



The Municipality of Huron Shores

Comprehensive Zoning By-law 18-18

Office Consolidation

Updated: February, 16, 2023

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The Corporation of the Municipality of Huron Shores
Comprehensive Zoning By-law

Foreword

This Zoning By-law implements the policies of the Official Plan for the *Municipality* of Huron Shores. This Zoning By-law affects all lands within the *Municipality* of Huron Shores. Any new *development* or *redevelopment* must comply with the requirements of the By-law before a *building* permit can be issued. Applicants are encouraged to pre-consult with the *Municipality* on how the zoning requirements apply.

Changes to the requirements contained in this By-law may be made with prior approval by the *Municipality* as provided for under the Planning Act. *Significant* changes may require a rezoning. Minor variations to the By-law may be granted by the *Municipality* or body delegated by *Council*. Both processes require formal applications to be submitted to the *Municipality* and both involve mandatory public notification.

Should you have any questions about the interpretation of the wording of this By-law or the process involved to obtain relief from its provisions, please contact the Municipal *Office*.

The Corporation of the Municipality of Huron Shores

By-law No. 18-18

Being a By-law to regulate the *use* of land, *buildings* and
structures within the *Municipality* of Huron Shores

WHEREAS authority is granted pursuant to Section 34 of the
Planning Act, R.S.O. 1990, to *Councils* of Municipalities to enact
By-laws regarding the *use* of land and the *erection* and *use* of
buildings and *structures* within the *municipality*;

AND WHEREAS the *Council* of the *Corporation* of the
Municipality of Huron Shores has adopted an Official Plan and
deems it appropriate to implement the plan;

NOW THEREFORE the *Council* of the *Corporation* of the
Municipality of Huron Shores enacts as follows:

Read a first and second time this 28th day of February, 2018.

Mayor

Clerk

Read a third time and adopted this ____ day of _____, 2018.

Mayor

Clerk

Certified that the above is a true copy of By-law No. 18-18 is enacted and passed by the *Council* of the *Corporation* of the *Municipality* of Huron Shores

on the ____ day of _____, 2018.

Mayor

Clerk

HOW TO USE THIS BY-LAW

STEP 1 – LOCATE YOUR PROPERTY and DETERMINE THE ZONE

Use the zoning schedules (maps) at the end of this document to locate the property in which you are interested. Identify the *zone* symbol that applies to that property. *Zone* examples include R1, MR, RW, GC, HC, RC, M1, M2, MX, MWD, R, A, OS/CF, HZ and H.

STEP 2 – DETERMINE WHAT USES ARE PERMITTED IN THE ZONE

Use the appropriate *Zone* Table to determine what *uses* are *permitted* in the *Zone* you have identified. (Note: Section 5.1 of the text also identifies the name of the *zone* that corresponds to a *zone* symbol.) The *uses* in the Tables are listed alphabetically.

STEP 3 – DETERMINE WHAT ZONE REQUIREMENTS APPLY

Once the *use* is determined to be *permitted*, consult the *Zone* Requirements table, which indicates minimum requirements i.e. minimum *lot area*, *frontage*, etc. These standards will help you determine where you can locate a *building* or *structure* on your *lot*.

STEP 4 – DETERMINE IF ANY GENERAL PROVISIONS APPLY

General Provisions may apply to any *zone* in the *municipality*. This section contains provisions that apply to such matters as *Accessory Uses*, *Height* Exceptions, Home Based Businesses.

STEP 5 – CLARIFY THE MEANING OF A USE

Throughout the By-law some words are shown in black italicized script. These words are defined in Section 3 – Definitions. If you are unsure as to what a particular word means or what the scope of a *permitted use* includes, refer to the alphabetical list of definitions to assist you. This section also contains illustrations, which are intended to help with understanding the definition.

Section 1 ADMINISTRATION

Explanatory Note

Section 1 identifies the administrative controls and requirements of the By-law. It names the By-law, states its relationship with other By-laws, defines the area to which it applies, how it is to be enforced, etc. In essence, it identifies the legal parameters within which the By-law functions.

1.1 Title

This By-law shall be known as the Zoning By-law or By-law No. 18-18 of the *Corporation* of the *Municipality* of Huron Shores.

1.2 Building Permit Application Requirements

In addition to the requirements of the *Municipality* of Huron Shores *Building by-law*, every application for a *building* permit shall be accompanied by a plan, drawn to scale and including the following:

- a) The true dimensions and/or legal description of the *lot* to be built upon or otherwise *used*;
- b) The proposed location, *height* and dimensions of any *building, structure* or *use* proposed for such *lot*;
- c) The *setbacks* of all *existing* and proposed *buildings* or *structures* from the nearest *lot lines*, the dimensions of *yards*, the location of landscaping, the location and dimensions of *parking spaces* (conventional and *barrier-free*), *parking aisles, parking areas* and *loading spaces* as required by this By-law;
- d) The location of all *existing buildings* or *structures* on the *lot*, including the *lot area, lot coverage* of *existing* and proposed *structures* and the separation distances between any *main building* and any *Accessory building*.

1.3 Defined Area

The provisions of this By-law shall apply to all lands within the municipal boundaries of the *Corporation* of the *Municipality* of Huron Shores.

1.4 Repeal and Relationship to Former By-laws

Insofar as it applies to the lands affected by this By-law, any By-laws passed under Section 34 of the Planning Act, or its predecessor, are hereby repealed.

The adoption of this By-law shall not prevent any pending or future prosecution of, or any action to abate any *existing* violation of the said By-laws if the violation is also a violation of any of the provisions of this By-law.

1.5 Validity

Should any Section or part of a Section of this By-law, or Schedule hereto, be declared by a court of competent jurisdiction to be invalid, the same shall not affect the provisions of this By-law as a whole or any part thereof, other than the part declared to be invalid.

1.6 Other By-laws, Licenses, Permits and Regulations

Nothing in this By-law shall exempt any *person* from complying with the requirements of any other By-law in force within the area affected by this By-law, or from applying for and obtaining any permit, license, permission, authority or approval required by this or any other By-law or regulation of the *Corporation* or by any other law in force from time to time.

1.7 Conflict

In the event of a conflict between this By-law and amendments thereto, and any general or special By-law, the most restrictive By-law shall prevail.

1.8 Interpretation

1.8.1 Legislation Act

The Legislation Act applies to this By-law.

1.8.2 Definitions

Definitions are given in this By-law to aid in the understanding and implementation of the true spirit, intent and meaning of the By-law. They are not to be *used* to avoid an obligation imposed by the By-law or any requirement enacted in a substantive provision of the By-law.

1.8.3 Citation

This By-law may be cited by its long title (“A By-law to Regulate the *Use of Land, Buildings and Structures* within the *Municipality of Huron Shores*”), its short title (“*Municipality of Huron Shores Zoning By-law*”) or its By-law number. Any such citation is to be taken as meaning the By-law as amended.

1.8.4 Gender Neutrality

This By-law is gender neutral and, accordingly, any reference to one gender includes the other.

1.8.5 Grammar

In this By-law, words in the singular include the plural, and words in the plural include the singular. The word “shall” indicates imperative. Words in the present tense include the future tense.

1.8.6 References

Appendices, examples, footnotes, glossaries, headings, indices, marginal notes and references to former enactments or enabling legislation after a section or other division of the By-law, do not form part of the By-law and are inserted for convenience of reference only.

1.8.7 Measurement Units

This By-law utilizes the metric system to establish measurements when such measurements form part of a regulation or a requirement. (Imperial measurements are provided for the convenience of the reader.) Where linear distances other than those referring to vertical measurements are specified, such linear distances are to be measured on a horizontal *plane*.

1.9 Effective Date

This By-law shall take effect from the date of its passage by *Council*, subject to the provisions of the Planning Act.

1.10 Administrative Amendments

Public notice procedures, pursuant to the Planning Act may be waived when the amendment does not affect the provisions or intent of this By-law, including:

- a) Formatting changes, including the alteration, numbering or arrangement of provisions.
- b) Correcting punctuation or altering language to obtain a uniform mode of communication.
- c) Correcting clerical, grammatical, dimensional or typographical errors.
- d) Amending references to other legislation or authority, where such legislation or authority is altered or amended in any way.
- e) The addition of new *Zone* Exceptions resulting from rezoning applications and zoning by-laws passed by *Council*.

Section 2 CONFORMITY REQUIREMENTS

Explanatory Note

This section establishes the authority and legitimacy of the By-law. It requires all land *uses, buildings* and *structures* to conform to this Zoning By-law.

2.1 Conformity with this By-law

No land, *building* or *structure* shall be *used* and no *building* or *structure* shall be *erected* or enlarged, *altered* or placed for any purpose within the area defined by this By-law, except as specifically, or by necessary implication, authorized by this By-law and in conformity with all the applicable provisions of this By-law.

2.2 Severances Shall Conform with this By-law

Subject to the granting of such minor variances as may be approved, no lands shall be severed from any *existing lot* if the effect of an approval for severance is to *cause* the original, adjoining, remaining or new *building, structure, lot* or *use* of land to be in contravention of any provision of this By-law.

2.3 This By-law Applies to *Uses* Not Within a *Building*

Where a *use* does not take place within a *building*, but a regulation in this By-law imposes a requirement premised on the *use* being in a *building*, the requirement applies, with necessary modifications, as though the actual area occupied by the *use* was in a *building*.

Section 3 DEFINITIONS

Explanatory Note

For the purpose of this By-law, the definitions and interpretations given in this Section shall govern. In this By-law, the word "shall" is an imperative and not directory; words in the singular include the plural, words in the plural include the singular; the word "used" includes "arranged", "designed" or "intended to be used". The word "occupied" shall include "designed to be occupied" and "arranged to be occupied".

Definitions of words and phrases *used* in this By-law that are not included in the list of definitions in Section 3, shall have the meanings that are commonly *assigned* to them in the context in which they are *used* or as defined in a dictionary.

3.1 A

3.1.1 *Abattoir*

Means a *building* specifically *designed* to accommodate the penning and slaughtering of live animals, and the preliminary processing of animal carcasses, and may include the packing, treating and sale of the product on the premises.

3.1.2 *Accessory*

When *used* to describe a *use, building or structure*, shall mean a *use, building or structure* naturally or normally incidental, subordinate and exclusively devoted to a main *use, building or structure* and located on the same *lot* therewith. (Examples of *accessory buildings or structures* are a *detached garage*, a storage shed, a *swimming pool* or a satellite dish. Examples of *Accessory uses* are a home-based business, an *apartment* above a store, or a retail outlet within a manufacturing plant).

3.1.3 *Accessory Apartment – see Dwelling, Accessory Apartment*

3.1.4 *Accessory Dwelling – see Dwelling, Accessory*

3.1.5 *Apartment – see Dwelling, Apartment*

3.1.6 *Apartment Building – see Dwelling, Apartment Building*

3.1.7 *Adventure Game*

Means an outdoor sport or recreation commercial establishment operated commercially in which participants engage in games of skill. Such games may mimic combat-type roles which may include the *use* of paint ball or similar equipment, geocaching, or other similar physical activities.

3.1.8 *Adverse Effects*

Means one or more of:

- a) Impairment of the quality of the natural environment for any *use* that can be made of it;
- b) injury or damage to property or plant and animal life;
- c) harm or material discomfort to any *person*;
- d) an adverse effect on the health of any *person*;
- e) impairment of the safety of any *person*;
- f) rendering any property or plant or animal life unfit for *use* by humans;
- g) loss of enjoyment of normal *use* of property; and
- h) interference with normal conduct of business.

3.1.9 Aggregate

Means gravel, sand, clay, earth, shale, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, *mine* tailings or other material prescribed under the Mining Act or the *Aggregate Resources Act*.

3.1.10 Agricultural Use

Means the *use* of land, *building(s)* or *structure(s)* for:

- a) The growing of crops including, but not limited to, *nursery* and horticultural crops and all related activities such as soil preparation, manure or fertilizer spreading, planting, spraying, grain drying, irrigating, harvesting, and also including the storage and sale of the crops produced on the lands;
- b) Animal husbandry including the raising, boarding, and keeping of all forms of *livestock*, including poultry and fish, aquaculture, apiaries, and all related activities such as breeding, training, feeding and grazing;
- c) Maple syrup production;
- d) The production of animal products including but not limited to milk, eggs, wool, fur, or honey, and all related activities such as the collection, storage and sale of the products produced on the lands;
- e) The *use* and storage of all forms of on-*farm buildings* and *structures*, equipment or machinery needed to accomplish the foregoing activities.

Agricultural use shall not be construed to include commercial activities related to agriculture such as *Abattoirs*, tanneries and retail sales outlets, (except a *farm produce outlet*) or manufacturing and processing activities involving *farm* crops or animal products such as cheese factories, grain mills or retail seed sales.

3.1.11 Agriculturally Related Commercial/Industrial Uses

Means the *use* of land, *buildings* or *structures* related to agriculture and, necessarily in close proximity to a *farm* including but not limited to animal husbandry services, produce or grain storage facilities, *farm* machinery outlets, and a fertilizer depot, but does not include any manufacturing, assembling, processing, warehousing or construction *uses*.

3.1.12 Airfield

Shall mean the *use* of land licensed under the Aeronautics Act for the landing and take-off of commercial and/or private aircraft, and shall include any *Accessory buildings* or *structures*.

3.1.13 Aisle

Shall mean the travelled way by which *motor vehicles* enter and depart *parking spaces* and a *parking area*.

3.1.14 Alter

- 1) When *used* in reference to a *building*, *structure* or part thereof, shall mean:
 - a) To change any one or more of the internal or external dimensions of such *building* or *structure*;
or
 - b) To change the type of construction of the exterior walls or roof of such *building* or *structures*; or
 - c) To change the *use* of such *building* or *structure* or the number or types of *uses* or *dwelling* units contained *therein*.
- 2) When *used* in reference to a *lot* shall mean:

- a) To change the boundary of such *lot* with respect to a *street* or *lane*, whether such *alteration* is made by conveyance or alienation of any portion of the *lot*, or otherwise; or
 - b) To change any dimension or area, relating to such *lot* (e.g. width, depth or area of a *lot* or required *yard*, landscaped *open space* or *parking area*); or
 - c) To change the *use* of such *lot* or the number of *uses* located thereon.
- 3) When *used* in reference to a shoreline shall mean:
- a) To change, straighten, divert or interfere in any way with the channel of any *water body* or the lands surrounding the high-water mark of a *water body*.

Altered and *alteration* shall have corresponding meanings.

3.1.15 *Ambulance Facility*

Means a *building*, or part thereof, where professional paramedics and *personnel* are stationed and their *vehicles* and equipment are kept or stored.

3.1.16 *Anaerobic Digester*

Means a provincially regulated facility *designed* to convert agricultural and non-agricultural source materials (e.g., manure, milk washing materials, silage, organic food wastes) into an energy source (e.g., methane).

3.1.17 *Animal Hospital*

Means a *building*, *structure* or establishment *used* as the premises of a veterinarian or veterinary surgeon where animals, birds or other *livestock* are *examined* or treated, and which may be kept on a short-term basis, but does not include a commercial or boarding kennel or research facility.

3.1.18 *Antique Store*

Means a *building* or part of a *building* or *structure* where antiques, arts and crafts are offered or kept for sale at retail, and may include a craft shop.

3.1.19 *Apartment – see Dwelling, Apartment*

3.1.20 *Apartment Building - see Dwelling, Apartment Building*

3.1.21 *Arcade or Video Arcade*

Means an establishment where more than three amusement machines are available for public *use* and are operated for commercial gain, but does not include premises licensed to serve alcohol, a seasonal agricultural fair, an amusement *park* or the premises of a non-profit organization, association, institution or club which is operated for social, educational, *recreational*, religious or fraternal purposes.

3.1.22 *Areas of Archaeological Potential*

Means areas with the likelihood to contain archaeological resources. Criteria for determining archaeological potential are established by the Province, but municipal approaches, which achieve the same objectives may also be *used*.

Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

3.1.23 *Artisan Shop or Studio - see Studio*

3.1.24 *Asphalt Plant*

Means an industrial facility *used* for the production of asphalt for immediate *use* in the paving of *roads* and *driveways* and the damp-proofing of *buildings* or *structures*.

3.1.24 *Assembly Hall - see Place of assembly*

3.1.25 *Attached*

Means a *building* or *structure* otherwise complete in itself which is connected to, and which depends for structural support upon a division wall or walls shared in common with an adjacent *building* or *buildings*.

3.1.26 *Attic*

Means that portion of a *building* immediately below the roof and wholly or partly within the roof framing.

3.1.27 *Auction Room*

Means a *building*, a *structure* or parts thereof, or any lands or premises *used* for the storage of goods or materials, which are to be sold on the premises by public auction, and for the sale of the said goods and materials by public auction. An auction barn shall be included within this definition.

3.1.28 *Auditorium - see Place of Assembly*

3.1.29 *Auto Body Shop*

Means a *building* or establishment where painting, refinishing, restoration, *alterations*, or repairs are made to *motor vehicles* and where the services are performed for gain or profit, but does not include a *wrecking yard* or *salvage yard* or *auto repair garage*.

3.1.30 *Auto Repair Garage*

Means a *building* for the storage, repair and servicing of *motor vehicle(s)* or *recreational vehicle(s)* performed for gain or profit but does not include an *auto body shop*.

3.1.31 *Automotive Sales Establishment*

Means land or *buildings used* for the display, storage and sales or leasing, or renting of new and/or *used motor vehicles* and *recreational vehicles* and related products, and may include *Accessory uses* such as an *Auto repair garage* and/or *Auto body shop*, as defined, administrative *offices* and a customer lounge.

3.1.32 *Auto Service Station*

Means a *building* and/or *lot used* for the sale of fuels or energy products, for *motor vehicles* or *recreational vehicles* and may include an *auto repair garage*, the renting, servicing, repairing, lubrication, cleaning and polishing of *vehicles* and the sale of automotive accessories and related products, but shall not include any other automotive *use* defined in this By-law [see also *Gas bar*].

3.1.33 *Automobile Washing Establishment*

Means a *building* or *structure* containing facilities for washing *motor vehicles* by production line methods and may include the incidental sale of fuel including but not limited to gasoline, diesel fuel, propane, natural gas. This definition shall also include a self-service *car wash*.

3.1.34 *Automobile Wrecking Yard - see Wrecking Yard or Salvage Yard*

3.2 B

3.2.1 *Bakery*

Means a *building* or part thereof for producing, mixing, compounding or baking bread, biscuits, ice cream cones, cakes, pies, buns, or any other *bakery* product of which flour or meal is the principal ingredient, but does not include a *restaurant* or other premises where any such product is made for consumption on the premises or a *bake shop*.

3.2.2 Bake Shop

Means a retail store where *bakery* products are sold, some or all of which may be prepared on the premises.

3.2.3 Balcony

Means an open platform projecting from the face of a *building's* wall, cantilevered or supported by columns or brackets and surrounded by a balustrade or railing.

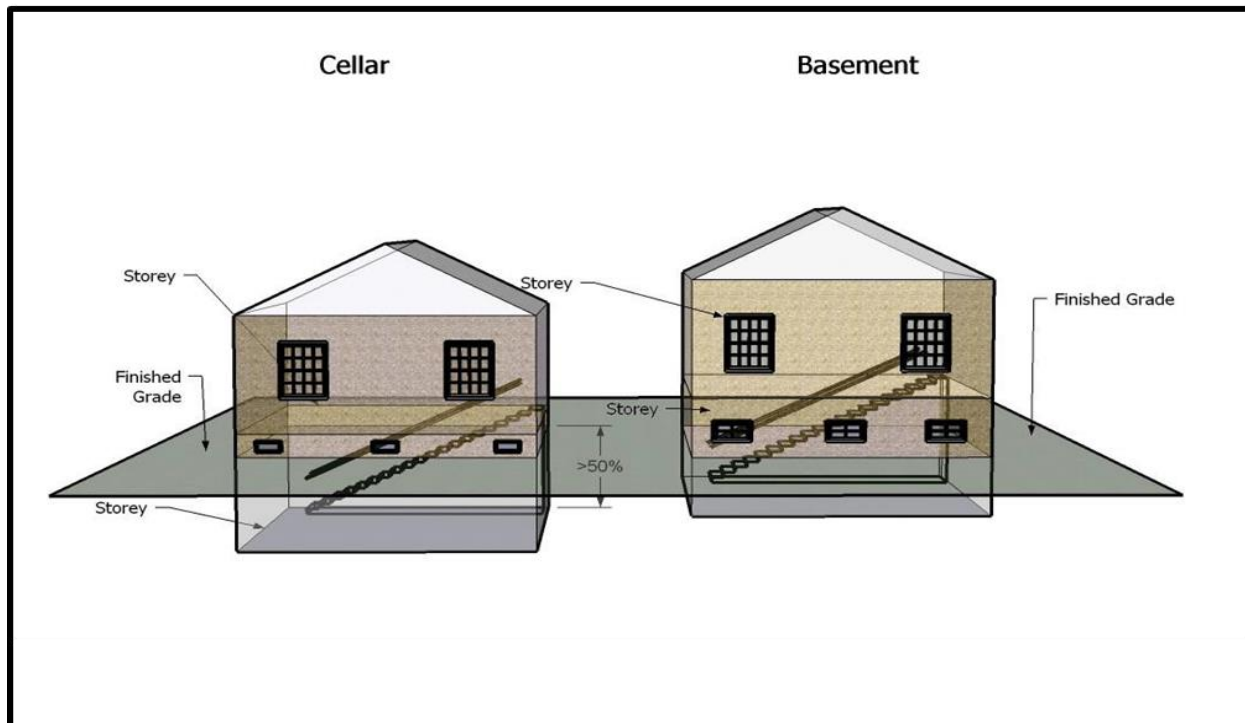
3.2.4 Bank

Means a chartered *bank*, finance company *office*, co-op, trust company, loan company or similar establishment where money is deposited, kept, lent or exchanged.

3.2.5 Basement

Means that portion of a *building* between two floors which is partly underground but which has at least one-half of its *height* from floor to ceiling above the adjacent finished grade [see Figure 3.1].

Figure 3.1 Cellar and Basement



3.2.6 Batch Plant, Asphalt or Concrete

Means an industrial facility *used* for the production of asphalt or concrete products, *used in building* or construction and includes but is not limited to facilities for the administration or management of the business, the stockpiling of bulk materials *used* in the production process of finished products manufactured on the premises and the storage and maintenance of equipment.

3.2.7 Bed and Breakfast Establishment

Means a private *single detached dwelling* in which guest bedrooms are provided for gain as temporary accommodation on a daily basis for the travelling or vacationing public as an *Accessory use* and where the proprietor lives on the premises.

3.2.7 *Berm*

Means a landscaped mound of earth *used* to landscape a property or as a noise attenuation or safety feature.

3.2.9 *Bingo Hall*

Means a *building* or premise or part thereof *used* for bingo or a bingo event.

3.2.10 *Boarding House or Rooming House*

Means a *dwelling* within which a proprietor supplies for a fee, sleeping accommodation with or without meals, for five (5) or more *persons* but does not include a *bed and breakfast establishment*, a *hotel*, a *hostel*, a *children's home*, *Nursing home*, *Home for the aged*, or a *Continuum-of-Care Facility*, a *rooming house* or other similar establishments otherwise classified or defined in this By-law.

3.2.11 *Boat House*

Means a separate *building* or *structure* not over 5 m [16.4 ft.] in *height*, *used* for the storage of private boats and equipment *Accessory* to their *use*, as an *Accessory use* to a residential *dwelling*, no part of which shall be *used* for any residential or commercial purpose. *Accessory uses* to a boathouse shall include a *sauna*, and a rooftop unenclosed *deck*.

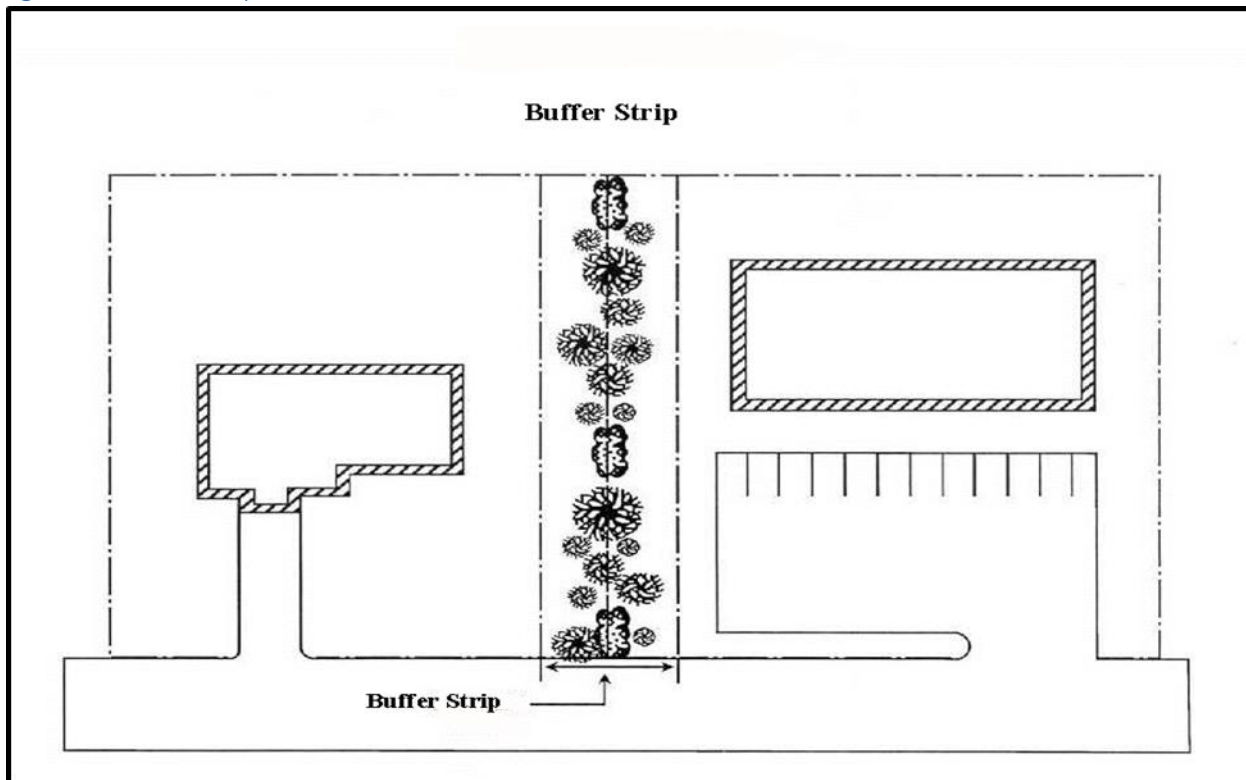
3.2.12 *Breeze Way*

Means a roofed open passage connecting two or more *buildings*.

3.2.13 *Buffer Strip*

Means a landscaped or planted area reserved for the purpose of screening or obstructing the view of *buildings*, land or *structures* or shielding or blocking noise, lights or other nuisances by the planting of trees and shrubs or *fences* [see Figure 3.2].

Figure 3.2 Buffer Strip



3.2.14 *Building*

Means any *structure used* or intended for sheltering any *use* or occupancy. The word "*building*" shall include the whole of such *structure* or part thereof and shall include any *building* types as regulated by the Ontario *Building Code*.

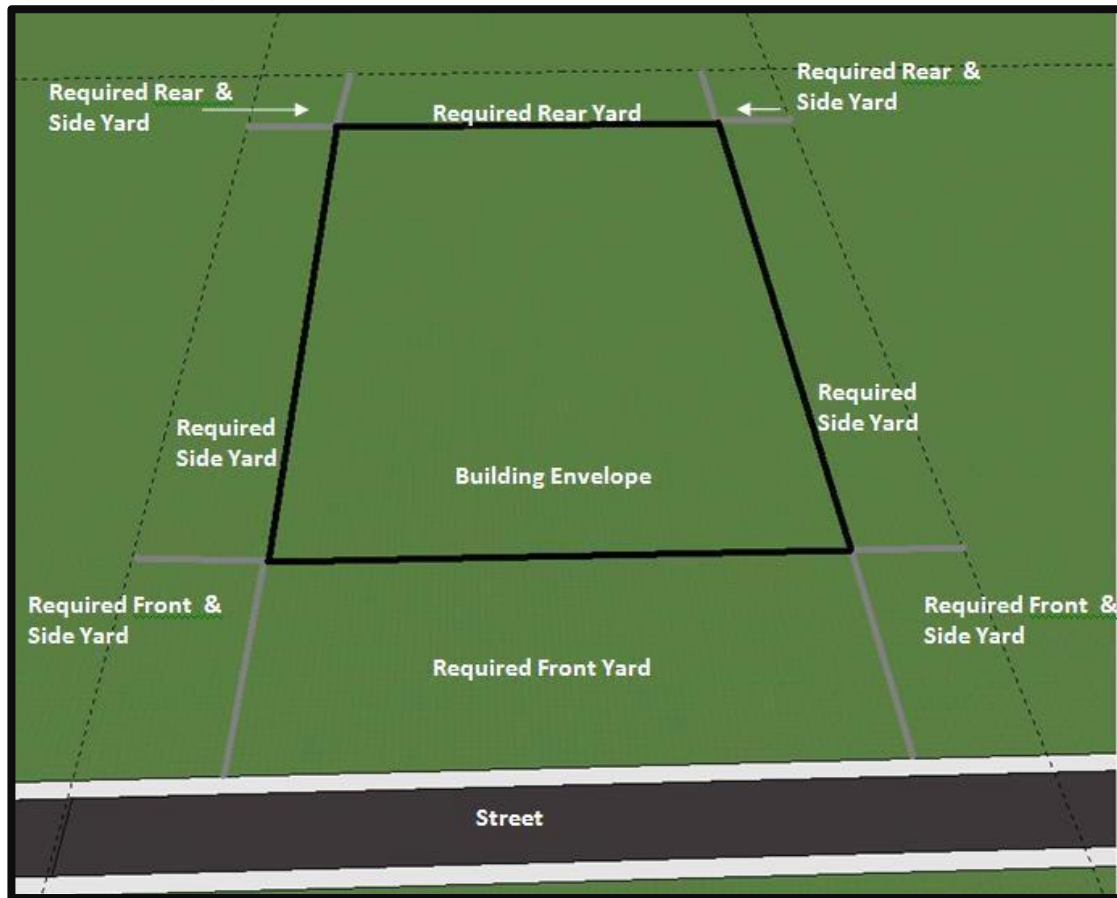
3.2.15 *Building By-law*

Means the *Building by-law* of the *Corporation* as enacted under the *Building Code Act*.

