any of the required yards or closer to the street line than the principal building on the lot, unless specifically provided for elsewhere in this By-law.
- b) **Non-Residential Zones:** No accessory building or structure shall be erected closer to the street line than the minimum required yard requirements of the respective Non-Residential Zone and shall not be erected closer to a side or rear lot line except as provided for elsewhere in this By-law. A gatehouse or information kiosk or other similar

accessory structure shall be permitted within a required front or side yard provided such structure shall not be erected closer than 3 metres to the front or side lot line.

4.2.3 **Relation to Principal Building:** No accessory building or structure that is not part of the principal building shall be erected closer than 2.0 metres (6.5 feet) to the principal building, unless specifically provided for elsewhere in this By-law.

4.2.4 **Principal Building to be Erected First:** No accessory building or structure shall be erected on any lot until the principal building has been erected, with the exception of:

- a dock on a lot accessible only by water;
- temporary construction uses; or,
- a septic system.

4.2.5 **Building Height:** The height of any accessory building or structure shall not exceed 6.0 metres (20 feet). The following accessory structures may exceed the height requirements permitted within the Zone in which they are located: a church spire, a belfry, a flag pole, a chimney, a clock tower, a communication tower, a water tank, a windmill, a radio or television tower or antenna, an air conditioner duct, a grain elevator, a barn or silo, and, external equipment associated with internal building equipment.

4.2.6 **Coverage:** The total coverage of all accessory buildings and structures, except swimming pools, shall not exceed five percent (5%) of the lot area. Within an Industrial Zone, the total lot coverage of all accessory buildings or structures shall not exceed ten percent (10%) of the lot area.

4.2.7 **Accessory Structure Encroachments**

By-law
2013-66

a) **General:** Drop awnings, clothes poles, flag poles, garden trellises, retaining walls, fences less than 2.0 metres in height, or signs which comply with the By-laws of the Township, are permitted in any required yard with the exception that fences shall not be permitted within the front yard of a property located within the SR1 or SR2 Zones.

b) **Fire Escapes:** Unenclosed fire escapes, in which the stairs, steps and floor are latticed in such a manner that the proportion of voids to solids is not less than two to one and in which guards, consisting of hand rails and the structural members necessary for their support, may project into any required yard a maximum distance of 1.2 metres (4 feet).

c) **Ornamental Structures:** Sills, chimneys, cornices, eaves, gutters, parapets, pilasters, or other ornamental structures may project into any required yard a maximum distance of 1.0 metres (3.3 feet).

d) **Decks, Balconies, Steps or Patios:** Decks, balconies, steps, stairs, landings and patios, may project into any required yard a maximum distance of 6 metres (20 feet) from an existing building or structure but no closer than 2.0 metres (6.5 feet) to any lot line or 4.5 metres to the high water mark.

By-law
2013-66

By-law 08-
21 and By-
law 2013-66

- e) **Utility Sheds:** A utility shed may be erected adjacent to the principal structure within a required interior side or rear yard provided that such accessory structure is not located closer than 2.0 metres (6.5 feet) to the interior side or rear lot line.

By-law
2013-66

- 4.2.8 **Garages:** Attached or detached private garages may be erected and used in any yard provided that it is no closer than 2.0 metres (6.5 feet) to any lot line and 30 metres from the high water mark.

4.2.9 Shoreline Structures

- a) **Identification:** Shoreline structures refer to buildings and structures erected at or near the shoreline in the required yard located between the shoreline and the dwelling. They include buildings and structures that are attached to the land that forms the bed of a navigable waterway.

By-law
2013-66

- b) **Permitted Uses:** Shoreline structures include: boathouse, boatlift, boatport, dock, gazebo, marine railway, pumphouse, unenclosed free-standing deck, utility shed, and stairs and ramps providing pedestrian access.

By-law
2013-66

- c) **Shore Road Allowance:** No new freestanding building or structure, with the exception of a means of pedestrian access, a pumphouse or a seasonal dock, shall be erected on or attached to a shore road allowance that is owned by the Township or the Crown. Where a structure is erected on a shore road allowance that is owned by the Township or Crown, such structure shall be deemed to be an accessory use to the principal use located on the adjacent patented lot.

By-law
2013-66

- d) **Maximum Width of Shoreline Structures:** The maximum cumulative width of docks, boathouse, boatport, boatlift, and marine railway shall not exceed the following:
 - i) 30% of the lot frontage to a maximum of 15 metres (49.2 feet) of the shoreline within the SR1, SR2 and HR Zones;
 - ii) 30% of the lot frontage to a maximum of 30 metres (498.4 feet) of the shoreline within the C1, C2 (except marinas) C3 (except marinas) and C4 Zones; and
 - iii) 50% of the lot frontage to a maximum of 45 metres (147.6 feet) of the shoreline for marina development within the C2 and C3 Zones.

By-law 08-21
and By-law
2013-66

- e) **Docking Facilities:** A dock, boatlift or marine railway may be erected and used in the required front yard of a lot abutting a shoreline or Original Shore Road Allowance provided:
 - i) a minimum setback of 4.5 metres is maintained from the side lot lines and/or the perpendicular projection of the lot line extending 30 metres into the water from the shoreline;
 - ii) Gazebos, pergolas or other like or similar structures shall not be permitted on a dock; and
 - iii) Boatlifts shall be located within or adjacent to the permitted dock and/or boathouse and/or boatport.

f) **Boathouses, Boat Ports:** A boathouse or boat port may be erected on a lot abutting a shoreline provided that:

- it is set back a minimum of 6 metres (20 feet) from the interior side lot line or the projection of the interior side lot line perpendicular to the shoreline where it meets the shoreline;
- the width of the boathouse or boat port, measured from the interior faces of the walls of the boathouse or the support beams of the boat port, does not exceed 5.5 metres (18 feet);
- no human habitation and no kitchen or sanitary facilities exist;
- the height of a boathouse or boat port shall not exceed 4.5 metres (15 feet) measures from the deck to the peak;
- the roof pitch shall not exceed 6/12 pitch;
- no boathouse shall have more than one storey; and,
- no boathouse shall have more than one slip.

In the former Township of Sherborne, McClintock, Livingstone, Lawrence & Nightingale the maximum projection into the water of a boathouse or boat port, including roof projection, shall not exceed 8 metres (26 feet) from the shoreline. In the former Township of Stanhope, a boathouse or boatport shall not be permitted to project in the water.

By-law
2013-66

g) **Gazebo, Utility Shed and Sauna:** One each of a gazebo, utility shed or sauna may be erected and used in the required front yard of a lot abutting a shoreline provided:

- i) a minimum setback of 4.5 metres is maintained from the high water mark;
- ii) a minimum setback of 4.5 metres is maintained from the side lot lines; and,
- iii) the structure does not exceed 10 square metres in floor area.

By-law
2013-66

h) **Pumphouse:** A pumphouse may be erected and used in the required front yard abutting a shoreline or Original Shore Road Allowance provided:

- i) a minimum setback of 4.5 metres is maintained from the side lot lines;
- ii) the height of the pumphouse does not exceed 2.0 metres; and,
- iii) the pumphouse does not exceed 2.5 square metres in floor area.

By-law
2013-66

i) **Unenclosed Decks:** One freestanding, unenclosed deck may be erected and used within the required front yard abutting a shoreline provided:

- i) a minimum setback of 4.5 metres is maintained from the high water mark, except where such deck is attached to a dock;
- ii) a minimum setback of 4.5 metres is maintained from the side lot lines;
- iii) the deck does not exceed 25 square metres in area; and,
- iv) the deck floor is no more than 1.0 metres from the grade below it.

By-law 08-21
and By-law
2013-66

4.2.10 **Sleeping Cabin:** One sleeping cabin may be erected and used on a lot within the Rural (RU) Zone, the Hamlet Residential (HR) Zone, the Rural Residential (RR) Zone, the Shoreline Residential Type One (SR1) Zone, or the Shoreline Residential Type Two (SR2) Zone, where such cabin is accessory to a permitted single detached dwelling, provided:

- i) the total floor area of such cabin does not exceed 45 square metres (485 square feet);
- ii) the height does not exceed 5 metres (16 feet);
- iii) the sleeping cabin does not exceed one storey in height and contains no loft; and,
- iv) the cabin complies with the yard and setback requirements of the Zone in which it is located and is not located to the front of the principal dwelling.

4.2.11 **Swimming Pools:** An outdoor swimming pool is permitted as an accessory use within a side or rear yard provided it is not located closer than 3.0 metres (10 feet) to any lot line, and the coverage of the swimming pool does not exceed fifteen percent (15%) of the total lot area.

4.3 **ASPHALT PLANT, PERMANENT:** A permanent asphalt plant is prohibited in all zones. A permanent asphalt plant may be permitted in an M2 zone through site specific zoning amendment following a comprehensive analysis which demonstrates:

- The demand for the type and scope of development proposed in relation to the demographics of the Township;
- The long term impacts on municipal servicing;
- The long term impacts on the environment including the quality and quantity of surface water and ground water, impacts on significant environmental features and impacts on areas of significant cultural resources;
- The impact of the proposed development on surrounding existing and proposed developments.
- That the designated truck access routes will not be primarily through residential areas; and,
- That all operations shall adhere to applicable federal, provincial and local regulations, including but not limited to emissions and noise.

New asphalt plants will be placed under site plan control, and will only be permitted where the plant operations area (including offices, parking and storage areas) is at least 500 metres from any residential use, where the use will be totally enclosed by a security fence or within a fireproof building, and where adequate stormwater drainage can be provided.

4.4 **ASPHALT PLANT, PORTABLE:** Where specifically permitted in this By-law, a portable asphalt plant shall be used by or on behalf of a public authority.

4.5 **CONSTRUCTION USES (TEMPORARY):** A tool shed, construction trailer, scaffold, or any other structure incidental to construction, is permitted where construction work is in progress, and until the work is completed or abandoned. For the purposes of this section “abandoned” means the failure to proceed expeditiously with the construction work or the revocation of the building permit.

4.6 **DWELLING UNITS BELOW GRADE**

4.6.1 **Cellar:** No dwelling unit shall, in its entirety, be located in a cellar. If any portion of a dwelling unit is located in a cellar, such portion of the dwelling unit shall be used as a furnace room, laundry room, storage room, recreation room or for a similar use only, but in no instance shall such room be used to provide sleeping accommodation.

4.6.2 **Basement or Walkout Basement:** A portion of a dwelling unit may be located in a basement or walkout basement, provided the finished floor level of such basement is not more than 1.2 metres (4 feet) below the adjacent finished grade and adequate egress to the exterior of the dwelling is provided.

4.7 **DWELLING UNITS WITHIN NON-RESIDENTIAL BUILDING:** The following regulations apply to regulate accessory dwelling units within a non-residential building where such are permitted as an accessory use:

By-law
2013-66

- i) Accessory dwelling units in a non-residential building may be provided at a rate of one (1) unit per 30 metres of frontage;
- ii) Accessory dwelling units in a non-residential building are not permitted if the lot on which the building is located abuts an Original Shore Road Allowance or the High Water Mark; and,
- iii) Each accessory dwelling unit shall have a minimum of one (1) separate parking space from the non-residential use.

4.8 **Environmental Protection Area:** Lands zoned “Environmental Protection (EP)” may be included in the calculation of lot area and yard requirements with the exception of lands below the high water mark.

By-law
2013-66

4.9 **ESTABLISHED BUILDING LINE:** Where a permitted dwelling is to be erected on a lot and where there is an established building line extending on both sides of the lot, such permitted dwelling may be erected closer to the street line than required by this By-law such that the yard is equal to the average setback of adjacent dwellings on the same side of the street, and provided that such permitted dwelling is not erected closer to the street line than the established building line existing on the date of passing of this By-law.

4.10 **EXISTING BUILDINGS, STRUCTURES AND USES**

4.10.1 **Continuation of Existing Uses:** The provisions of this By-law shall not apply to 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.

4.10.2 **Permitted Interior Alteration:** The interior of any building or structure, lawfully used at the date of passing of this By-law may be reconstructed or structurally altered, in order to render the same more convenient or commodious for the same purpose for which such building or structure was lawfully used.

4.10.3 **Prohibited Exterior Extension:** The exterior of any building or structure, which at the date of passing of this By-law was lawfully used for a purpose not permissible within the Zone in which it is located, shall not be enlarged, extended, reconstructed, or otherwise structurally altered, unless such building or structure is to be used for a purpose permitted within such Zone, and complies with all requirements of this By-law for such Zone.

4.10.4 **Restoration to a Safe Condition:** Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any building or structure or part thereof lawfully used on the date of passing of this By-law, provided that the strengthening or restoration does not increase the building height, size or volume, or change the use of such building or structure, and provided that approval for a septic system may be obtained for the use, where applicable.

4.10.5 **Extensions to Non-Complying Buildings or Structures:** Nothing in this By-law shall prevent the reconstruction, relocation, renovation, enlargement or repair of an existing building or structure that does not comply with the setback, yard, lot coverage or height requirements of this By-law, which existed at the date of passage of this By-law, and which is used for a purpose specifically permitted within the Zone in which such building or structure is located, provided:

- i) there is no increase in the non-compliance;
- ii) with respect to a dwelling or sleeping cabin, any addition maintains the existing setback from the high water mark or 15 metres, whichever is greater;
- iii) if the reconstruction or relocation of a dwelling or sleeping cabin would result in an increase to the gross floor area of the building or structure, that the entire building or structure maintains the existing setback from the high water mark or 15 metres, whichever is greater;
- iv) approval for a sewage disposal system is obtained, where applicable; and,
- v) it is in compliance with all other provisions of this By-law.

4.10.6 **Floor Area Less Than Required:** Nothing in this By-law shall prevent an extension or an addition being made to a permitted dwelling, which dwelling existed at the time of passing of this By-law but which has a gross floor area or dwelling unit area less than required by this By-law, provided such extension or addition does not contravene any other provision of this By-law.

By-law 08-21
and By-law
2013-66

By-law 08-21
and By-law
2013-66

4.10.7 Reconstruction of Damaged Buildings or Structures: Nothing in this By-law shall apply to prevent the reconstruction of any lawful non-complying building or structure, which is damaged by causes beyond the control of the owner, provided the height, size or volume of the building or structure is not increased and the reconstruction is initiated within three (3) years of the damage.

By-law
2013-66

4.10.8 Two or more Dwellings on a Lot: Where only one (1) single detached dwelling is permitted on a lot and more than one dwelling exists, no extension or reconstruction of either dwelling is permitted except in accordance with Section 4.10.7 herein.

4.11 EXISTING LOTS

By-law
2013-66

4.11.1 Existing Vacant Undersized Lots: Notwithstanding any other provision of this By-law to the contrary, where a vacant lot having a lesser lot area and/or frontage than required herein is held under distinct and separate ownership from an abutting lot or lots as shown by a conveyance of title properly registered prior to the date of passing of this By-law or, where such a lot is created as a result of an expropriation, such lot may be used and a building or structure may be erected, provided:

- i) the lot has a minimum lot frontage of 30 metres and a minimum lot area of 0.3 hectares if located within the SR1 or SR2 zone; and,
- ii) all other applicable zone provisions of this By-law are complied with.