3.2.16 *Building Envelope*

Means the buildable area on a *lot*, defined by all of the required *yards* and *setbacks* and the maximum *height* provisions, within which a *building* can be erected [see Figure 3.3].

Figure 3.3 Building Envelope



3.2.17 *Building Height* - see *Height*

3.2.18 *Building Inspector or Building Official* - see *Chief building official*

3.2.19 Building, Main

Means a *building* in which is conducted the principle *uses* of the *lot* on which it is situated [see Figure 3.4].

Figure 3.4 Building, Main



3.2.20 Building Line

Means a line within a *lot* drawn parallel or concentric to a *lot line* establishing the minimum distance between that *lot line* and any portion of a *building* or *structure* which may be erected.

3.2.21 Building Separation

Means the least horizontal distance *permitted* between the nearest portions of the walls of any *buildings* on a *lot*.

3.2.22 Building Supply Store or Depot

Means a *building* where *building* supplies such as lumber, millwork, siding, roofing, plumbing, electrical, heating, hardware, air conditioning, home improvement and similar goods are stored, displayed, or kept for retail or wholesale sale and may include a *bulk storage yard*. This definition shall not include a *wrecking yard*.

3.2.23 Built Heritage Resources

Means one or more *significant buildings, structures, monuments, installations* or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through *designation* or heritage conservation *easement* under the Ontario Heritage Act, or listed by local, provincial or federal jurisdictions [see also *Cultural heritage landscape* and Section 5.20 Heritage (H) Zone].

3.2.24 Bulk Fuel Depot

Means lands, *buildings* and *structures* for the bulk storage, distribution of fuels and oils but not including retail sales or key lock operations. Bulk does not include the storage of fuel product in small containers such as boxes and meant for individual retail sale.

3.2.25 Bulk Storage Yard

Means land or a *lot used* for the storage, in the open or partially sheltered, of goods and materials and without limiting the foregoing shall include logs, lumber, *building* supplies, construction equipment, but shall not include a *wrecking yard*.

3.2.26 By-law Enforcement Officer

Means the *officer* or employee of the *Corporation* charged with the duty of administering and enforcing the provisions of all municipal By-laws.

3.3 C

3.3.1 Camp (Hunt Camp, Fishing Camp)

Means a *building* or *structure* intended to provide basic shelter and accommodation on a temporary basis for *persons* engaged in such activities as hunting, fishing, snowmobiling, hiking or other similar forms of recreation but does not include a *recreational dwelling*. A *Camp* is not the principle residence of the *owner* or occupant. *Camps* are remote *structures* whose access is by water, air or overland by 4-wheel drive or ATV *vehicles*. They are *permitted* only by *Council* by way of a re-zoning application. These *structures* would be limited to a maximum floor area of 65m² (700 sq. ft.) and *Accessory buildings* limited to 2 in number with maximum floor areas of 14m² (151 sq. ft.) each.

3.3.2 Campground

Means an area of land, managed as a unit, providing short term accommodation or overnight *camping* for tents, tent trailers, *recreational vehicles* or *campers*. A *campground* may include *Accessory uses*, *buildings* and *structures* such as an *Accessory dwelling*, *laundromat*, convenience store, pavilion, recreation hall, beach, the sale of propane fuels or firewood or other goods or supplies and equipment rentals that are *Accessory* to the operation of the *campground*.

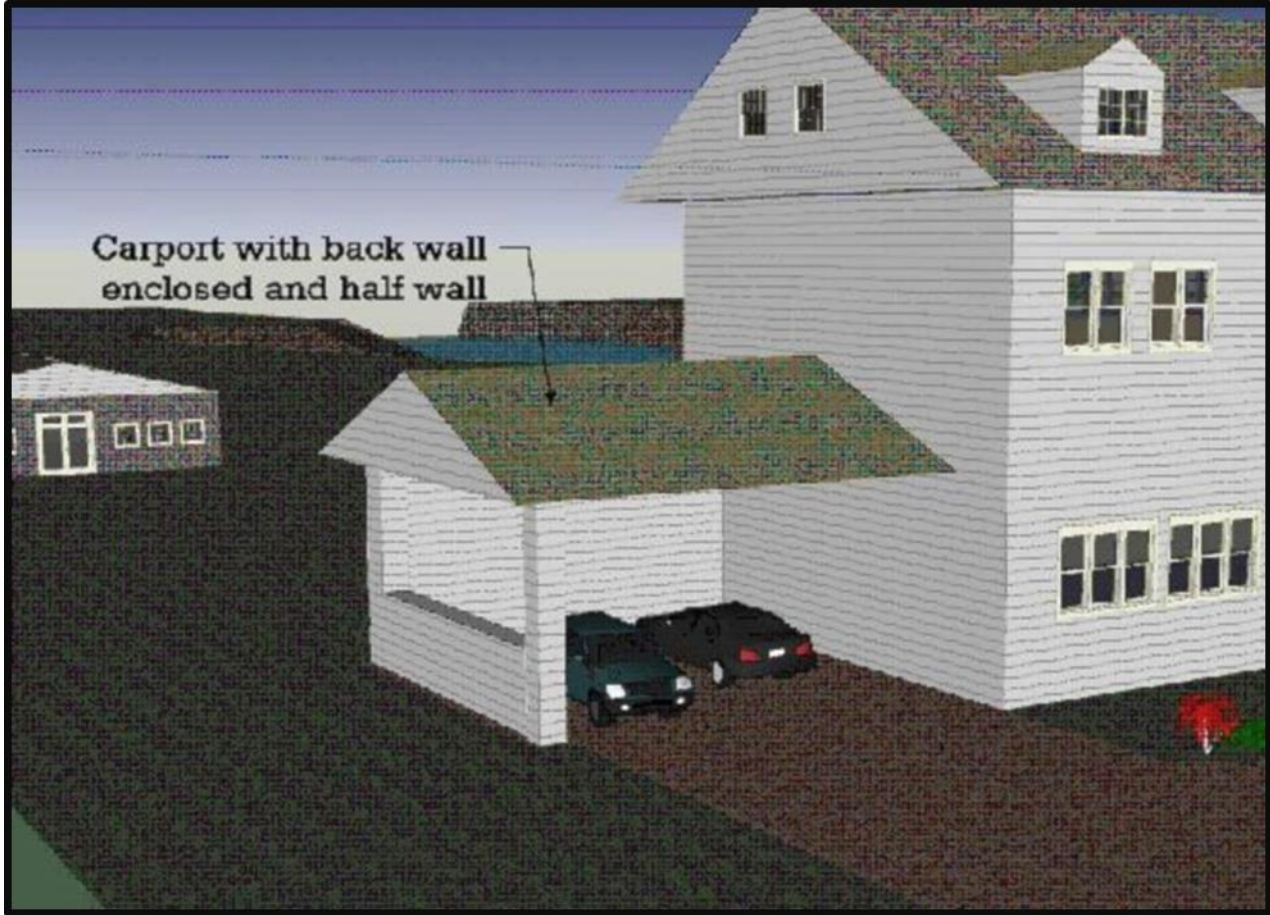
3.3.3 Campsite

Means a *plot* or parcel of land within a *campground* intended for the exclusive temporary occupancy by a *recreational vehicle*, tent or similar transportable accommodation together with all *yards* and *open space* and may include on-site services such as a fire *pit*, hydro, cable, water and sewage disposal.

3.3.4 Car Port

Means a *structure* open on at least two sides and intended to be *used* for the sheltering of one or more *motor vehicles*. A carport *attached* to the *main building* is not an *Accessory structure*. [See Figure 3.5]

Figure 3.5 Car Port



3.3.4 Car Rental Agency

Means the *use of land, or building or structure* where *motor vehicles* are kept for lease and where such *vehicles* may be dropped off or picked up.

3.3.5 Car Wash - see Automobile Washing Establishment

3.3.6 Catering Establishment

Means a commercial establishment or a *home-based business* in which food and beverages are prepared for consumption off the premises and are not served to customers on the premises.

3.3.7 Cellar

Means the portion of a *building* between two floors, which is partly underground and which has more than one-half of its *height* from floor to ceiling below the finished grade [see also *Basement* and Figure 3.1].

3.3.8 Cemetery

Means a *cemetery* within the meaning and as regulated by the Funeral, Burial and Cremation Services Act, 2002 and includes a mausoleum, columbarium or other *building or structure* intended for the interment of human remains.

3.3.9 Cemetery, Pet

Means a *cemetery* for pets, which is regulated by the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services. A new *Pet Cemetery* will only be *permitted* by way of a rezoning application approved by *Council*.

3.3.10 Chief Building Official

Means an *officer* or employee of the *Corporation* charged with the duty of enforcing the provisions of the *Building Code Act*.

3.3.11 Church - see Place of Worship

3.3.12 Clinic

Means a *building* or part thereof *used* solely for the purpose of consultations, diagnosis and treatment of patients, by two (2) or more legally qualified medical professionals (e.g. physicians, dentists, optometrists, chiroprodists, chiropractors or drugless practitioners), together with their qualified assistants and without limiting the generality of the foregoing, the *building* may include administrative *offices*, waiting rooms, laboratories, pharmacies or dispensaries directly associated with the *clinic*, but shall not include accommodation for in-patient care or operating rooms for major surgery.

3.3.13 Club, Private

Means a *building* or part of a *building used* as a meeting place by an association of *persons* who are bona fide members, which owns, hires or leases the *building* or part thereof, the *use* of such premises being restricted to members and their guests for social, cultural, *recreational*, business or athletic purposes.

3.3.14 Commercial Greenhouse, Nursery or Garden Centre

Means a *building* and/or outdoor area primarily *used* for the growing of flowers, sod, vegetables, shrubs or bushes, trees, landscaping or orchard stock and similar vegetation for wholesale or retail sale on or off the premises and may include the incidental sale of gardening supplies, planting materials, fertilizers and equipment.

3.3.15 Commercial Parking Lot

Means a *lot* forming the principal *use* of the land, which is *used* for the temporary *parking* of two or more *motor vehicles* for profit or gain.

3.3.16 Commercial Vehicle

Means a *motor vehicle used* for hire or gain having a truck or delivery body and includes but is not limited to cube vans, ambulances, hearses, fire apparatus, police patrols, motor *buses* and transport tractors and their trailers *used* for hauling purposes on the *highway*.

3.3.17 Community Centre - see Place of assembly

3.3.18 Conservation Use

Means the *use* of lands which are intended to remain open in character with the priority *use* given to preservation of their ecological uniqueness, wildlife production and their natural features and may include non-commercial *recreational uses* only if conservation of the resource is not jeopardized.

3.3.19 Contractors Yard

Means the *yard* of a *building* contractor or company *used* as a depot for the storage and maintenance of equipment *used* by the contractor or company, and may include facilities for the administration or management of the business and the stockpiling or storage of supplies *used* in the business, but does not

include the crushing of virgin or recyclable *aggregates* or materials and the wholesale or retail sale of *building* supplies or home improvement supplies.

3.3.20 *Continuum-of-Care Facility*

Means a *building* or a group of *buildings* which may include a senior citizens *apartment building*, a *nursing home*, a long-term care facility, *Home for the aged* and facilities associated with, and *designed* specifically to serve the senior or disabled population such as *clinics*, *retirement homes*, recreation centres, cafeterias and *personal service establishments*, and may also include independent senior's accommodation in separate *structures/living units* that share in services such as meals.

3.3.21 *Convenience Store or Confectionary Store*

Means a retail store *used* primarily for the sale of grocery and confectionary items and, incidentally, for the sale of such other merchandise or sundries as is required to fulfill the day-to-day needs of the surrounding community and may include a *video rental outlet*.

3.3.22 *Converted Dwelling - see Dwelling, Converted*

3.3.23 *Convention Facility - see Place of Assembly*

3.3.24 *Corporation*

Means the *Corporation* of the *Municipality* of Huron Shores except where reference is made in this By-law to a private *corporation*, in which case the definition shall mean a body corporate with share capital to which the *Business Corporations Act* applies.

3.3.25 *Correction Home - see Group home*

3.3.26 *Cottage Industry – see Home Based Business/Industry*

3.3.27 *Council*

Means the *Council* of the *Corporation* of the *Municipality* of Huron Shores.

3.3.28 *Coverage - see Lot Coverage*

3.3.29 *Crisis Care Facility*

Means a *building* or part of a *building* which is *used* to provide for the supervised residency of *persons* requiring immediate emergency shelter and aid for a short to interim period of time and, without limiting the generality of the foregoing, includes a facility for battered or *abused* adults and/or children or elderly *persons*.

3.3.30 *Cultural Heritage Landscape*

Means a defined geographical area of heritage *significance*, which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as *structures*, spaces, archaeological sites and natural elements, which together form a *significant* type of heritage form, distinctive from that of its constituent elements or parts.

Examples may include, but are not limited to, heritage conservation districts *designated* under the Ontario Heritage Act; and villages, *parks*, gardens, battlefields, main *streets* and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.

3.3.31 *Custom Workshop*

Means a *building*, or part thereof, where individual custom productions of goods or materials are made, but does not include any establishment where the manufacture of goods or materials is performed on a mass production or assembly line basis nor any shop or factory otherwise defined in this By-law.

3.4 D

3.4.1 Day Lighting Triangle - see Sight triangle

3.4.2 Day Nursery - Licensed

Means an establishment governed by the Day Nurseries Act that receives more than five (5) children, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, where the children are,

- a) Under eighteen years of age in the case of a day *nursery* for children with a *developmental* disability; and
- b) Under ten years of age in all other cases.

3.4.3 Day Nursery – Unlicensed

Means an establishment that receives less than five (5) children primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, where the children are under 10 years of age.

3.4.4 Deck

Means a *structure* abutting a *dwelling* or *building* with no roof or walls except for visual partitions and railings, which is constructed on piers or a foundation above-grade for *use* as an outdoor living area.

3.4.5 Detached

When *used* in reference to a *building* or *structure*, means a *building* or *structure* that is not structurally dependent on, nor adjoins on any side, any other *building*.

3.4.6 Development

Means the creation of a new *lot*, a change in land *use*, or the construction of *buildings* and *structures* requiring approval under the Planning Act and shall be taken to include *redevelopment*, but does not include activities that create or maintain *infrastructure* authorized under an environmental assessment process works subject to the Drainage Act, or underground or surface mining of *minerals* or advanced exploration on mining lands. (Provincial Policy Statement).

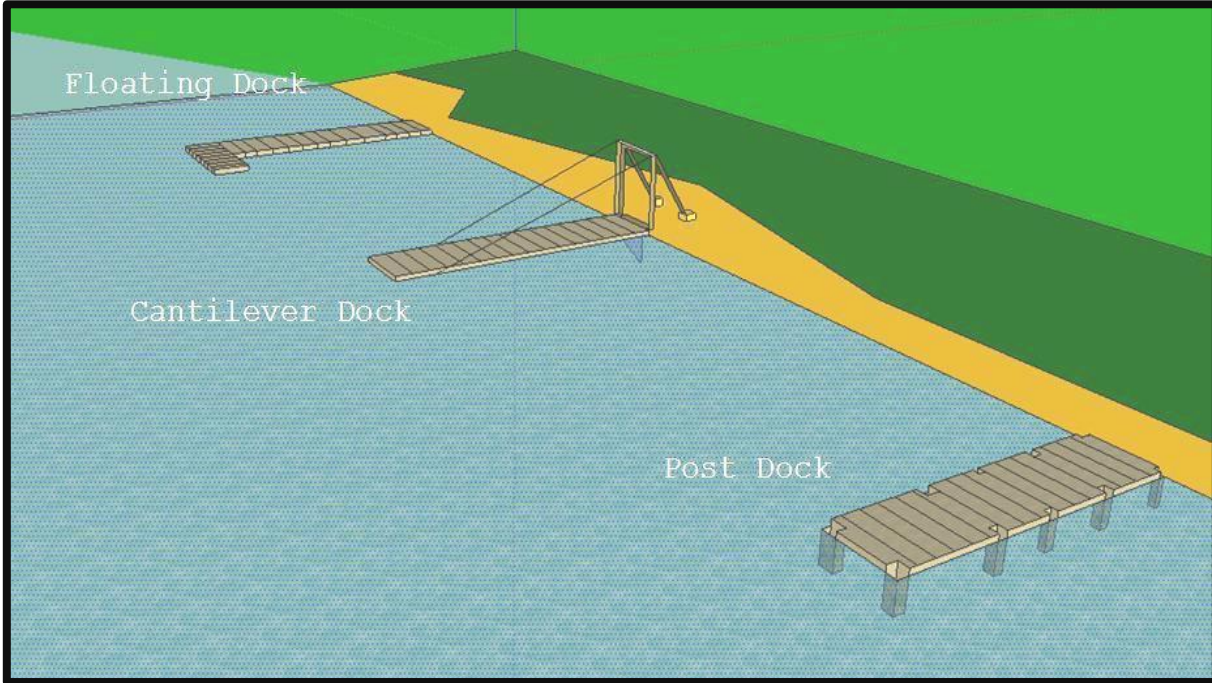
3.4.7 Dock

Means an *Accessory structure used* for the mooring of marine vessels which is secured to the shoreline and/or the bottom of the *water body* by concrete, metal or wood pillars or such other foundation, the *design* of which facilitates the construction of a *structure* [see Figure 3.6].

3.4.8 Dock, Floating

Means an *Accessory structure used* for the mooring of marine vessels which is *designed* to float freely on the surface of the *water body* and which may be secured to the shoreline [See Figure 3.6].

Figure 3.6 Docks



3.4.9 Drive-in Restaurant - see Restaurant

3.4.10 Driveway

Means a vehicular access connected to only one *public street* or thoroughfare, which provides ingress to and/or egress from one (1) *lot*, but shall not include a *lane* as defined *herein*.

3.4.11 Dry Cleaning Establishment

Means a *building* in which the business of dry cleaning, dry dyeing, spot cleaning, stain removal, repair and/or pressing of articles and/or goods is carried on, and may include a *dry-cleaning distribution station*.

3.4.12 Dry Cleaning Distribution Station

Means a *building used* for the purpose of receiving goods of fabric primarily for distribution to a *dry-cleaning establishment*

3.4.13 Duplex Dwelling - see Dwelling, Duplex

3.4.14 Dwelling (Structure)

Means a *building* or part of a *building* occupied or capable of being occupied as the home or residence or sleeping place by one or more *persons*, where cooking and sanitary facilities are provided but shall not include a *hotel* or *motel*. For the purposes of this by-law *mobile homes*, house trailers, travel trailers, motorhomes, and tents are not considered to be permanent or *recreational* homes or cottages.

3.4.14 Dwelling, Accessory

Means a fully *detached dwelling*, which is *Accessory* to a *permitted non-residential use*.

3.4.14 Dwelling, Accessory Apartment

Means a separate and self-contained *dwelling* unit in or added to a *single detached dwelling* unit or *non-residential structure* not including an *auto service station*.

3.4.15 Dwelling, Apartment

Means a unit in an *apartment building*.

3.4.16 Dwelling, Apartment Building

Means a *building* containing three (3) or more *dwelling* units for which access is obtained through a common outside entrance and through a common corridor or hallway from the inside. Once entrance to the *dwelling* unit may also be private, so long as the second entrance is to a common hallway or corridor, but shall not include a row *dwelling*.

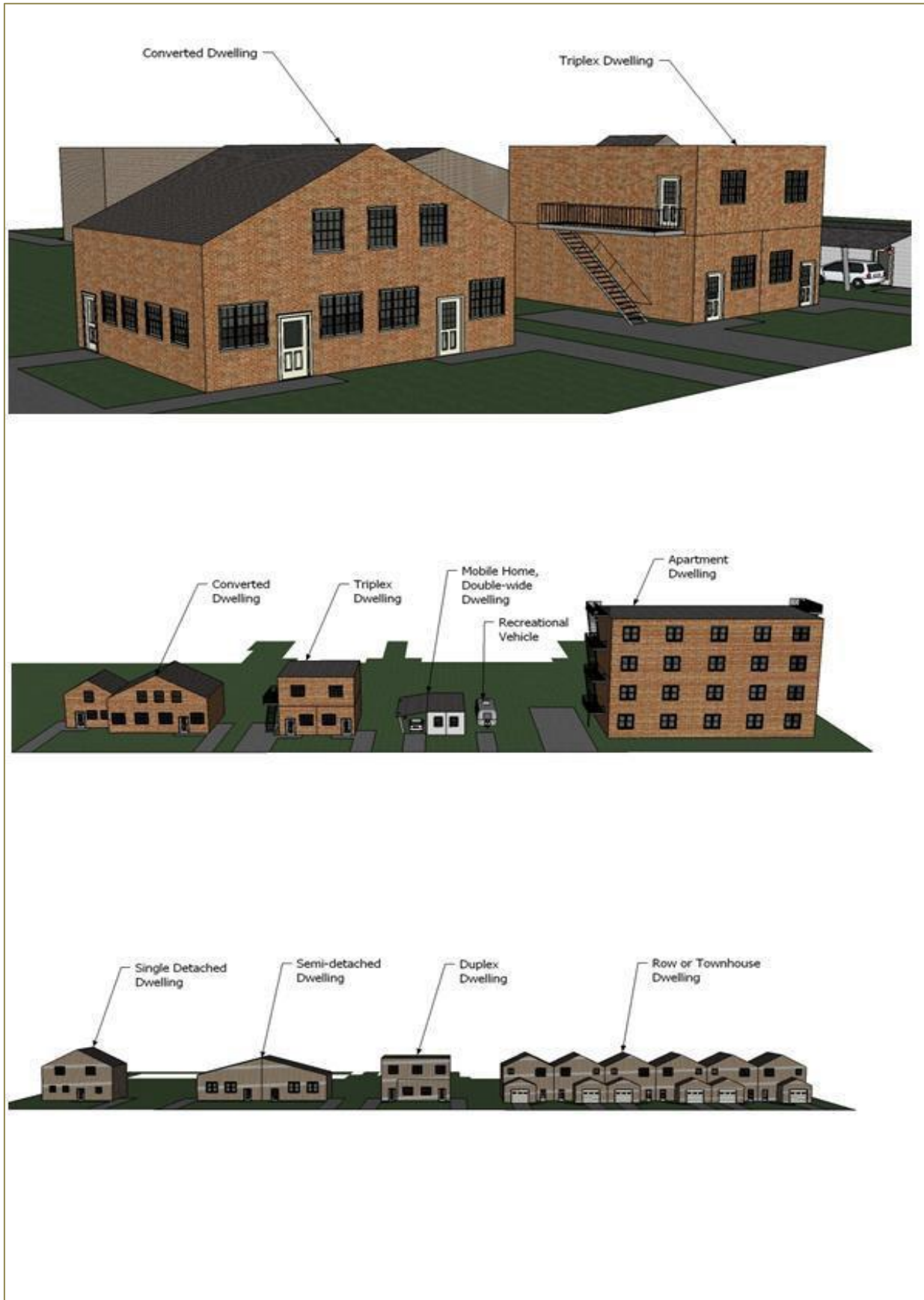
3.4.17 Dwelling, Converted

Means an *existing single detached dwelling* which has or may be *altered* or converted to contain two (2) or more *dwelling* units but not more than four (4) *dwelling* units [see Figure 3.7].

3.4.18 Dwelling, Duplex

Means a *building* that is divided horizontally into two (2) *dwelling* units, each of which has an independent entrance [see Figure 3.7]

Figure 3.7 Dwelling Types



3.4.19 Dwelling, Modular

Means a prefabricated *single detached dwelling* containing one (1) *dwelling* unit, built in accordance with the *Building Code*.

(Note: a prefabricated or manufactured home shall have the same meaning. Such *dwelling* types are distinguished from *mobile homes*, which are built on a chassis and transported on their own wheels.)

3.4.20 Dwelling, Multiple Unit

Means a separate *building* designed exclusively to contain three (3) or more *dwelling* units.

3.4.21 Dwelling, Park Model Trailer

Means a trailer as described under Section 39 of the Ontario *Building Code Act* 1992 O Reg. 350/06 as a manufactured *building used* or intended to be *used* as a *recreational building* of residential occupancy and not as the principal place of residence of the *owner* or occupier thereof. The *use* of a *Park model trailer* as a *dwelling* will require *Council's* approval by way of a site-specific rezoning.

3.4.22 Dwelling, Recreational

Means a *single detached building used* as a temporary *dwelling* for *recreational* purposes that is not the principle residence of the *owner*. This *dwelling* is commonly referred to as a cottage or summer home.

3.4.23 Dwelling, Row or Townhouse

Means a *building* that is divided vertically into three (3) or more *dwelling* units, each of which has an independent entrance at grade [See Figure 3.7].

- a) Rowhouse, Interior: Means a *row or townhouse* with two common walls.
- b) Rowhouse, End: Shall mean a rowhouse with one common wall.

3.4.24 Dwelling, Semi-detached

Means a *building* on a single foundation divided vertically into two (2) separate *dwelling* units by a common wall [see Figure 3.7].

3.4.25 Dwelling, Single detached

Means a *detached building* containing one (1) *dwelling* unit and shall include a *modular home* [see Figure 3.7].

3.4.26 Dwelling, Triplex

Means a *building* on a single foundation divided into three (3) separate *dwelling* units, each of which has an independent entrance either directly from the outside or through a common vestibule [see Figure 3.7].

3.4.27 Dwelling Unit

Means one or more *habitable room* or suites of two or more rooms, *designed* or intended for *use* by and occupied by one or more individuals as a household in which separate culinary and sanitary facilities are provided for the exclusive *use* of such household, and with a private entrance from outside the *building* or from a common hallway or stairway inside the *building* [see *Dwelling (Structure)*].

3.5 E

3.5.1 Easement

Means the legal right acquired by contract to pass over, along, upon or under the lands of another.

3.5.2 *Eating Establishment, Eatery - see Restaurant*

3.5.3 *Eave*

Means a roof overhang, free of enclosing walls, without supporting columns.

3.5.4 *Entertainment Establishment*

Means a *building* or premises *used* for a motion picture or cinema or other theatre, auditorium, public hall, billiard or pool room, bowling alley, arcade, ice or roller-skating rink, dance or music hall but does not include any facilities otherwise defined in this By-law. [see also Bingo Hall, *Arcade or video arcade, Recreational commercial establishment*]

3.5.5 *Equestrian Establishment*

Means the *use* of land, *buildings* and *structures* for operation of a horse-riding academy or horse-riding stables.

3.5.6 *Equipment Sales and Rental Establishment*

Means a *building* or part of a *building* and land where machinery or equipment for *use* in construction undertakings, *commercial vehicles*, and other similar goods are kept for rental, sale at retail or wholesale. (Examples include *farm* equipment, backhoes, floats or trailers.)

3.5.7 *Equipment Service and Repair Establishment*

Shall mean a *building* or part of a *building* where any equipment, *vehicle*, including *commercial vehicles*, and/or trailers may be serviced, washed or repaired and may include an *auto body shop*.

3.5.8 *Equipment and Vehicle Storage Yard*

Means an uncovered area of land, which is *used* for the storage of machinery and equipment for construction undertakings, *commercial vehicles*, and other similar goods requiring large areas for outside storage. Limited repair of such machinery, equipment, *vehicles* and goods may be *permitted* in a *building* provided such repair is clearly incidental and secondary to the storage *use*.