By-law
2013-66

4.11.2 Existing Developed Undersized Lots: Notwithstanding any other provision of this By-law to the contrary, where a lot containing development has a lesser lot area and/or frontage than required herein, is held under distinct and separate ownership from an abutting lot or lots as shown by a conveyance of title properly registered prior to the date of passing of this By-law or, where such a lot is created as a result of an expropriation, such lot may be used and buildings or structures may be erected, altered or used on such smaller lot, provided all other applicable zone provisions of this By-law are complied with.

4.11.3 Enlargement of Existing Lots: Where lands are added to an existing undersized lot, the resulting lot shall be deemed to comply with the minimum lot frontage and area requirements of this By-law, and may be used for a purpose permitted in the Zone in which such lot is located, provided it is in compliance with all other applicable provisions of this By-law. If applicable, any building located on such enlarged lot shall continue to be subject to the provisions of Section 4.8.1

4.12 FRONTAGE REQUIREMENTS

4.12.1 Public Street: No person shall erect any building or structure, unless the lot upon which such building or structure is to be erected fronts upon and is directly accessible from an improved public street, maintained year round.

4.12.2 **Unassumed Road:** The provisions of this By-law shall not apply to prevent the erection of a permitted building or structure on a lot in a Registered Plan of Subdivision where a properly executed subdivision agreement has been entered into with the Township where the street or streets will not be assumed by the Township until such time as specified in the agreement.

4.12.3 **Private Right-of-Way or Navigable Waterway:**

- a) Within the Shoreline Residential Type Two (SR2) Zone, where a lot is accessible by means of a Township road allowance, private right-of-way or crown road providing ingress and egress to a public street or road allowance, the provisions of this By-law shall not apply to prevent the erection, alteration or a use of a building or structure for a use permitted within the Shoreline Residential Type Two (SR2) Zone.
- b) Where a building or structure was lawfully used for a purpose permitted within the Zone in which it is located, as of the date of passing of this By-law, and where such building or structure is only accessible by means of a private right-of-way providing ingress and egress to a public street or road allowance, the provisions of this By-law shall not apply to prohibit the extension, enlargement, renovation or reconstruction of such structure.
- c) Within the Rural (RU) Zone where a lot existed as of the 27th of April 1981 and is accessible by means of only a registered private right-of-way or navigable waterway, the provisions of this By-law shall not apply to prohibit the erection, alteration or use of any building or structure for a use permitted within the Rural (RU) Zone.
- d) Within the Shoreline Residential Type Two (SR2) Zone where a lot is accessible by means of a navigable waterway only, the provisions of this By-law shall not apply to prohibit the erection of a dwelling. For the purposes of this by-law, where a lot fronts upon a shore road or marine allowance, the lot shall be deemed to front upon and be accessible from a navigable waterway.
- e) Notwithstanding the provisions of this Section to the contrary, within the Rural (RU) and Crown Land (CL) Zones, the provisions of this By-law shall not apply to prohibit the erection, alteration or use of a hunt camp.
- f) Where development is permitted on a lot with access via a Township road allowance, seasonally maintained public road, a private right-of-way, crown road or water-access, the provision of access based public services to the lot may be limited due to the standard and level of maintenance of the access to the lot.

By-law
2013-66

By-law
2013-66

By-law
2013-66

By-law
2013-66

4.12.4 **Condominium Access:** Notwithstanding the provisions of Section 4.12.1, where property is developed by condominium description, the lot frontages and access may be on a private road for individual units within the condominium description.

4.13 **HEIGHT OF BUILDINGS:** Unless otherwise noted in a specific Zone, the maximum height for a building or structure shall not exceed ten (10) metres.

4.14 **HOME OCCUPATION:** The following regulations apply to regulate a home occupation where such a use is permitted:

- The home occupation shall clearly be secondary to the main residential use of the property and shall not change the residential character of the dwelling;
- Such home occupation shall not be a nuisance to, nor interfere with, television or radio reception of others in neighbouring buildings or structures;
- Such home occupation shall not include a medical clinic, a private hospital, a nursing home, a boarding house, an eating establishment or a veterinary clinic, but may include a business or professional office that complies with the provisions of this subsection;
- There shall be no display to indicate that any part of the property is being used for other than residential or agricultural uses except for an unlit sign of not more than 0.5 metres square (5 square feet), except where a lot fronts on a County Road or Provincial Highway, in which case the requirements of the County or the Province shall be complied with;
- The home occupation use shall be conducted entirely within the dwelling;
- Not more than 25% of the gross floor area of the dwelling shall be used for the purposes of home occupation use;
- Such use is conducted by a person or persons residing in the dwelling;
- There shall be no more than two (2) commercial vehicles parked at any one time on the property;
- There shall be no outside storage of goods or materials associated with the home occupation use; and,
- There shall be no goods, wares or merchandise offered for sale or rent from the dwelling which are not manufactured or processed on the lot.

4.15 **HOME INDUSTRY:** The following regulations apply to regulate a home industry where such a use is permitted:

- The home industry shall clearly be secondary to the main residential use of the property and shall not change the residential character of the dwelling;
- There shall be no emission of noise, odour or dust that is not normally attributable to the use of the land for other uses permitted in the Zone;
- Such home industry shall not be a nuisance to, nor interfere with, television or radio reception of others in neighbouring buildings or structures;
- There shall be no display to indicate that any part of the property is being used for other than residential or agricultural uses except for an unlit sign of not more than 0.8 metres square (9 square feet), except where a lot fronts on a County Road or Provincial Highway, in which case the requirements of the County or the Province shall be complied with;
- No home industry shall be located within 300 metres (985 feet) of any waterbody;
- The home industry shall meet the same yard provisions as required for the principal residential use for the Zone in which it is located, with the exception of the interior side yard, which shall be a minimum of 10 metres (33 feet);
- The use shall not occupy more than 25% of the gross floor area of a dwelling, or where located in an accessory building, shall not occupy more than 90 square metres (970 square feet);
- A maximum of two (2) employees who do not live in the dwelling may be employed on site in the home industry and additional employees may be employed off-site;

- There shall be no more than three (3) commercial vehicles parked at any one time on the property;
- Any permitted open storage shall be screened from view;
- A planting strip shall be provided on the lot in accordance with the provisions of this By-law; and,
- There shall be no goods, wares or merchandise offered for sale or rent from the dwelling which are not manufactured or processed on the lot.

By-law
2013-66

4.16 **HUNT CAMP:** The following regulations apply to regulate a hunt camp where such use is permitted:

- i) Notwithstanding Section 4.12 of this By-law, a Hunt Camp is permitted without frontage on an improved public street, maintained year round;
- ii) Only one Hunt Camp is permitted per lot; and,
- iii) All buildings and structures are setback 30 metres from any lot line.

4.17 **LOADING SPACE REGULATIONS:** Loading or unloading spaces are required under this By-law, in accordance with the Loading Space Requirement Table. The owner of every building or structure erected for any purpose involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, merchandise or raw materials shall provide and maintain on the lot, loading and unloading spaces. For the purposes of this By-law, each loading or unloading space shall be 9.0 metres (30 feet) in length, 4.0 metres (13 feet) in width and have a vertical clearance of 5.0 metres (16.4 feet). In addition, adequate space shall be provided for the parking of vehicles awaiting access to the loading or unloading spaces.

LOADING SPACE REQUIREMENT TABLE	
Gross Floor Area of Building	Loading Spaces Required
Less than 300 m ² (3200 sq. ft.)	1 space
300 m ² to 2800m ² (3230-30,140 sq. ft.)	2 spaces
2800m ² to 7500m ² (30,140-80,730 sq. ft.)	3 spaces
More than 7500m ² (80,730+ sq. ft.)	3 spaces + 1 additional space for each additional 9300m ² (100,100 sq. ft.) or part thereof in excess of 7500m ² (80,730 sq. ft.)

4.17.1 **Access:** Access to loading or unloading spaces shall be by means of a driveway at least 6 metres (20 feet) in width contained on the lot on which the spaces are located and leading to an improved public street.

4.17.2 **Loading Space Surface:** Driveways, loading and unloading spaces, and related aisles and turning areas shall be maintained with a stable surface which is treated so as to prevent the raising of dust. Such loading and unloading facilities shall be constructed of crushed stone, gravel, asphalt, concrete or similar material and shall include provisions for drainage facilities.

4.17.3 **Location:** The loading space or spaces required hereunder shall be located in the interior side or rear yard unless such space or spaces are removed from the street line a minimum distance of 15 metres (50 feet).

4.17.4 **Additions to or Change in Use of Existing Buildings:** The loading space requirements shall not apply to any building in existence at the date of passing of this By-law so long as the gross floor area, as it existed as such date, is not increased; if an addition is made to the building or structure which increases the gross floor area, or if the use is changed, then additional loading spaces shall be provided in accordance with the Loading Space Table Requirements for such addition or use.

4.18 **MULTIPLE USES ON ONE LOT:** Where any premises is used for more than one purpose, the applicable provisions of this By-law which serve to regulate each such use shall be complied with, provided that no dwelling, as may be permitted, shall be erected closer than 10 metres (32.8 feet) to any other structure on the lot, except for an accessory building or structure as may be permitted in accordance with this By-law.

4.19 **MULTIPLE ZONES ON ONE LOT:** Where a lot is divided into more than one Zone under the provisions of this By-law, each such portion of the said lot shall be used in accordance with the Zone Provisions of this By-law for the applicable Zones.

4.20 **NOXIOUS USES:** Except as may otherwise be specifically permitted under this By-law, no use shall be permitted which, from its nature or the materials used therein, is declared by the Council of the Township to be a noxious trade, business or manufacture.

4.21 **OUTDOOR WOOD BURNING FURNACE:** An outdoor wood burning furnace, which is used for the space heating of buildings and structures, is permitted subject to the following requirements:

By-law
2013-66

- i) The minimum setback from any lot line for an outdoor wood burning furnace shall be 20 metres; and,
- ii) The construction or installation of an outdoor wood burning furnace is not permitted without a building permit from the Township and must comply with the manufacturer's installation instructions.

4.22 **OUTSIDE DISPLAY OF GOODS AND MATERIALS:** Where outside display of goods and materials is permitted, the following shall apply:

By-law
2013-66

- i) Such outside display shall be accessory to a commercial use carried on in an enclosed building, or portion thereof, on the same lot;
- ii) The area used for outside display shall be in addition to the areas required for parking, loading and landscaping; and,
- iii) The area used for display of goods and materials shall comply with the yard requirements for the zone in which the land is situated.

4.23 **OUTSIDE STORAGE:** Where outside storage is permitted, the following shall apply:

By-law
2013-66

- i) Outdoor storage shall be located behind the front or exterior wall of the main building facing any street and complies with all yard requirements;

- ii) Any portion of a lot used for outside storage is screened from adjacent uses and streets adjoining the lot by a building, planting strip, and/or fence at least 2.0 metres in height from the ground; and,
- iii) The area used for outside storage shall be in addition to the areas required for parking, loading and landscaping.

4.24 PARKING AREA REQUIREMENTS

4.24.1 **Parking Space Requirements:** The owner of every building, structure, or lot used for any purpose shall provide and maintain for the sole use of the owner, occupant or other persons entering upon or making use of the premises, off-street parking spaces and areas in accordance with the Parking Space Requirement Table.

PARKING SPACE REQUIREMENT TABLE	
Type or Nature of Use	Minimum Parking Spaces
Assembly hall, auditorium, arena, community centre, place of entertainment, place of worship, fraternal lodge, private club, or similar places of assembly not otherwise specified	The greater of: <ul style="list-style-type: none"> ▪ 1 space/5 fixed seats or 3 metres (10 ft) of bench seating or portion thereof ▪ 1 space /9 sq. metres (100 sq. ft) of gross floor area ▪ 1 space for each 4 persons that may be legally accommodated at any one time
Bank, business or professional office, retail commercial establishment including a home occupation, restaurant, or tavern	1 space for each 28 m ² (300 sq ft) of gross floor area of the building directly related to the specified permitted uses 1 space for each 9 m ² (100 sq. ft) of gross floor area or fraction thereof
Bed and Breakfast establishment	1 space for each guest room
Golf course	24 spaces for each 9 holes of golfing facilities
Tourist establishment	1 space for each guest room + spaces as required for accessory uses such as an eating establishment or entertainment lounge
Liquor licensed premises exclusive of an eating establishment but including an entertainment lounge, public house or lounge licensed in accordance with licensing requirements	1 space for each 4 persons that may be legally accommodated at any one time
Manufacturing, processing, assembly fabricating plant, wholesale establishment or warehouse	1 space of each 38 m ² (400 sq. ft) of gross floor area or portion thereof
Marina	1 space for each 20 m ² (200 sq. ft) of the total retail floor area or fraction thereof + 1 space for each boat slip provided
Medical or dental clinic, offices of a drugless practitioner	5 spaces per doctor + 1 space for each examination room exceeding 5 such rooms per office
Post office, museum, art gallery, public library	1 space for each 38 m ² (400 sq ft) of gross floor area
Residential	2 parking spaces per dwelling unit 1 parking space per accessory apartment

By-law 08-21 and By-law 2013-66

4.24.2 **Parking Area Surface:** Parking space areas and driveways connecting the parking space or area with a street shall be maintained with a stable surface that is treated so as to prevent the raising of dust. Such parking spaces or areas shall be constructed of crushed stone, gravel, asphalt, concrete or similar material and shall include provisions for drainage facilities.

By-law
2013-66

4.24.3 **Parking Space Size:** A parking space shall have:

- i) A minimum width of 3 metres; and
- ii) A minimum length of 6.0 metres, except for parallel parking, where a minimum length of 6.7 metres is required.

4.24.4 **Ingress and Egress Provisions:**

- a) Ingress and egress to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least 3.0 metres (10 feet) but not more than 9.0 metres (30 feet) in perpendicular width.
- b) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 9.0 metres (30 feet).
- c) The minimum distance between any two driveways on a lot or between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 9.0 metres (30 feet).
- d) The minimum angle of intersection between a driveway and a street line shall be 60 degrees. Every lot shall be limited to the following number of driveways:
 - i. Up to the first 15 metres (50 feet) of lot frontage, not more than one driveway; and,
 - ii. Greater than 15 metres (50 feet) of lot frontage, not more than two driveways with a combined width not exceeding thirty percent (30%) of the lot frontage.