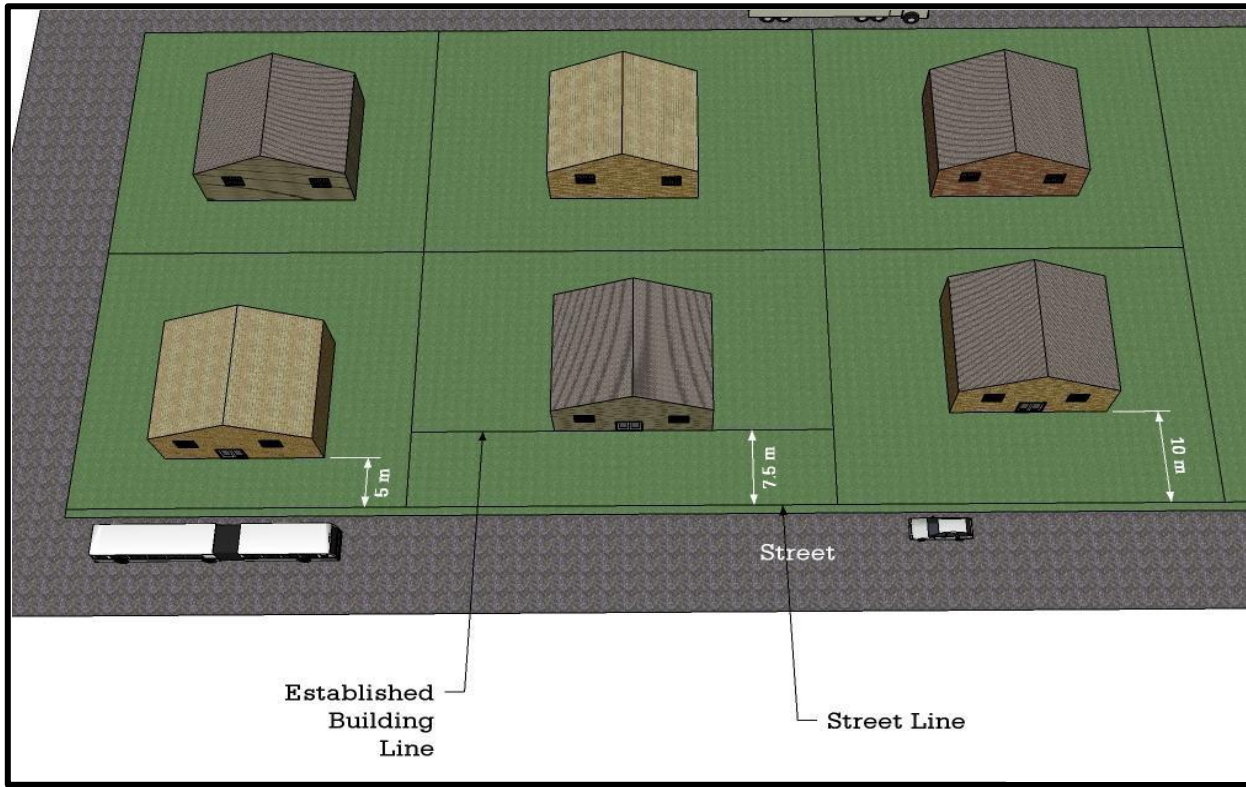
3.5.9 *Erect*

Means to build, construct, reconstruct, *alter* or relocate and without limiting the generality of the foregoing shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally *altering* any *existing building* or *structure* by an addition, deletion, enlargement or extension.

3.5.10 *Established Building Line*

Means the average *setback* from the *street line* of *existing buildings*. [See Figure 3.8 and Section 4.8].

Figure 3.8 Establishing Building Line



3.5.11 Established Grade

Means:

- a) When *used* with reference to a *building*, the average elevation of the finished level of the ground adjoining a wall of the *building*, measured along the length of the wall, exclusive of any artificial embankments or *berms* or steps.
- b) When *used* with reference to a *structure*, the average elevation of the finished surface of the ground immediately surrounding such *structure*.

3.5.12 Existing

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

3.5.13 Exterior Side Lot Line - see Lot line, side - exterior

3.5.14 Exterior Side Yard - see Yard, side - Exterior

3.6 F

3.6.1 Fairground, Midway or Circus

Means land, *buildings* and *structures* used for entertainment, agricultural and related exhibits, competitive events, food concessions, a carnival or midway which are conducted on a seasonal or temporary basis and may include grandstands, barns and other *Accessory buildings* and *structures* normally associated with such a *use*. A permanent *fairground* may only be *permitted* by a rezoning approved by *Council*. A temporary

fairground, midway or circus used for up to 3 weeks may be permitted in any zone provided the location is approved by Council.

3.6.2 Farm

Means land *used* for the tillage of soil and the growing of vegetables, fruits, grains, and other staple crops. This definition shall also apply to land *used* for animal husbandry, dairying or wood *lots* [see also *Agricultural use*].

3.6.3 Farm, Hobby

Means land on which a *farm* may be operated primarily for *recreational* purposes or for home consumption by the occupants of the *dwelling* on the same *lot*, and which is clearly secondary and *Accessory* to the *permitted residential use*. A *hobby farm* may also include a *farm produce outlet*.

3.6.4 Farm Produce Outlet

Means an *Accessory use* to a *farm*, which consists of the retail sale of agricultural products produced on the *farm* where such outlet is located.

3.6.5 Farm Vacation Establishment

Means an *Accessory use* in a private *single detached dwelling* in which guest bedrooms are provided for gain as temporary accommodation on a daily basis for the vacationing public interested in learning or participating in the operation of a *farm*.

3.6.6 Farmer's Market

Means land, *buildings* and *structures used* for the sale of *farm* products, crafts and other merchandise of a local *farming* or rural community and *designed* for individual retailers.

3.6.7 Feed Mill

Means a *building*, or part of a *building, structure* or area *used* for the *development* and production and/or sale of animal feeds.

3.6.8 Fence

Means any barrier or *structure* constructed of chain link metal, wood, stone, metal, brick or other similar materials or combinations of such materials which is *erected* for the purpose of screening, safeguarding, retaining or enclosing property or delineating property lines.

3.6.9 Flea Market

Means:

- a) A *building* or part of a *building* where second-hand goods, articles and antiques are offered or kept for sale at retail to the general public but shall not include any other retail establishment otherwise defined in this By-law;
- b) An occasional or periodic market or sales event held in an open area, which may include a *street*, or within a *building* or *structure* where independent sellers offer goods, new and *used*, for sale to the public, but not including private garage sales;
- c) A *building* or open area in which stalls or sales areas are set aside and rented or otherwise provided, and which are intended for *use* by various unrelated individuals to sell articles that are either home grown, homemade, handcrafted, old, obsolete, or antique and may include the selling of goods at retail by businesses or individuals who are generally engaged in retail trade;

- d) A *building* or open area where food preserves or fresh produce or prepared foods are sold, but does not include a *restaurant*.

3.6.10 *Flood Elevation or Flood Line (See Section 4.11)*

Means a line established by a one in one-hundred-year storm as established by *flood plain* mapping or by an appropriate *public authority*.

3.6.11 *Flooding Hazards (See Section 4.11)*

Means the inundation of areas adjacent to a shoreline or river or stream system and not ordinarily covered by water:

- a) Along the Shorelines of the Great Lakes, the flooding hazard limit is based on the 100-year flood plus an allowance for *wave uprush* and other related water hazards;
- b) Along river and stream systems, the flooding hazard is the greater of the flood resulting from the rainfall experienced during a major storm such as the Timmins Storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area; or the one hundred year flood; or a flood which is the greater of the above which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as a standard for that specific area by the Ministry of Natural Resources (Provincial Policy Statement).

3.6.12 *Flood Plain (See Section 4.11)*

For river, stream and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to *flooding hazards* (Provincial Policy Statement).

3.6.13 *Floor Area, Gross*

Means the total area of all floors contained within a *building* measured between the exterior faces of the exterior walls of the *building*.

3.6.14 *Floor Area, Ground*

Means the floor area of the lowest *storey* of a *building* approximately at or above the *established grade* excluding any *basement* or *cellar*, which area is measured between the exterior faces of the exterior walls at the floor level of such *storey*, but

- a) Excludes car *parking areas* within the *building*; and
- b) For the purposes of this paragraph the walls of an inner court are and shall be deemed to be exterior walls.

3.6.15 *Floor Area, Net*

Means usable or habitable space above or below grade, measured from the exterior face of the exterior walls of the *building* or *structure* but shall not include:

- a) Any private garage, porch, veranda, unfinished *basement*, *cellar* or *attic*; or
- b) Any part of a *building* or *structure* below grade which is *used* for *building* services, storage or laundry facilities; or
- c) Any part of the *building* or *structure* *used* for the storage or *parking* of *motor vehicles*; or

- d) Any part of a commercial shopping area *used* as a hallway, corridor, passageway, utility room, public washroom, *balcony* or mezzanine not otherwise *used* for the display or sale area for merchandise.

3.6.16 *Forestry Use*

Means the general raising, management and harvesting of wood and shall include the raising and cutting of fuel wood, pulpwood, saw logs, Christmas trees, other forestry products and silviculture practices.

3.6.17 *Front Lot Line - see Lot line, front*

3.6.18 *Front Yard - see Yard, front*

3.6.19 *Frontage - see Lot frontage*

3.6.20 *Funeral Home*

Means a *building* or part of a *building wherein* undertaking services are offered and may include *Accessory* activities such as the sale of caskets and funeral accessories, a chapel or parlour.

3.7 G

3.7.1 *Garage - Private*

Means a single *storey Accessory building* or portion of a *main building* including a carport which is *designed* or *used* for *parking* or storage of *motor vehicles* of the occupants of the premises and in which there are no facilities for repairing or servicing of such *vehicles* for remuneration or commercial *use*.

3.7.2 *Garden Centre - see Commercial Greenhouse or Nursery*

3.7.3 *Garden Suite*

Means a one-unit *detached residential building* containing sanitary and kitchen facilities that is *Accessory* to an *existing* permanent residential *structure* and that is *designed* to be portable, but shall not include a *mobile home*, trailer, or a *recreational vehicle*.

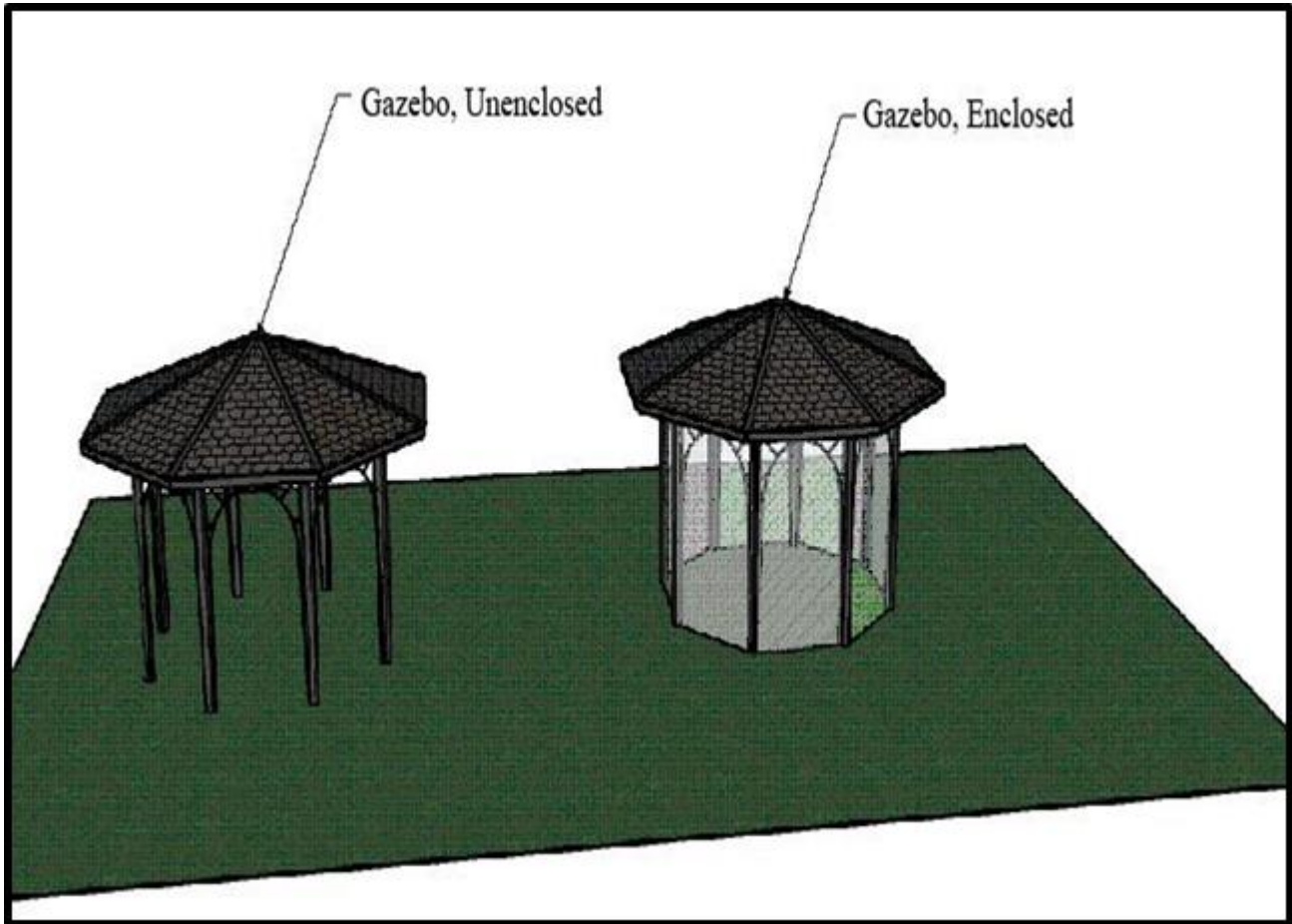
3.7.4 *Gas Bar*

Means one or more pump islands, each consisting of one or more gasoline pumps, and a *building, structure* or booth which may be *used* by a sales attendant for the sale of gasoline products and convenience items including but not limited to beverages, prepared foods, newspapers, *lottery* tickets, sundries and may include other *Accessory* features such as a comfort station and ATM. [see also *Auto service station*]

3.7.5 *Gazebo*

Means a freestanding, roofed *Accessory structure* which is not enclosed, except for screening or glass and which is utilized for the purposes of relaxation in conjunction with a residential *dwelling* but shall not include any other *use* or activity otherwise defined or classified in this By-law [see Figure 3.9].

Figure 3.9 Gazebo



3.7.6 Golf Course

Means land, *buildings* and *structures used* as a public or private area operated for the primary purpose of playing the sport of golf, but may also include such *Accessory buildings* and *structures* as are necessary for the operation and maintenance of the *golf course* including club house facilities, a *restaurant*, banquet hall, conference facility and other *uses* of a social, *recreational* and entertainment nature normally associated with *golf course development*.

3.7.7 Golf Driving Range

Means an area of land that may be equipped with distance markers, clubs, balls and tees for practicing golf shots.

3.7.8 Granny Flat - see Garden suite

3.7.9 Green Energy Industries

Means a *building* or *structure* in which products are manufactured for the generation of electricity from non-polluting or renewable sources (i.e. wind, sun, geothermal, biomass). Products manufactured by a renewable energy industry may include but are not limited to solar panels, *wind turbines*, geothermal equipment, *anaerobic digesters*, and parts or components thereof.

3.7.10 Grocery Store

Means a *building* or part of a *building wherein* various kinds of foodstuffs are kept for retail sale to the general public; and as an *Accessory use*, goods or merchandise may also be kept for retail sale, including such items as hardware, patent medicines, toilet preparations, *personal* hygiene products, household supplies and magazines.

3.7.11 Group Home

Means a single housekeeping unit in a residential *dwelling* in which *persons* live together under responsible supervision consistent with the requirements of its residents for a group living arrangement and which is licensed and/or approved under Provincial Statutes and in compliance with municipal By- laws [see also *Crisis care facility*].

3.7.12 Group Housing Project

Means a combination of *dwelling* types (e.g. *semi-detached, triplex, row housing, apartment*) where there are two or more such *buildings* located on the same *lot*, which *lot* is retained under one *ownership* or is registered and in compliance with the Condominium Act.

3.8 H

3.8.1 Habitable Room

Means a room in a *dwelling used* or intended to be *used* primarily for human occupancy.

3.8.2 Height (see also Section 4.24)

Means the vertical distance between the *established grade* and:

- a) In the case of a flat roof, the highest point of the roof surface or parapet wall, whichever is the highest [see Figure 3.10A], or;
- b) In the case of all other types of roofs, the mean *height* level between the base of the roof and highest point of the roof [see Figure 3.10b].

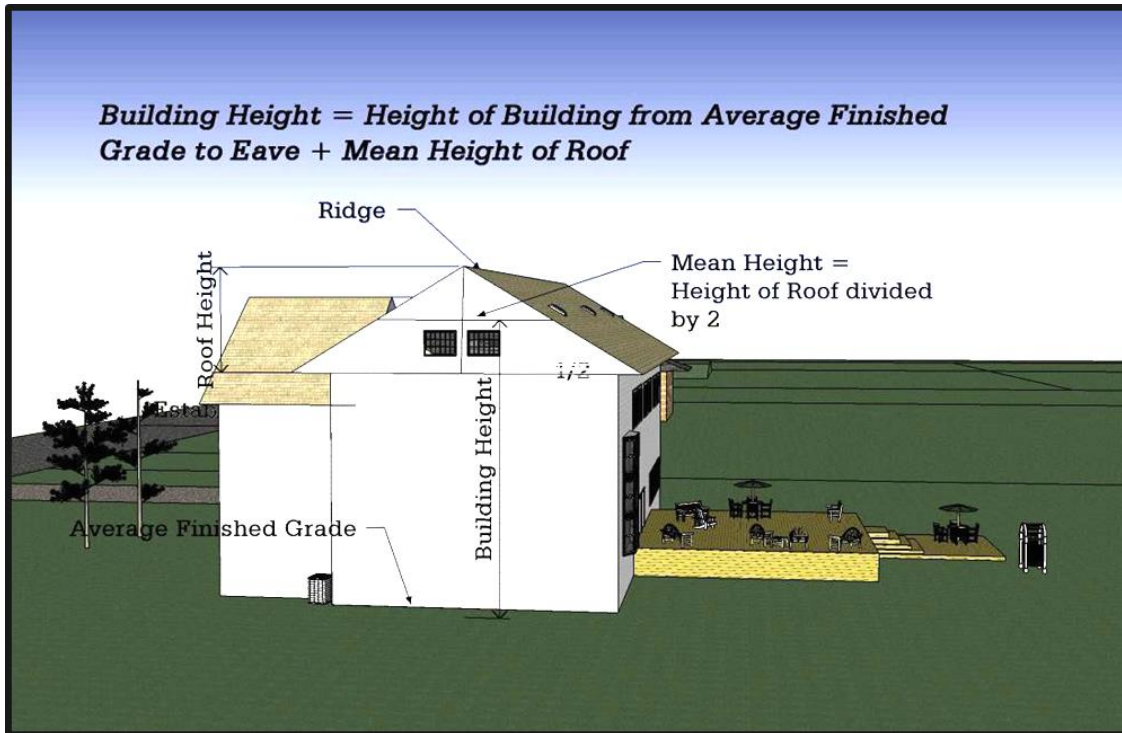
Where the *height* is designated in terms of *storeys*, it shall mean the *designated* number of *storeys* above and including the first *storey*. A mezzanine floor or floors shall not be considered as increasing the *height* of a *building* in *storeys*, provided that their *aggregate* area does not exceed forty per cent (40%) of the area of a room or *storey* in which they are located, provided further, that the space beneath the mezzanine is not enclosed and provided that the mezzanine overhang does not exceed forty per cent (40%) of the least dimension on any room in which it is located.

In calculating the *height* of a *building*, any construction *used* as ornament or for the mechanical operation of the *building*, such as a mechanical penthouse or a chimney, tower, cupola, steeple, church spire, antenna, ornamental dome, electrical apparatus, is not to be included.

Figure 3.10a Height



Figure 3.10b Building Height



3.8.3 Herein

Means in this By-law, and shall not be limited to any particular section of this By-law.

3.8.4 High Water Mark

Means the mark made by the action of water under natural conditions on the shore or *bank* of a body of water, which action has been so common and usual and so long continued that it has created a difference

between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

3.8.5 Highway

Means an improved public *road* under the jurisdiction of the Provincial government.

3.8.6 Hobby Farm – see Farm, Hobby

3.8.7 Holding Zone

Means a *zone* established under the enabling authority of the Planning Act where *uses* may be *permitted* subject to meeting certain conditions set out in the site-specific *designating* by-law.

3.8.8 Home for the Aged – see Continuum-of-Care Facility

3.8.9 Home based Business/industry

Means a *use* as listed in Section 4.13 which is carried out as an *Accessory use* to a *dwelling* unit for pursuits conducted by the occupant thereof and any employees and is compatible with a domestic household.

3.8.10 Hotel

Means a *building* designed or used for the accommodation of the travelling or vacationing public, containing *therein* five (5) or more guest rooms served by a common *building* entrance. *Accessory uses* may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms, *restaurant* or similar *uses*.

3.9 I

3.9.1 Industrial Use

Means the *use* of land, *building* or *structures* for the purpose of manufacturing, fabricating, assembling, making, preparing, inspecting, ornamenting, finishing, treating, *altering*, repairing, warehousing, or storage or adapting for sale of any goods, substances, article or thing, or any part thereof and the storage of *building* and construction equipment and materials as distinguished from the buying and selling of commodities and the supplying of *personal* services. This definition does not include a *mine*, *pit* or *quarry* or obnoxious industry. *Accessory uses* may include transportation, wholesaling, storage, shipping and receiving incidental to the *industrial use*.

3.9.2 Institutional Use

Means any land, *building*, *structure* or part thereof used to provide non-profit or non-commercial purposes for governmental, educational, charitable, fraternal or other public services.

3.10 J

3.10.1 Junk Yard - see Wrecking yard

3.11 K

3.11.1 Kennel, Commercial or Boarding

Means a *building* or *structure* where four (4) or more dogs over the age of six months are bred or boarded for profit or gain. All kennels require site-specific zoning approval by *Council*. [See also *Animal hospital*]

3.12 L

3.12.1 *Landfill Site - see Waste management facility*

3.12.2 *Landscaping Strip - see Buffer strip*

3.12.3 *Lane*

Means a subsidiary thoroughfare other than a *street* or pedestrian way, which provides access from within a *lot*, principally from *parking* or loading spaces, to a *public street*.

3.12.4 *Laundromat*

Means a *building* where coin-operated laundry machines are made available to the public for the purpose of cleaning *clothing*, fabrics and/or linens.

3.12.5 *Livestock*

Means animals associated with an *agricultural use* such as but not limited to cattle, horses, goats, poultry, sheep, swine or the young thereof, raised for *personal use* or for commercial purposes.

3.12.6 *Livestock Facility*

Means one or more barns or permanent *structures* with *livestock*-occupied portions, intended for the keeping or housing of *livestock* and includes all manure or material storages and *anaerobic digesters*. (Minimum Distance Separation Formulae Implementation Guidelines)

3.12.7 *Livestock Sales Outlet*

Means a *building* or *structure* where *livestock* are bought and sold.

3.12.8 *Loading Space*

Means a space or bay located on a *lot* or within a *building* which is *used* or intended to be *used* for the temporary *parking* of any *commercial vehicle* while loading or unloading good or materials, and which has unobstructed access.

3.12.9 *Log Hauling Operation*

Means an area of land and/or *building* of a logging contractor where equipment and materials are stored and may include repairs to logging equipment.

3.12.10 *Lot*

Means a parcel of land, which is capable of being legally conveyed in accordance with the Planning Act.

3.12.11 *Lot Area*

Shall mean the total horizontal area measured within the limits of the *lot lines* of the *lot*.

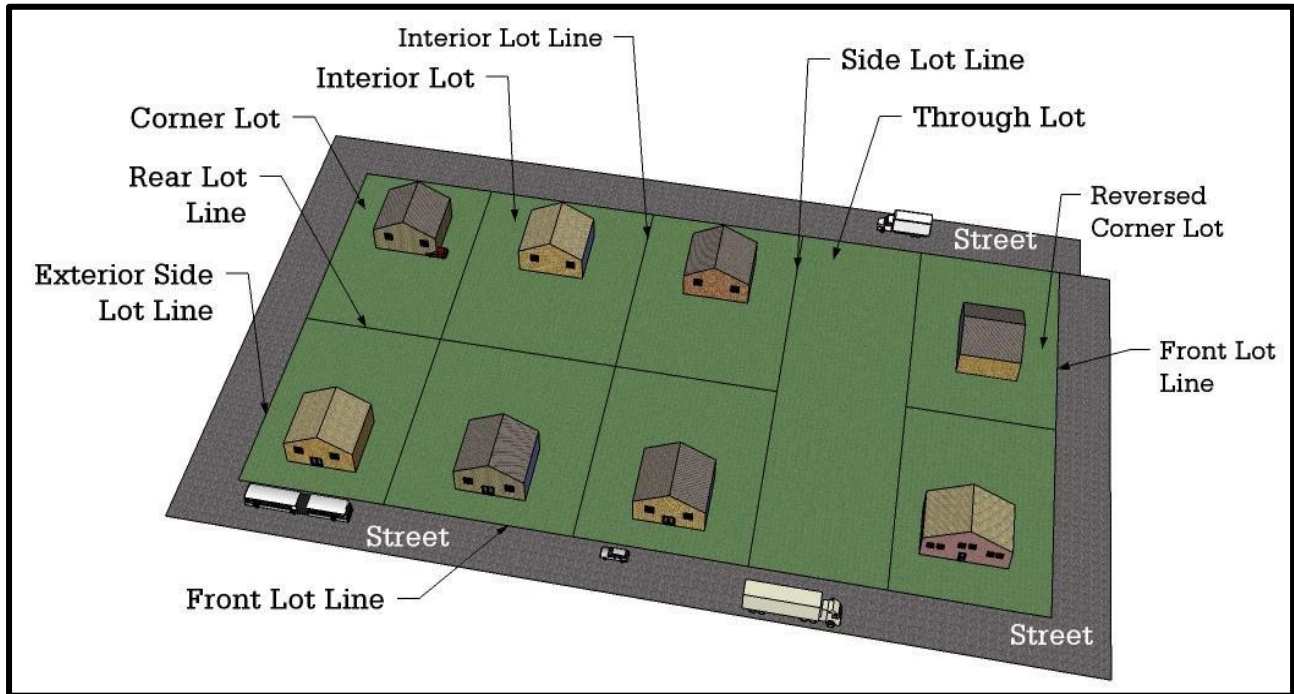
3.12.12 *Lot, Corner*

Means a *lot* situated at an intersection of two or more *streets*, or at the intersection of two parts of the same *street*, which have an interior angle, or intersection of not more than one hundred and thirty-five (135) degrees. (See Figure 3.11)

Where such *street lines* are curved, the angle of intersection of the *street lines* shall be deemed to be the angle formed by the intersection of the tangents to the *street lines*, drawn through the extremities of the side *lot lines*. In the latter case, the corner of the *lot* shall be deemed to be that point on the *street line* nearest to the point of intersection of the said tangents, and any portion of a *corner lot* distant not more than 30 m

(98.4 ft.) from the corner measured along the *street line* shall be deemed to be an *interior lot* (see *Lot, interior*) [see Figure 3.11].

Figure 3.11 Lot Types



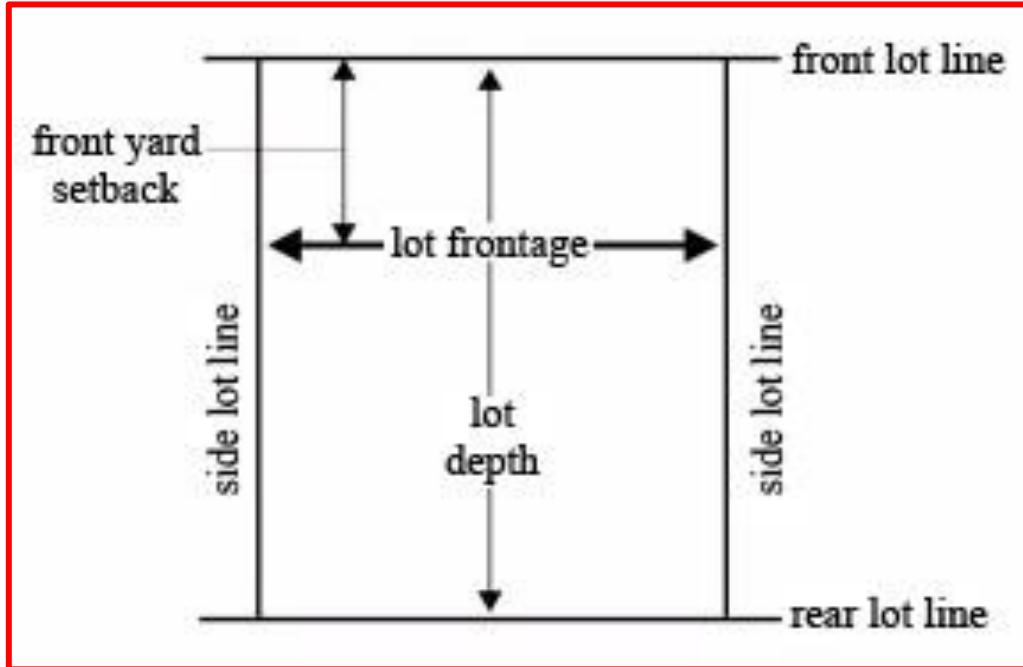
3.12.13 Lot Coverage

Means that percentage of land or *lot area* covered by *buildings* and *structures* above ground level and which excludes that portion of such land or *lot area* which is occupied by a *building* or portion thereof which is completely below ground level, but shall exclude a *fence* and a *sewage disposal system*.

3.12.14 Lot Depth

Means 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*. If 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* [see Figure 3.12].

Figure 3.12 Lot lines



3.12.15 Lot Frontage

Means the horizontal distance between the side *lot lines*. Where such side *lot lines* are not parallel, it shall be the width of a *lot* measured between the intersections of the side *lot lines* with a line set back from and parallel or concentric to the *front lot line*, a distance equal to the *front yard setback* of the zone in which the subject property is located. Arc distances shall apply on curved lines [see Figure 3.12].

3.12.16 Lot, Interior

Means a *lot* other than a corner or a through *lot* (see *Lot, through*), which has *frontage* on a *public street*.

3.12.17 Lot Line

Means a boundary line of a *lot*.

3.12.18 Lot Line, Front

Means:

- a) In the case of an *interior lot*, the line dividing the *lot* from the *street*, *street allowance* or *private road*;
- b) In the case of a *corner lot*, the shorter *lot line* abutting a *street* shall be deemed to be the *front lot line*;
- c) In the case of a *corner lot* with two *street lines* of equal lengths, the *lot line* that abuts the wider *street*, or abuts a *highway* shall be deemed to be the front line, and in the case of both *streets* being under the same jurisdiction and of the same width, the *lot line* where the principal access to the *lot* is provided shall be deemed to be the *front lot line*;
- d) In the case of a *lot* with water access only, the *front lot line* shall be on the waterside. In the case of a through waterfront *lot* with water access only, the longest shoreline shall be deemed to be the *front lot line*;
- e) In the case of a *private road*, the *lot line* adjacent to the *private road* shall be deemed to be the *front lot line*;

- f) In all other cases not described above, the *front lot line* shall be deemed to be where the principal access to the *lot* is approved [see Figure 3.11].

3.12.19 *Lot Line, Rear*

Means the *lot line* furthest from, and opposite to, the *front lot line* [see Figure 3.11].

3.12.20 *Lot Line, Side - Exterior*

Means a *lot line* located between the front and rear *lot lines* and dividing the *lot* from a *street* [see Figure 3.11].

3.12.21 *Lot Line, Side - Interior*

Means a *lot line* other than a front, rear or side exterior *lot line*. On a *lot* with more than four sides, any *lot line* not otherwise defined as a front, rear or side exterior *lot line* shall be considered as a side (interior) *lot line* [see Figure 3.11].

3.12.22 *Lot, Through*

Means a *lot* having a *frontage* on two *streets*. Where such *lot* qualifies as being both a *corner lot* (*lot*, corner) and a *through lot*, such *lot* shall be considered as a *corner lot* [see Figure 3.11].

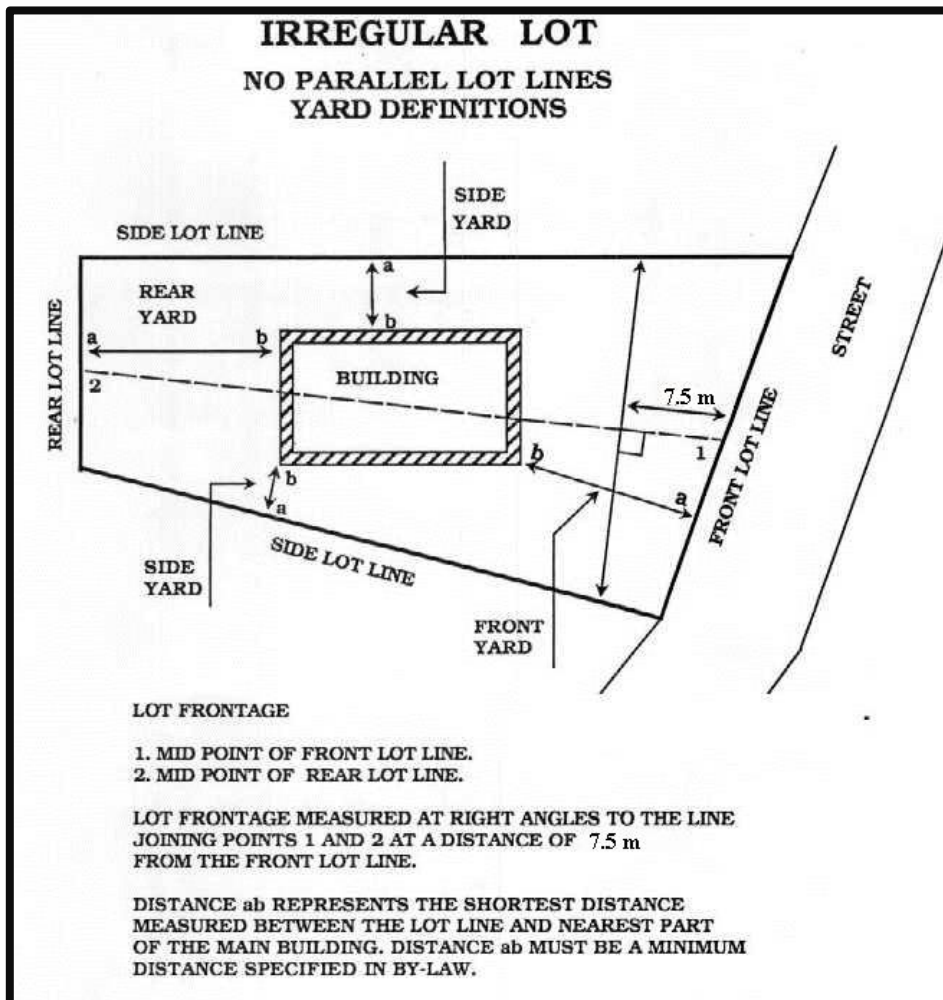
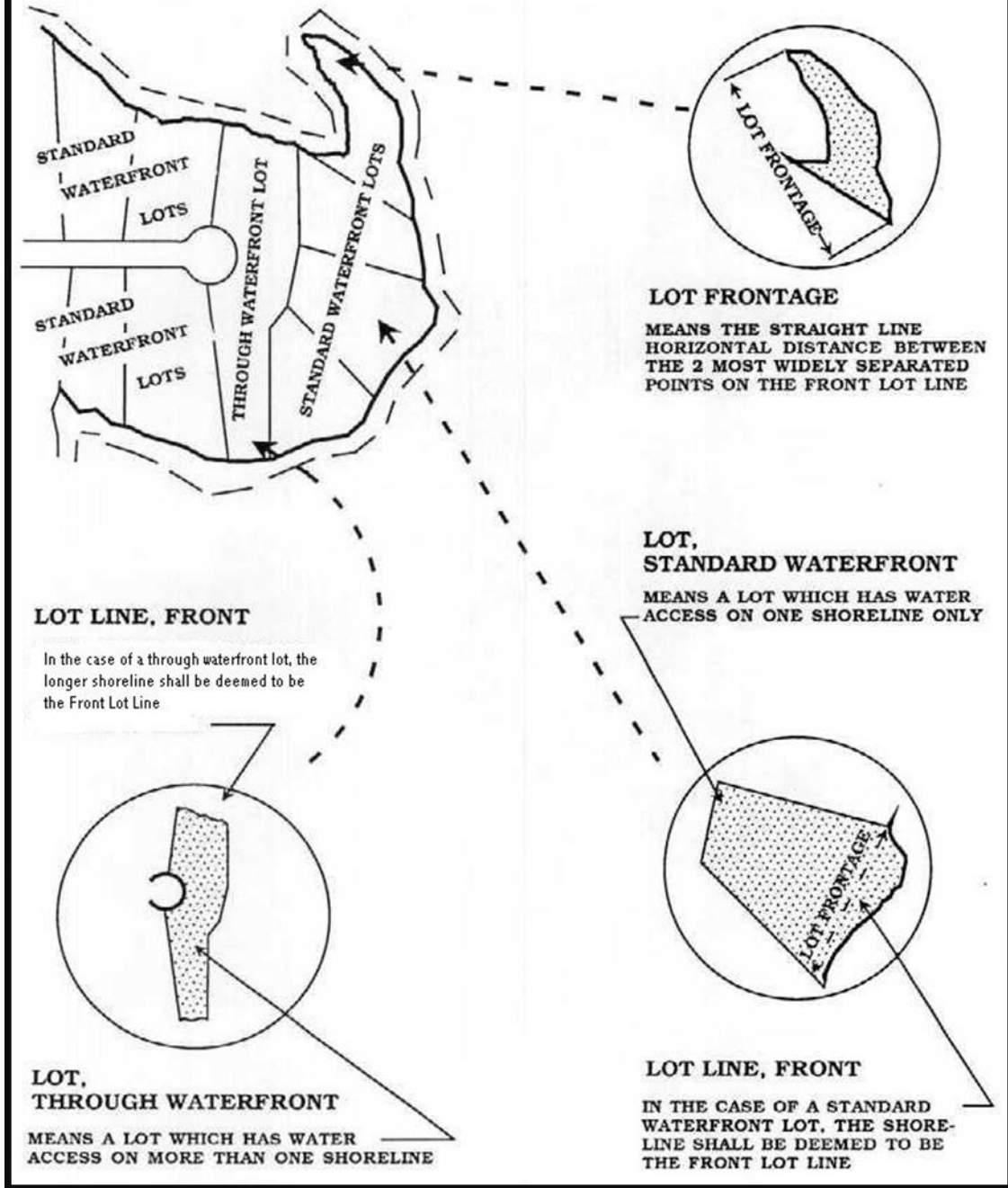


ILLUSTRATION OF DEFINITIONS RELATED TO WATERFRONT LOTS



3.12.23 Lumber Yard

Means a *building* and *structures* or *lot* where milled lumber and/or timbers are stored and/or sold at retail or wholesale.

3.13 M

3.13.1 Main Building - see Building

3.13.2 Main Wall

Means any exterior wall of a *building* (e.g. front, rear or side) and any structural members essential to the support of a fully enclosed space of roof exclusive of *permitted* projections (e.g. *deck*, stairs, *eaves*, etc.), which are nearer to a *lot line* than an exterior wall.

3.13.3 Maple Syrup Processing Establishment

Means land, *buildings* and/or *structures used* to collect, manufacture and/or store maple syrup products produced on the property where such *use* is established.

3.13.4 Marina

Means a *building* and/or *structure*, with or without *docking* facilities, on the shores of a *water body* where boats moored, berthed, constructed, stored, serviced, repaired or kept for sale or rent and where the facilities for the sale of boat accessories, marine fuels, marine equipment, lubricants, bait as well as the sale of foods, provisions or supplies as an *Accessory use* may be provided. A *marina* may also have sewage pump-out facilities for water *vehicles*.

3.13.5 Marine Facility

Means a non-commercial *building* or *structure* which is *used* to moor, berth, or store a boat. This definition may include a boat launching ramp, a boatlift, marine railway, a float hangar, *dock* or boathouse, but does not include any *building used* for human habitation or a *marina*. A *marine facility* shall also include a water intake facility and any flood or erosion control *structure*. No part of a *marine facility* may be *used* as a *dwelling* unit.

3.13.6 Medical Clinic - see Clinic

3.13.7 Mine

Means a *mine* as defined in the Mining Act. Mining shall have a similar meaning.

3.13.8 Mine Hazard

Means any feature on a *mine* as defined under the Mining Act or any related disturbance of the ground that has not been rehabilitated. (Provincial Policy Statement)

3.13.9 Mineral Aggregate Operation

Means:

- a) Lands under license or permit, other than for *wayside pits* and quarries, issued in accordance with the *Aggregate Resources Act*, or successors thereto; and
- b) Associated facilities *used* in extraction, transport, beneficiation, processing or recycling of *mineral aggregate* resources and derived products such as asphalt and concrete, or the production of secondary related products.

3.13.10 Mineral Mining Operation

Means a mining operation and associated facilities, or, a past producing *mine* with remaining *mineral development* potential that has not been permanently rehabilitated to another *use*.

3.13.11 Miniature Golf Course

Means an area of land, *building* or *structure* or part thereof operated for profit or gain as a commercial place of amusement in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale, but does not include a driving range.

3.13.12 Minimum Distance Separation Formulae I and II

Means formulae developed by the Province to separate *uses* so as to reduce incompatibility concerns about odour from *livestock* facilities. (Provincial Policy Statement)

3.13.13 Mobile Home

Means any *structure* that is *designed* to be made mobile, and constructed or manufactured to provide a permanent residence for one or more *persons*, but does not include a *modular home* or *recreational vehicle*.

3.13.14 Mobile Home Park

Means land, which has been provided and *designed* for the location thereon of two (2) or more occupied *mobile homes*. A new *mobile home park* will only be *permitted* through an Official Plan Amendment and a rezoning application approved by *Council*.

3.13.15 Mobile Home Lot or Site

Means an area, similar to a *lot*, located in a *mobile home park*, intended to be and/or occupied by a *mobile home*.

3.13.16 Mobile Home Yard

Means a line similar to a *yard*, *front yard*, *rear yard*, *interior side yard* or *exterior side yard* as applied to a *mobile home lot or site*.

3.13.17 Modular Home

Means a *single detached dwelling* consisting of two or more modules which have been prefabricated or manufactured to Ontario *Building Code* standards in a factory remote from the site where it is intended to be *used* and transported to the site for installation on a permanent foundation or skirted and connected to water and sewage services, but does not include a *mobile home*.

3.13.18 Modular Dwelling – see *Dwelling, Modular*

3.13.19 Motel

Means a *building* or *buildings* *designed* or *used* for the accommodation of the travelling or vacationing public, containing *therein* three (3) or more guest rooms, each guest room having a separate entrance to a common hallway or directly from outside and may include an *Accessory* eating establishment but does not include a *bed and breakfast establishment*.

3.13.20 Motor Home - see *Recreational vehicle*

3.13.21 Motor Vehicle(s)

Means an automobile, *commercial vehicle*, truck, motor home, transport tractor, *farm* tractor, *road building* machine, bicycle and any *vehicle* drawn, propelled or driven by any kind of power, including muscular power, but does not include a snowmobile, ATV or similar off *road vehicle*.

3.13.22 *Motor Vehicle Body Shop* - see *Auto body shop*

3.13.23 *Multiple Dwelling* - see *Dwelling, Multiple unit*

3.13.24 *Municipality*

Means the *Corporation* of the *Municipality* of Huron Shores.

3.13.25 *Museum*

Means a *building* or *buildings used*, or to be *used*, for the preservation of a collection of paintings and/or other works of art, and/or objects of natural history, and/or of mechanical scientific and/or philosophical inventions, instruments, models and/or *designs*, and dedicated or to be dedicated to the recreation of the public, together with any libraries, reading rooms, laboratories and/or other *offices* and/or premises *used* or to be *used* in connection therewith.

3.14 N

3.14.1 *Non-conforming*

Means any *existing use, building, structure* or *lot* which does not conform to the *permitted use* provisions or standards of any *zone* in this By-law.

3.14.2 *Non-residential*

Means when *used* with reference to a *use, a building* or a *structure, designed* intended or *used* for purposes other than those of a *dwelling*.

3.14.3 *Nursery*

Means land, *buildings* and *structures used* for the growing of sod, flowers, bushes, trees, or other gardening, landscaping, or orchard stock for wholesale or retail sale.

3.14.4 *Nursing Home* - see *Continuum-of-Care Facility*

3.15 O

3.15.1 *Office*

Means a *building, structure* or part thereof *used*, or intended to be *used* in the performance and transaction of business including administrative, clerical and professional activities but shall not include the manufacturing of any product.

3.15.2 *Open Space*

Means the open, unobstructed space on a *lot* including landscaped areas, pedestrian walkways, *patios*, open and uncovered *decks, swimming pools* or similar areas, but not including any *driveway, ramp, parking spaces* or *aisles*, loading spaces or maneuvering areas and similar areas.

3.15.3 *Open Storage*

Means the storage of goods, merchandise or equipment outside of a *building* or *structure* on a *lot* or portion thereof. This definition shall not include the *open storage* of goods or equipment incidental to a residential occupancy of a *lot, a parking area* or *parking space*, or the *outdoor display* of a limited number of samples of goods, merchandise or equipment for the purpose of sales and advertisement.

3.15.4 *Outdoor Display*

Means an area set aside outside of a *building* or *structure*, other than a *parking area* or *parking space*, which is *used* in conjunction with a business located within the *building* or *structure* on the same property, for the

display of goods, merchandise, equipment, and seasonal produce and products and may include garden supplies and Christmas trees, new merchandise or the supply of services.

3.15.5 Owner

Means a mortgagee, lessee, tenant, occupant, or a *person* entitled to a limited estate or interest in land, a trustee in whom the land is vested, a committee of the estate of a mentally incompetent *person*, an executor, an administrator or a guardian.

3.16 P

3.16.1 Park

Means an area of land, whether enclosed or not, which is devoted to *recreational* or leisure *uses* including, but not limited to, a *playground*, play field, athletic field, field house, community centre, bleachers, *swimming pool*, wading pool, greenhouse, botanical gardens, zoological gardens, bandstand, skating rink, tennis courts, bowling green, bathing station, curling rink, refreshment concession, and conservation area.

3.16.2 Park - Private - see *Recreational commercial establishment*

3.16.3 Park Model Trailer - see *Dwelling, Park model trailer*

3.16.4 Parking Area

Means a *lot* or portion thereof required in accordance with the provisions of this By-law for the temporary storage or *parking* of *motor vehicles* associated to *uses* in all *zones*, and includes the storage or *parking* of three (3) or more *motor vehicles*, horses and buggies and includes any associated *driveways*, *aisles*, pedestrian *aisles*, *lanes* or other areas required for the movement or *parking* of *motor vehicles* but does not include a *street* or *lane*, a *lot* for the sale or lease of *motor vehicles* or the storing or impounding of *motor vehicles* or wrecked *vehicles*.

3.16.5 Parking Lot, Commercial - see *Commercial parking lot*

3.16.6 Parking Space

Means an area *used* for the temporary *parking* of one *motor vehicle* or one horse and buggy.

3.16.7 Parking Space, Barrier Free

Means a *parking space* for the temporary *parking* of a *motor vehicle* *used* by a handicapped or disabled *person*.

3.16.8 Patio

Means a surfaced, *open space* of land at grade adjacent to a residential *dwelling*, which is *used* as an extension to the interior of the home for private entertainment or leisure activities and is uncovered. In a commercial setting, a *patio* means an uncovered surfaced *open space* at grade *used* in conjunction with a *restaurant* where seating accommodation is provided and where meals and beverages may be served and consumed.

3.16.8 Permitted

Means *permitted* by this By-law.

3.16.9 Person

Means an individual, an association, a chartered organization, a firm, a partnership, a *corporation*, an agent or trustee and the heirs, executors or other legal representatives of a *person* to whom the context can apply according to law.

3.16.10 Personal Service Establishment

Means an establishment *wherein* a *personal* service is performed including, but not limited to, a barbershop, beauty salon, aesthetician, shoe repair, photographer's *studio*, *laundromat* or a *dry-cleaning distribution station*, but excludes manufacturing or fabrication of goods for sale.

3.16.11 Pit

Means land, or land under water, from which *aggregate* as defined *herein* is being or has been excavated in order to supply material for construction, manufacturing or industrial purposes, but shall not include rehabilitated land or an excavation incidental to the *erection* of a *building* or a *structure* for which a *building* permit has been granted by the *Corporation*, or an excavation incidental to the construction of any public works.

3.16.12 Place of Assembly

Means a *building* specifically set aside for, and primarily engaged in the operation of, arts and craft shows, trade fairs, fashion shows, public meetings, banquets, conference meetings, civic, political, social or religious activities, a *private club* or a fraternal organization and similar activities.

3.16.13 Place of Worship

Means a *building* or an open area dedicated to religious worship and may include a *place of assembly*, an *Accessory dwelling*, an *Accessory apartment* or other secondary meeting facilities.

3.16.14 Playground

Means a *park*, or part thereof, which is equipped with active *recreational* facilities oriented to children [see also *Park*].

3.16.15 Porch or Veranda

Means a covered entrance *attached* to a *building* usually with a roof separate from the roof of the main portion of the *building* and is unenclosed and *used* as an outdoor living space.

3.16.16 Portable Asphalt Plant

Means a facility with equipment *designed* to heat and dry *aggregate*, and to mix *aggregate* with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials *used* in the process and which is not of permanent construction, but which is to be dismantled at the completion of the construction process.

3.16.17 Portable Concrete Plant

Means a *building* or a *structure* with equipment *designed* to mix cementing materials, *aggregate*, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials *used* in the process and which is not of permanent construction, but which is to be dismantled at the completion of the construction process.

3.16.18 Printing and Publishing Establishment

Means a *building* or part thereof *used* primarily for printing, regardless of the method, and publishing of newspapers, periodicals, books, maps and similar publications and also includes the sale and servicing of printing and duplicating equipment.

3.16.19 *Principal Residence*

Means the main residence of the *owner* of a secondary residence *used* for *recreational* purposes. The principle residence shall be where the *owner* resides for the majority of the year, and is the *owner's* main mailing address and the address shown on legal documents and identification.

3.16.20 *Private Club - see Club, private*

3.16.21 *Private Road*

Means a private *right-of-way* over private property which affords access to two or more abutting *lots*, and which is not maintained by a *public authority*.

3.16.22 *Public Authority*

Means the *Municipality* of Huron Shores and any Boards or Commissions thereof, and any Ministry or Department of the Governments of Ontario or Canada, or other similarly recognized *public utility* or agencies established or exercising any power or authority under any special or general statute and includes any committee or local authority established by By-law of *Council*.

3.16.23 *Public Street*

Means a public *road* or *highway* affording principal means of access to abutting properties, which has been assumed by a *public authority*.

3.16.24 *Public Utility*

Means a water works or water supply system, sewage works, electrical power or energy generating transmission or distribution system, *street* lighting system, natural or artificial gas works or supply system, transportation system, telecommunications system and includes any lands, *buildings* or *structures* or equipment required for the administration or operation of any such system, and which is operated by a *public authority* or publicly governed company.

3.17 Q

3.17.1 *Quarry*

Means any open excavation made for the removal of any consolidated rock or *mineral* including limestone, sandstone or shale, in order to supply material for construction, industrial or manufacturing purposes, but shall not include an excavation incidental to the *erection* of a *building* or *structure* for which a *building* permit has been granted by the *Corporation*, or an excavation incidental to the construction of any public works.

3.18 R

3.18.1 *Reconstruction or Renovation*

Means the repair and restoration of a previously *existing building* or *structure* to a safe condition but shall not include its replacement.

3.18.2 *Recreational Commercial Establishment*

Means an establishment, *building* or *structure* where any *recreational*, social or cultural *uses* are operated commercially or as a non-profit operation on lands such as health clubs, *golf courses*, shooting ranges, open or enclosed skating or curling rinks, open or enclosed pools, open or enclosed badminton or tennis courts, squash courts, bowling alleys, gymnasias, band shell or open theatre, and other similar *uses* except as otherwise specifically defined in this By-law. [see also *Arcade* or *video arcade*, Bingo Hall, *Entertainment establishment*]

3.18.3 Recreational Dwelling - see Dwelling, Recreational

3.18.4 Recreational Vehicle(s)

Means any *vehicle* so constructed that is suitable to be *attached* to a *motor vehicle* for the purpose of being drawn or is propelled by the *motor vehicle* and is capable of being *used* for living, sleeping, eating or accommodation of *persons* on a temporary, transient or short-term basis, even if the *vehicle* is jacked up or its running gear is removed. Examples include a motor home, tent trailer, a *camper* trailer, a *recreational* trailer, a fifth wheel or a bus converted into a motor home. For the purposes of this definition, a *recreational vehicle* shall be considered an *Accessory structure* for the purposes of establishing *setbacks* only. A *recreational vehicle* shall not be deemed to include a *mobile home*, a *park model trailer* or a manufactured home. The definition of a *recreational vehicle* shall not be interpreted to include *recreational* equipment such as boats, boat or *vehicle* trailers, *personal* watercraft, snowmobiles, all-terrain *vehicles* (ATVs) or other equipment *used* for *recreational* purposes and which are normally stored or *parked* on a *lot*. [See also *Mobile home*]

3.18.5 Recreational Vehicle Campground – see Campground

3.18.6 Recreational Vehicle Sales and Storage

Means a *building* and/or *lot*, *used* for the display, storage and/or sale of boats, and *recreational vehicles* or *recreational* equipment.

3.18.7 Recreational vehicle repair garage

Means a *building used* for the repair, servicing, painting, refinishing, restoration or *alteration* of *recreational vehicles* and boats, for gain or profit, but does not include a *salvage yard*.

3.18.8 Recycling depot

Means a special waste management system, which serves as a temporary storage site for clean materials such as glass, paper, cardboard, plastic, metal and other similar products which will be transferred to another location for *reuse*. This definition does not include any other type of *waste management facility*. [See also *Waste management facility*].

3.18.9 Redevelopment - see Development

3.18.10 Registered Plan

Means a plan legally registered as per the Registry Act or the Land Titles Act.

3.18.11 Renovate

Means to strengthen, improve, repair, retrofit or restore to a better state any aspect of an *existing building*. *Renovation* shall not include the removal of more than 50% of the walls (wall studs) in a *building*. *Renovation* shall include the replacement of a foundation only where the foundation is structurally unsound as determined by the *Chief building official*.

3.18.12 Rental Establishment

Means a *building* or part of a *building* or *yard* wherein the primary *use* is the rental of machinery, equipment, furniture and fixtures and other goods. For the purposes of this By-law, equipment *rental establishment* does not include the rental of heavy equipment *used* in construction such as, but not limited to, tractors, graders, loaders, etc.

3.18.13 Residential Use

Means the *use* of land, *buildings* or *structures* for human habitation. Does not include a *recreational vehicle*, tent, travel trailer or similar *structure*.

3.18.14 *Residence, Principal see - Principal residence*

3.18.15 *Restaurant*

Means a *building* or *structure* where food is prepared and offered for sale to the public for consumption within or outside the *building* or *structure*.

3.18.16 *Restaurant, Drive-through*

Means a *restaurant* with a drive-through window and an order board *designed* to dispense food to customers remaining in motorized *vehicles* that are in a *designated stacking lane*.

3.18.17 *Retail Store or Business*

Means a *building wherein* goods, wares, merchandise, substances or articles are offered for sale to the general public, and may include the limited storage of goods, wares, merchandise, substances or articles.

3.18.18 *Retirement Home*

Means a residence providing accommodation primarily for retired *persons* or couples where each private living unit (bedroom or suite) has a separate private bathroom and a separate entrance from a common hall, but where common facilities for the preparation and consumption of food are provided and common lounges, recreation facilities, medical services and social and *recreational* facilities for *use* by the inhabitants may be provided [See also Continuum-of-Care Facility].

3.18.19 *Right-of-way - see Easement*

3.18.20 *Road - see Public street, Private road*

3.18.21 *Row House - see Dwelling, Row or townhouse*

3.20 S

3.20.1 *Salvage Yard - see Wrecking yard*

3.20.2 *Sauna*

Means an *Accessory building* or *structure wherein* facilities are provided for the purpose of a steam bath or a dry heat *sauna* and may include a change room and shower.

3.20.3 *Sawmill or Planing Mill*

Means a *building, structure* or area where timber is cut or sawed, either to finished lumber or as an intermediary step.

3.20.4 *Sawmill, Portable*

Means equipment, which is portable (e.g., may be drawn by a *vehicle*) and is *used* on a temporary basis for the cutting of saw logs.

3.20.5 *School*

Means a public educational establishment operated by a Board of Education [see also *Institutional use*].

3.20.6 *School, Private*

Means an educational establishment *wherein* teaching or instruction is offered for gain in such fields as academics, dancing, music, art, sports, business or trade, and any other such specialized *school* conducted for gain, and also includes such fields as a *studio* for photography and arts and crafts. A private *school* may be an elementary, secondary or adult *school* [see also *School*].

3.20.7 *Scrap Yard – see Wrecking yard*

3.20.8 *Seating Capacity*

Means the number of *persons*, which can be accommodated in a *building* or *structure* or part thereof in a seated position on chairs, benches, forms or pews.

3.20.9 *Self-storage Facility*

Means a commercial *building* or part of a *building wherein* items are stored in separate, secured storage areas or lockers and may include the exterior storage of boats and water-related equipment, *recreational* equipment and *recreational vehicles*.

3.20.10 *Semi-detached Dwelling - see Dwelling, Semi-detached*

3.20.11 *Septage*

Means untreated sanitary waste from a septic tank, privy or holding tank.

3.20.12 *Service Outlet or Shop*

Means a *building*, whether in conjunction with a retail store or not, *used* for the repair or servicing of goods, commodities, articles or materials, of a domestic nature, but not the manufacturing thereof. Automotive repairs and services are not *permitted* under this definition.