4.24.5 **Ingress and Egress Regulations - Retail Gasoline Establishments:**

The following provisions shall apply to ingress and egress driveways established in conjunction with a motor vehicle dealership or motor vehicle service station, where gasoline is offered or kept for sale at retail: the maximum width of a driveway measured along the street line shall be 9 metres (30 feet); the minimum distance between driveways, measured along the street line intersected by such driveway shall be 9 metres (30 feet); the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway shall be 9 metres (30 feet); the minimum distance between an interior side lot line and any driveway shall be 3 metres (10 feet); and, the interior angle formed between the street line and the centerline of any driveway shall not be less than 45 degrees.

4.24.6 **More than One Use on a Lot:** Where a building or structure accommodates more than one type of use, the parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate types of use.

- 4.24.7 **Parking Area Location on a Lot:** Parking areas, inclusive of driveways, shall be permitted in the required yards in accordance with the following provisions:
- a) In all Zones, except Residential Zones, no driveway shall be permitted within 9.0 metres (30 feet) of the boundary of a Residential Zone;
 - b) In all Zones, no parking space shall be permitted within 3.0 metres (10 feet) of the boundary of a Residential Zone;
 - c) Within all Residential Zones, parking spaces and areas shall be permitted within a front, interior side or rear yard provided that no part of any parking area, other than a driveway, is located closer than 2 metres (6.5 feet) to any street line or within a sight triangle;
 - d) Within the Rural, Open Space, Community Facility and all Commercial Zones, parking spaces and areas shall be permitted within a front, interior side or rear yard provided that no part of any parking area, other than a driveway, is located closer than one metre (3 feet) to any street line or within a sight triangle;
 - e) Within all Industrial Zones, parking spaces and areas shall be permitted within a front, interior side or rear yard provided that no part of any parking area, other than a driveway, is located closer than 2 metres (6.5 feet) to any street line or within a sight triangle.

4.24.8 **Additions to or Change in Use of Building(s):** The parking space requirements referred to herein shall not apply to any building or structure in existence at the date of passing of this By-law so long as the floor area, as it existed as such date, is not increased. If an addition is made to the building or structure that increases the floor area, then parking spaces for the addition shall be provided as required in the Parking Space Requirements Table. Where a change in use of the building or structure occurs, parking spaces shall be provided in accordance with the Parking Space Requirement Table.

4.24.9 **Use of Parking Space(s) and Area(s):** Parking spaces and areas shall be used for the parking of operative, currently licensed vehicles only, and for vehicles used in operations incidental to the permitted uses in respect of which such parking spaces and areas are required or permitted. Notwithstanding the foregoing, within any Residential Zone, the owner or occupant may use a parking space for the purposes of the parking or storage of one currently licensed commercial motor vehicle defined under The Highway Traffic Act, provided such motor vehicle does not exceed a rated capacity of one ton.

4.24.10 **Barrier-Free Parking Requirements:** Barrier-free parking spaces shall be provided for new commercial development as follows:

- i) At a rate of 1 barrier-free space for every 25 parking spaces required;
- ii) Shall have a minimum width of 3.5 metres and a minimum length of 6.0 metres;
- iii) Shall contain an adjacent 1.75 metre wide aisle that may be shared by two adjacent designated barrier-free spaces;
- iv) Easy access for disabled persons, whether via ramps, depressed curbs or other means and shall be located within easy access distance for the building or complex intended to be accessed; and

- v) Signs to identify barrier-free parking spaces in conformance with the regulations made under the Highway Traffic Act.

4.25 **PITS AND/OR QUARRIES:** The making or establishing of pits and/or quarries is prohibited except in accordance with the express provisions of this By-law. No person shall use land or erect any building or structure for the purpose of processing, washing, sorting, screening or crushing rock, sand or gravel in any locations, except as expressly provided for in this By-law.

4.26 **PLANTING STRIP REGULATIONS**

4.26.1 **Location:** Where the interior side or rear lot line, or portion thereof, in a Community Facility, Commercial or Industrial Zone abuts a Residential Zone, a planting strip shall be provided on the lot within the Community Facility, Commercial or Industrial Zone with a minimum width of 6 metres (20 feet).

4.26.2 **Contents:** Any required planting strip shall consist of a row of trees or a continuous hedgerow of evergreens or shrubs, not less than 2 metres (6.5 feet) high at planting, immediately adjacent to the lot line or portion thereof along which such planting strip is required hereunder. The remainder of the strip shall be used for no other purpose than the planting of shrubs, flower beds, grass or a combination thereof.

4.26.3 **Interruption for Driveways of Pedestrian Walks:** In all cases where ingress and egress driveways or walks extend through a planting strip, it shall be permissible to interrupt the strip within 3 metres (10 feet) of the edge of such driveway or within 1.5 metres (5 feet) of the edge of such walk.

4.26.4 **Maintenance:** Where a planting strip is required, it shall be planted, nurtured and maintained by the owner(s) of the lot on which the strip is located.

4.26.5 **Landscaped Open Space Supplement:** A planting strip referred to in this subsection may form a part of any landscaped open space required by this By-law.

4.27 **PUBLIC USES**

4.27.1 **Public Services:** The provisions of this By-law shall not apply to prohibit the use of any land, or the erection or use of any building or structure, for the purposes of public service provided by a Public Authority. For the purpose of this Section, a Public Authority shall include any hydro, natural gas, telephone, telegraph, or cable television company, which company possesses the necessary powers, rights, licenses, and franchises.

4.27.2 **Location Restrictions:** Where any Zone classification specifically authorizes a particular use of land within such Zone then such use of land shall not be carried on in any other Zone regardless of whether such use is carried on by a Public Authority.

4.27.3 **Provisions:** Where a use conducted by a Public Authority is not restricted to a specific Zone, no land, building or structure is to be used for public use unless the following provisions are complied with:

- a) Minimum yard requirement (all yards): 10 metres
- b) Maximum Lot coverage (all buildings): 40%
- c) Minimum Landscaped Open Space: 30 percent
- d) Maximum Height of Buildings: 10 metres
- e) No goods, materials or equipment shall be stored outside the building or structure located on the lot, except as may otherwise be permitted under this By-law
- f) No building or structure erected in accordance with the provisions of this Section shall be used for the purposes of an office or maintenance or works depot.

4.27.4 **Streets and Installations:** Nothing in this By-law shall prevent land to be used as a street or prevent the installation of a watermain, sanitary sewer, storm sewer, gas main, pipeline, overhead or underground hydro, communication line or high voltage and extra high voltage electrical facilities owned, operated and maintained by a hydro company, provided the location of such main or line has been approved by the Township. Notwithstanding the generality of the foregoing, this approval shall not be required for any public use that has received prior approval pursuant to the provisions of The Environmental Assessment Act, as amended.

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

4.29 **REFRESHMENT VEHICLES:** Refreshment vehicles shall only be permitted within a Commercial Zone and subject to the following:

By-law
2013-66

- i) Refreshment vehicles shall not be permitted to locate on a municipal road allowance;
- ii) Refreshment vehicles shall not be located within the parking lot of a commercial business, if the result would be a deficiency in parking spaces for the existing commercial use and the refreshment vehicle;
- iii) A minimum setback of 3.0 metres is maintained from all lot lines; and,
- iv) All refreshment vehicles shall not exceed a gross floor area of 10.0 square metres.

4.30 4.21A **SHORELINE BUFFER:** The required front yard on a lot abutting a watercourse or waterbody or a shore road allowance, shall be maintained as a shoreline buffer as follows:

By-law 08-
21 and
By-law
2013-66

- i) Within a residential zone, 80% of the area shall be maintained as shoreline buffer; and
- ii) Within a commercial zone, 70% of the area shall be maintained as shoreline buffer.

This provision applies to all lots on which development takes place within 30 metres of the high water mark after (date of passage of By-law).

- 4.31 **SIGHT TRIANGLES:** On a corner lot, within the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being 9.0 metres (30 feet) measured along the street line from the point of intersection of the street lines, no motor vehicle, as defined in the Highway Traffic Act, shall be parked, no building or structure which would obstruct the vision of drivers of motor vehicles shall be erected, and, no land shall be used for the purposes of growing shrubs or trees in excess of 0.6 metres (2 feet) in height. Such triangular space shall be referred to as a "sight triangle". Where the street lines do not intersect at a point, the point of intersection of the street line shall be deemed to be the intersection of the projection of the street lines of the intersection of the tangents to the street lines.
- 4.32 **SIGNS:** The provisions of this By-law shall not apply to prevent the erection, alteration or use of any sign provided such sign complies with the By-law of the Township regulating signs.
- 4.33 **SPECIAL SEPARATION REQUIREMENTS:**
- 4.33.1 **Minimum Distance Separation:** Notwithstanding any provision of this By-law to the contrary, no dwelling or dwelling unit shall be erected closer to any farm building or structure on adjacent lands held under distinct and separate ownership, than the minimum requirements set forth under the Ministry of the Environment's D Series Guidelines.
- 4.33.2 **Special Yard Requirements from M3 Zones:** Notwithstanding any provision of this By-law to the contrary, no building or structure shall be erected on any lot closer than 30 metres to any boundary of an M3 Zone.
- 4.34 **SPECIAL PROVISIONS FOR THROUGH LOTS:** Where a lot, which is not a corner lot, has lot frontage on more than one street or is bounded on more than one side by a street, private right-of-way, watercourse or waterbody, the front yard requirements shall apply on each street or adjacent private right-of-way or watercourse or waterbody, as the case may be, in accordance with the provisions of the Zone(s) in which such lot is located.
- 4.35 **TRAILER OR MOBILE HOME PARKS:** The establishment of trailer parks or mobile home parks shall be prohibited in any Zone, save and except where such parks are specifically permitted by this By-law. The use of any trailer or recreational mobile home for human habitation is prohibited except where such trailer or recreational mobile home is located in a camping establishment, or in a trailer park.
- 4.36 **TRUCK, BUS, COACH BODIES AND DERELICT VEHICLES:** No truck, bus, coach, trailer or streetcar body, or structure of any kind, other than a dwelling unit erected and used in accordance with this By-law, The Building Code and Regulations passed thereunder and all other By-laws of the Township, shall be used for human habitation or storage of goods and materials whether or not the same is mounted on wheels. The provisions of this By-law shall not apply to prohibit the outside storage of a maximum of two derelict motor vehicles within the Rural (RU) Zone nor the outside storage of contractors equipment, whether currently licensed or inoperative, provided the applicable provisions regarding

outside storage are complied with and further that such use is accessory to the principal permitted use on the lot.

By-law
2013-66

- 4.37 **WATERBODY OPEN SPACE (WOS) ZONE:** All lands located below the High Water Mark of a watercourse are zoned Waterbody Open Space (WOS). Where lands below the High Water Mark abut lots zoned Residential and Commercial, only Docking Facilities and Boathouses and Boatports are permitted if they are an accessory use to the permitted uses of the nearest abutting zone above the High Water Mark and subject to the provisions of Sections 4.2.10(e) and 4.2.10(f).
- 4.38 **WAYSIDE PITS AND QUARRIES:** Where specifically permitted in the By-law, a portable asphalt plant shall be subject to the following provisions: the wayside pit or quarry shall be used by or on behalf of a Public Authority; the wayside pit or quarry shall have a Certificate of Approval from the Ministry of Environment and Energy or its designate; the wayside pit or quarry shall not be located closer than 300 metres (985 feet) from an existing residence; and, upon completion of the public project, the site shall be rehabilitated to its former use.

Section 5 ZONE PROVISIONS

5.1 CLASSIFICATION

The provisions of this By-law apply to all lands within the limits of the Township, which lands, for the purpose of this By-law, are divided into various Zones as follows:

By-law
2013-66

ZONE	SYMBOL	DESCRIPTION
Environmental Protection	EP	Environmentally sensitive lands
Open Space	OS	Public and private open space uses
Rural	RU	Rural area with varied agricultural and forestry potential
Hamlet Residential	HR	Residential within identified settlement areas of Carnarvon, Dorset, Hall's Lake and Oxtongue Lake
Rural Residential	RR	Single detached residential on rural lots
Shoreline Residential Type One	SR1	Shoreline residential with access from year-round maintained public roads
Shoreline Residential Type Two	SR2	Shoreline residential with access limited to water access, private roads or seasonally maintained public roads
Community Facility	CF	Lands used for community purposes and facilities
Highway Commercial	C1	Commercial uses on major access routes
General Commercial	C2	Traditional commercial uses
Recreational Commercial	C3	Resorts and commercial uses of a recreational nature
Commercial/Industrial	C4	Light industrial with a commercial component
General Industrial	M1	Industrial uses
Extractive Industrial – Pits	M2	Licensed pit operations
Extractive Industrial – Pits and Quarries	M2A	Licensed quarry operations
Waste Disposal Industrial	M3	Public and private waste management uses
Crown Land	CL	Lands in the ownership of the Crown
Waterbody Open Space	WOS	Lands covered by water

5.2 ZONE PROVISIONS

No person shall, within any of the Zones, use any land or erect or use any building or structure, except in accordance with the uses permitted (Tables 1A and 1B - Permitted Uses) and the provisions (Table 2 - Lot Regulations) of this By-law.

5.3 EXCEPTIONS TO ZONES

5.3.1 ENVIRONMENTAL PROTECTION ZONE (EP)

5.3.1.1 Environmental Protection Exception One (EP-1) Zone Part of Lot 14, Concession 12, Sherborne, Schedule "H2" (formerly EP-1, Sherborne)

Within the Environmental Protection Exception One (EP-1) Zone, the permitted uses shall be limited to the following:

- Flood, erosion or siltation control works;
- Private boat houses with the approval of the Ministry of Natural Resources and the Township;
- Private docking facilities with the approval of the Ministry of Natural Resources; and,
- In addition, these lands are to be owned in common by the five landowners adjacent to the northern boundary of the EP-1 Zone.

5.3.1.2 Environmental Protection Exception 2 (EP-2) Zone Part of Lot 32, Concession 4, Stanhope, Schedules "M4 & M5" (By-Law 06-07)

Within the Environmental Protection Exception 2 (EP-2) Zone, the following provisions shall apply:

- A Single Detached Dwelling is permitted;
- Private docking facilities with the approval of the Ministry of Natural Resources and the Township;
- The Lot Regulations for a Residential Use within the Shoreline Residential Type One (SR1) Zone as set out in Table 2 shall apply to the development of a single detached dwelling; and,
- In all other respects, the provisions of the Environmental Protection (EP) Zone shall apply.

5.3.1.3 Environmental Protection Exception Three (EP-3) Zone Part of Lot 14, Concession 9, Sherborne, Schedule "I2"

Within the Environmental Protection Exception Three (EP-3) Zone, the following provisions shall apply:

- Pole, cantilevered or floating docks may be constructed, in accordance with Section 4.1.10, on those portions of the shoreline identified on Schedule "B" attached hereto.

In all other respects, the provisions of the Environmental Protection (EP) Zone shall apply.

5.3.2 OPEN SPACE ZONE (OS)

5.3.2.1 Open Space Exception One (OS-1) Zone

Part of Lots 23 and 24, Concession 13, Sherborne, Schedule "G4"
(formerly RE-1, Sherborne)

Within the Open Space One (OS-1) Zone, the non-residential uses permitted shall be restricted to that of a summer camp inclusive of cabins and facilities for the preparation and serving of meals. In all other respects the provisions of the Open Space Zone shall apply.