3.20.13 *Setback*

Means:

- a) With reference to a *road* or *street*, the least horizontal distance between the *front lot line* and the nearest *building line*.
- b) With reference to a *water body*, the least horizontal distance between the high-water mark and the nearest *building line*.
- c) With reference to a *building, structure* or *land use* and not applicable under paragraph (a) or (b), shall mean the least horizontal distance from the *building, structure* or *land use* in question; and
- d) With reference to a *private road*, the least horizontal distance between the edge of the travelled portion of the *road* and any *building* or *structure*, or the limit of the *road* as shown and measured on a survey.

3.20.14 *Sewage and Water Services*

Means:

- a) *Private communal sewage services*

Means a sewage works within the meaning of Section 1 of the Ontario Water Resources Act that serves six or more *lots* or private residences and is not owned by the *municipality* (Provincial Policy Statement).

- b) *Private communal water services*

Means a non-municipal drinking-water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002 that serves six or more *lots* or private residences (Provincial Policy Statement).

c) *Individual on-site sewage services*

Means individual autonomous sewage disposal systems within the meaning of s.8.1.2 O.Reg. 403/97, under the *Building Code Act*, 1992 that are owned, operated and managed by the *owner* of the property upon which the system is located (Provincial Policy Statement).

d) *Individual on-site water services*

Means individual, autonomous water supply systems that are owned, operated and managed by the *owner* of the property upon which the system is located (Provincial Policy Statement).

e) *Municipal water services*

Means a municipal drinking-water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002 (Provincial Policy Statement).

f) *Partial sewage and/or water services*

Means municipal sewage services or *private communal sewage services* and *individual on-site water services*; or *municipal water services* or *private communal water services* and *individual on-site sewage services* (Provincial Policy Statement).

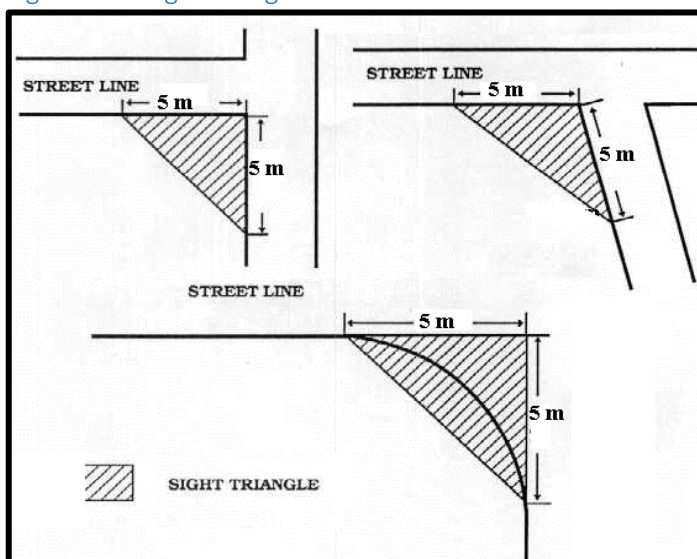
3.20.15 *Shooting Range or Rifle Club*

Means land, *buildings, structures* or premises used for *recreational* target practice, pistol and rifle shooting and an archery range. In addition, gun or hunter safety instruction may be included as an *Accessory* facility. A new *shooting range or rifle club* will only be *permitted* by way of a rezoning application approved by *Council*.

3.20.16 *Sight Triangle*

Means a triangular space, free of *buildings, structures* and obstructions, formed by the *street lines* abutting a *corner lot* and a third line drawn from a point on a *street line* to another point on a *street line*, each such point being the required sight distance from the point of intersection of the *street lines* [See Figure 3.13].

Figure 3.13 Sight triangle



3.20.17 Sign

Means any writing, letter work or numeral, any pictorial representation, illustration, drawing, image or decoration, any emblem, logo, symbol or trademark or any device with similar characteristics which:

- a) Is a *structure*, or part of a *structure*, or which is *attached* thereto or mounted thereon; and
- b) Which is *used* to advertise, inform, announce, claim, give publicity or attract attention

3.20.18 Single Detached Dwelling – see Dwelling, Single detached

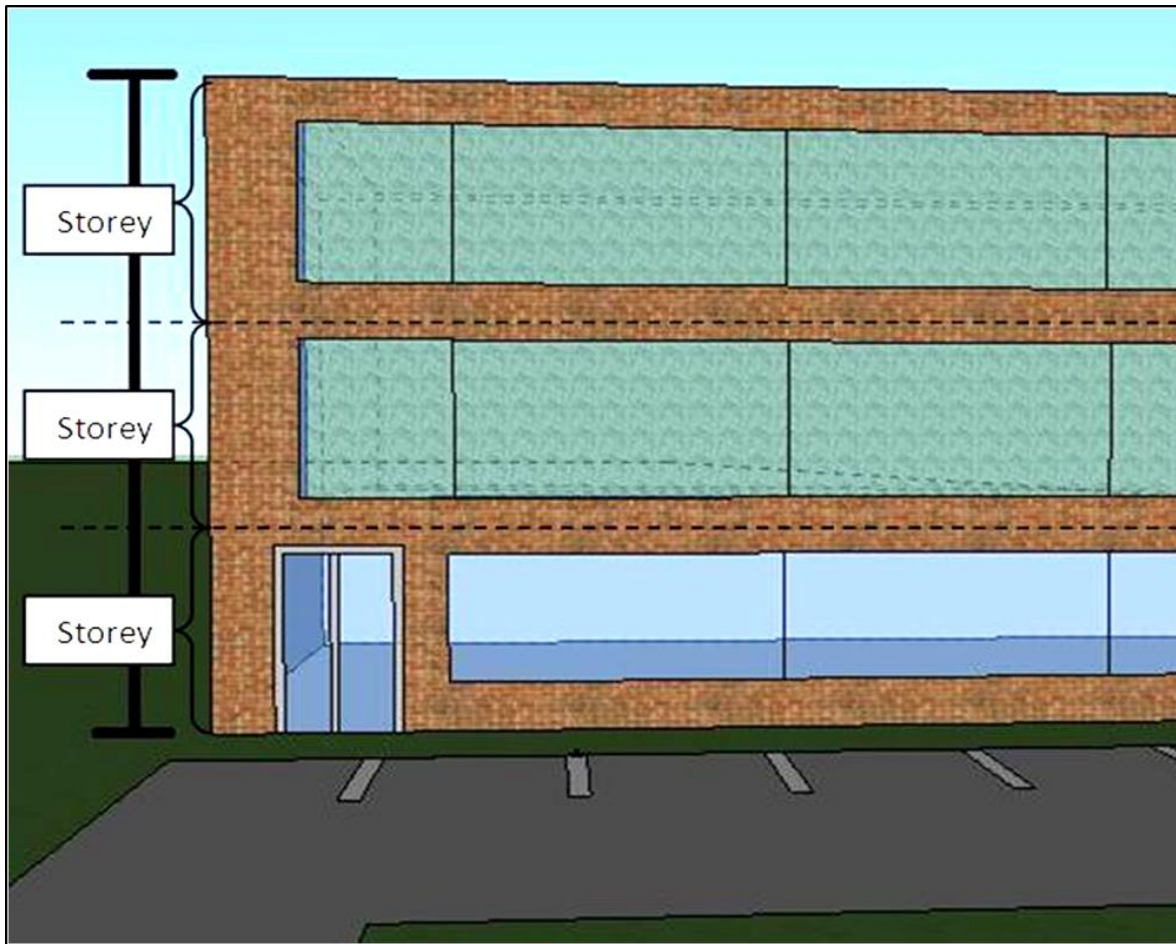
3.20.19 Sleep Cabin

Means an *Accessory building*, located on the same *lot* as the *dwelling*, which is *used* for sleeping accommodation only and does not contain cooking facilities and does not contain sanitary facilities. A *sleep cabin* is sometimes referred to as a bunkie.

3.20.20 Storey

Means that portion of a *building* other than a *cellar* or *basement* included between the surface of any floor and the surface of the floor, roof *deck*, ceiling or roof immediately above it. [see Figure 3.14]

Figure 3.14 Storey



3.20.21 Street - see Public street

3.20.22 Street Allowance

Means a corresponding meaning to that of *public street* or *private road*.

3.20.23 Street Line

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

3.20.24 Structure

Means anything constructed or *erected*, the *use* of which requires location on the ground or *attached* to something having location on the ground and, without limiting the generality of the foregoing, includes a *sign, fence, swimming pool, deck, dock*, an on-site sewage disposal system (i.e. septic tank) but does not include a porch. For the purposes of this definition, a *recreational vehicle* shall be considered a *structure* for the purposes of establishing *setbacks* only.

3.20.25 Studio

Means:

- a) A *building* or part thereof *used*, as the workplace of a cabinetmaker, ornamental welder, photographer, artist, or artisan or any similar artist or craftsman, where unique articles are made or fabricated and offered for sale; or
- b) A *building used* for the instruction of art, music, languages or similar disciplines. [See also *School, private*]

3.20.26 Swimming Pool

Means an open or covered, in-ground or above ground, outdoor *structure used* for swimming, wading, diving or *recreational* bathing which is at least 50 cm (19.6 inches) in depth, and may include a hot tub or whirlpool or Jacuzzi.

3.21 T

3.21.1 Tavern

Means a *use* licensed under the provisions of the Liquor License Act.

3.21.2 Tea Room

Means a *restaurant*.

3.21.3 Tourist Establishment

Means land, *buildings* or *structures used* for the purpose of sleeping accommodation on a temporary basis by tourists or vacationers, including a *motel, lodge or bed and breakfast establishment*, and rental cottage or cabin where more than 3 such rental units occupy the same property, including *Accessory uses* such as dining, meeting and beverage rooms, retail of sporting goods and similar *uses*.

3.21.4 Tourist Outfitters Establishment

Means land, *buildings* or *structures* operated throughout all or part of a year which may or may not furnish overnight accommodation and facilities for serving meals and furnishes equipment, supplies or services to *persons* in connection with angling, hunting, *camping* or other similar *recreational* purposes.

3.21.5 Townhouse - see *Dwelling, Row or townhouse*

3.21.6 Trailer, Travel Trailer or Recreational Vehicle - see *Recreational vehicle*

3.21.7 Trailer Park - see *Campground*

3.21.8 *Transportation Depot or Truck Terminal*

Means land, *buildings* or *structures* where *commercial vehicles* are kept for hire, rental and/or lease, or stored and/or *parked* for remuneration and/or from which such *vehicles* are dispatched for hire as common carriers and where such land, *structure* or *building* may be *used* for the storage and/or distribution of goods, wares, and merchandise.

3.21.9 *Triplex – see Dwelling, Triplex*

3.22 U

3.22.1 *Use or Used*

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

3.23 V

3.23.1 *Vehicle – see Motor vehicle*

3.23.2 *Veterinary Establishment - see Animal hospital*

3.23.3 *Video Rental Outlet*

Means a *building* or part of a *building wherein* the primary *use* is the rental of video tapes and may include the rental of video cassette recorders, video cameras, video games, DVDs and similar electronic devices.

3.24 W

3.24.1 *Warehouse*

Means a *building* or *structure*, or portion thereof, *used* or intended to be *used* for the bulk storage of goods, merchandise, or materials.

3.24.2 *Waste Disposal Site - see Waste management facility*

3.24.3 *Waste Management Facility*

Means land or a site, which is licensed or approved by the Ministry of the Environment and/or its agents, where garbage, refuse, domestic or industrial waste is disposed of or dumped, but excludes radioactive or toxic chemical wastes. This definition shall include waste transfer stations and *recycling depots* [see also *Recycling depot*].

3.24.4 *Water Body*

Means any bay, lake, river, natural watercourse or canal but excludes a drainage or irrigation channel.

3.24.5 *Wave Uprush*

Means the rush of water up onto a shoreline or *structure* following the breaking of a wave. The limit of the *wave uprush* is the point of furthest landward rush of water onto the shoreline. (Provincial Policy Statement)

3.24.6 *Wayside Pit*

Means land not located on the *road right-of-way*, from which unconsolidated *aggregate* is removed by means of open excavation on a temporary basis for *use* by a public *road* authority solely for the purpose of a particular project or contract of *road* construction.

3.24.7 *Wayside Quarry*

Means land not located on the *road right-of-way*, from which consolidated *aggregate* is removed by means of open excavation on a temporary basis for *use* by a public *road* authority solely for the purpose of a particular project or contract of *road* construction.

3.24.8 *Welding Shop*

Means a *building* or *structure*, or part thereof, where metal products, are joined, repaired or shaped by welding, but are not mass produced.

3.24.9 *Wetlands*

Means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to the surface. In either case the presence of abundant water has *caused* the formation of hydric soils and has favored the dominance of either hydrophytic plants or water tolerant plants. The four major types of *wetlands* are swamps, marshes, bogs and fens. Periodically soaked or wet lands being *used* for agricultural purposes which no longer exhibit wetland characteristics are not considered to be *wetlands* for the purposes of this definition. (Provincial Policy Statement)

3.24.10 *Wholesale Establishment*

Means a *building* or part of a *building* where goods, wares, merchandise, substances or articles are stored in bulk for sale in wholesale quantities, but does not include any premises where any goods, wares, merchandise, substances or articles are offered or kept for sale at retail.

3.24.11 *Wind Turbine*

Means a machine *designed* and *used* for converting the kinetic energy in wind into mechanical energy or electrical energy.

3.24.12 *Workshop - see Custom workshop*

3.24.13 *Wrecking Yard*

Means a *lot* and/or *building*, or portion thereof, where *used* goods, wares, merchandise, articles, *motor vehicles*, machinery or parts thereof, are processed or sold for further *use*, dismantled or abandoned. This definition may include a *junkyard*, a *salvage yard*, a *scrap metal yard*, a *recycling depot* and an automobile *wrecking yard* on the premises.

3.25 Y

3.25.1 *Yard*

Means an area of open land between a *main wall* of a *building* and a *lot line* that, except for landscaping or *Accessory buildings* and projections specifically *permitted* elsewhere in this By-law, is unobstructed above grade [see Figure 3.4].

3.25.2 *Yard, Front*

Means a *yard* extending across the full width of the *lot* between the *front lot line* and a line drawn parallel or concentric thereto and through the point of the *main wall* of a *main building* closest to the *front lot line* [see Figure 3.4].

3.25.3 *Yard, Rear*

Means a *yard* extending across the full width of the *lot* between the rear *lot line* and a line drawn parallel or concentric thereto and through the point of the *main wall* of the *main building* closest to the rear *lot line*. Where there is no rear *lot line*, the rear *yard* shall be measured from the intersection of the side *lot lines* to the closest point of the *main wall* of the *main building* [see Figure 3.4].

3.25.4 *Yard Sale*

Means the occasional or infrequent sale (e.g. one or two days annually) of household goods, *clothing*, furniture, tools, *recreational* equipment or other second-hand articles or sundry items, usually by the

households on an individual property, but may include a joint sale by neighbours on the same *street* or a joint sale at a *school, place of worship* or other location. A *yard sale* is *permitted* in all zones.

3.25.5 *Yard, Side*

Means a *yard* extending from the *front yard* to the rear *yard* between the side *lot line* and a line drawn parallel or concentric thereto and through the point of the *main wall* of a *building* closest to the side *lot line* [see Figure 3.4].

3.25.6 *Yard, Side Exterior*

Means a side *yard* adjacent to a *public street* [see Figure 3.4].

3.25.7 *Yard, Side Interior*

Means a side *yard* other than an *exterior side yard* [see Figure 3.4].

3.26 Z

3.26.1 *Zone*

Means a *designated* area of land *use* demarcated on the Schedules *attached* hereto.

3.26.2 *Zone Regulation*

Means any provision of this By-law, which is listed under the heading "*Zone regulations*" and includes anything, which is applicable to the *zone* or *use*.

3.26.3 *Zoning Administrator*

Means the *officer*, employee or such other *person* as may from time-to-time be *designated* by *Council* who is charged with the duty of enforcing the provisions of this By-law.

Section 4 GENERAL PROVISIONS

Explanatory Note

The General Provisions section of the By-law sets out regulations which apply regardless of the specific zoning (Section 5). While the *zones* provide site-specific controls corresponding to such items as *permitted uses* and other restrictions, the General Provisions provide regulations more general in nature, applying to a variety of *uses* regardless of zoning. *Development* must comply with all applicable provisions in the General Provisions in addition to the requirements of the specific *zone* standards set out in Section 5.

4.1 Accessory Buildings, Structures and Uses

Where a *lot* is devoted to a *permitted use*, customary *Accessory uses, buildings and structures* are authorized.

4.1.1 Located on the Same Lot

All *Accessory uses, buildings and structures* to a *permitted principle use* shall be located on the same *lot* and in the same *zone* as the *principle use*.

4.1.2 Human Habitation Prohibited

The *use* of any *Accessory building* for human habitation is not *permitted* except where specifically listed as a *permitted use*.

4.1.3 Setbacks from Front and Exterior side lot lines

No *Accessory use* shall be *erected* closer to the *front lot line* or the *exterior side lot line* than the minimum *front yard* and *exterior side yard setbacks* required for the *main building*. This provision shall be exempted:

- a) For a partially enclosed shelter for *use* by children waiting for a *school bus*, if such *use* is located in a Low Density Residential *Zone* (R1), a Multiple Residential *Zone* (MR), a Waterfront Residential *Zone* (RW), a Rural *Zone* (R) or an Agricultural *Zone* (A);
- b) For any *farm produce outlet* if such *structure* is located in a Rural *Zone* (R) or an Agricultural *Zone* (A);
- c) For a *sign erected* in compliance with the provisions of this By-law.

For subsections (a), (b), and (c) above, the *setback* from the *front lot line* shall be a minimum of 3 m [9.84 ft.].

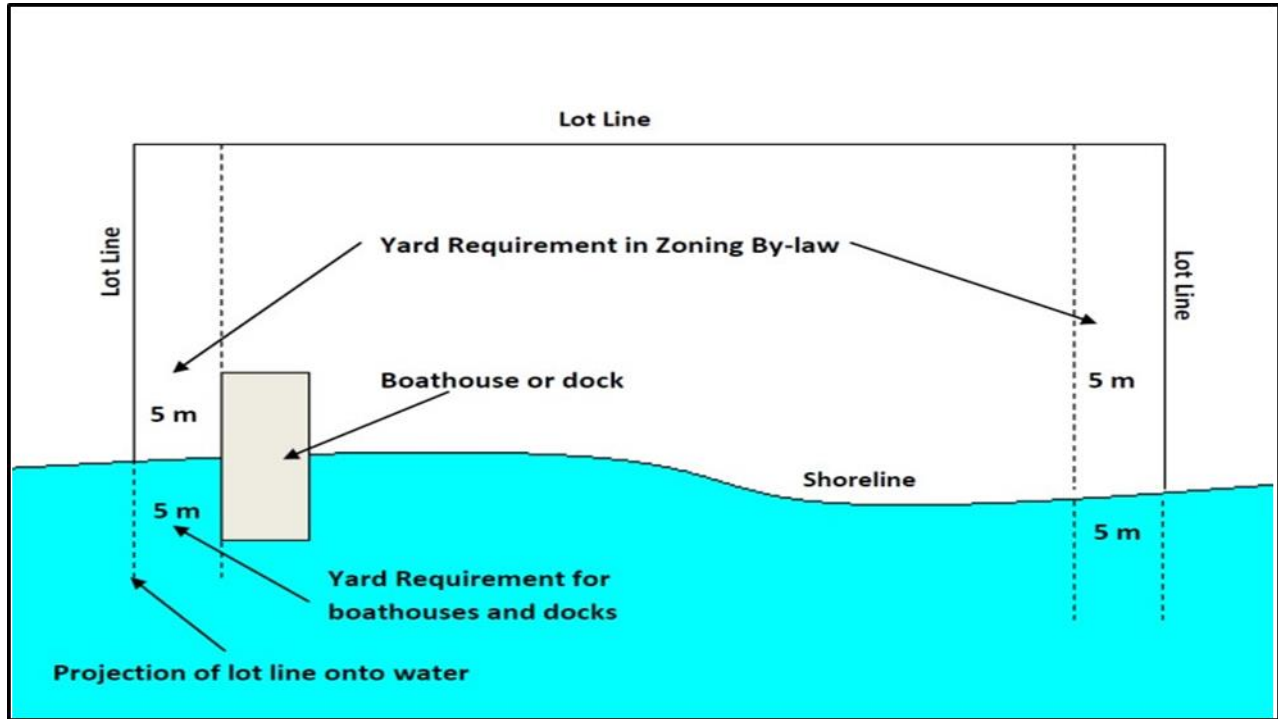
4.1.4 Setbacks from Rear and Interior side lot lines

No *Accessory building* shall be *erected* closer than 1.5 metres [4.9 ft.] to any *interior side lot line* or rear *lot line* or the *main building*.

4.1.5 Specific Setbacks for Boat houses and Docks

Despite Sections 4.1.3 and 4.1.4 above, a *boat house*, boat port, float *plane* hangar, *dock* or wharf may be located in the *front yard, side yard* or rear *yard* where said *yard* abuts a navigable waterway and/or *water body*, provided that the approval of any governmental authority having jurisdiction, has been obtained and provided that the *boat house*, boat port, float *plane* hangar, or *dock* is located not closer than 5.0 m [16.4 ft.] to the nearest adjacent *lot line* and does not encroach on adjacent *frontage* when the *lot* boundaries are extended into the water [see Figure 4.1].

Figure 4.1 Dock/Boat house/Float Plane Hanger/Wharf Locations



4.1.5 Semi-detached Garages and carports

Common *semi-detached* garages or carports may be centered on the mutual side *lot line*.

4.1.6 Maximum Area and Lot coverage

Accessory uses, excluding open *swimming pools*, shall not cover more than 2% of the *lot area* in any residential zone (see Section 5.2 for list of zones) to a maximum of 100 m² [1,076.4 ft.²] or 10% in any other Zone.

4.1.7 Keeping of Animals

The *use* of an *Accessory building* or *structure* for the keeping of animals, other than domestic pets, is not *permitted* in any residential zone (see Section 5.2 for list of zones).

4.1.8 Accessory Buildings Attached to Main buildings

Any *building* or *structure*, which is *attached* to the *main building*, shall not be considered an *Accessory building* or *structure* (example: garage, carport, *balcony*, *deck*).

4.1.9 Erecting Accessory Buildings Prior to Main building

Accessory uses, *buildings* and *structures* shall not be *erected* or established prior to the *erection* or establishment of the *main building* or *use*, except:

- a) Where it is necessary for the storage of tools and materials in connection with the construction of the *main use*, *building* or *structure* and a *building* permit is issued for the *main use* (see Section 4.31); and
- b) Where a new *main use*, *building* or *structure* is to be *erected* or established on a *lot* thereby making the *existing* *main use*, *building* or *structure* the *Accessory use*, *building* or *structure* upon *erection* or establishment of the new *main use*, *building* or *structure*.

4.2 Swimming Pools

Private *swimming pools*, both above-ground and in-ground, and both open and enclosed, shall be *permitted* subject to the By-laws of the *Municipality* regarding *swimming pools* and the following requirements.

4.2.1 Outdoor Open Pools

4.2.1.1 Fence Enclosure

Open Pool areas shall be totally enclosed by a *fence* constructed of suitable materials, having a minimum *height* of 1.5 metres [4.9 ft.] and which is installed to include a self-latching gate.

Where a pool is an above-ground pool, any combination of the pool wall, surrounding *fence* or *structure* totaling a minimum of 1.5 m [4.92 ft.] in *height* shall be deemed to meet the fencing requirements of this section, provided that a self-latching gate or equivalent arrangement is installed to prevent unauthorized entry.

4.2.1.2 Accessory Buildings and Structures

Any *building* or *structure*, other than a *dwelling*, required for changing *clothing* or pumping, filtering or storage or any similar purposes shall comply with the provisions respecting *Accessory uses* and *structures*.

4.2.1.3 Setbacks

No part of an outdoor *swimming pool* including an associated apron or platform which is in a *front yard* or *exterior side yard* shall be constructed closer to a *street line* than the requirements for a *main building* in the *zone* within which it is located nor closer to a *lot line* in a rear *yard* than the minimum distance required for an *Accessory use* or *structure*.

Notwithstanding the foregoing, outdoor *swimming pools* which are *Accessory* to *hotels* and *motels* may be located in the *front yard* provided the *swimming pool* meets the minimum *setback* requirements of this By-law for the *main building*.

4.2.2 Indoor Swimming Pools

Indoor Pools shall conform to the applicable *Accessory building* requirements contained in Section 4.1 or to the *zone* requirements for the *main building* where the pool is part of the *main building*.

4.3 Auto service station, Gas bar, Automobile washing establishment

Notwithstanding any other provisions contained in this By-law, for all *zones* within which an *auto service station*, *gas bar*, and/or *automobile washing establishment* is *permitted*, the following shall apply:

4.3.1 Pump Island Location

The minimum distance between the pump island, pumps and their related overhead canopies and any *lot line* shall be 10 m [32.8 ft.].

4.3.2 Automobile washing establishment

Where an *automobile washing establishment* abuts a residential *zone* (see Section 5.2 for list of *zones*), the following requirements will apply:

4.3.2.1 Minimum Lot area and Setbacks from Residential Zones

Notwithstanding any other requirements of this By-law for a *lot* abutting lands zoned for residential *use*, an *automobile washing establishment* shall not be *permitted* on any *lot* having a *lot area* of less than 3,000 m² [32,292 ft.²] and shall be located on such *lot* no closer than 20 m [65.6 ft.] to any *lot line* abutting such residential *zone* (see Section 5.2 for list of *zones*).

4.3.2.2 Operations to be Conducted Indoors

No washing or drying operations will be *permitted* except within the *building* designed for the purpose of the *automobile washing establishment*.

The *building* shall be so designed that *vehicles* will egress from the *building* after washing and drying operations by means of a door located in the wall of the *building* which is furthest removed from the *lot line(s)* which abut lands which are *zoned* for a residential use.

4.3.3 Separation of Gasoline or Propane Tanks

No *person* shall *erect* or *use* a tank for the storage of gasoline or propane for sale at an automobile service station or *gas bar* or on any other property where *vehicle* fuel may be dispensed unless all applicable licenses have been obtained and the location complies with the requirements of all applicable laws.

4.4 Bed and breakfast establishments

A *bed and breakfast establishment* shall be *permitted* as an *Accessory use* to any *permitted single detached dwelling* subject to the following requirements:

- a) The *use* of the *dwelling* as a *bed and breakfast establishment* shall not change the residential character of the *dwelling*;
- b) A *bed and breakfast establishment* shall only be *permitted* where listed as an *Accessory use* in the *zone* in which the lands are located;
- c) *Bed and breakfast establishments* shall not be subject to the home-based business requirements of Section 4.14 of this By-law;
- d) The requirements for the provision of *off-street parking spaces* shall be met (see Section 4.23);
- e) The requirements of the local Health Unit, where applicable, can be met;
- f) One (1) *sign* may be *permitted* to advertise the *bed and breakfast establishment* that shall not exceed 1 m² [10.76 ft²] in surface area and shall not be back-lit. The *permitted sign* may be a freestanding *sign* in a front or side *yard*, set back a minimum of 3 metres, or may be *attached* to a wall of a *permitted building* or *structure*. The *sign* may be illuminated by lights where the illumination is directed directly onto the *sign*.
- g) A breakfast service shall be provided to guests; and
- h) The *building* in which the *bed and breakfast establishment* is located shall comply with all applicable *Building Code* and *Fire Code* regulations.

4.5 Buildings to be Moved

No *building* or *structure* shall be moved within the limits of the *Municipality* or shall be moved from outside the *Municipality* into the *Municipality* unless the *building* or *structure* is a *permitted use* and satisfies all the requirements of the *zone* in which it is to be located.

4.6 Change of Use

A *use* of *lot*, *building* or *structure* which, under the provisions hereof is not permissible within the *zone* in which such *lot*, *building* or *structure* is located, shall not be changed except to a *use* which is permissible within such *zone* or as otherwise authorized by the *Municipality* under the provisions of the Planning Act.

4.7 Cumulative Standards

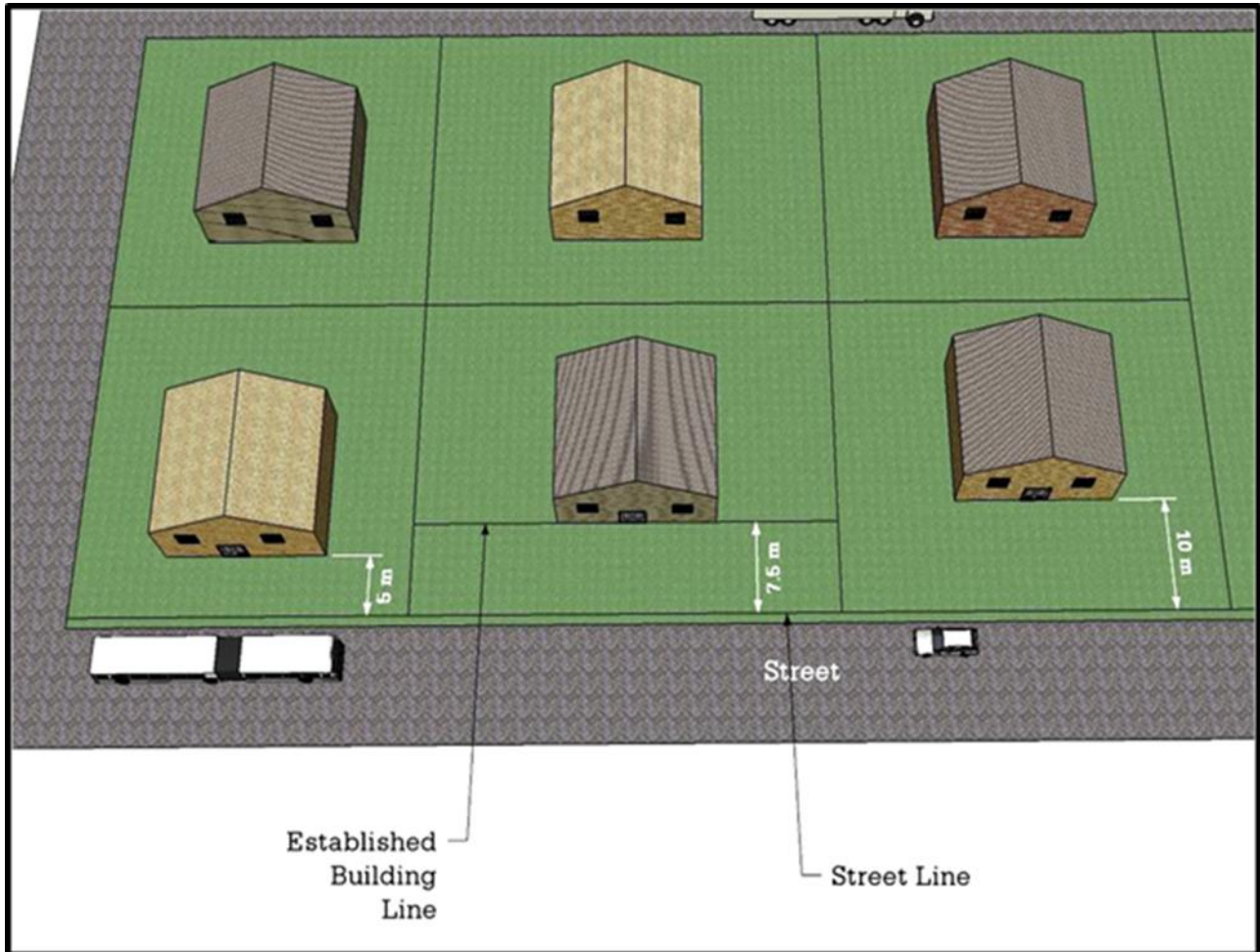
Notwithstanding anything contained in this By-law, where any land, *building* or *structure* is *used* for more than one purpose, all provisions of this By-law relating to each *use* shall be complied with. (Example: where

a lot is to be developed for a commercial use and an Accessory dwelling, the number of parking spaces required would include the combined total of those for the commercial use plus those for the dwelling.)

4.8 Established building line in Built-up Area

Notwithstanding any other provision or regulation of this By-law, in any Residential Zone (see Section 5.2 for list of zones), the front yard setback for a residential building to be constructed between existing buildings or adjacent to existing buildings which are separated by no more than 60 m [196.8 ft.], may be reduced to a setback equal to the average setback of the said existing residential buildings [see Figure 4.2].

Figure 4.2 Example of Calculation



4.9 Exception Zone

Where a property receives a Special Exception zoning, that zoning will be shown on the zone schedule by an "X" (followed by a number). This shall mean that a specific exception is being made to one or more of the standards of that zone for a specific area governed by the By-law. All other provisions of the By-law shall continue to apply.

A number after the "X" (e.g. X 22) indicates the order of approval for the various exceptions to the zone standards. The property to which the Special Exception is applicable shall be shown with a dashed outline.

4.10 Fences

Fences are *permitted* in all Zones with the exception to the following regulations;

4.10.1 Fence Regulations in Residential Zones

- a) A *fence* may be *erected* along a common *lot line* separating properties.
- b) The maximum *height* of a *fence* is 1.8m (6').
- c) The maximum *height* of a *fence* within 3m (10') of a public *road* is .9m (3').

4.11 Flood plain

The following provisions shall apply to areas located below any engineered or photo interpreted flood line or as determined by the agency having jurisdiction.

4.11.1 Dwellings within Lake Huron Regulatory Flood Elevation

Despite any other provision of this By-law, no *dwelling* shall be constructed or extended or expanded along the Lake Huron shoreline below the regulatory flood elevation of 178.3 m [584.9 ft.] inclusive of a 5 m [16.4 ft.] *wave uprush*.

4.11.2 Permitted Uses Within the Flood plain

In addition to Section 4.11.1, no *person* shall *use* any land or *erect, alter* or *use* any *building* or *structure* in the *flood plain* of Lake Huron or the *flood plain* of any other *water body* except in accordance with the following provisions:

- a) *Buildings* or *structures* intended for flood or erosion control or slope stabilization;
- b) *Conservation use* excluding any *buildings* or *structures*;
- c) *Forestry use* excluding any *buildings* or *structures*;
- d) *Parks* excluding any *buildings* or *structures*;
- e) Hydro-electric generating facilities;
- f) *Marine facility* but does not include the production, service or repair of boats and the location of any *buildings* or *structures* other than *docks* and boat launch facilities. A refueling station and associated equipment are to be installed in conformity with the Technical Standards and Safety Act and must be reviewed by the Ministry of Environment;
- g) *Marina*; and
- h) The water intake or sewer outfall but not including the *main building* of a water filtration plant or any other portion of a wastewater treatment facility.

4.11.3 Prohibited Uses in Hazard Lands (see also Section 5.19)

Buildings and *structures* shall not be *permitted* to locate in hazardous lands where the *use* is:

- a) An *institutional use* associated with *hospitals, day nurseries, continuum-of-care facilities, retirement homes* and *schools*, where there is a threat to the safe evacuation of the sick, the elderly, *persons* with disabilities or the young during an emergency as a result of flooding, failure of flood proofing measures or protection works or erosion;
- b) An essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of flood proofing measures and/or protection works, and/or erosion; and
- c) Associated with the disposal, manufacture, treatment or storage of hazardous substances.

4.11.4 Setbacks from the Flood Line

No *building* or *structure* shall be *erected* closer than 15 m [49.2 ft] from the flood line.

4.12 Frontage on a Public street or Private road

No *person* shall *erect* any *building* or *structure* in any *zone* unless the *lot* upon which such *building* or *structure* is to be *erected* has sufficient *frontage* on a *public street* as per the requirements of the respective *zone* within which the *lot* is situated.

4.12.1 Frontage Exemptions

Despite Section 4.12, *frontage* on a *public street* shall be exempted for:

- a) Any *permitted use* on an island provided there is adequate access to approved *parking* and *docking* facilities on the mainland;
- b) An authorized water access only *lot* an *alternate* public access point and *parking* is available on the same *water body* and the arrangement for *parking* has been secured through a legal agreement;
- c) An *existing dwelling* located on an *existing private road*.
- d) A resource related *use* on Crown Land;
- e) A communications facility;
- f) A *public utility*;
- g) A *wayside pit* or *quarry*;
- h) Any passive outdoor *recreational use* or activity such as skiing, snowmobiling, hiking, mountain biking or similar activities;
- i) An *existing use* located on a resource access *road*.

4.12.2 Exception for Existing Agreements

- a) Despite Section 4.12 where a maintenance or subdivision agreement exists between the *Municipality* and a land *owner* and is registered on title, *frontage* on an unassumed, unopened or unmaintained public *right-of-way* shall be deemed to conform to the provisions of this section, provided that such *frontage* is in conformity with the standards set out in the corresponding *zone* or any exception thereto.
- b) Despite Section 4.12, where a legal *right-of-way* is registered on title and provides for a *right-of-way* to an *existing lot*, which is developed for a *single detached dwelling* or *recreational dwelling* as of the date of approval of this By-law, such *uses* shall be deemed to conform to the provisions for access of this By-law.

4.13 Garden suites

Subject to the passing of a Site Specific Temporary *Use* By-law under Section 39 of the Planning Act, a *garden suite* shall be *permitted* as a separate *dwelling* unit to a *permitted* main residential *use* provided that the minimum *lot area* is 450 m² [4,844 ft²] in area, that the maximum *net floor area* is 50 m² [538 ft.²], that the maximum *height* of the *Garden suite* is 6 m [19.6 ft.] or the average *height* of the *main buildings* on the subject and abutting *lots*, whichever is the lesser, that the *garden suite* is located in a rear *yard* or *interior side yard* and is set back a minimum of 3 m [9.8 ft.] from any rear *lot line* or side *lot line*.

4.14 Home Based Businesses or Industry

Despite any other provisions contained in this By-law, for all residential, rural or agricultural *zones* within which home-based businesses are *permitted*, the following provisions shall apply:

4.14.1 Permitted Home-Based Businesses

The following *uses* shall be considered *permitted home-based businesses* in the R1, MR, RW, R and A zones:

- a) Professional and consulting services including but not limited to architect, engineer, financial advisor, accountant, consultant, legal services, physician, teleworker;
- b) Instructional services including but not limited to music lessons, dance, art, academic tutoring;
- c) Home craft businesses including but not limited to quilter, potter, jeweler, painter/visual artist, small scale assembler;
- d) Unlicensed day *nursery* caring for 5 or fewer children;
- e) Distribution sales *office* or mail order sales including but not limited to cosmetics, *clothing* or small household appliance;
- f) *Offices* for contractors and trades including but not limited to plumber, electrician;
- g) Repair services including but not limited to small appliances, computers but not including auto repair, small engine repair and similar services;
- h) High technology *uses* including but not limited to internet services *office* call centre services, desktop publishing, computer hardware and software *development*;
- i) *Personal* care services including but not limited to hairdresser, barber, massage therapist, aesthetician;
- j) Sale of bait for *recreational* fishing purposes;
- k) Pet grooming, but not including overnight keeping of animals;
- l) *Catering establishment*;
- m) *Studio*.

4.14.2 Permitted Home-Based Industries

Home-based Industries permitted in the R and A zones shall include:

- a) Any secondary *use* to a *permitted agricultural use* including a
- b) home based business (as set out above) or *industrial uses* that produce value-added agricultural products from the *farm* operation on the property, a *farm produce outlet*, a welding or repair shop, commercial *school* bus or commuter transportation service, a retail outlet for *farm* supplies and machinery or other home industry;
- c) Appliance repair;
- d) Small engine repair;
- e) Sale of bait.

4.14.2 Home-Based Business and Industry Regulations

Home Based Businesses or *Industry* shall be *permitted* provided that:

- a) The *home-based Business* or *Industry* in the R and A Zones shall not become a nuisance in regard to noise, dust, odours, vibrations or *parking*.
- b) The *home-based business* or *industry* shall be clearly secondary to the main *permitted* residential or *agricultural use* as the case may be;
- c) The residential external character of the *dwelling* unit shall not be changed;
- d) The business shall be conducted entirely within the *dwelling* or *Accessory building*, if located in the R1, MR, and RW zones with no exterior storage of goods or materials. In the R and A Zones, the *home-based business* or *industry* may be located in the *dwelling*, an *accessory building* or a

combination of both if located in a R or A *zone*. In the R and A *zones* any outside storage of equipment or goods must be screened from view of the public on an abutting *street*;

4.14.3 Sign Regulations for a Home-Based Business or Industry

In addition to Section 4.27 (*Signs*), the following provisions apply to *signs* advertising a home-based business:

- a) The *sign* may be illuminated by an external source of light pointed directly onto the *sign*. Backlit *signs*, neon, flashing, animated or intermittent illuminations are prohibited;
- b) *Signs* shall, in addition to provisions above, conform to the provisions of a *sign* by-law as may from time-to-time be enacted by the *Municipality* under the Municipal Act;

4.14.4 Conformity with Other Legislation

The business shall:

- a) Be legal and must have obtained the necessary permits or licenses from the *Corporation* and any other applicable government body having jurisdiction;
- b) Have the approval of the *Corporation* or the Ministry of the Environment or its agent for any required on-site water and sewage disposal system.

4.14.5 Additional Provisions for Home Based Businesses

Table 4.13a - Additional Provisions for <i>Home Based Businesses</i>		
Description	R1, MR, RW Zones	R, A Zones
Maximum number of <i>home-based businesses</i>	2 (two) only	1 (one), excluding a business associated with principle <i>use</i> of the property (i.e. <i>farming</i> , <i>lodge</i> , etc.)
Maximum Floor Area of <i>home-based business</i> within a <i>dwelling</i> only	25% up to max. of 46 m ² [495 ft. ²]	25% up to max. of 46 m ² [495 ft. ²]
<i>Accessory Building</i> only	Maximum 100 m ² [1,076.39 ft. ²]	Maximum 111 m ² [1,200 ft. ²]
Combined	n/a	Maximum 139 m ² [1,500 ft. ²]
<i>Outdoor Storage</i>	Not <i>permitted</i>	Materials and equipment, only if fully screened by opaque perimeter <i>fence</i> 1.8 m [6 ft.] in <i>height</i>
Indoor storage – <i>dwelling</i> or <i>Accessory building</i>	<i>Permitted</i> within maximum floor area.	<i>Permitted</i> within maximum floor area.
Number of <i>Parking spaces</i>	Maximum of 1 (one) <i>parking space</i> for business (additional to residential spaces)	Maximum of 3 (three) spaces for business (additional to residential spaces)
<i>Parking area</i> Coverage	Shall not exceed 15% of <i>lot area</i> or exceed 30% of the <i>front yard</i> . No <i>parking</i> on front lawn.	Shall not exceed 5% of <i>lot area</i> . No <i>parking</i> on front lawn.
<i>Commercial vehicles</i>	Maximum of 1 (one) may be <i>parked</i> in the <i>front yard</i> .	Maximum of 3 (three) may be <i>parked</i> on-site.
<i>Trailers</i>	Maximum of one, one-axle if <i>parked</i> behind front <i>building line</i> or in an <i>Accessory building</i> .	No maximum if <i>parked</i> behind front <i>building line</i> or stored in <i>Accessory building</i> .

Description	R1, MR, RW Zones	R, A Zones
Signs	Maximum of 1 (one). Maximum <i>sign</i> area of 0.4 m ² [4.3ft. ²]. Must be non-illuminated. Maximum <i>sign height</i> 2 m [6.56 ft.]. Minimum <i>front yard setback</i> 3 m [9.84 ft.].	Maximum of 1 (one). Maximum <i>sign</i> area of 0.8 m ² [8.6 ft. ²]. Must be non-illuminated. Maximum <i>sign height</i> 2 m [6.56 ft.]. Minimum <i>front yard setback</i> 3 m [9.84 ft.].

4.15 Kennels

A kennel shall only be *permitted* as an "Exception Zone" to the Rural (R) Zone.

4.16 Land Suitability for Use

Despite any other provision of this By-law, no habitable *building* or *structure* shall be *erected, altered* or *used* on land which, by reason of its rocky, low lying, marshy, or unstable character is unsuitable for the provision of satisfactory water supply, sewage disposal or drainage facilities.

4.17 Licenses, Permits and Other By-laws

Nothing in this By-law shall exempt any *person* from complying with requirements of the *Building by-law* or any other By-law in force within the *Municipality* or from obtaining any permit, license, permission, authority or approval required by this or any other By-law of the *Municipality* of Huron Shores or by any other law in force from time to time.

4.18 Loading Space Requirements

For every *building* or *structure* hereafter *erected* for a commercial or *industrial use*, involving the frequent shipping, loading or unloading of *persons*, animals, wares, merchandise or other goods, there shall be provided and maintained loading facilities or spaces in accordance with the following requirements:

4.18.1 Minimum Loading Space Dimensions

Each loading space shall have a minimum *height* clearance of 4.5 m [14.7 ft.] and shall be at least 4 m [13.1 ft.] wide by 14 m [45.9 ft.] long;

4.18.2 Loading Space Location and Access

Loading spaces shall be located inside a *building* or *structure*, an open rear *yard*, or an open side *yard*, on the same *lot* on which the main *use* is located, provided such a loading space is *setback* at least 7.5 m [24.6 ft.] from a *lot line* with unobstructed ingress and egress to and from a *public street* by means of a *driveway, lane* or *aisle* of a minimum width of 6 m [19.6 ft.].

4.18.3 Minimum Number of Loading Spaces

The number of required loading spaces shall be based on *net floor area* of the *building* or *structure* as follows:

Commercial Uses	
<i>Net floor area</i>	Spaces Required
0 - 200 m ² [2,151.8 ft. ²]	0
201 - 500 m ² [2,152.8 – 5,382.1ft. ²]	1
over 500 m ² [5,382.1 ft. ²]	2

Industrial uses	
<i>Net floor area</i>	Spaces Required
0 - 500 m ² [5,382.1 ft. ²]	1
501 – 2000 m ² [5,382.1 - 21,505 ft. ²]	2
over 2000 m ² [21,505 ft. ²]	3

4.18.4 Existing Buildings and Expansions

The minimum number of loading spaces outlined in Section 4.18.3 shall not apply to *buildings* or *structures* in existence as of the date of passing of this By-law but shall apply to areas of any expansion or enlargement to such *buildings* or *structures* for which *building* permits have been issued after the date of passing of this By-law;

4.18.5 Parking spaces and Loading Spaces

A loading bay shall equal one space. Also, the number of *vehicles* accommodated at a loading *dock* shall be considered as counting towards a loading space;

A *parking space* capable of accommodating a transport truck waiting to be loaded or unloaded shall count as a loading space.

4.19 Legal Non-conforming Uses

4.19.1 Continuance of Existing Uses

Nothing in this By-law shall apply to prevent the *use* of any land, *building* or *structure* for any purpose prohibited by the By-law if such land, *building* or *structure* was lawfully *used* for such purpose on the day of the passing of the By-law so long as it continues to be *used* for that purpose. The legal *non-conforming use* of any land, *building* or *structure* shall not be changed except to a *use*, which is in conformity with the provisions of the *zone* in which the land, *building* or *structure* is located, or without permission of the *Municipality* pursuant to the Planning Act.

4.19.2 Prior Building Permits

Nothing in this By-law shall prevent the *erection* or *use* of any *building* or *structure* for which a *building* permit has been issued under the *Building Code Act* prior to the passing of this By-law, so long as the *building* or *structure* when *erected* is *used* and continues to be *used* for the purpose for which it was *erected* and provided the permit has not been revoked under the *Building Code Act*.

4.19.3 Road Widening

Nothing in this By-law shall prevent the *use* of any land, *building* or *structure* or the *erection* of any *building* or *structure* on a *lot*, which does not comply to the minimum *lot frontage* and/or *lot area* and/or *front yard setback* and in the case of a *corner lot*, the *side yard setback*, as a result of a *road* widening taken by the *Municipality of Huron Shores* or the *Ministry of Transportation of Ontario*, provided all other requirements of this By-law are complied with.

4.19.4 Reconstruction of Legal Non-conforming Use/Structure Destroyed by Natural Causes

Nothing in this By-law shall prevent the *reconstruction* or strengthening to a safer condition of any legal *non-conforming building* or *structure* which is destroyed or rendered uninhabitable by fire or other natural cause, provided the *height* and *gross floor area* are not increased, and the new *building* or *structure* is *erected* on the same *building* footprint.

4.19.5 Renovations to Existing Legal Non-Conforming Building Housing a Non-Conforming Use

An *existing* legal *non-conforming building* or *structure* may be *renovated* provided the *renovation* does not further reduce any zoning requirements or increase the *gross floor area* or *building* footprint.

4.19.6 Additions to Existing Non-conforming Building Housing a Legal Use

Nothing in this By-law shall prevent the *renovation*, extension or addition to a *building* or *structure* which is *used* for a purpose specifically *permitted* within the *zone* in which such *building* or *structure* is located.

Also, a *building* or *structure* that existed on the date of passing of this By-law and the *building* or *structure* did not comply with one or more of the *zone* requirements of this By-law, such *renovation*, extension or addition can occur provided it does not further reduce the requirements of this By-law and does not contravene any other requirements of this By-law.

4.19.7 Existing Undersized Lots

Despite anything else contained in this By-law, where an *existing* vacant *lot* having a lesser *lot frontage* and/or *lot area* than is required by this By-law is held under distinct and separate *ownership* from adjoining *lots*, according to the register for land in the Land Titles, or Registry *Office*, on the date of the passing of this By-law, it may be *used* for a purpose *permitted* in the *zone* in which the said *lot* is located, provided that the *lot* can be adequately serviced with water and sewage services and provided the *lot* can comply with all other applicable provisions in this By-law.

4.20 Occupancy Restrictions

Human habitation shall not be *permitted* in any of the following *buildings*, *structures*, or parts thereof unless the *building*, *structure*, or parts thereof meet all requirements of the Fire Code, the Ontario *Building* Code and any other applicable regulations, policies, or Acts:

- a) Any private garage or other *building* which is *Accessory* to a residential use;
- b) Any truck, bus, *recreational vehicle*, coach or *streetcar* body whether or not the same is mounted on wheels.

4.20.1 Short Term Occupancy in Recreational vehicles

A *recreational vehicle* such as a travel trailer, motor home or tent may be *used* for human habitation provided it is temporary and within a *campground* or *recreational trailer park*.

1 (one) *recreational vehicle* may be *used* in the R1, RW, W.Rec, R and A *Zones*, for short term temporary occupancy, being no more than 30 days in a calendar year, for sleeping facilities only, provided that:

- a) The *recreational vehicle* is owned by the *owner* of the land upon which it is stored; and
- b) The land upon which the *recreational vehicle* is situated is occupied by a *dwelling* unit; and
- c) The *recreational vehicle* is not *attached* to any *structure*; and
- d) The *recreational vehicle* is not offered as a rental unit by the *owner* of the land and the *recreational vehicle*; and
- e) The facilities and amenities of the principle *dwelling* shall be available at all times for the *use* of the occupants of the *recreational vehicle*;

4.20.2 Short Term Occupancy in RV's Prior to Construction of a Permanent Building

A *recreational vehicle* may be used as a temporary residence on a *lot* where a *building* permit has been issued for the primary residence. The *recreational vehicle* must be removed once the *building* permit has expired or the occupancy permit for the primary *building* has been issued, whichever comes first.

4.21 Open storage and Outdoor display for Commercial and Industrial uses

No *person* shall use any *lot* or part thereof for *open storage*, or *outdoor display* except as *permitted* by this By-law and is an area which has been specifically *designed* and set aside for such purpose, is fully integrated with the main *use* of the *lot* and is in accordance with the following:

- a) *Open storage* shall not be *permitted* within any required *front yard* and no closer than 5 m [16.4 ft.] to any *exterior side lot line*, *interior side lot line* or *rear lot line*;
- b) Where *open storage* areas abut a Residential Zone (see Section 5.2 for list of zones), the required *setback* of the *open storage* area shall be increased to 10 m [32.8 ft.] or be visually screened from any residential zone;
- c) Any areas *used* for outside storage shall be in addition to any minimum landscaping, *off-street parking spaces* or loading areas required by this By-law.

The above provisions shall not apply to a *yard sale*.

4.22 Parking and Storage of Commercial vehicles and Recreational vehicles

4.22.1 Commercial vehicle Parking in Residential Zones

No *commercial vehicle* shall be stored or *parked* in a Residential Zone (see Section 5.2 for list of zones) except in accordance with the following:

Commercial vehicle Weight Requirements	
Commercial vehicles in a Residential Zone (see Section 5.2 for list of zones) and Rural zones on lots less than 1ha in area	<ol style="list-style-type: none"> 1. The maximum <i>commercial vehicle</i> capacity shall be 9,072 kg GVWR (Gross Vehicle Weight Ratio) [20,000 lbs.]; 2. The <i>commercial vehicle</i> shall be <i>parked</i> in a <i>private garage</i> or behind the front <i>building line</i> and shall be screened by a <i>fence</i> from the adjacent property; <p>The provisions for <i>home-based businesses</i> shall apply (see Section 4.14 – <i>Home Based Businesses or Industry</i>)</p>

4.22.2 Recreational vehicle Parking

Any *recreational vehicle* shall be *permitted* in R1, RW, W.REC., R and A zones (see Section 5.2 for list of zones) provided it is *parked* in a *permitted parking space* or is located in an *interior side yard* or *rear yard* subject to the following:

ZONE	LOT SIZE	MAXIMUM # OF RECREATIONAL VEHICLES PERMITTED
R1, RW, W.REC, R, A	Up to 0.6 ha [1.5 ac.]	ONE (1)
	Greater than 0.6 ha [1.5 ac.] up to 1.2 ha [3.0 ac.]	TWO (2)
	Greater than 1.2 ha [3.0 ac.] up to 1.8 ha [4.5 ac.]	THREE (3)
	Greater than 1.8 ha [4.5 ac.]	FOUR (4)

4.23 Off-Street Parking Regulations

4.23.1 Parking space Size

Each standard *parking space* shall have a minimum width of 2.6 m [8.5 ft.] and a minimum length of 5.5 m [18 ft.] and each barrier-free *parking space* shall have a minimum width of 3.6 m [11.8 ft.] and a minimum length of 6 m [19.6 ft.].

4.23.2 Multiple Uses

Unless *permitted* elsewhere in this By-law, where two or more *uses* are *permitted* in any one *building* or *structure* on any *lot*, then the off-street parking requirements for each *use* shall be calculated as if each *use* is a separate *use*, and the total number of off-street parking spaces so calculated shall be provided.

4.23.3 Legal Non-conforming Parking

For *uses* that are legal *non-conforming* with respect to the number and size of *parking spaces*, these *uses* can expand their size providing that any such expansion does not *alter* the legal *non-conforming* status of the *existing structure* and the addition or expansion supplies *parking* in conformity with all the requirements of this By-law.

4.23.4 Residential Parking Requirements

Supplementary requirements for *parking spaces* for *dwellings* in Residential Zones (see Section 5.2 for list of zones) shall be as follows:

- a) The *driveway* and *parking space* shall be constructed of crushed stone, asphalt paving, concrete, paver stones or similar materials and shall be maintained and treated so as to reduce dust, scattering of stones and similar potentially undesirable effects on adjoining properties;
- b) No more than fifty percent (50%) of the area of any required *front yard* shall be *used* or constructed as a *driveway* or *parking space*; and

- c) No more than fifty percent (50%) of the *lot frontage* as defined by this By-law shall be *used* or constructed as a *driveway* or *parking space*.

4.23.5 Requirements for Parking areas for more than 4 Vehicles

Supplementary requirements for a *parking area* for more than four *motor vehicles* shall be as follows:

- a) The *parking area* shall be constructed of crushed stone, asphalt paving, concrete, paver stones, or similar materials and shall be maintained and treated so as to reduce dust, scattering of stones and similar undesirable effects on adjoining properties and shall incorporate drainage facilities that comply with the requirements of the *Corporation*;
- b) Ingress and egress directly to and from every *parking space* shall be by means of a *driveway*, *lane* or *aisle* having a width of at least 6 m [19.7 ft.] for two-way traffic and 4 m [13.1 ft.] for one-way traffic where *parking* is angled;
- c) A *driveway* or *lane* which does not provide ingress and egress directly to a *parking space*, shall have a minimum width of 3.5 m [11.4 ft.] where *designed* for one-way vehicular circulation or 6 m [19.7 ft.] where *designed* for two-way vehicular circulation.

4.23.6 Off-street Parking on Neighbouring Lots

Except where *permitted* elsewhere in this By-law, the required *parking* in a Residential *Zone* (see Section 5.2 for list of *zones*) shall be provided on the same *lot* as the *dwelling* unit. In all other *zones*, required *parking spaces* shall be provided within 100 m [328 ft.] of the *building* or *structure* or the *lot* the *parking spaces* are intended to serve, subject to any agreement, deed or renewable lease which provides for same.

4.23.7 Rounding of Parking Calculations

If the calculation of the minimum number of *parking spaces* required, results in a fraction, the minimum requirement shall be the next higher whole number.

4.23.8 Barrier Free Parking Requirements

One (1) barrier-free *parking space* shall be required for any *use* requiring 10 *parking spaces* (1 barrier-free + 9 standard). Two (2) barrier-free *parking spaces* shall be required for any *use* requiring between 11 and 25 *parking spaces* (i.e. 2 barrier-free + 23 standard = 25 *parking spaces*). The ratio of 1 additional barrier-free space must be provided for each additional 25 required *parking spaces*. In calculating the required barrier free *parking spaces* for *uses* requiring more than 25 spaces, any figure containing a fraction of a barrier free space shall be rounded down to the nearest whole number.