5.3.2.2 Open Space Exception Two (OS-2) Zone

Part of Lots 7 and 8, Concession 3, Stanhope, Schedule "N3"
(formerly OS-2, Stanhope)

The lands described as Part of Lots 7 and 8, Concession 3, Stanhope Township, shall be subject to the following provisions:

- That no structure (including a dock) shall be permitted on this land;
- That the permitted uses shall be limited to conservation, reforestation or other similar use as provides for the preservation of the natural environment;
- That for the purposes of this by-law, both Part 1 of Plan 19R-5090 and Part 1 of Plan 19R-6652 are deemed to be one lot; and,
- All other requirements, applicable to the Open Space (OS) Zone, continue to apply.

5.3.2.3 Open Space Exception Three (OS-3) Zone

Part of Lots 10 and 11, Concession 10, Sherborne, Schedules "H2 & I2"
(formerly RE-2, Sherborne)

Within the Open Space Exception Three (OS-3) Zone, the uses permitted shall be restricted to that of a summer camp inclusive of a medical clinic and ancillary seasonal residential dwelling for accommodation of persons and their families while in attendance at the camp. In all other respects the provisions of the Open Space (OS) Zone shall apply.

5.3.3 RURAL ZONE (RU)

5.3.3.1 Rural Exception One (RU-1) Zone

Part of Lot 24, Concession 5, Stanhope, Schedule "M4"
(formerly RU-1, Stanhope)

Notwithstanding any other provision of this By-law to the contrary, within the Rural Exception One (RU-1) Zone, the uses permitted shall be restricted to those existing as of the date of passing of this By-law.

5.3.3.2 Rural Exception Two (RU-2) Zone

Part of Lot 2, Concession 3, Stanhope
(formerly RU-6, Stanhope)

Notwithstanding the provisions in this By-law, within the Rural Exception Two (RU-2) Zone, all buildings and structures, operational and reserve tile beds for a sanitary sewer system, laneways and parking areas shall be set back 30 meters from the high water mark. Such restrictions shall not apply to the location of a dwelling unit only on that part of the subject lands identified, nor to marine related accessory buildings or structures as otherwise permitted in the By-law. In all other respects, the provisions of the Rural (RU) Zone shall apply.

5.3.3.3 Rural Exception Three (RU-3) Zone

Part of Lots 19 and 20, Concession 12, Sherborne, Schedule "H3"
(By-law 1215; formerly RU-5, Sherborne)

Within the Rural Exception Three (RU-3) Zone, the uses permitted shall be restricted to conservation, forestry and reforestation use. In all other respects, the provisions of the Rural (RU) Zone shall apply.

5.3.3.4 Rural Exception Four (RU-4)

Part of Lot 31, Concession 5, Stanhope, Schedule "M4"
(By-law No. 05-05)

The lands described Part of Lot 32, Concession 5, Stanhope, zoned Rural Exception Four (RU-4), and shown on Schedule "A" of By-law 05-05, shall be subject to the following provisions:

- The permitted uses shall be limited to a motel furnishing not more than four accommodation units and one airplane hangar containing not more than eight airplanes. A residential dwelling is permitted as an accessory use.

5.3.3.5 Rural Exception Five (RU-5) Zone

Part of Lot 3, Concession A, Sherborne, Schedule "K2"
(By-law No. 05-14)

Within the Rural Exception Five (RU-5) Zone,

- the minimum lot area shall be 0.33 ha (0.82 acres);
- the minimum lot frontage shall be 49 metres (159 feet); and
- existing structures are deemed to comply.

By-law
2013-66

5.3.3.6 Rural Exception Six (RU-6) Zone
Part Lot 15, Concession 10, Sherborne, Schedule "H2"
(By-law No. 00-18)

Within the Rural Exception Six (RU-6) Zone, the uses permitted shall be restricted to conservation, forestry and reforestation uses, public uses, tennis courts and passive recreation, which is limited to picnic areas, walking trails, gardens or similar uses. In all other respects the provisions of the Rural (RU) Zone shall apply.

By-law
2013-66

5.3.3.7 Rural Exception Seven (RU-7) Zone
Part Lot 12, Concession 1, Stanhope, Schedule "O2"

Within the Rural Exception Seven (RU-7) Zone, the non-residential permitted uses shall include a workshop associated with a tree service business together with such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto. In all other respects the provisions of the Rural (RU) Zone shall apply.

By-law
2013-66

5.3.4 **HAMLET RESIDENTIAL ZONE (HR)**

5.3.4.1 Hamlet Residential Exception One (HR-1) Zone
Part Lot 15, Concession 1, Stanhope, Schedule "O2"

Within the "Hamlet Residential Exception One (HR-1)" Zone, a maximum of four (4) dwelling units within the existing building shall be permitted on the lot. In addition, there shall be no minimum dwelling unit size. In all other respects the provisions of the "Hamlet Residential (HR)" Zone shall apply.

5.3.5 RURAL RESIDENTIAL ZONE (RR)

5.3.5.1 Rural Residential Exception One (RR-1) Zone Part of Lot 9, Concession 1, Stanhope, Schedule "O2"

By-law
2013-66

Within the Rural Residential Exception One (RR-1) Zone, the non-residential uses permitted shall be restricted to a workshop within the existing building for the production of wood products such as cabinetry. In all other respects the provisions of the Rural Residential (RR) Zone shall apply.

5.3.5.2 Rural Residential Exception Two (RR-2) Zone Part of Lot 13, Concession 4, Stanhope (formerly RR-7, Stanhope)

Within the Rural Residential Exception Two (RR-2) Zone, the non-residential uses permitted shall be restricted to that of outside storage and small engine repair. Motor vehicle repair shall be prohibited. A privacy fence with a minimum height of 1.2 metres shall be located on the front lot line extending from the southwest corner of the property to the northwest corner of the property excluding the driveway. The minimum front yard requirement shall be 12.54 metres and the minimum setback from the centreline of the Provincial Highway shall be 30.54 metres. In all other respects, the provisions of the Rural Residential (RR) Zone shall apply.

5.3.5.3 Not Assigned.

5.3.5.4 Rural Residential Exception Four (RR-4) Zone Part Lot 29, Concession 7, Stanhope, Schedule "L4" (By-Law 06-24)

Within the Rural Residential Exception Four (RR-4) Zone, the minimum lot frontage shall be 54 metres. In all other respects the provisions of the Rural Residential (RR) Zone shall apply.

5.3.5.5 Rural Residential Exception Five (RR-5) Zone Part Lot 23, Concession 3, Stanhope, Schedule "N4"

Within the Rural Residential Exception Five (RR-5) Zone, the minimum lot frontage shall be 55 metres (180 feet). In all other respects the provisions of the Rural Residential (RR) Zone shall apply.

5.3.6 SHORELINE RESIDENTIAL TYPE ONE ZONE (SR1)

5.3.6.1 Shoreline Residential Type One Exception One (SR1-1) Zone Part of Lot 11, Concession 6, Stanhope, Schedule "M3" (formerly SR1- 6, Stanhope)

Within the Shoreline Residential Type One Exception One (SR1-1) Zone, the lands shall not be used in conjunction with any abutting lands for lake access purposes, no building and/or structure shall be located within 30 metres of the highwater mark and the lands placed within the Environmental Protection (EP) Zone on the same lot shall be included in determining the minimum lot area requirement. In all other respects, the provisions of the Shoreline Residential Type One (SR1) Zone shall apply and be complied with.

5.3.6.2 Not Assigned.

5.3.6.3 Shoreline Residential Type One Exception Three (SR1-3) Zone Part of Lots 7 and 8, Concession 3, Stanhope (formerly SR1-9, Stanhope)

The lands described as Part of Lots 7 and 8, Concession 3, Stanhope Township, zoned Shoreline Residential Type One Exception Three (SR1-3) shall be subject to the following provisions:

- That no further severance of this property be allowed;
- That for the purpose of this by-law, both Part 1 of Plan 19R-5090 and Part 1 of Plan 19R-6652 are deemed to be one lot; and,
- That all other requirements applicable to the Shoreline Residential Type One (SR1) Zone continue to apply.

5.3.6.4 Shoreline Residential Type One Exception Four (SR1-4) Zone Part of Lots 7 and 8, Concession I, McClintock, Schedule "G2" (By-law 1143; formerly SR1-7, Sherborne)

Those buildings which existing prior to August 1, 1991 shall be considered to have a legal non-conforming status with respect to minimum setback from the high water mark and front yard requirement. Any enlargements will only be permitted where in conformity with the provisions of this by-law. In all other respects, the provisions of the Seasonal Residential Type One (SR1) Zone shall apply.

5.3.6.5 Shoreline Residential Type One Exception Five (SR1-5) Zone Part of Lots 15 and 16, Concessions 10 and 11, Sherborne (formerly SR1-8, Sherborne), Schedule "H2 & H3"

The minimum front yard for all sewage treatment systems, primary buildings, parking areas and laneways shall be 30 metres, with the exception of Parts 35 and 40, Reference Plan 19R-6713, where the minimum front yard for all sewage treatment systems shall be 40 metres.

All other requirements applicable to a Shoreline Residential Type One (SR1) Zone shall continue to apply.

- 5.3.6.6 Shoreline Residential Type One Exception Six (SR1-6) Zone
Part of Lot 2, Concession 12, Sherborne, Schedule "H1"
(By-law 1225; formerly SR1-6, Sherborne)

Within the Shoreline Residential Type One Exception Six (SR1-6) Zone, flood proofing of all structures shall be required to an elevation of 315.84 metres. In all other respects, the provisions of the Shoreline Residential Type One (SR1) Zone shall apply.

- 5.3.6.7 Shoreline Residential Type One Exception Seven (SR1-7) Zone
Part of Lots 29 and 30, Concession 5, Stanhope
(By-law 02-32; formerly SR1-10, Algonquin Highlands)

Within the Shoreline Residential Type One Exception Seven (SR1-7) Zone, the minimum lot frontage shall be 30 metres and the minimum lot area shall be 0.15 hectares. In all other respects, the provisions of the Shoreline Residential Type One (SR1) Zone shall apply.

- 5.3.6.8 Shoreline Residential Type One Exception Eight (SR1-8) Zone
Part of Lot 2, Concession 3, Stanhope, Schedule "O1"
(By-law 05-04)

Within the Shoreline Residential Type 1 Exception 8 (SR1-8) Zone, the minimum setback will be 30 metres. In all other respects, the provisions of By-law shall apply.

- 5.3.6.9 Shoreline Residential Type One Exception Nine (SR1-9) Zone
Part of Lot 30, Concession 7, Stanhope, Schedule "L4"
(By-Law 05-15)

Within the Shoreline Residential Type 1 Exception 9 (SR1-9) Zone, the minimum lot frontage will be 48 metres (150 feet). In all other respects, the provisions of By-law shall apply.

- 5.3.6.10 Shoreline Residential Type One Exception Ten (SR1-10) Zone
Part Lot 4, Concession 1, Stanhope, Schedule "O1"
(By-law 07-23)

Within the Shoreline Residential Type 1 Exception 10 (SR1-10) Zone, the minimum lot frontage shall be 131.76 feet and the minimum lot area shall be .59 acres. In all other respects the provisions of the Shoreline Residential Type 1 (SR1) Zone shall apply.

- 5.3.6.11 Shoreline Residential Type One Exception Eleven (SR1-11) Zone
Part Lot 4, Concession 1, Stanhope, Schedule "O1"
(By-law 07-23)

Within the Shoreline Residential Type 1 Exception 11 (SR1-11) Zone, the minimum lot frontage shall be 90.46 feet and the minimum lot area shall be .32

acres. In all other respects the provisions of the Shoreline Residential Type 1 (SR1) Zone shall apply.

5.3.6.12 Shoreline Residential Type One Exception Twelve (SR1-12) Zone
Part Lot 11, Concession 9, Stanhope, Schedule "M2"

Within the Shoreline Residential Type 1 Exception 12 (SR1-12) Zone, the minimum lot frontage shall be 22.7 metres, the minimum lot area shall be 2055 square metres, and the minimum interior side yard shall 0 metres. In all other respects the provisions of the Shoreline Residential Type 1 (SR1) Zone shall apply.

5.3.6.13 Shoreline Residential Type One Exception Thirteen (SR1-13) Zone
Part Lot 11, Concession 9, Stanhope, Schedule "M2"

Within the Shoreline Residential Type 1 Exception 13 (SR1-13) Zone, the minimum lot frontage shall be 26.0 metres, the minimum lot area shall be 2472 square metres, the minimum interior side yard shall be 0 metres, and a sleeping cabin shall not be permitted. In all other respects the provisions of the Shoreline Residential Type 1 (SR1) Zone shall apply.

5.3.6.14 Shoreline Residential Type One Exception Fourteen (SR1-14) Zone
Part Lot 13, Concession 10, Stanhope, Schedule "L3"

Within the Shoreline Residential Type 1 Exception 14 (SR1-14) Zone, the following special provisions shall apply:

- For the purpose of this By-law, the lot shall include the portion of the Original Shore Road Allowance directly in front of the property;
- A maximum of two (2) dwellings units shall be permitted, one on the north side of Hall's Lake Road and one on the south side of Hall's Lake Road;
- The dwelling unit on the south side of Hall's Lake Road is limited to the existing dwelling unit and no reconstruction or additions shall be permitted; and,
- A sleeping cabin shall not be permitted.

In all other respects, the provisions of the Shoreline Residential Type One (SR1) Zone shall apply.

5.3.6.15 Shoreline Residential Type One Exception Fifteen (SR1-15) Zone
Part Lot 6, Concession 6, Stanhope, Schedule "O2"

Within the Shoreline Residential Type 1 Exception 15 (SR1-15) Zone, the following special provision shall apply:

- Notwithstanding the definition of "Lot" contained within Section 3.80 of By-law 03-22, the lands described as Lot 35, Registered Plan No. 144 and part of the Original Shore Road Allowance in front of Lot 35, shall be deemed to be one lot for the purposes of By-law 03-22.

In all other respects, the provisions of the Shoreline Residential Type One (SR1) Zone shall apply.

5.3.6.16 Shoreline Residential Type One Exception Sixteen (SR1-16) Zone
Part Lot 1, Concession 10, Stanhope, Schedule "M1"
3476 Kushog Lake Road

Within the Shoreline Residential Type 1 Exception 16 (SR1-16) Zone, all lands located within the SR1-16 Zone, on the east and west side of Kushog Lake Road shall be considered one lot for planning purposes. Buildings and structures located on the west side of Kushog Lake Road within the SR1-16 Zone shall be setback 7.5 metres from road allowance.

In all other respects, the provisions of the Shoreline Residential Type One (SR1) Zone shall apply.