4.23.9 Schedule for Parking Requirements

In any *zone*, the *owner* or occupant of any *building* or *structure erected*, enlarged or changed in *use* after the date of passing of this By-law shall provide off-street *parking spaces* in accordance with the minimum number of *parking spaces* set out as follows:

USE	MINIMUM NUMBER OF REQUIRED <i>PARKING SPACES</i>
Residential: <ul style="list-style-type: none"> ▪ <i>single-detached</i> ▪ <i>duplex</i> ▪ <i>semi-detached</i> ▪ <i>two-unit dwelling</i> ▪ <i>recreational dwelling</i> 	2 spaces per <i>dwelling</i> unit
Residential: <ul style="list-style-type: none"> ▪ <i>apartment dwellings</i> ▪ row housing ▪ <i>converted dwelling</i> 	1.5 spaces per <i>dwelling</i> unit, 15% of which shall be reserved as visitor <i>parking</i>
Residential: <ul style="list-style-type: none"> ▪ senior citizen <i>dwelling</i> ▪ Bed and Breakfast 	0.5 spaces per <i>dwelling</i> unit 1 space for host & 1 space per guest room
<i>Auto body shop, auto repair shop, auto service station, gas bar</i>	3 spaces per service bay plus 1 space per employee
Assembly hall, auditorium, dance hall, stadium, theatre and similar places of public assembly	1 space for every 5 seats, fixed or otherwise and where there are no seats, 1 space for every 10 m ² [107.6 ft. ²] assembly space
<i>Building supply store, lumber yard, garden centre, nursery</i>	1 space for each 22 m ² [236.8 ft. ²] of <i>gross floor area</i> and 1 space for each 35 m ² [376.2 ft. ²] of <i>open storage</i>
<i>Clinic</i>	3 spaces per medical practitioner
Convenience store	1 space per 18 m ² [193.7 ft. ²] of <i>gross floor area</i>
<i>Day nursery - licensed</i>	1 space per employee and 1 space per 5 children
Equipment rental and sales establishment	1 space per 35 m ² [376.7 ft. ²] of <i>open storage</i> or gross sales area plus 1 space per employee

General business, retail store, *grocery store*, commercial and *personal service establishment, bank, office*, meeting rooms, professional *office* or *funeral home* 1 space per 22 m² [236.8 ft.²] of *gross floor area*

USE	MINIMUM NUMBER OF REQUIRED <i>PARKING SPACES</i>
<i>Motel</i> , bed & breakfast establishment	1 space per guest unit, plus 1 space for each 6 <i>persons</i> of designated <i>seating capacity</i> of any <i>Accessory</i> eating establishment
Manufacturing, industrial storage or wholesale, <i>warehouse</i>	1 space per 95 m ² [1,022.6 ft. ²] of <i>gross floor area</i> plus 1 space for every 3 employees per shift
<i>Nursing home, home for the aged</i> , continuum-of-care facility	1 space for every 6 patient beds plus 1 space for every 4 employees
Place of amusement	1 space for every 4 <i>persons</i> that can be accommodated
<i>Place of worship</i>	1 space for every 5 seats, fixed or otherwise
<i>Restaurant, tavern</i>	1 space for every 4 seats of designated <i>seating capacity</i> and where no seats are provided, 1 space per 6 m ² [64.5 ft. ²] of <i>gross floor area</i>
<i>School</i> - elementary	2 spaces per classroom
<i>School</i> - secondary or private	4 spaces per classroom
<i>Garden centre</i> and <i>nursery</i>	1 space per 22 m ² [236.8 ft. ²] of <i>gross floor area</i>

4.24 Exemptions from Maximum *Height* Restrictions

The *height* regulations in this By-law shall not apply to any of the following:

- a) Air conditioning system
- b) Chimney
- c) *Church* spire or belfry
- d) Elevator or stairway enclosure
- e) Enclosed mechanical and electrical equipment
- f) *Farm buildings* and *structures* including but not limited to a barn, silo or windmill
- g) Flag pole
- h) Ornamental dome or clock tower
- i) Receiving stations
- j) Ventilating fan or skylight

- k) Water tower.

4.25 Permitted Projections

Every part of any *yard* required by this By-law shall be left open and unobstructed by any *structure* from the ground to the sky excepting those *structures* listed in Section 4.25 shall be *permitted* to project into the minimum *yards* required by this By-law for the following specified distances:

4.25.1 Schedule of Permitted Projections

Permitted Projections	
STRUCTURE	MAXIMUM PROJECTION INTO REQUIRED YARD
Chimney breasts, cornices, sills, bay windows, pilasters, <i>eaves</i> or gutters	0.75 m [2.46 ft.] into any required <i>front yard</i> , <i>rear yard</i> or <i>interior side yard</i>
Canopies which are at least 2.13 m [7 ft.] in vertical clearance above the <i>established grade</i> , with or without supporting posts	2 m [6.5 ft.] into any required <i>yard</i>
Canopies for entrances to <i>apartment buildings</i> and commercial <i>buildings</i>	Despite any other provisions in this By-law, a canopy or portico over a major entrance to an <i>apartment building</i> or commercial <i>building</i> may project into the required <i>yard</i> a distance equal to one-half (½) the <i>setback</i> of the <i>building</i> from the <i>street line</i>
Window awnings	1.2 m [3.9 ft.] into any required <i>yard</i>
Steps, ramps for <i>use</i> by handicapped, and walkways	No maximum into any required <i>yard</i>
<i>Porch</i> , uncovered platform landing, <i>patio</i> or <i>deck</i> , balconies or steps	No maximum into any required <i>side yard</i> and 3 m [9.8 ft.] into any required <i>front</i> or <i>rear yard</i>
Air conditioner	0.5 m [1.6 ft.] into any <i>yard</i>
Heat pump, fire escape	1.5 m [5 ft.] into an <i>interior side yard</i> or <i>rear yard</i>
<i>Accessory building</i>	As <i>permitted</i> by and as specified in this By-law
<i>Fences</i> , hedges, shrubs, trees, freestanding walls, flagpoles, light standards, garden trellises, <i>clothes</i> lines and similar <i>structures</i> or features	No restrictions apply except with respect to a <i>sight triangle</i>

4.26 Sight triangle

4.26.1 Prohibitions within the Sight triangle

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

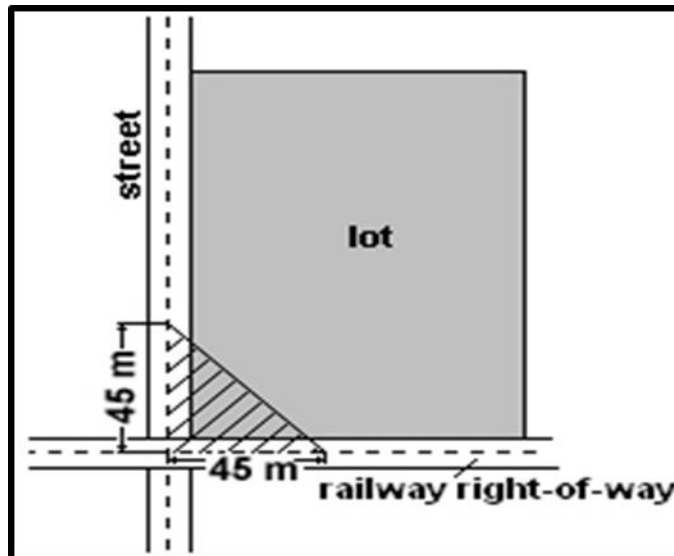
- a) A *building, structure, or use* which would obstruct the vision of drivers of *motor vehicles*;
- b) A *fence, tree, hedge, bush or other vegetation*, other than agricultural crops;
- c) Any portion of a delivery space, loading space, *driveway* or *parking space*;
- d) A *berm* or other ground surface, which exceeds the elevation of the *street* by more than 0.6 m [1.96 ft.].

4.26.2 Sight triangle Distances

For the purposes of this By-law, the following *sight triangle* distances shall apply (see definition of *sight triangle* for measurement of distances):

- a) 15 m [49.2 ft.] in all commercial and industrial zones;
- b) 5 m [16.4 ft.] in all other zones;

Figure 4.3 Sight triangle



4.26.3 Railway Deemed a Street

Despite the above, in any zone where any *street* crosses a railway at the same grade the railway shall be deemed to be a *street* and a sight distance of 45 m [147.6 ft.] shall be required, measured from the point of intersection of the centre line of the railway *right-of-way* and the *street line* abutting the *lot* [see Figure 4.3].

4.27 Signs

Unless otherwise stated in this By-law, *signs* shall be *permitted* only in accordance with a *Signs* By-law(s) of the *Corporation*. Also see standards for home-based business *signs* in Section 4.14.3.

4.28 Streets and Parks

In any zone established by this By-law, *public streets, private roads, walkways, bike paths* and *parks* are *permitted*.

4.29 Temporary Buildings or Structures During Construction

Nothing in this By-law shall prevent the *use* of land or the *use* or *erection* of a temporary *building* or *structure* or a scaffold or other equipment essential to the construction in progress for which a *building* permit for the main *structure* has been granted, but only until such time as the work has been finished or abandoned or such equipment is no longer required.

In addition, temporary accommodation for a business or other *use* which is intended to occupy a *building* or *structure* which is under construction with the work in progress on such *building* or *structure* may be temporarily *permitted* on the same *lot* in the form of a mobile, relocatable, portable or transportable *building* or *structure* provided that:

- a) Approval is obtained from the *Corporation*;
- b) Such temporary accommodation is removed from the *lot* immediately upon completion of construction, the issuance of an occupancy permit, the lapsing of a *building* permit for the main *use* or abandonment of construction.

4.30 Use by Public authority or Public utility

The provisions of this By-law shall not apply to limit the *use* of any land or to the *erection* or *use* of any *building* or *structure* for a *public utility* installation or municipal *infrastructure* including a communications facility.

4.31 Water and Sewage Disposal Systems

No *person* shall *erect* or *use* in whole or in part, any *building* or *structure* unless the *use*, *building* or *structure* is properly connected to approved *sewage and water services* under the Ontario Water Resources Act or the *Building Code Act* unless the *use* is exempted under the *Building Code Act*.

4.32 Yard Requirements near Water Bodies and Slope Lands

Where in this By-law, a *front yard*, *interior side yard* or *rear yard* is required, and part of the area of the *lot* is usually covered by water or marsh, or is beyond the rim of a river *bank* or *water body* or between the top and toe of a cliff or *embankment* having a slope of thirty degrees or more from the horizontal, then the required *yard* shall be measured from the nearest *main wall* of the *main building* or *structure* on the *lot* to the edge of said area covered by water or marsh, or to the edge of said river or *water body*, or to the top of the said cliff or *embankment* if such area is closer than the *lot line*.

4.33 Zone Boundaries That Dissect a Property

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

Section 5 Zones

5.1 Zone classification

For the purposes of this By-law, the *Municipality* of Huron Shores is divided into the following *zones* as named and described in the following sections, the boundaries of which are shown on the Schedules *attached* to and forming part of this By-law.

5.2 Zones

Zones		
Name of Zone	Zone Symbol	Zone Section
Residential Zones		
Residential Low Density	R1	5.4
Multiple Residential	MR	5.5
Waterfront Residential	RW	5.6
Waterfront <i>Recreational</i>	W.REC	5.7
Commercial Zones		
General Commercial	GC	5.8
<i>Highway</i> Commercial	HC	5.9
<i>Recreational</i> Commercial	RC	5.10
Industrial Zones		
General Industrial	M1	5.11
Heavy Industrial	M2	5.12
<i>Mineral Aggregate</i> Extraction	MX	5.13
Waste Management	MWD	5.14
Rural and Other Zones		
Rural	R	5.15
Agricultural	A	5.16
<i>Open space</i> and Community Facility	OS/CF	5.17
Environmental Protection	EP	5.18
Hazard Lands	HZ	5.19
Heritage	H	5.20

5.3 Interpretation of *Zone* Boundaries

When determining the boundary of any *zone* as shown on any Schedule forming part of this By-law, the following provisions shall apply.

5.3.1 Boundary along a ROW

A boundary indicated as following a *highway, public street, private road or lane* shall follow the centre line of such *highway, public street, private road or lane*.

5.3.2 Boundary along a Water body

A boundary indicated as following a *water body* or the *right-of-way* of a railway or an electrical, gas or oil transmission line shall follow the edge of such *water body* or to the center line of such *right-of-way*.

5.3.3 Boundary along the High-Water Mark

A boundary indicated as following the high-water mark shall follow such high-water mark, and in the event of a change in the *high-water mark*, the boundary shall be construed as moving with the actual *high-water mark*.

5.3.4 Boundary along Lot lines

A boundary indicated as approximately following *lot lines* shown on a *Registered plan* of Subdivision, or Reference Plan, or Township *lot lines* shall follow such *lot lines*.

5.3.5 Boundary parallel to a Feature

Where a boundary is indicated as approximately parallel to a *street line* or other feature, indicated in Sections 5.3.1, 5.3.2 and 5.3.3 above, and the distance from such *street line* or other feature is not indicated, and Section 5.3.4 above is not applicable, such boundary shall be construed as being parallel to such *street line* or other feature, and the distance therefrom shall be determined according to the scale shown on the appropriate Schedule.

5.3.6 Boundary along the Municipal Limits

A boundary indicated as following the limits of the *Municipality* shall follow such limits.

5.3.7 Boundary Adjustment where a ROW is Closed

In the event a dedicated *public street, lane or right-of-way* shown on any Schedule forming part of this By-law is closed, the property formerly in such *public street, lane or right-of-way* shall be included within the *zone* of the adjoining property on either side of such closed *public street, lane or right-of-way*. If a closed *public street, lane or right-of-way* is the boundary between two or more different *zones* the new *zone* boundaries shall be the former centerline of the closed *street, lane or right-of-way*.

5.4 RESIDENTIAL LOW DENSITY – R1

No *person* shall use any land or *erect, alter* or use any *building* or *structure* in the Residential Low Density - R1 Zone except in accordance with the following provisions:

5.4.1 Permitted Main Uses

- a) *Single detached dwelling*
- b) *Day Nursery*
- c) *Duplex Dwelling*
- d) *Semi-detached dwelling*
- e) *Two-unit Dwelling*
- f) *Crisis care facility*
- g) *Group home*
- h) *Nursing home*
- i) *Park or Playground*
- j) *Place of worship*
- k) *Schools*

5.4.2 Permitted Accessory Uses, Buildings and Structures

- a) *Accessory Uses, Buildings and Structures* subject to Section 4.1
- b) *Bed and breakfast establishment* subject to Section 4.4
- c) *Garden suite* subject to Section 4.13
- d) *Home Based Business* subject to Section 4.14

5.4.3 Residential Low-Density Zone Requirements

Zone Requirements (R1 Zone)			
	All Dwelling Units, Crisis care facility, Group home	Park or Playground	Dwellings with Frontage on a Water body
Minimum Lot area	0.6 ha [1.48 ac.] / dwelling unit	0.6 ha [1.48 ac.] if serviced with sewage system. No minimum if unserviced.	0.8 ha [2.0 ac.] / dwelling unit
Minimum Lot frontage	45 m [147.6 ft.]	30 m [98.4 ft.]	60 m [196.8 ft.]
Minimum Yard Requirements – Main building			
Front yard or Exterior side yard	6 m [19.6 ft.]	6 m [19.6 ft.]	30 m [98.4 ft.] on water side. 6 m [19.6 ft.] for exterior side yard
Interior side yard	3 m [9.8 ft.]	3 m [9.8 ft.]	3 m [9.8 ft.]
Rear Yard	7.5 m [24.6 ft.]	3 m [9.8 ft.]	7.5 m [24.6 ft.]
Interior side yard or Rear Yard	1.5 m [4.92 ft.]	3 m [9.8 ft.]	1.5 m [4.92 ft.]
Maximum Height Requirements			
Main building	11 m [36 ft.]	11 m [36 ft.]	11 m [36 ft.]
Accessory Building	6 m [19.6 ft.]	11 m [36 ft.]	6 m [19.6 ft.]
Maximum Lot coverage Requirements - (Accessory Building - see also Section 4.1)			
Main building	7%	15%	5.5%
Accessory Building	2%	15%	1.5%
Minimum Separation Distance Between Buildings Requirements			
Main building and any Accessory Building	2 m [6.56 ft.]	2 m [6.56 ft.]	2 m [6.56 ft.]
Maximum Number of Dwelling Unit Requirements			
Maximum Number Dwelling Units per Lot – Single detached dwelling, Crisis care facility, Group home	1 subject to Section 5.4.4 (b)		1 subject to Section 5.4.4 (b)
Maximum Number Dwelling Units per Lot – Duplex Dwelling, Semi- detached Dwelling, Two Unit Dwelling	2	n/a	n/a

5.4.4 Additional Provisions

5.4.4.1 *Semi-detached dwellings*

The minimum *interior side yard* shall not apply to the party wall shared between two *semi-detached dwelling* units.

5.4.4.2 *Garden suites*

A *garden suite* shall be subject to a Temporary Use By-law under Section 39 of the Planning Act and shall only be *permitted* as an *Accessory use* to a *single detached dwelling*.

5.4.4.3 *Recreational vehicles*

- a) One *recreational vehicle* stored on a *lot* occupied by a *dwelling* may be *used* subject to Section 4.20.2
- b) One or more *recreational vehicles* may be stored on a *lot* occupied by a *dwelling* subject to Section 422.2
- c) One (1) *recreational vehicle* only shall be *permitted* for short term occupancy on a vacant *lot* of record as a temporary *dwelling* provided a valid *building* permit has been issued and is in effect for the construction of a *permitted main use* listed in Section 5.4.1 on the same *lot*.

5.4.4.4 *General Provisions*

All applicable provisions of Section 4 – General Provisions shall apply.

5.4.5 Zone Exceptions

5.4.5.1 *Residential R1-X1 (PLAN H794 LOT 21 RCP, Thessalon) (By-law 20-26)*

Within the R1-X1 Zone, the following provisions shall apply:

- a) *Accessory Use Garage*: The minimum *setback* from the front (West) *lot line* shall be 5.6m [18.4ft.]
- b) *Lot coverage* shall be 3.7% for *accessory use garage*.

5.4.5.2 *Residential R1-X2 (CON 1 LOT 4 NPT RP; AR359 PARTS 2 TO 5 17 18 PCL; 5817 5818 ACS, Gladstone) (By-law 21-34)*

Within the R1-X2 Zone, the following provisions shall apply:

- a) *Lot coverage* shall be 2.3% for *Accessory Use Garage*
- b) Maximum height of 6.75m [22.1ft.] for *accessory use garage*

5.5 MULTIPLE RESIDENTIAL - MR

No *person* shall use any land or *erect, alter or use* any *building or structure* in the Multiple Residential - MR zone except in accordance with the following provisions.

5.5.1 Permitted Main Uses

- a) *Apartment Dwelling*
- b) *Converted dwelling*
- c) *Group housing project*
- d) *Multiple unit Dwelling*
- e) *Row or townhouse Dwelling*
- f) *Park or Playground*

5.5.2 Permitted Accessory Uses, Buildings and Structures

- a) *Accessory Uses, Buildings and Structures* subject to Section 4.1
- b) Home Based Business subject to Section 4.14

5.5.3 Multiple Residential Zone Requirements

Zone Requirements (MR Zone)			
	All Dwelling Units	Park or Playground	Dwellings with Frontage on a Water body
Minimum Lot area	0.6 ha [1.48 ac.] / <i>dwelling</i> unit for the first 2 units plus 0.4 ha [1 ac.] for each additional unit	0.6 ha [1.48 ac.] if serviced with sewage system. No minimum if unserved	0.8 ha [2.0ac.] / <i>dwelling</i> unit for the first 2 units plus 0.4 ha [1 ac.] for each additional unit
Minimum Lot frontage	45 m [147.6 ft.] or 10 m [32.8 ft.] for each <i>row</i> or <i>townhouse</i> unit	30 m [98.4 ft.]	60 m [196.8 ft.] or 10 m [32.8 ft.] for each <i>row</i> or <i>townhouse</i> unit
Minimum Yard Requirements – Main building			
Front yard or Exterior side yard	6 m [19.6 ft.]	6 m [19.6 ft.]	30 m [98.4 ft.] on water side. 6 m [19.6 ft.] for <i>exterior side yard</i>
Interior side yard	3 m [9.8 ft.]	3 m [9.8 ft.]	3 m [9.8 ft.]
Rear Yard	7.5 m [24.6 ft.]	3 m [9.8 ft.]	6 m [19.6 ft.]
Minimum Yard Requirements – Accessory Building (see also Section 4.1)			
Interior side yard or Rear Yard	1.5 m [4.92 ft.]	3 m [9.8 ft.]	1.5 m [4.92 ft.]
Maximum Height Requirements			
Main building	4 storeys	4 storeys	4 storeys
Accessory Building	6 m [19.6 ft.]	11 m [36 ft.]	6 m [19.6 ft.]
Maximum Lot coverage Requirements (Accessory Building - see also Section 4.1)			
Main building	25%	15%	20%
Accessory Building	10%	15%	10%
Minimum Separation Distance Between Buildings Requirements			
Main building and any other Buildings	6 m [19.6 ft.]	2 m [6.56 ft.]	6 m [19.6 ft.]
Maximum Number of Dwelling Unit Requirements			
Maximum Number of Dwellings per Lot	1 except for a <i>Group housing project</i>	n/a	1 except for a <i>Group housing project</i>

5.5.4 Additional Provisions

5.5.4.1 Semi-detached dwellings

The minimum *interior side yard* shall not apply to any party wall shared between a *row* or *townhouse dwelling* unit.

5.5.4.2 General Provisions

All applicable provisions of Section 4 – General Provisions shall apply.

5.5.5 Zone Exceptions

5.6 WATERFRONT RESIDENTIAL - RW

No *person* shall *use* any land or *erect, alter* or *use* any *building* or *structure* in the Waterfront Residential - RW Zone except in accordance with the following provisions.

5.6.1 Permitted Main Uses

- a) *Recreational dwelling*
- b) *Single detached dwelling*
- c) *Park or Playground*

5.6.2 Permitted Accessory Uses, Buildings and Structures

- a) *Accessory Uses, Buildings and Structures* subject to Section 4.1
- b) *Garden suite* subject to Section 4.13
- c) Home Based Business subject to Section 4.14
- d) *Sleep cabin* subject to Section 4.1 and Section 5.6.4.2

5.6.3 Waterfront Residential Zone Requirements

Zone Requirements (RW Zone)		
	<i>All Dwelling Units, Crisis care facility, Group home</i>	<i>Park or Playground</i>
Minimum <i>Lot area</i>	0.8 ha [2.0 ac.]	0.6 ha [1.48 ac.] if serviced with sewage system. No minimum if unserviced
Minimum <i>Lot frontage</i>	60 m [196.8 ft.]	30 m [98.4 ft.]
Minimum Yard Requirements – Main building		
<i>Front yard or Exterior side yard</i>	30m [98.4 ft.] on water side. 6m [19.6 ft.] for <i>exterior side yard</i>	6 m [19.6 ft.]
<i>Interior side yard</i>	3 m [9.8 ft.]	3 m [9.8 ft.]
<i>Rear Yard</i>	7.5 m [24.6 ft.]	3 m [9.8 ft.]
Minimum Yard Requirements – Accessory Building (see also Section 4.1)		
<i>Interior side yard or Rear Yard</i>	1.5 m [4.92 ft.]	3 m [9.8 ft.]
Maximum Height Requirements - (Accessory Building - see also Section 4.1)		
<i>Main building</i>	11 m [36 ft.]	11 m [36 ft.]
<i>Accessory Building</i>	6 m [19.6 ft.]	11 m [36 ft.]
Maximum Lot coverage Requirements - (Accessory Building - see also Section 4.1)		
<i>Main building</i>	7%	15%
<i>Accessory Building</i>	2%	15%
Minimum Separation Distance Between Buildings Requirements		
<i>Main building and any Accessory Building</i>	2 m [6.56 ft.]	2 m [6.56 ft.]
Maximum Number of Dwelling Unit Requirements		
Maximum Number <i>Dwelling Units per Lot</i> – <i>Recreational dwelling Unit, Single detached dwelling, Crisis care facility, Group home</i>	1 subject to Section 5.6.4 a	n/a

5.6.4 Additional Provisions

5.6.4.1 Garden suites

A *garden suite* shall be subject to a Temporary Use By-law under Section 39 of the Planning Act and shall only be *permitted* as an *Accessory use* to a *single detached dwelling*.

5.6.4.2 Sleep cabins

Sleep cabin(s) (see definition) shall be *permitted* as an *Accessory use* to a *dwelling* as follows:

- a) One (1) *sleep cabin* (bunkie) of a maximum *gross floor area* of 37 m² [400 sq. ft.], on *lots* under 4 ha [10 acres] in size where established *lot setbacks* are attainable; or
- b) Up to two (2) *sleep cabins* (bunkies) of a maximum *gross floor area* of 37 m² [400 sq. ft.] each, on *lots* 4 ha [10 acres] or greater in size where established *lot setbacks* are attainable.

5.6.4.3 Recreational vehicles

- a) One *recreational vehicle* stored on a *lot* occupied by a *dwelling* may be *used* subject to Section 4.20.1.
- b) One (1) or more *recreational vehicles* may be stored on a *lot* occupied by a *dwelling* subject to Section 4.22.2.
- c) One (1) *recreational vehicle* only shall be *permitted* for short term occupancy on a vacant *lot* of record as a temporary *dwelling* provided a valid *building* permit has been issued and is in effect for the construction of a *permitted* main use listed in Section 5.6.1 on the same *lot*.

5.6.4.4 General Provisions

All applicable provisions of Section 4 – General Provisions shall apply.

5.6.5 Zone Exceptions

5.6.5.1 Waterfront Residential RW-X1 Zone (Part of Lot 12, Concession 2, Gladstone) (By-law 07-31 – Currie Subdivision)

Within the RW-X1 Zone, the following provisions shall apply:

- a) No habitable *buildings* shall be *permitted* within 15 metres of the high-water mark of Bright Lake;
- b) Notwithstanding a) above, *docks* may be *permitted* within the 15m *setback*, provided that Federal and Provincial approvals have been obtained as may be required.

5.6.5.2 Waterfront Residential RW-X2 Zone (Part of Lot 10, Concession 2, Gladstone) (By-law 13-28 – Lajambe Consent)

Within the RW-X2 Zone, the following provisions shall apply:

- a) No habitable *buildings* shall be *permitted* within 25 metres of the high-water mark of Bright Lake;
- b) A 15m shoreline vegetation buffer shall remain undisturbed, permitting only the *development* of a single pathway to the shoreline of Bright Lake.

5.6.5.3 Waterfront Residential RW-X3 Zone (Lots 1 to 13 Plan 1M-559, Lefroy)(By-law 12-65 - MacBeth Bay Subdivision)

Within the RW-X3 Zone, the following provisions shall apply:

- a) No Habitable *Buildings* below 178.9 metres Canadian Geodetic Datum (CGD)

5.6.5.4 *Waterfront Residential RW-X4 Zone (CON 5 LOT 8PT PCL 4698 ACS; RP AR22 PART 1 CON 5 LOT 7PT; PCL 1972 ACS, Bright)(By-law 20-13)*

Within the RW-X4 Zone, the following provisions shall apply:

- a) The minimum *setback* from a *water body* shall be 17m [55.8 ft.] for *recreational dwelling*.

5.6.5.5 *Waterfront Residential RW-X5 Zone (CON 3 LOT 8NPT PCL 7546 ACS; RP 1R5682 PART 1, Day)(By-law 23-05)*

Within the RW-X5 Zone, the following provisions shall apply:

- a) The minimum *setback* from the rear yard is decreased from 7.5m to 4.82m to accommodate an addition to the main use dwelling.

5.7 WATERFRONT RECREATIONAL – W.REC

No person shall use any land or erect, alter or use any building or structure in the Waterfront Recreational – W.REC Zone except in accordance with the following provisions.

5.7.1 Permitted Main Uses

- a) *Recreational dwelling*
- b) *Park or Playground*

5.7.2 Permitted Accessory Uses, Buildings and Structures

- a) *Accessory Uses, Buildings and Structures* subject to Section 4.1
- b) *Sleep cabin* subject to Section 4.1 and Section 5.7.4.1

5.7.3 Waterfront Recreational Zone Requirements

Zone Requirements (W.REC Zone)		
	All Recreational dwelling Units	Park or Playground
Minimum Lot area	0.8 ha [2.0 ac.]	0.6 ha [1.48 ac.] if serviced with sewage system. No minimum if unserviced
Minimum Lot frontage	60 m [196.8 ft.]	30 m [98.4 ft.]
Minimum Yard Requirements – Main building		
Front yard or Exterior Side Yard	30 m [98.4 ft.] on water side. 6 m [19.6 ft.] for exterior side yard	6 m [19.6 ft.]
Interior side yard	3 m [9.8 ft.]	3 m [9.8 ft.]
Rear Yard	7.5 m [24.6 ft.]	3 m [9.8 ft.]
Minimum Yard Requirements – Accessory Building (see also Section 4.1)		
Interior side yard or Rear Yard	1.5 m [4.92 ft.]	3 m [9.8 ft.]
Maximum Height Requirements - (Accessory Building - see also Section 4.1)		
Main building	11 m [36 ft.]	11 m [36 ft.]
Accessory Building	6 m [19.6 ft.]	11 m [36 ft.]
Maximum Lot coverage Requirements - (Accessory Building - see also Section 4.1)		
Main building	7%	15%
Accessory Building	2%	15%
Minimum Separation Distance Between Buildings Requirements		
Main building and any Accessory Building	2 m [6.56 ft.]	2 m [6.56 ft.]
Maximum Number of Dwelling Unit Requirements		
Maximum Number Dwelling Units per Lot – Recreational dwelling Unit, Single detached dwelling, Crisis care facility, Group home	1	n/a

5.7.4 Additional Provisions

5.7.4.1 Sleep cabins

Sleep cabin(s) shall be *permitted* as an *Accessory use* to a *dwelling* as follows:

- a) One (1) *sleep cabin* (bunkie) of a maximum *gross floor area* of 37 m² [400 sq. ft.], on *lots* under 4 ha [10 acres] in size where established *lot setbacks* are attainable; or
- b) Up to two (2) *sleep cabins* (bunkies) of a maximum *gross floor area* of 37 m² [400 sq. ft.] each, on *lots* 4 ha [10 acres] or greater in size where established *lot setbacks* are attainable.