5.3.6.17 Shoreline Residential Type One Exception Seventeen (SR1-17) Zone
Part of Lot 23, Concession 5, Stanhope, Schedule "M4"
(By-law 03-6)

By-law
2013-66

Within the Shoreline Residential Type One Exception 17 (SR1-17) Zone, the minimum lot frontage shall be 33.5 metres and the minimum lot area shall be 0.19 hectares. In all other respects, the provisions of the Shoreline Residential Type One (SR1) Zone shall apply.

5.3.7 SHORELINE RESIDENTIAL TYPE TWO ZONE (SR2)

5.3.7.1 Shoreline Residential Type Two Exception One (SR2-1) Zone

Not Assigned.

5.3.7.2 Shoreline Residential Type Two Exception Two (SR2-2) Zone Part of Lots 12 and 13, Concession 7, Stanhope, Schedule "M3" (formerly SR2-2, Stanhope)

Within the Shoreline Residential Type Two Exception Two (SR2-2) Zone, the minimum lot area requirement shall be 6.7 hectares. In all other aspects the provisions of the Shoreline Residential Type Two (SR2) Zone shall apply.

5.3.7.3 Shoreline Residential Type Two Exception Three (SR2-3) Zone Part of Lot 1, Concession 2, Livingstone, Schedule "F4" (By-law 844; formerly SR2-3, Sherborne)

Within the Shoreline Residential Type Two Exception Three (SR2-3) Zone, the minimum lot area and frontage requirements for a dwelling house shall be 2.8 hectares and 120 metres respectively. In all other respects the provisions of the Shoreline Residential Type Two (SR2) Zone shall apply.

5.3.7.4 Shoreline Residential Type Two Exception Four (SR2-4) Zone Part of Lot 32, Concession 14, Sherborne, Schedules "F5 & G5" (By-law 1233; formerly SR2-18, Sherborne)

Within the Shoreline Residential Type Two Exception Four (SR2-4) Zone, the minimum lot area shall be 1.9 hectares, the minimum lot frontage shall be 270 metres and the existing principal building shall be setback 10 metres from the high water mark. In all other respects, the provisions of the Shoreline Residential Type Two (SR2) Zone shall apply.

5.3.7.5 Shoreline Residential Type Two Exception Five (SR2-5) Zone

Not Assigned.

5.3.7.6 Shoreline Residential Type Two Exception Six (SR2-6) Part of Lot 19, Concession 11, Sherborne, Schedule "H3" (formerly SR2-28, Algonquin Highlands)

Within the Shoreline Residential Type Two Exception Six (SR2-6) Zone, the minimum setback for any new structure shall be 30 metres, and the lands shall be subject to site plan control. All other requirements applicable to a Shoreline Residential Type Two (SR2) Zone shall continue to apply.

5.3.7.7 Shoreline Residential Type Two Exception Seven (SR2-7) Zone
Part of Lot 12, Concession 7, Stanhope, Schedule "M3"
(formerly SR2-7, Stanhope)

Within the Shoreline Residential Type Two Exception Seven (SR2-7) Zone, the minimum lot frontage requirement shall be 75 metres and the minimum lot area requirement shall be 5.6 hectares (14 acres). In all other aspects the provisions of the Shoreline Residential Type Two (SR2) Zone shall apply.

5.3.7.8 Shoreline Residential Type Two Exception Eight (SR2-8) Zone
Part of Lots 19 and 20, Concession 12, Sherborne, Schedule "H3"
(By-law 1029; formerly SR2-8, Sherborne)

In addition to the regulations applicable to lands zoned Shoreline Residential Type Two (SR2), for those lands zoned SR2-8, the front lot line is deemed to be the high water mark of Kawagama or Hollow Lake. In the SR2-8 Zone, lot frontage shall be measured by the straight line horizontal distance between the two most widely separated points on the front lot line. The minimum lot area for those lands shown as SR2-8 shall be 1.4 hectares. The minimum front yard depth shall be 20 metres from the front lot line, except as may otherwise be specified in this by-law for accessory buildings and structures.

5.3.7.9 Shoreline Residential Type Two Exception Nine (SR2-9) Zone
Part of Lot 24, Concession 5, Stanhope
(formerly SR2-9, Stanhope)

Within the Shoreline Residential Type Two Exception Nine (SR2-9) Zone, the minimum lot area shall be 2,000 square metres, the minimum front yard requirements for a private cabin shall be 8.288 metres and the minimum setback for a private cabin from the Township Road centreline shall be 18.288 metres. The private cabin shall be an accessory building only and the principal or main building shall be located off-site on the road allowance, south of the lands affected by this By-law. In all other respects the provisions of the Shoreline Residential Type Two (SR2) Zone shall apply and be complied with.

5.3.7.10 Shoreline Residential Type Two Exception Ten (SR2-10) Zone
Opposite Lot 1, Concession 12, Stanhope, Schedule "L1"
(formerly SR2-10, Stanhope)

Within the Shoreline Residential Type Two Exception Ten (SR2-10) Zone, the minimum lot area shall be 8,094 square metres and the minimum lot frontage shall be 80 metres. In all other respects the provisions of the Shoreline Residential Type Two (SR2) Zone shall apply.

5.3.7.11 Shoreline Residential Type Two Exception Eleven (SR2-11) Zone
Part of Lots 1 and 2, Concession I, Livingstone, Schedule "F5"
(By-law 1237; formerly SR2-15, Sherborne)

Within the Shoreline Residential Type Two Exception Eleven (SR2-11) Zone, the minimum lot area shall be 1.8 hectares and the minimum lot

frontage shall be 140 metres. In all other respects, the provisions of the Shoreline Residential Type Two (SR2) Zone shall apply.

5.3.7.12 Shoreline Residential Type Two Exception Twelve (SR2-12) Zone
Part of Lots 1, Concession I, Livingstone, Schedule "F5"
(By-law 1237; formerly SR2-16, Sherborne)
(By-law No. 06-06)

Within the Shoreline Residential Type Two Exception Twelve (SR2-12) Zone,

- The minimum lot area shall be 2 ha (5 acres);
- The minimum lot frontage shall be 154 metres (505 feet); and
- No further severances will be permitted.

In all other respects, the provisions of the Shoreline Residential Type Two (SR2) Zone shall apply.

5.3.7.13 Shoreline Residential Type Two Exception Thirteen (SR2-13) Zone
Opposite Lot 1, Concession 12, Stanhope, Schedule "L1"
(formerly SR2-13, Stanhope)

Notwithstanding the provisions as set forth hereof to the contrary, within the Shoreline Residential Type Two Exception Thirteen (SR2-13) Zone, the minimum lot area shall be 16,000 square metres. In all other respects the provisions of the Shoreline Residential Type Two (SR2) Zone shall apply.

5.3.7.14 Shoreline Residential Type Two Exception Fourteen (SR2-14) Zone
Part of Lot 32, Concession 14, Sherborne, Schedule "F5"
(By-law 1233; formerly SR2-17, Sherborne)

Within the Shoreline Residential Type Two Exception Fourteen (SR2-14) Zone, the minimum lot area shall be 1.2 hectares and the minimum lot frontage shall be 170 metres. In all other respects, the provisions of the Shoreline Residential Type Two (SR2) Zone shall apply.

5.3.7.15 Shoreline Residential Type Two Exception Fifteen (SR2-15) Zone
Part of Lot 10, Concession 3, Livingstone, Schedule "E5"
(By-law No. 04-27 and 05-02)

Within the Shoreline Residential Type Two Exception Fifteen (SR2-15) Zone, the minimum lot area shall be 0.15 hectares (0.38 acres), a minimum lot frontage shall be 36 metres (118 feet), and minimum front yard setback of 8.5 metres. In all other respects, the provisions of By-law shall apply.

5.3.7.16 Shoreline Residential Type Two Exception Sixteen (SR2-16) Zone

Not Assigned

5.3.7.17 Shoreline Residential Type Two Exception Seventeen (SR2-17) Zone
Part of Lot 18, Concession 11, Sherborne, Schedule "H3"
(By-law 05-19)

Within the Shoreline Residential Type Two Exception 17 (SR2-17) Zone,

- the minimum lot area shall be 1,943 square metres (0.48 acres); and
- the minimum lot frontage shall be 44 metres (143.4 metres).

In all other respects, the provisions of By-law shall apply.

5.3.7.18 Shoreline Residential Type Two Exception Eighteen (SR2-18) Zone
Lot 14, Concession A, Sherborne, Schedule "J1"
(By-law 05-23)

Within the Shoreline Residential Type Two Exception 18 (SR2-18) Zone,

- the minimum lot area shall be 0.2 ha (0.54 acres); and
- the minimum lot frontage shall be 31 metres (103 feet).

In all other respects, the provisions of By-law shall apply.

5.3.7.19 Shoreline Residential Type Two Exception Nineteen (SR2-19) Zone
Lot 14, Concession A, Sherborne, Schedule "J1"
(By-law 05-23)

Within the Shoreline Residential Type Two Exception 19 (SR2-19) Zone,

- the minimum lot area shall be 0.2 ha (0.50 acres); and
- the minimum lot frontage shall be 45 metres (150 feet)

In all other respects, the provisions of By-law shall apply.

5.3.7.20 Shoreline Residential Type 2 Exception Twenty (SR2-20) Zone

Not Assigned

5.3.7.21 Shoreline Residential Type 2 Exception Twenty-One (SR2-21) Zone
Lot 6, Concession 14, McClintock, Schedule "D1"
(By-law No. 06-23)

Within the Shoreline Residential Type 2 Exception 21 (SR2-21) Zone,

- the minimum lot area shall be as exist at date of passage;
- the minimum lot frontage shall be as exist at date of passage; and,
- the Setback from High Water Mark shall be 30 metres (98.4 feet) for new buildings and structures and 23 metres (75.4 feet) for expansions to buildings and structures that existed at date of passage.

In all other respects, the provisions of the Shoreline Residential Type Two (SR2) Zone shall apply.

5.3.7.22 Shoreline Residential Type 2 Exception Twenty-Two (SR2-22) Zone
Lot 1, Concession 1, Livingston, Schedules "F5"
(By-law 06-06)

Within the Shoreline Residential Type 2 Exception 22 (SR2-22) Zone,

- the minimum lot area shall be 2 ha (5 acres);
- the minimum lot frontage shall be 83 metres (275 feet); and,
- the Setback from High Water Mark shall be 21.5 metres (71 feet); and
- no further severances will be permitted

In all other respects, the provisions of the Shoreline Residential Type Two (SR2) Zone shall apply.

5.3.7.23 Shoreline Residential Type 2 Exception Twenty-Three (SR2-23) Zone
Lot 32, Concession 1, McClintock, Schedules "F4"
(By-law No. 06-06)

Within the Shoreline Residential Type 2 Exception 23 (SR2-23) Zone,

- the minimum lot area shall be 1.3 ha (3.2 acres);
- the minimum lot frontage shall be 147 metres (484 feet); and,
- no further severances will be permitted

In all other respects, the provisions of the Shoreline Residential Type Two (SR2) Zone shall apply.

5.3.7.24 Shoreline Residential Type 2 Exception Twenty-Four (SR2-24) Zone
Lot 2, Concession A, Sherborne, Schedule "K2"
(By-law No. 06-10)

Within the Shoreline Residential Type 2 Exception 24 (SR2-24) Zone, the minimum lot frontage shall be 54 metres. In all other respects, the provisions of the Shoreline Residential Type Two (SR2) Zone shall apply.

5.3.7.25 Shoreline Residential Type 2 Exception Twenty-Five (SR2-25) Zone
Part Lot 15, Concession 8, Stanhope, Schedule "M3"

Within the Shoreline Residential Type 2 Exception 25 (SR2-25) Zone:

- the minimum lot area shall be 0.32 ha (0.79 acres);
- Permitted buildings, including size and setbacks, are limited to those buildings existing as of the date of passage of the by-law, as shown on Schedule "B" attached hereto.

5.3.7.26 Shoreline Residential Type 2 Exception Twenty-Six (SR2-26) Zone
Part Lots 15 and 16, Concession 8, Stanhope, Schedule "M3"

Within the Shoreline Residential Type 2 Exception 26 (SR2-26) Zone:

- Permitted buildings, including size and setbacks, are limited to those existing as of the date of passage of the by-law, as shown on Schedule "B" attached hereto.

5.3.7.27 Shoreline Residential Type 2 Exception Twenty-Seven (SR2-27) Zone
Part Lot 23, Concession 3, Sherborne, Schedule "N4"

Within the Shoreline Residential Type 2 Exception 27 (SR2-27) Zone: the minimum lot frontage shall be 45 metres (148 feet). In all other respects, the provisions of the Shoreline Residential Type Two (SR2) Zone shall apply.

5.3.7.28 Shoreline Residential Type 2 Exception Twenty-Eight (SR2-28) Zone
Part Lot 17, Concession 11, Sherborne, Schedule "H2"
1264 Meeting Trail

Within the Shoreline Residential Type 2 Exception 28 (SR2-28) Zone:

- the minimum lot area shall be 0.25 hectares (0.61 acres);
- the minimum lot frontage shall be 40 metres (131 feet).

In all other respects, the provisions of the Shoreline Residential Type Two (SR2) Zone shall apply.

5.3.7.29 Shoreline Residential Type 2 Exception Twenty-Nine (SR2-29) Zone
Part Lot 2, Concession 8, Sherborne, Schedule "I2"
10735 West Shore, Raven Lake

Within the Shoreline Residential Type 2 Exception 29 (SR2-29) Zone:

- the minimum lot frontage shall be 42.6 metres (139 feet).

In all other respects, the provisions of the Shoreline Residential Type Two (SR2) Zone shall apply.

5.3.7.30 Shoreline Residential Type 2 Exception Thirty (SR2-30) Zone
Part Lot 2, Concession 8, Sherborne, Schedule "I2"
1264 Meeting Trail

Within the Shoreline Residential Type 2 Exception 30 (SR2-30) Zone:

- the minimum lot frontage shall be 45.1 metres (147 feet).

In all other respects, the provisions of the Shoreline Residential Type Two (SR2) Zone shall apply.

5.3.8 **COMMUNITY FACILITY ZONE (CF)**

5.3.8.1 Community Facility Exception One (CF-1) Zone

Part of Lots 4 & 5, Concession A, Sherborne, Schedule "K2"
(formerly CF-1, Sherborne)

Within the Community Facility Exception One (CF-1) Zone, the uses permitted shall be restricted to that of only a Resource Management Centre, and ancillary facilities for the accommodation of persons attending or managing the principal use. In all other respects the provisions of the Community Facility (CF) Zone shall apply.

5.3.8.2 Community Facility Exception Two (CF-2) Zone

Part of Lot 16, Concession 10, Sherborne, Schedule "H3"
(formerly CF-3, Sherborne)

Within the Community Facility Exception Two (CF-2) Zone, the uses permitted shall be restricted to that of only a public portage. In all other respects the provisions of the Community Facility (CF) Zone shall apply.

5.3.9 **HIGHWAY COMMERCIAL ZONE (C1)**

5.3.9.1 Highway Commercial Exception One (C1-1) Zone, Part of Lot 16, Concession 3, Stanhope, Schedule "N3" (formerly C1-1, Stanhope)

Within the Highway Commercial Exception One (C1-1) Zone, the uses permitted shall be restricted to that of only a nursery, inclusive of the sale of lawn and garden equipment; small engine repairs; a recreational vehicle sales and service establishment; and the outside display and sale of goods and materials, together with such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto. In all other respects the provisions of the Highway Commercial (C1) Zone shall apply.

5.3.9.2 Highway Commercial Exception Two (C1-2) Zone Part of Lot 3, Concession 10, McClintock (Oxtongue Lake), Schedule "E1" (By-law 912; formerly C1-2, Sherborne)

Within the Highway Commercial Exception Two (C1-2) Zone, the non-residential uses permitted shall be restricted to a retail commercial establishment for the sale of souvenirs, crafts, second hand goods, articles and antiques or other similar articles and the outside display of goods and materials, where such display is accessory, incidental and subordinate thereto. In all other respects the provisions of the Highway Commercial (C1) Zone shall apply.

5.3.10 GENERAL COMMERCIAL ZONE (C2)

5.3.10.1 General Commercial Exception One (C2-1) Zone Part of Lot 29, Concession A, Sherborne (Dorset), Schedule "H1" (By-law 1088; formerly C2-1, Sherborne)

The only permitted non-residential use shall be that of a Real Estate Office. In all other respects the provisions of the General Commercial (C2) Zone shall apply.

5.3.10.2 General Commercial Exception Two (C2-2) Zone Part of Lots 30 & 31, Concession A, Sherborne (Dorset), Schedule "H1"

Within the General Commercial Exception Two (C2-2) Zone, the non-residential uses permitted shall be restricted to Business, Professional or Administrative Office, Medical or Dental Clinic and Retail Commercial Establishment. In addition, the minimum lot area shall be 0.18 hectares. In all other respects the provisions of the General Commercial (C2) Zone shall apply.

5.3.10.3 General Commercial Exception Three (C2-3) Zone

Not assigned.

5.3.10.4 General Commercial Exception Four (C2-4) Zone Part of Lot 29, Concession A, Sherborne, Schedule "I1"

Within the General Commercial Exception Four (C2-4) Zone,

- the minimum front yard shall be 4.2 metres for the existing barn;
- the minimum setback from the Township Road Centreline shall be 7.9 metres for the existing barn; and,
- a single detached dwelling shall be permitted as an accessory use.

In all other respects the provisions of the General Commercial (C2) Zone shall apply.

5.3.11 RECREATIONAL COMMERCIAL ZONE (C3)

5.3.11.1 Recreational Commercial Exception One (C3-1) Zone Part Lot 28, Concession 5, Stanhope, Schedule "M4" (formerly C2-6, Stanhope)

Within the Recreational Commercial Exception One (C2-1) Zone, the uses permitted shall be restricted to that of a tourist establishment and ancillary residential dwelling for the owner together with such other accessory buildings, structures and uses, as are normally considered incidental and subordinate thereto. In all other respects the provisions of the Recreational Commercial (C2) Zone shall apply.

5.3.11.2 Recreational Commercial Exception Two (C3-2) Zone Part of Lot 21, Concession 11, Sherborne, Schedule "H3" (formerly C3-2, Sherborne)

Within the Recreational Commercial Exception Two (C3-2) Zone, the non-residential uses permitted shall be restricted to that of housekeeping cottages and cabins. In all other respects, the provisions of the Recreational Commercial (C3) Zone shall apply.

5.3.11.3 Recreational Commercial Exception Three (C3-3) Zone Part of Lot 3, Concession 12, Sherborne (Dorset), Schedule "H1" (formerly C3-3, Sherborne)

Within the Recreational Commercial Exception Three (C3-3) Zone, the following provisions apply:

- A maximum of two single detached dwelling houses are permitted.
- The non-residential uses permitted shall be restricted to a tourist establishment, which shall include: housekeeping cottages and cabins, to a maximum number as approved by the Health Unit or other approval authority for septic installations; a hotel; and, a trailer park consisting of 30 presently established and approved sites, with additional sites permitted provided such sites have a minimum site area of 250 square metres and minimum frontage along the internal road of 13.5 metres.
- The trailer sites may be used for Recreational Mobile Homes or housekeeping cottages.
- No new Recreational Mobile Home or housekeeping cottage shall occupy more than 40% of an individual trailer site.
- All Recreational Mobile Homes or housekeeping cottages shall be connected to communal water and septic facilities, and shall not contain basements.
- Such Recreational Mobile Homes or housekeeping cottages may be utilized in all seasons, to a maximum of 11 months of the year. The Recreational Mobile Homes or housekeeping cottages shall not be used as permanent dwelling houses.

All development of future sites and accommodation units will be contingent upon Health Unit or other approval authority for septic systems and density.

In all other respects, the provisions of the Recreational Commercial (C3) Zone shall apply.

5.3.11.4 Recreational Commercial Exception Four (C3-4) Zone
Part of Lots 7 and 8, Concession 11, Stanhope, Schedule "L2"
(formerly C3-8, Stanhope)

Within the Recreational Commercial Exception Four (C3-4) Zone, the non-residential uses permitted shall be restricted to that of only a cottage and/or cabin establishment together with such other accessory buildings, structures and uses as are normally considered incidental and subordinate thereto. In all other respects the provisions of the Recreational Commercial (C3) Zone shall apply.

5.3.11.5 Recreational Commercial Exception Five (C3-5) Zone
Part of Lot 16, Concession 12, Sherborne, Schedule "H2"
(formerly C3-5, Sherborne)

Within the Recreational Commercial Exception Five (C3-5) Zone, the non-residential uses permitted shall be restricted to that of a marina, recreational vehicle sales and service establishment, housekeeping cottages, and a convenience store ancillary to the permitted non-residential uses. In all other respects, the provisions of the Recreational Commercial (C3) Zone shall apply.

5.3.11.6 Recreational Commercial Exception Six (C3-6) Zone
Part of Lots 2 and 3, Concession 10, McClintock (Oxtongue Lake)
(formerly C3-6, Sherborne)

Within the Recreational Commercial Exception Six (C3-6) Zone, the non-residential uses permitted shall be restricted to that of a cabin or cottage establishment as well as camping sites to a maximum of 10 sites. In all other respects, the provisions of the Recreational Commercial (C3) Zone shall apply.

5.3.11.7 Recreational Commercial Exception Seven (C3-7) Zone
Part of Lot 3, Concession 1, Stanhope, Schedule "O1"
(formerly C3-9, Stanhope)

Within the Recreational Commercial Exception Seven (C3-7) Zone, the minimum lot area shall be 3 hectares, and the minimum lot frontage requirement shall be 180 metres. Permitted uses shall be limited to boat storage facilities, consisting of fully or partially enclosed buildings designed for the storage of boats. In addition, within the Recreational Commercial Exception Seven (C3-7) Zone, no portion of any lot shall be used for the outside display and/or storage of goods or materials except in accordance with the following provisions:

- That such outside storage be restricted to the rear of the principal structure(s) and comply with the required front and exterior side yard and setback requirements;
- That such outside display and/or storage does not cover in excess of

50 percent of the total lot area; and,

- That any portion of a lot used for the outside storage of goods or materials is screened from adjacent residential uses and public streets adjoining the lot by buildings, or, is enclosed by shrub planting in conjunction with a planting strip as may be required under this By-law, or, is enclosed within a closed wooden, plastic and/or metal fence extending at least 1.8 metres in height from the finished grade.

All other provisions of the Recreational Commercial (C3) Zone shall remain in effect in the Recreational Commercial Exception Seven (C3-7) Zone.

5.3.11.8 Recreational Commercial Exception Eight (C3-8) Zone,
Part of Lot 11, Concession 9, Stanhope, Schedules "L2 and M2"
(formerly C3-8, Stanhope)

Within the Recreational Commercial Exception Eight (C3-8) Zone, the non-residential uses permitted shall be restricted to the following:

- Recreational Facilities
- Social Centre
- Gift Shop
- Existing office for Resort
- Restaurant
- A public use or municipal utility in accordance with the provisions set forth in this By-law

For the purposes of calculating minimum lot frontage, the line dividing the lot from Provincial Highway No. 35 shall be deemed to be the front lot line. In all other respects the provisions of the Recreational Commercial (C3) Zone shall apply.

5.3.11.9 Recreational Commercial Exception Nine (C3-9) Zone
Part of Lot 7, Concession 13, McClintock (Oxtongue Lake), Schedule "D1"
(By-law 901; formerly C3-9, Sherborne)

Within the Recreational Commercial Exception Nine (C3-9) Zone, the non-residential uses permitted shall be restricted to that of a cottage and cabin establishment, a camping establishment, and a convenience store inclusive of a motor vehicle service station and a laundromat. In all other respects the provisions of the Recreational Commercial (C3) Zone shall apply.

5.3.11.10 Recreational Commercial Exception Ten (C3-10) Zone
Part Lot 15, Concession 12, McClintock (Oxtongue Lake), Schedule "D1"
(By-law 1239; formerly C3-10, Sherborne)

Within the Recreational Commercial Exception Ten (C3-10) Zone, the non-residential uses permitted shall be restricted to that of a tourist establishment inclusive of housekeeping cottages and cabins. In all other respects, the provisions of the Recreational Commercial (C3) Zone shall apply.

5.3.11.11 Recreational Commercial Exception Eleven (C3-11) Zone
Part of Lots 1 and 2, Concession 13, Sherborne (Dorset), Schedule "H1"
(By-law 1031; formerly C3-11, Sherborne)

Within the Recreational Commercial Exception Eleven (C3-11) Zone, all relevant provisions this by-law shall apply, save and except as specifically noted below:

Only Permitted Residential Use

- One (1) single detached dwelling house

Only Permitted Non-Residential Uses

- Tourist establishment up to a maximum of six (6) cottages
- The production and sale of products derived from maple syrup
- Public uses
- Minimum Lot Area 0.08 hectares
- Maximum floor area of individual cottages 66 m²

5.3.11.12 Recreational Commercial Exception Twelve (C3-12) Zone
Part Lot 7, Concession XIII, McClintock (Oxtongue Lake), Schedule "D1"
(By-law 1171; formerly C3-12, Sherborne)

Within the Recreational Commercial Exception Twelve (C3-12) Zone, the permitted non-residential uses shall be limited to the following:

- A gift shop
- An information center
- A miniature golf course
- A Restaurant
- A Tourist Establishment

Those buildings which existed on July 1, 1991 shall be considered to have a legal non-conforming status. Any enlargements or extensions will only be permitted where in conformity with the provisions of this by-law. In all other respects the provisions of the Recreational Commercial (C3) Zone shall apply.

5.3.11.13 Recreational Commercial Exception Thirteen (C3-13) Zone
Part Lot 15, Concession 12, Sherborne, Schedule "D1"

Within the Recreational Commercial Exception Thirteen (C3-13) Zone, the permitted uses shall be restricted to:

- Boat Storage
- Conservation
- Dwelling, Single Detached
- Public Use

In addition, the following lot regulations shall apply to non-residential uses:

-
- Minimum Interior Side Yard 15 metres
 - Minimum Front Yard 35 metres
 - Maximum Lot Coverage 5 percent
 - Maximum Building Height (non-residential uses) 11 metres
 - The lot is deemed to comply with the frontage requirements of Section 4.9.
 - No portion of the lot shall be used for the outside display and/or storage of goods or materials except in accordance with the following provisions:
 - That any area used for outside storage comply with the required front, rear and side yards;
 - That such outside display and/or storage does not cover in excess of 30 percent of the total lot area; and,
 - That such outside storage is screened from adjacent residential uses and public streets adjoining the lot by buildings, vegetation in accordance with the planting strip regulations or a closed wooden, plastic and/or metal fence extending at least 1.8 metres in height from the finished grade.

In all other respects the provisions of the Recreational Commercial (C3) Zone shall apply.

5.3.12 **COMMERCIAL-INDUSTRIAL (C4) ZONE**

5.3.12.1 Commercial/Industrial Exception One (Holding) (C4-1(H)) Zone Part of Lot 29, Concession A, Sherborne, Schedule "I1"

No person shall, in the Commercial/Industrial Exception One Holding (C4-1(H)) Zone use any land or erect, alter or use any building or structure for any purpose except for any uses legally existing on the date of passage of this by-law. The holding symbol shall be removed by By-law only after appropriate public access is provided to the lands, and the access road is constructed to a standard acceptable to the Township. When the holding symbol is removed, the following provisions shall apply to any development on, or use of, the lands:

- a) No person shall, in the Commercial/Industrial exception One (C4-1) Zone use any land or erect, alter or use any building or structure for any purpose except one or more on the following uses:

Commercial Uses:

- An arts and crafts shop
- An art gallery
- A bakery shop
- A bank or financial establishment
- A brewers retail outlet
- A business, professional or administrative office
- A commercial fitness center
- A convenience store
- A dry cleaning establishment
- Equipment sales and rentals, light
- A fire hall
- A private club
- A funeral home or undertaking establishment
- A furniture and appliance dealer
- A hotel, motel or motor hotel
- A liquor control board outlet
- A medical or dental clinic
- A motor vehicle service station
- A municipal administrative complex
- A place of entertainment
- A place of worship
- A police station
- A post office
- A recreational vehicle sales and service establishment
- A restaurant
- A retail commercial establishment
- A service shop, light
- A service shop, personal
- A supermarket
- A tourist outfitter's establishment

Industrial Uses

- A boat storage facility
 - A building supply outlet
 - A commercial self-storage facility
 - Equipment sales and rental, heavy
 - A general contractor's or tradesmen's yard and related shop facilities
 - A machine shop
 - A manufacturing, processing, assembly or fabricating plant, except any such use which, from its nature or the material used therein, is declared to be offensive
 - A motor vehicle sales and service establishment
 - A recreational vehicle sales and service establishment
 - A warehouse or wholesale establishment
 - A workshop
- b) Where a C4-1 zone abuts a Hamlet Residential (HR), and on the northern lot line that abuts a Rural (RU) Zone, a minimum of 6 metres of the required yard abutting that zone shall be maintained as a landscaped buffer. For the purposes of this section, a landscaped buffer means a landscaped or naturally planted area reserved for the purpose of screening adjacent uses by the planting or maintaining of trees and shrubs and shall consist of at least a continuous row of trees, evergreens or shrubs, not less than 2 metres high. The minimum distance between buildings on the same lot shall be 6 metres.
- c) Notwithstanding any provisions to the contrary, the lands zoned C4-1 having frontage on Highway 35, shall be permitted to have access from a private right-of-way.
- d) Lot Coverage 40%
- e) Landscaped Open Space 10%
- f) All other requirements applicable to a Commercial/Industrial (C4) Zone shall continue to apply.

5.3.12.2 Commercial/Industrial Exception One (C4-1) Zone

Part of Lot 29, Concession A, Sherborne, Schedule "I1"
(formerly C4-1, Algonquin Highlands)

The (H) Holding Provision is hereby deleted from the Commercial/Industrial Exception One (C4-1) Zone only as it applies to that Part of Lot 29, Concession A, Sherborne, more particularly described as Parts 1 – 4, 19R-6708, and as shown on Schedules 9 and 9A. All other provisions applicable to a C4 and C4-1 Zone shall apply.

5.3.13 GENERAL INDUSTRIAL ZONE (M1)

5.3.13.1 General Industrial Exception One (M1-1) Zone Part of Lot 9, Concession 8, Stanhope, Schedule "M2" (formerly M1-1, Stanhope)

Within the General Industrial Exception One (M1-1) Zone, the non-residential uses permitted shall be restricted to that of a saw and/or planing mill and the outside storage of goods and materials together with such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto. In all other respects the provisions of the General Industrial (M1) Zone shall apply.

5.3.13.2 General Industrial Exception Two (M1-2) Zone

Not Assigned.

5.3.13.3 General Industrial Exception Three (M1-3) Zone Part Lot 15, Concession 1, Stanhope, Schedule "O2" (formerly M1-3, Stanhope)

Within the General Industrial Exception Three (M1-3) Zone, the non-residential uses permitted shall be restricted to a contractor's workshop and maintenance yard and the outside storage of goods and materials together with such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto. In all other respects the provisions of the General Industrial (M1) Zone shall apply and be complied with.

5.3.13.4 General Industrial Exception Four (M1-4) Zone Part of Lots 31 and 32, Concession 5, Stanhope, Schedule "M4" (formerly M1-4, Stanhope)

Within the General Industrial Exception Four (M1-4) Zone, the uses permitted shall be restricted to that of a municipal airport together with such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto. In all other respects the provisions of the General Industrial (M1) Zone shall apply and be complied with.

5.3.13.5 General Industrial Exception Five (M1-5) Zone Part of Lot 16, Concession 8, Stanhope, Schedule "M3" (formerly M1-5, Stanhope)

Within the General Industrial Exception Five (M1-5) Zone, the non-residential uses permitted shall be restricted to that of a contractor's yard and the outside storage of goods and materials together with such other accessory buildings, structures and uses as are normally considered incidental and subordinate thereto. In all other respects the provisions of the General Industrial (M1) Zone shall apply and be complied with.

5.3.13.6 General Industrial Exception Six (M1-6)
Part of Lot 31, Concession 5, Stanhope, Schedule "M4"
(formerly M1-6 and RU-3 Stanhope)

For those lands zoned General Industrial Exception Six (M1-6), permitted uses shall be limited to an aircraft repair and refurbishing business and a small engine repair shop. In addition, those lands zoned Rural (RU) on the property may be utilized in calculating minimum lot frontage. In all other respects, the provisions of this By-law shall apply.

5.3.13.7 General Industrial Exception Seven (M1-7)
Part of Lot 32, Concession 5, Stanhope, Schedule "M4"
(formerly M1-3, Stanhope)

The permitted uses shall be limited to the following:

- A business or professional office, provided such use is accessory and incidental to a permitted non-residential use;
- A manufacturing, processing, assembly or fabricating plant except any such use which, from its nature or the materials used, is declared to be offensive;
- A storage facility for aircraft;
- A warehouse or wholesale establishment;
- A workshop.

All other requirements applicable to a General Industrial (M1) Zone shall continue to apply.

5.3.13.8 General Industrial Exception Eight (M1-8) Zone
Part of Lot 3, Concession 13, Sherborne (Dorset), Schedule "H1"
(formerly M1-1, Sherborne)

Within the General Industrial Exception Eight (M1-8) Zone, the uses permitted shall be restricted to that of only a building supply outlet, the outside storage of goods and materials. In all other respects the provisions of the General Industrial (M1) Zone shall apply.

5.3.13.9 General Industrial Exception Nine (M1-9) Zone
Part of Lot 29, Concession A, Sherborne (Dorset), Schedule "I1"
(formerly M1-2, Sherborne)

Within the General Industrial Exception Nine (M1-9) Zone, the uses permitted shall be restricted to that of only a building for the storage of boats and marine equipment and supplies including the storage of propane. In all other respects the provisions of the General Industrial (M1) Zone shall apply.

5.3.13.10 General Industrial Exception Ten (M1-10) Zone
Part of Lot 29, Concession A, Sherborne (Dorset), Schedule "I1"
(By-law 846; formerly M1-3, Sherborne)

Within the General Industrial Exception Ten (M1-10) Zone, the permitted uses shall be restricted to that of boat storage facilities exclusive of the outside storage or display of goods and materials, subject to the following provisions:

Minimum Lot Area	1050 m ²
Minimum Yard Requirements	
Front Yard	9m
Interior Side Yard	4.57m
Rear Yard	1m
Maximum Lot Coverage of All Buildings	30%

All other pertinent provisions of the General Industrial (M1) Zone, save and except the requirements related to the provision of a planting strip shall apply.

5.3.14 **EXTRACTIVE INDUSTRIAL - PITS (M2) ZONE**

5.3.14.1 Extractive Industrial Exception One (M2-1) Zone

Not Assigned.

5.3.14.2 Extractive Industrial – Pits Exception Two (M2-2) Zone Part of Lot 19, Concession 1, Stanhope, Schedule “N4”

For those lands shown as M2-2, the permitted uses shall be limited to the following:

- Aggregate stockpiling;
- A pit, sand and gravel;
- A portable processing plant for the crushing, screening and primary processing of aggregate materials; and,
- A public use or municipal utility in accordance with planting strip regulations.

5.3.15 EXTRACTIVE INDUSTRIAL – PITS AND QUARRIES (M2A) ZONE

None as of this date.

5.3.16 WASTE DISPOSAL INDUSTRIAL (M3) ZONE

None as of this date.

5.4 **ENACTMENT**

This By-law shall come into force in accordance with the provisions of Section 34(12) or 34(30), whichever applies, of The Planning Act, R.S.O. 1990, as amended.

READ a FIRST and SECOND time this 19th day of June, 2003.

Eleanor Harrison

Gerald Bain

Eleanor Harrison
Reeve

Gerald Bain
Administrator/Clerk-Treasurer

READ a THIRD time this 19th day of June, 2003.

Eleanor Harrison

Gerald Bain

Eleanor Harrison
Reeve

Gerald Bain
Administrator/Clerk-Treasurer

ALGONQUIN HIGHLANDS ZONING BY-LAW

Table 1A - Permitted Residential & Accessory Uses

	Zones																	
	Environmental Protection (EP)	Open Space (OS)	Waterbody Open Space (WOS)	Rural (RU)	Hamlet Residential (HR)	Rural Residential (RR)	Shoreline Residential Type One (SR1)	Shoreline Residential Type Two (SR2)	Community Facility (CF)	Highway Commercial (C1)	General Commercial (C2)	Recreational Commercial (C3)	Commercial/Industrial (C4)(1)	General Industrial (M1)	Extractive Industrial - Pits (M2)	Extractive Industrial - Pits & Quarries(M2A)	Waste Disposal Industrial (M3)	Crown Land (CL)
RESIDENTIAL USES																		
Dwelling, Single Detached				x	x	x	x	x		x(2)		x(2)						
Dwelling, Duplex					x													
Dwelling Unit in a Non-residential Building (2)									x	x	x	x						
Prohibited	x		x					x						x	x	x	x	x
ACCESSORY USES																		
Accessory Apartment				x	x	x												
Bed and Breakfast				x	x	x	x											
Business, Professional or Administrative Office (2)											x	x	x	x	x	x		
Group Home				x	x	x												
Home occupation				x	x	x	x	x						x				
Home industry				x	x	x	x											
Outside display of goods & materials (2)										x	x			x				
Outside storage										x	x	x	x	x	x	x		
Retail commercial (2)													x	x				

(1) = Permitted uses are as existing at the date of passage of this by-law, or as established by site specific zoning amendment
 (2) = accessory to a permitted non-residential use only

**Table 1A to By-law 03-22
 amended by by-law 13-66**

ALGONQUIN HIGHLANDS ZONING BY-LAW

Table 1B - Permitted Non-Residential Uses

Table 1B to By-law 03-22 amended by By-law 08-21 Consolidated July 31, 2008	Zones																	
	Environmental Protection (EP)	Open Space (OS)	Waterbody Open Space (WOS)	Rural (RU)	Hamlet Residential (HR)	Rural Residential (RR)	Shoreline Residential Type One (SR1)	Shoreline Residential Type Two (SR2)	Community Facility (CF)	Highway Commercial (C1)	General Commercial (C2)	Recreational Commercial (C3)	Commercial/Industrial (C4)(1)	General Industrial (M1)	Extractive Industrial Pits (M2)	Extractive Industrial - Pits & Quarries (M2A)	Waste Disposal Industrial (M3)	Crown Land (CL)
NON-RESIDENTIAL USES																		
Aggregate Stockpiling															x	x		
Building Supply Outlet										x					x			
Bulk Storage Tank															x			
Business, Professional or Administrative Office										x	x				x			
Camping Establishment (1)												x (1)						
Cartage or Transport Depot															x			
Cemetery				x					x									
Commercial Self-storage Facility															x			
Community centre				x					x		x							
Conservation	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Contractor's Yard															x			
Day Care Centre				x					x	x	x							
Dry-Cleaning Establishment															x			
Equestrian Facility				x								x						
Equipment Sales & Rental, Heavy															x			
Equipment Sales & Rental, Light										x	x				x			
Farm				x														
Farm Produce Outlet				x						x								
Garden Nursery Sales & Supply Establishment										x								
Golf Course													x					
Golf Driving Range										x		x						
Greenhouse, Commercial				x						x								
Hunt Camp				x														x
Industrial Use															x			
Laundromat, Coin Operated										x	x				x			
Kennel, Commercial				x														
Marina											x	x						
Marine Sales & Service										x	x	x			x			
Medical or Dental Clinic											x							
Motor Vehicle Dealership										x	x							
Motor Vehicle Service Station										x	x				x			
Pit															x	x		
Portable Asphalt Plant				x						x					x	x	x	
Portable Processing Plant															x	x		
Printing or Publishing Establishment										x					x			
Public Use	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Quarry																x		
Recreational Facility																		
Recreational Vehicle Sales & Service										x		x			x			
Restaurant										x	x	x						
Retail Commercial Establishment										x	x							
Retirement Home										x	x							
Salvage Yard															x			
Saw and/or Planing Mill															x			
School, Commercial										x	x	x						
Service Shop, Light										x	x							
Service Shop, Personal										x	x							
Tourist Establishment										x		x						
Veterinary Clinic				x						x	x							
Warehouse															x			
Waste Disposal Area																		x
Wayside Pit or Quarry															x	x	x	x
Wholesale Establishment										x	x				x			
Workshop															x			
Works Yard															x			

(1) = Permitted uses as existing on the date of passage of this By-law, or as established by site specific zoning amendment

Table 1B to By-law 03-22
amended by By-law 08-21
amended by By-law 13-66

ALGONQUIN HIGHLANDS ZONING BY-LAW

Table 2 - Lot Regulations

	Zones																	
	Environmental Protection (EP)	Open Space (OS)	Waterbody Open Space (WOS)	Rural (RU)	Hamlet Residential (HR)	Rural Residential (RR)	Shoreline Residential Type One (SR1)	Shoreline Residential Type Two (SR2)	Community Facility (CF)	Highway Commercial (C1)	General Commercial (C2)	Recreational Commercial (C3)	Commercial/Industrial (C4)	General Industrial (M1)	Extractive Industrial - Pits (M2)	Extractive Industrial - Pits & Quarries (M2A)	Waste Disposal Industrial (M3)	Crown Land (CL)
Lot Area (min ha) (1) (8)	(4)	(4)	(4)	2(1)	0.3	0.4	0.4	0.4	0.3	0.3	0.3	0.3	0.4	0.4	1	1	(4)	(4)
Lot Frontage (min m) (8)	(4)	(4)	(4)	90	30	60	60	60	30	30	30	30	30	30	60	60	(4)	(4)
Front Yard (min m)	15	15	n/a	15(5)	10	15	30(9)	30(9)	15	15	15	15	15	15	30	30	100	15
Interior Side Yard (min m)	n/a	3	n/a	15(5)	3	3	6(3)	6(3)	8	6(6)	6(6)	6(6)	6(6)	3	15(7)	15(7)	100	15
Exterior Side Yard (min m)	n/a	15	n/a	15(5)	10	15	12	12	15	15	15	15	15	15	30	30	100	15
Rear Yard (min m)	n/a	12	n/a	12(5)	10	12	12	12	12	12	12	12	12	12	15(7)	15(7)	100	15
Setback from High Water Mark	n/a	30	n/a	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30
Single Detached Dwelling Unit Area - (min m2)	n/a	74	n/a	74	74	74	74	74	n/a	74	74	74	n/a	n/a	n/a	n/a	n/a	n/a
Lot coverage (max%)	n/a	20	n/a	20	30	15	15	15	40	25	25	40	25	25	10	10	n/a	n/a
Landscaped Open Space (min %)	n/a	30	n/a	n/a	30	30	30	30	30	10	10	10	10	10	10	10	n/a	n/a
Single Detached Dwellings per lot	0	1	0	1	1	1	1	1	0	1	0	1	0	0	0	0	0	0
Accessory Dwellings Units per lot (max number)	0	0	0	1	1	1	0	0	0	(2)	(2)	(2)	(2)	0	0	0	0	0

(1) = minimum lot size is reduced to 1 acre for crown lots sold for hunt camps

(2) = Refer to Section 4.7

(3) = side yards may be reduced to 3m on lots that existed prior to the passage of this by-law

(4) = as existed on date of passage

(5) = increase to 50 m if for a kennel

(6) = increase to 10 m if abutting a residential zone

(7) = increase to 20 m if abutting a residential zone

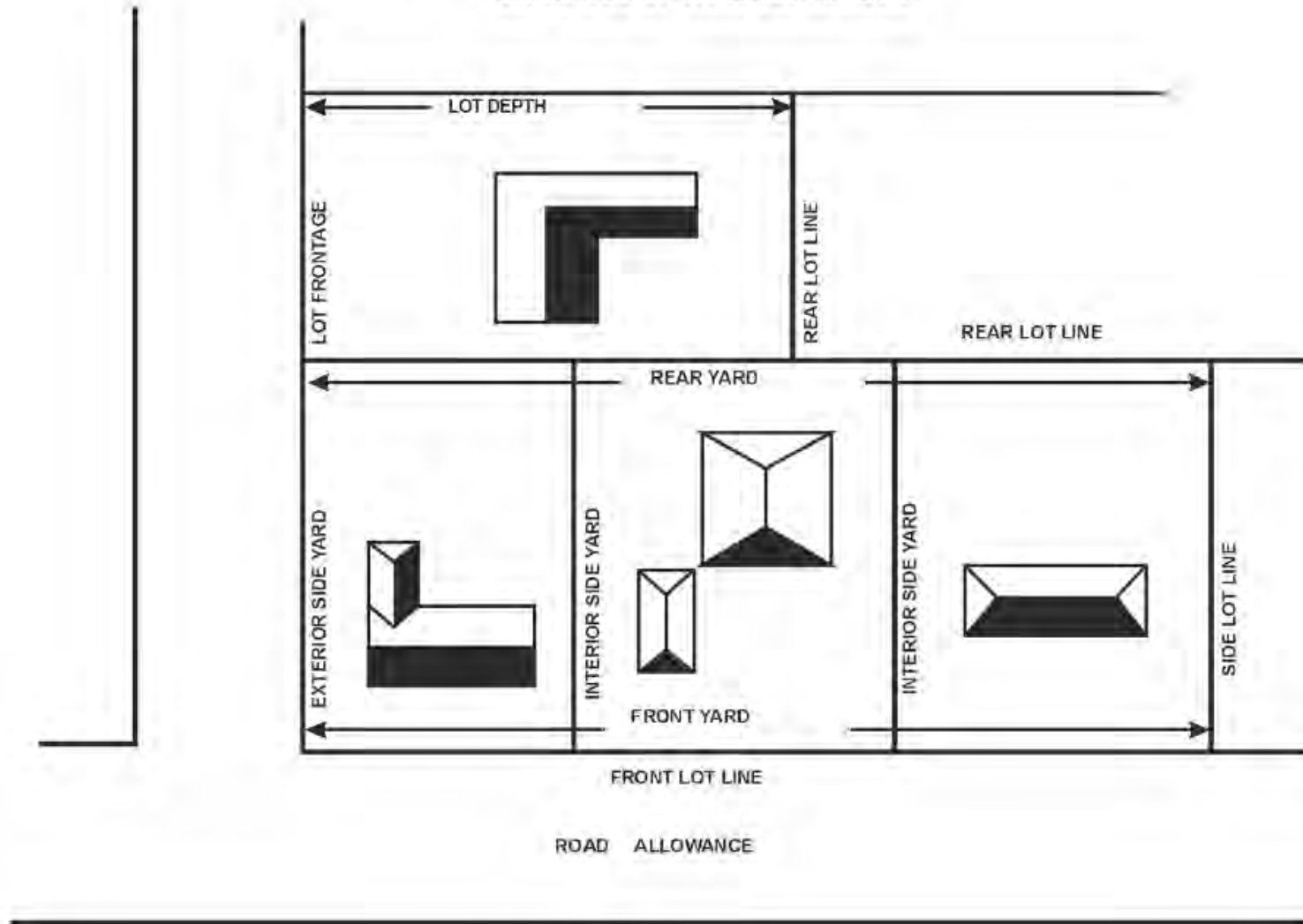
(8) = as existed on date of passage for lots on the following lakes: Bear Lake, Beech Lake, Clinto Lake (Hardwood Lake), Eighteen Mile Lake, Fletcher Lake, Kabakwa Lake, Kushog Lake - North and South Basins, Livingstone Lake, Lower Fletcher Lake, Maple Lake, McFadden Lake (Crozier Lake), Oxtongue Lake, Nunikani Lake

(9) = for properties in the SR1 and SR2 Zones which do not front onto a navigable watercourse or original shore road allowance, the minimum front yard requirement shall be 12 metres.

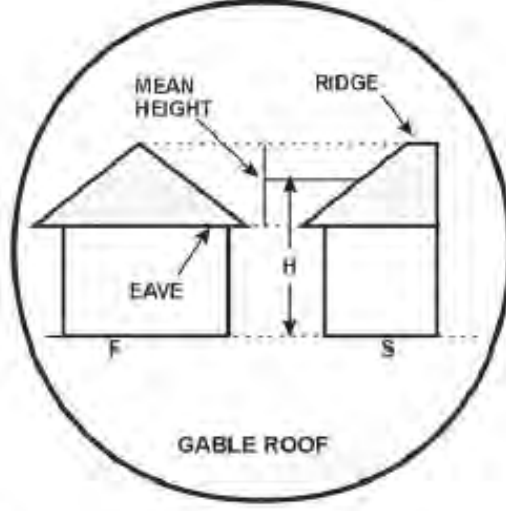
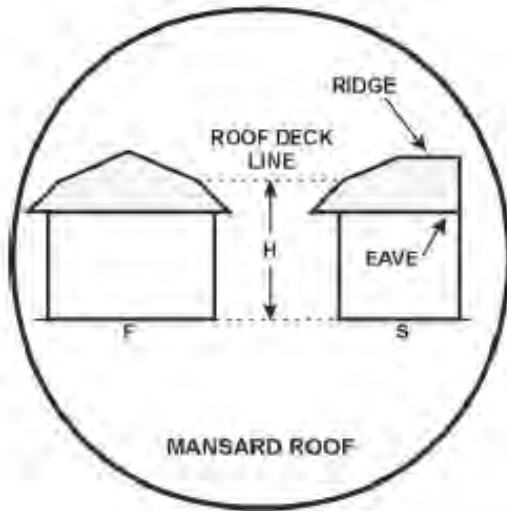
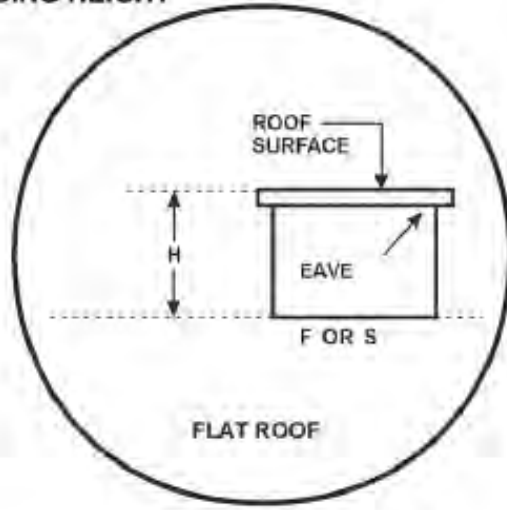
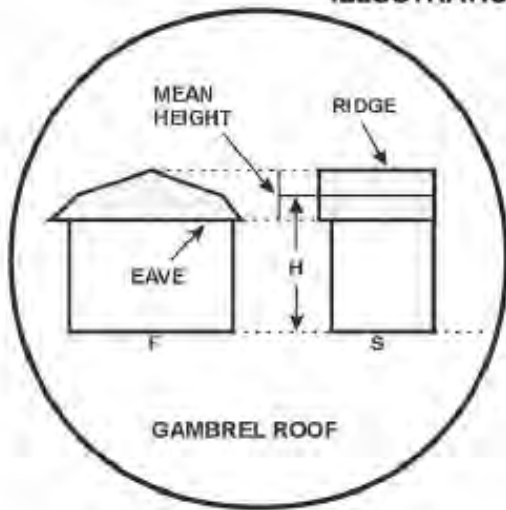
m = metres
 ha = hectares
 m2 = square metres
 min = minimum
 max = maximum

**Table 2 to By-law 03-22
 amended by By-law 08-21
 amended by By-law 13-66**

ILLUSTRATION 1 -
EXAMPLES OF YARD DEFINITIONS



**ILLUSTRATION 2 -
ILLUSTRATIONS OF BUILDING HEIGHT**



HIP ROOF

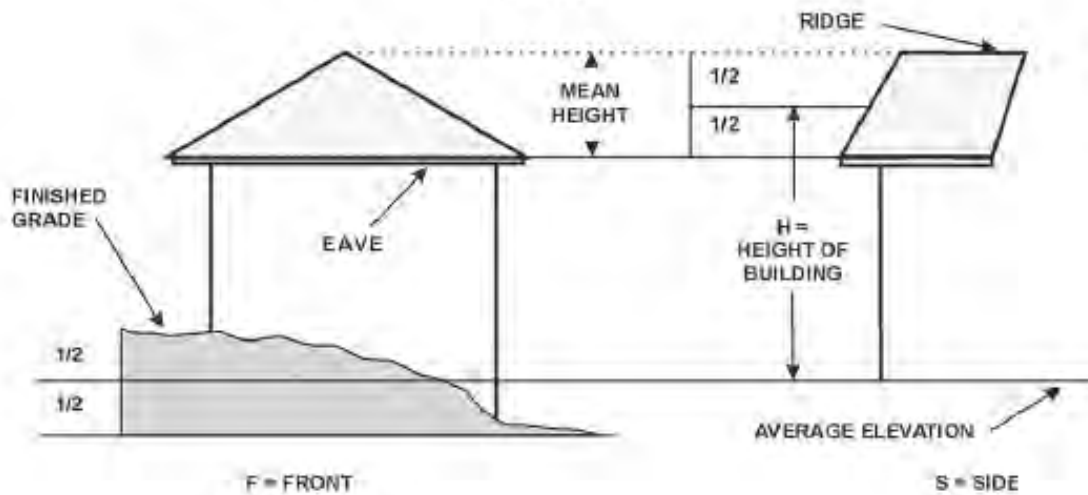
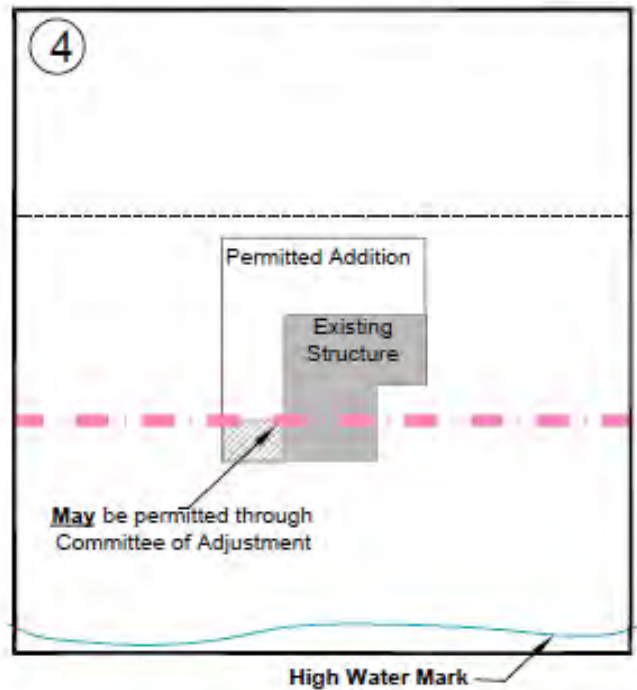
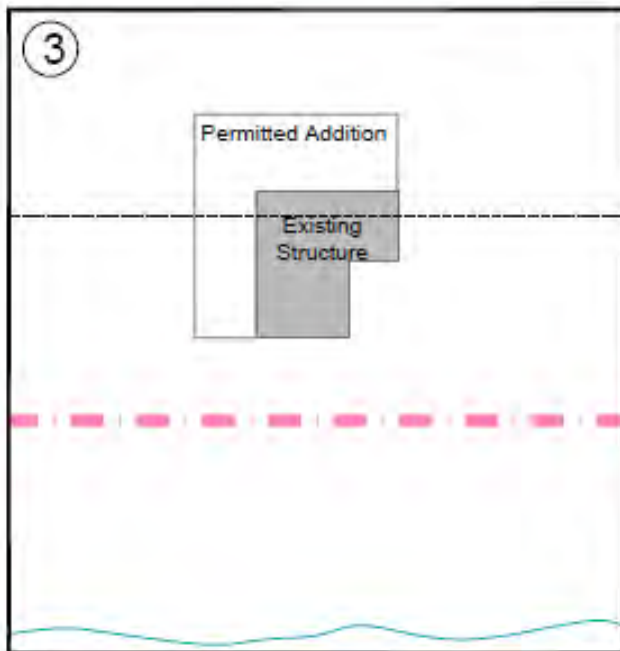
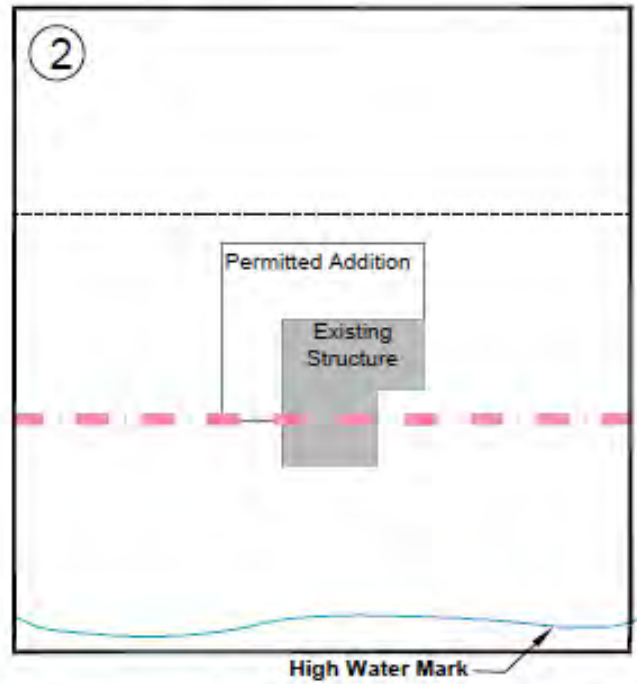
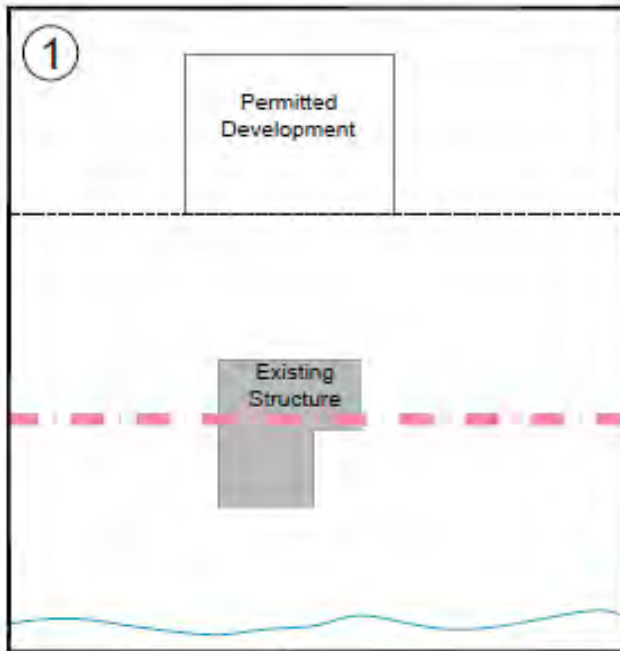


ILLUSTRATION 3 - Reconstruction of Non-Conforming Structures



----- 15m From Shoreline
----- Front Yard as required under this By-law