5.7.4.2 Recreational vehicles

- a) One (1) *recreational vehicle* stored on a *lot* occupied by a *dwelling* may be *used* subject to Section 4.20.1.
- b) One (1) or more *recreational vehicles* may be stored on a *lot* occupied by a *dwelling* subject to Section 4.22.2.
- c) One *recreational vehicle* only shall be *permitted* for short term occupancy on a vacant *lot* of record as a temporary *dwelling* provided a valid *building* permit has been issued and is in effect for the construction of a *permitted main use* listed in Section 5.7.1 on the same *lot*.

5.7.4.3 Access Requirements

The *uses permitted* in the *Waterfront Recreational Zone* need not have access to a year-round publicly maintained *road*. They may have access to a *private road* or be water access only.

5.7.4.3 General Provisions

All applicable General provisions of Section 4 shall apply to lands zoned W.REC.

5.7.5 Zone Exceptions

5.7.5.1 Waterfront Recreational W.REC-X1 (ISLAND JD 172PT PCL 5942 ACS;RP 1R1552 PART 2, Thessalon) (By-law 18-09)

Within the W.REC-X1 *Zone*, the following provisions shall apply:

- a) *Water Body Setback*: The minimum *setback* from a *water body* along the southeast boundary property line shall be 9.75m [31.11ft.] for a proposed new *dwelling*.
- b) No openings to the *dwelling* below an elevation of 178.3 metres Canadian Geodetic Datum (CGD)
- c) Prior to issuance of a building permit: a study prepared and stamped by a Professional Engineer addressing the flooding, erosion, *wave uprush* and any other related hazards the qualified professional deems appropriate, utilizing the 100-year flood level, is required.

5.7.5.2 Waterfront Recreational W.REC-X2 (CON 1 PT LOT 12, Gladstone) (By-law 20-25)

Within the W.REC-X2 *Zone*, the following provisions shall apply:

- a) *Water Body Setback*: The minimum *setback* from a *water body* shall be 23m [75.5ft.] for a new *garage/pole barn*.
- b) *Water Body Setback*: The minimum *setback* from a *water body* shall be 24m [78.8 ft] for an extension to the existing *Bunkie*.
- c) Permitted expansion to the existing legal *non-conforming Bunkie*, which contains kitchen and sanitary facilities, to a maximum gross floor area of 37.16m².

5.7.5.3 *Waterfront Recreational W.REC-X3 (PLAN M314 LOTS 5 AND 6 PCL 6174 AND 6175 ACS, Day) (By-law 21-16)*

Within the W.REC-X3 Zone, the following provisions shall apply:

- a) A *sleep cabin/Bunkie* with sanitary facilities

5.7.5.4 *Waterfront Recreational W.REC-X4 (PCL 7492 SEC ACS; LOT 14 PL M251 EXCEPT PT 1 1R4268, Day) (By-law 21-21)*

Within the W.REC-X4 Zone, the following provisions shall apply:

- a) *Setback* of East front yard shall be 25m [82ft.] for an addition to existing *recreational dwelling*.
- b) *Setback* of West front yard shall be 22m [72.2ft.] to facilitate construction of an *accessory building*.

5.7.5.5 *Waterfront Recreational W.REC-X5 (CON 2 LOT 11SPT, Thompson) (By-law 22-59)*

Within the W.REC-X5 Zone, the following provisions shall apply:

- a) *Accessory use lot coverage* of 2.5% for construction of *accessory garage*.

5.8 GENERAL COMMERCIAL - GC

No person shall use any land or erect, alter or use any building or structure in the General Commercial - GC Zone except in accordance with the following provisions.

5.8.1 Permitted Main Uses

- a) *Antique store*
- b) *Art Gallery*
- c) *Auto repair garage*
- d) *Auto service station*
- e) *Automobile washing establishment*
- f) *Bakery*
- g) *Bake shop*
- h) *Bank*
- i) *Bingo Hall*
- j) *Catering establishment*
- k) *Clinic*
- l) *Communications Facility subject to Sections 4.12.1e., 4.24, & 4.30*
- m) *Convenience Store*
- n) *Dry cleaning establishment*
- o) *Dry cleaning distribution station*
- p) *Entertainment establishment*
- q) *Equipment Rental establishment*
- r) *Flea market*
- s) *Funeral home*
- t) *Hotel*
- u) *Laundromat*
- v) *Motel*
- w) *Office*
- x) *Park or Playground*
- y) *Personal service establishment*
- z) *Place of assembly*
- aa) *Place of worship*
- bb) *Printing and Printing Establishment*
- cc) *Private club*
- dd) *Private School*
- ee) *Recreational commercial establishment*
- ff) *Recreational vehicle repair garage*
- gg) *Restaurant*
- hh) *Retail Store*
- ii) *Service outlet or shop*
- jj) *Similar Use*
- kk) *Studio*
- ll) *Tavern*
- mm) *Tourist establishment*
- nn) *Tourist outfitters establishment*

oo) *Video rental outlet*

5.8.2 Permitted Accessory Uses, Buildings and Structures

- a) *Accessory Uses, Buildings and Structures* subject to Section 4.1.
- b) *Accessory Apartment*

5.8.3 General Commercial Zone Requirements

Zone Requirements (GC Zone)		
	All Permitted Main Uses	Park or Playground
Minimum Lot area	0.6 ha [1.48 ac.] plus an additional 0.4 ha [1.0 ac.] for an <i>Accessory apartment</i>	0.6 ha [1.48 ac.] if serviced with sewage system. No minimum if unserviced
Minimum Lot frontage	45 m [147.6 ft.]	30 m [98.4 ft.]
Minimum Yard Requirements – Main building		
Front yard and Exterior side yard	6 m [19.6 ft.]	6 m [19.6 ft.]
Interior side yard	3 m [9.8 ft.]	3 m [9.8 ft.]
Rear Yard	7.5 m [24.6 ft.]	3 m [9.8 ft.]
Minimum Yard Requirements – Accessory Building (see also Section 4.1)		
Interior side yard or Rear Yard	3 m [9.8 ft.]	3 m [9.8 ft.]
Maximum Height Requirements - (Accessory Building - see also Section 4.1)		
Main building	3 storeys	11 m [36 ft.]
Accessory Building	6 m [19.6 ft.]	11 m [36 ft.]
Maximum Lot coverage Requirements - (Accessory Building - see also Section 4.1)		
Main building	40%	15%
Accessory Building	10%	15%
Minimum Separation Distance Between Buildings Requirements		
Main building and any Accessory Building	6 m [19.6 ft.]	2 m [6.56 ft.]

5.8.4 Additional Provisions

5.8.4.1 General Provisions

All applicable provisions of Section 4 – General Provisions shall apply.

5.8.4.2 Accessory Single detached dwellings

An *Accessory single detached dwelling* is permitted on the same lot as the principle use provided that dwelling can meet the applicable yard standards for such a dwelling in the Residential Low Density (R1) Zone.

5.8.5 Zone Exceptions

5.9 HIGHWAY COMMERCIAL - HC

No person shall use any land or erect, alter or use any building or structure in the Highway Commercial - HC Zone except in accordance with the following provisions.

5.9.1 Permitted Main Uses

- a) *Ambulance facility*
- b) *Animal hospital*
- c) *Antique store*
- d) *Auction room*
- e) *Auto body shop*
- f) *Auto repair garage*
- g) *Automotive sales establishment*
- h) *Auto service station*
- i) *Automobile washing establishment*
- j) *Building supply store or depot*
- k) *Car Rental establishment*
- l) *Commercial greenhouse, nursery or garden centre*
- m) *Commercial parking lot*
- n) *Communications Facility subject to Sections 4.12.1e, 4.24 & 4.30*
- o) *Convenience Store*
- p) *Farm produce outlet*
- q) *Flea market*
- r) *Furniture and Home Supply Store*
- s) *Garden centre*
- t) *Fuel Bar*
- u) *Fuel cardlock facility*
- v) *Grocery store*
- w) *Hotel*
- x) *Lumber yard*
- y) *Miniature golf course*
- z) *Motel*
- aa) *Office*
- bb) *Place of Amusement*
- cc) *Recreational vehicle sales and storage*
- dd) *Recreational commercial establishment*
- ee) *Restaurant*
- ff) *Restaurant, drive-through*
- gg) *Self-storage facility*
- hh) *Service Outlet*
- ii) *Similar Use*
- jj) *Tavern*
- kk) *Tourist outfitters establishment*
- ll) *Video rental outlet*

5.9.2 Permitted Accessory Uses, Buildings and Structures

- a) *Accessory Uses, Buildings and Structures* subject to Section 4.1

- b) *Accessory Apartment*
- c) *An Accessory single detached dwelling* on the same *lot* as the principle *use* provided that *dwelling* can meet the applicable *yard* standards for such a *dwelling* in the Residential Low Density (R1) *Zone*.
- d) *Retail Store Accessory to a Permitted Use*

5.9.3 Highway Commercial Zone Requirements

Zone Requirements (HC Zone)		
	All Permitted Main Uses	Park or Playground
Minimum Lot area	0.6 ha [1.48 ac.] plus an additional 0.4 ha [1.0 ac.] for an <i>Accessory apartment</i>	0.6 ha [1.48 ac.] if serviced with sewage system. No minimum if unserviced
Minimum Lot frontage	45 m [147.6 ft.]	30 m [98.4 ft.]
Minimum Yard Requirements – Main building		
Front yard & Exterior side yard	6 m [19.6 ft.]	6 m [19.6 ft.]
Interior side yard	3 m [9.8 ft.]	3 m [9.8 ft.]
Rear Yard	7.5 m [24.6 ft.]	3 m [9.8 ft.]
Minimum Yard Requirements – Accessory Building (see also Section 4.1)		
Interior side yard or Rear Yard	3m [9.8 ft.]	3 m [9.8 ft.]
Maximum Height Requirements - (Accessory Building - see also Section 4.1)		
Main building	3 storeys	11 m [36 ft.]
Accessory Building	6 m [19.6 ft.]	11 m [36 ft.]
Main building	40%	15%
Maximum Lot coverage Requirements - (Accessory Building - see also Section 4.1)		
Main building	40%	15%
Accessory Building	10%	15%
Minimum Separation Distance Between Buildings Requirements		
Main building and any Accessory Building	6 m [19.6 ft.]	2 m [6.56 ft.]

5.9.4 Additional Provisions

5.9.4.1 General Provisions

All applicable provisions of Section 4 – General Provisions shall apply.

5.9.5 Zone Exceptions

5.9.5.1 Highway Commercial HC-X1 (CON 2 LOT 3SPT RP 1R9484 PT 3 PT 4, Gladstone) (By-law 21-52)

Within the HC-X1 Zone, the following provisions shall apply:

- a) *Setback* of rear yard shall be 2.3m [7.5ft] for *accessory use* c-can
- b) Legalize existing single detached dwelling as a permitted use

5.10 RECREATIONAL COMMERCIAL – RC

No person shall use any land or erect, alter or use any building or structure in the Recreational Commercial - RC Zone except in accordance with the following.

5.10.1 Permitted Main Uses

- a) *Adventure game*
- b) *Campground*
- c) *Golf course*
- d) *Marina*
- e) *Outdoor Recreational Facilities*
- f) *Park or Playground*
- g) *Recreational commercial establishment*
- h) *Restaurant*
- i) *Tourist establishment*
- j) *Tourist outfitters establishment*

5.10.2 Permitted Accessory Uses, Buildings and Structures

- a) *Accessory Uses, Buildings and Structures* subject to Section 4.1
- b) *Accessory Apartment*
- c) *Accessory Dwelling*
- d) *Bed and breakfast establishment* subject to Section 4.4
- e) *Retail Store Accessory to a Permitted Use*

5.10.3 Recreational Commercial Zone Requirements

Zone Requirements (RC Zone)		
	All Permitted Main Uses	Park or Playground
Minimum Lot area	0.6 ha [1.48 ac.] plus an additional 0.4 ha [1.0 ac.] for an <i>Accessory apartment</i> or an <i>Accessory dwelling</i>	0.6 ha [1.48 ac.] if serviced with sewage system. No minimum if unserviced
Minimum Lot frontage	45 m [147.6 ft.]	30 m [98.4 ft.]
Minimum Yard Requirements – Main building		
Front yard or Exterior side yard	30m [98.4 ft.] water side 6 m [19.6 ft] for <i>exterior side yard</i>	6 m [19.6 ft.]
Interior side yard	3 m [9.8 ft.]	3 m [9.8 ft.]
Rear Yard	7.5 m [24.6 ft.]	3 m [9.8 ft.]
Minimum Yard Requirements – Accessory Building (see also Section 4.1)		
Interior side yard & Rear Yard	3 m [9.8 ft.]	3 m [9.8 ft.]
Maximum Height Requirements - (Accessory Building - see also Section 4.1)		
Main building	3 storeys	11 m [36 ft.]
Accessory Building	6 m [19.6 ft.]	11 m [36 ft.]
Maximum Lot coverage Requirements - (Accessory Building - see also Section 4.1)		
Main building	40%	15%
Accessory Building	10%	15%
Minimum Separation Distance Between Buildings Requirements		
Main building and any Accessory Building	6 m [19.6 ft.]	2 m [6.56 ft.]

5.10.4 Additional Provisions

5.10.4.1 General Provisions

All application provisions of Section 4 – General Provisions shall apply.

5.10.4.2 Shooting Range

A shooting range shall only be permitted in a Recreational Commercial Zone by way of a special zoning approved by Council.

5.10.5 Zone Exceptions

5.11 GENERAL INDUSTRIAL – M1

No *person shall use any land or erect, alter or use any building or structure* in the General Industrial – M1 Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.11.1 Permitted Main Uses

- a) *Abattoir*
- b) *Agriculturally related commercial/industrial uses*
- c) *Auto body shop*
- d) *Auto repair garage*
- e) *Brewery*
- f) *Equipment sales and rental establishment*
- g) *Equipment service and repair establishment*
- h) *Equipment and vehicle storage yard*
- i) *Cheese Factory*
- j) *Custom workshop*
- k) *Feed mill*
- l) *Gas bar*
- m) *Fuel cardlock facility*
- n) *Green energy industries*
- o) *Livestock sales outlet*
- p) *Office*
- q) *Parking lot – Commercial*
- r) *Self-storage facility*
- s) *Similar Use*
- t) *Warehouse*
- u) *Welding shop*

5.11.2 Permitted Accessory Uses, Buildings and Structures

- a) *Accessory Uses, Buildings and Structures* subject to Section 4.1

5.11.3 General Industrial Zone Requirements

All Permitted Main Uses

Minimum Lot area 0.6 ha [1.48 ac.]

Minimum Lot frontage 45 m [147.6 ft.]

Minimum Yard Requirements – Main building

Front yard and Exterior side yard 15 m [49.2 ft.]

Interior side yard 5 m [9.8 ft.]

Rear Yard 10 m [32.4 ft.]

Minimum Yard Requirements – Accessory Building (see also Section 4.1)

Interior side yard or Rear Yard 4 m [9.8 ft.]

Maximum Height Requirements - (Accessory Building - see also Section 4.1)

Main building 15.25 m [50 ft.]

Accessory Building 11 m [36 ft.]

Maximum Lot coverage Requirements - (Accessory Building - see also Section 4.1)

Main building 50%

Accessory Building 15%

Minimum Separation Distance Between Buildings Requirements

Main building and any Accessory Building 6m [19.6 ft.]

5.11.4 Additional Provisions

5.11.4.1 General Provisions

All applicable provisions of Section 4 – General Provisions shall apply.

5.11.5 Zone Exceptions

5.11.5.1 General Industrial M1-X1 Zone (Lot 48 H-793, Thessalon) (By-law 05-44)

Within the M1-X1 Zone, the following provisions shall apply:

- a) *Front yard* Reduced from 32.8' to 24' to permit *office* addition.

5.11.5.2 General Industrial M1-X2 Zone (PLAN H792, LOT 20 AND PLAN H791, LOT 15, RCP, THESSALON) (By-law 22-30)

Within the M1-X2 Zone, the following provisions shall apply:

- a) This zone shall allow for a fire training site as a permitted use

5.12 HEAVY INDUSTRIAL – M2

No person shall use any land or erect, alter or use any building or structure in the Heavy Industrial – M2 Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.12.1 Permitted Main Uses

- a) *Batch plant, asphalt or concrete*
- b) *Bulk fuel depot*
- c) *Bulk storage yard*
- d) *Contractor's yard*
- e) *Equipment Rental establishment*
- f) *Equipment sales and rental establishment*
- g) *Equipment service and repair establishment*
- h) *Equipment and vehicle storage yard*
- i) *Feed mill*
- j) *Green energy industries*
- k) *Sawmill, Planing Mill and Plywood Manufacture*
- l) *Similar Use*
- m) *Transport Truck Depot*
- n) *Warehouse*
- o) *Welding shop*

5.12.2 Permitted Accessory Uses, Buildings and Structures

- a) *Accessory Uses, Buildings and Structures* subject to Section 4.1

5.12.3 Heavy Industrial Zone Requirements

Zone Requirements (M2 Zone)	
	All Permitted Main Uses
Minimum Lot area	2 ha [4.94 ac.]
Minimum Lot frontage	45 m [147.6 ft.]
Minimum Yard Requirements	
Front yard and Exterior side yard	15 m [49.2 ft.]
Interior side yard	5 m [16.4 ft.]
Rear Yard	10 m [32.4 ft.]
Minimum Yard Requirements – Accessory Building (see also Section 4.1)	
Interior side yard or Rear Yard	5 m [16.4 ft.]
Maximum Height Requirements - (Accessory Building - see also Section 4.1)	
Main building	15.25 m [50 ft.]
Accessory Building	11 m [36 ft.]
Maximum Lot coverage Requirements - (Accessory Building - see also Section 4.1)	
Main building	50%
Accessory Building	15%
Minimum Separation Distance Between Buildings Requirements	
Main building and any Accessory Building	6 m [19.6 ft.]

5.12.4 Additional Provisions

5.12.4.1 General Provisions

All applicable provisions of Section 4 – General Provisions shall apply.

5.12.4.2 Salvage yards

A salvage yard will only be permitted by way of a site-specific special zoning approved by Council.

5.12.5 Zone Exceptions

5.13 MINERAL EXTRACTION - MX

No person shall use any land or erect, alter or use any *building* or *structure* in the Mineral Extraction - MX Zone except in accordance with the following provisions.

5.13.1 Permitted Main Uses

- a) *Mineral mining operation, Pit, or Quarry*
- b) Manufacturing of cement, concrete, pavement, brick or granular or other similar materials including an asphalt or ready-mix concrete plant
- c) *Agricultural uses* but not including *buildings* or *structures*
- d) *Forestry uses* but not including *buildings* or *structures*

5.13.2 Permitted Accessory Uses, Buildings and Structures

- a) *Accessory Uses, Buildings and Structures* subject to Section 4.1.

5.13.3 Mineral Extraction Zone Requirements

Zone Requirements (MX Zone)	
	All Permitted Main Uses
Minimum Lot area	4 ha [9.8 ac.]
Minimum Lot frontage	200 m [656.1 ft.]
Minimum Yard Requirements – Main building	
Front yard and Exterior side yard	15 m [49.2 ft.]
Interior side yard	15 m [49.2 ft.]
Rear Yard	15 m [49.2 ft.]
Minimum Yard Requirements – Accessory Building (see also Section 4.1)	
Interior side yard and Rear Yard	15 m [49.2 ft.]
Maximum Height Requirements - (Accessory Building - see also Section 4.1)	
Main building	15.25 m [50 ft.]
Accessory Building	11 m [36 ft.]
Maximum Lot coverage Requirements - (Accessory Building - see also Section 4.1)	
Main building	50%
Accessory Building	15%
Minimum Separation Distance Between Buildings Requirements	
Main building and any Accessory Building	6m [19.6 ft.]

5.13.4 Additional Provisions

5.13.4.1 *General Provisions*

All applicable provisions of Section 4 – General Provisions shall apply.

5.13.5 Zone Exceptions

5.14 WASTE MANAGEMENT - MWD

No *person* shall *use* any land or *erect, alter* or *use* any *building* or *structure* in the Waste Disposal - MWD Zone except in accordance with the following provisions.

5.14.1 Permitted Main Uses

- a) *Waste management facility*
- b) *Recycling depot*
- c) *Sewage Treatment*

5.14.2 Permitted Accessory Uses, Buildings and Structures

Accessory Uses, Buildings and Structures subject to Section 4.1 *Zone Requirements*

5.14.3 Minimum Yard Requirements

All *Yards* - 30m [98.4 ft.]

5.14.4 Additional Provisions

All applicable provisions of Section 4 – General Provisions shall apply.

5.14.5 Zone Exceptions

5.15 RURAL - R

No person shall use any land or erect, alter or use any building or structure in the Rural - R Zone except in accordance with the following provisions.

5.15.1 Permitted Main Uses

- a) *Agricultural use*
- b) *Ambulance facility*
- c) *Animal hospital*
- d) *Camp* (see Section 3.3.1 for a definition of *Camp*)
- e) *Communications Facility* subject to Sections 4.12.1e, 4.24 and 4.30
- f) *Conservation use*
- g) *Crisis care facility*
- h) *Equestrian establishment*
- i) *Forestry use*
- j) *Group home*
- k) *Hobby farm*
- l) *Maple syrup processing establishment*
- m) *Park or Playground*
- n) *Place of worship*
- o) *Portable Sawmill*
- p) *Recreational dwelling*
- q) *Schools*
- r) *Single detached dwelling*
- s) *Studio*

5.15.2 Permitted Accessory Uses, Buildings and Structures

- a) *Accessory Uses, Buildings and Structures* subject to Section 4.1
- b) *Accessory Apartment*
- c) *Bed and breakfast establishment* subject to Section 4.4
- d) *Farm vacation establishment*
- e) *Farm produce outlet*
- f) *Garden suite* subject to Section 4.13
- g) *Home Based Business* subject to Section 4.14

5.15.3 Rural Zone Requirements

	All Dwelling Units, Crisis care facility, Group home, all Accessory Residential Uses	Non-residential Uses	Dwellings with Frontage on a Water body
Minimum Lot area	0.6 ha [1.48 ac.] / dwelling unit	1 ha [2.47 ac.] if serviced with sewage system. No minimum if unserviced	0.8 ha [2.0 ac.] / dwelling unit
Minimum Lot frontage	45 m [147.6 ft.]	60 m [196.8 ft.]	60 m [196.8 ft.]
Minimum Yard Requirements – Main building			
Front yard	6 m [19.6 ft.]	6 m [19.6 ft.]	30 m [98.4 ft.]
Exterior side yard	6 m [19.6 ft.]	6 m [19.6 ft.]	6 m [19.6 ft.]
Interior side yard	3 m [9.8 ft.]	5 m [16.4 ft.]	3 m [9.8 ft.]
Rear Yard	7.5 m [24.6 ft.]	10 m [32.4 ft.]	7.5 m [24.6 ft.]
Minimum Yard Requirements – (Accessory Building - see also Section 4.1)			
Interior side yard and Rear Yard	1.5 m [4.92 ft.]	5 m [16.4 ft.]	30 m [98.4 ft.] docks and boat houses 1.5m [4.9']
Maximum Height Requirements			
Main building	11 m [36 ft.]	11 m [36 ft.]	11 m [36 ft.]
Accessory Building	6 m [19.6 ft.]	11 m [36 ft.]	6 m [19.6 ft.]
Maximum Lot coverage Requirements - (Accessory Building - see also Section 4.1)			
Main building	7%	25%	5.5%
Accessory Building	2%	25%	1.5%
Minimum Separation Distance Between Buildings Requirements			
Main building and any Accessory Building	2 m [6.56 ft.]	5 m [16.4 ft.]	2 m [6.56 ft.]
Maximum Number of Dwelling Unit Requirements			
Maximum Number Dwelling Units per Lot – Single detached dwelling, Crisis care facility, Group home	1 subject to Section 5.15.4.2		1 subject to Section 5.15.4.2
Maximum Number Dwelling Units per Lot – Duplex Dwelling, Semi-detached Dwelling, Two Unit Dwelling	2	n/a	n/a

5.15.4 Additional Provisions

5.15.4.1 *Semi-detached dwellings*

The minimum *interior side yard* shall not apply to the party wall shared between two *semi-detached dwelling* units.

5.15.4.2 *Garden suites*

A *garden suite* shall be subject to a Temporary Use By-law under Section 39 of the Planning Act and shall only be *permitted* as an *Accessory use* to a *single detached dwelling*.

5.15.4.3 *Recreational vehicles*

- a) One *recreational vehicle* stored on a *lot* occupied by a *dwelling* may be *used* subject to Section 4.20.1.
- b) One or more *recreational vehicles* may be stored on a *lot* occupied by a *dwelling* subject to Section 4.22.2.
- c) One (1) *recreational vehicle* only shall be *permitted* for short term occupancy on a vacant *lot* of record as a temporary *dwelling* provided a valid *building* permit has been issued and is in effect for the construction of a *permitted main use* listed in Section 5.15.1 on the same *lot*.

5.15.4.4 *General Provisions*

All applicable provisions of Section 4 – General Provisions shall apply.

5.15.4.5 *Airfields*

An *airfield* shall only be *permitted* in a *Rural-Airfield Zone*

5.15.4.6 *Kennels*

A kennel will only be *permitted* by was of a site-specific zoning approved by *Council*. A kennel must be a minimum of 300 m from a *dwelling* on an abutting *lot*.

5.15.5 Zone Exceptions

5.15.5.1 *Rural R-X1 Zone (Part of Lot 4, Plan H-789, Thessalon)(By-law 03-18)*

Within the *R-X1 Zone*, the following provisions shall apply:

- a) *Railway Setback*: The minimum *setback* from the limit of the railway *right-of-way* to any residential *dwelling* shall be 100 m [328.4 ft.]

5.15.5.2 *Rural R-X2 Zone (Lot 56, Plan H-793, Thessalon)(By-law 09-51)*

Within the *R-X2 Zone*, the following provisions shall apply:

- a) *Water body Setback*: The minimum *setback* from a *water body* (creek) shall be 30 m [98.4 ft.].
- b) *Railway Setback*: The minimum *setback* from the limit of the railway *right-of-way* to any residential *dwelling* shall be 300 m [984 ft.].

5.15.5.3 *Rural R-X3 Zone (SW ¼ of Section 10, Thompson)(By-law 09-61)*

Within the *R-X3 Zone*, the following provisions shall apply:

- a) *Minimum Shoreline Setback*: 30 m [98.4 ft.] from the *high-water mark* of Pahpasheah Creek.

5.15.5.4 *Rural R-X4 Zone (S Pt. Lot 18 H-790, Thessalon)(By-law 7-93)*

Within the *R-X4 Zone*, the following provisions shall apply:

- a) *Dog Kennel*

5.15.5.5 *Rural R-X5 Zone (Pt. Lot 13 H-785, Thessalon)(By-law 11-96)*

Within the R-X5 Zone, the following provisions shall apply:

- a) Reduced *Front yard Setback* for Addition

5.15.5.6 *Rural R-X6 Zone (E Pt. Lot 12 H-788, Thessalon)(By-law 09-28)*

Within the R-X6 Zone, the following provisions shall apply:

- a) Dog *Kenel*

5.15.5.7 *Rural R-X7 Zone (CON 1 LOT 1SPT; AR1126 PART 1 PCL 6624 AES, Gladstone)(By-law 19-24)*

Within the R-X7 Zone, the following provisions shall apply:

- a) *Custom Workshop*
- b) *Retail Store*

5.15.5.8 *Rural R-X8 Zone (Plan H787 LOT 2PT RCP RP; 1R10047 PART 4, Thessalon) (By-law 19-58)*

Within the R-X8 Zone, the following provisions shall apply:

- a) *Kenel, Commercial Boarding* up to a maximum of four (4) dogs.
- b) Existing vegetated area between the northern portion of the *kenel* area and the North side lot line not be disturbed.

5.15.5.9 *Rural R-X9 Zone (RCP H788 LOT 3 PT LOT 1 RP; 1R13624 PART 1, Thessalon) (By-law 19-59)*

Within the R-X9 Zone, the following provisions shall apply:

- a) To permit two existing single detached *dwelling*s to remain on the subject property as of December 11, 2019.

5.15.5.10 *Rural R-X10 (CON 1 PT LOT 2 PCL 2693, Day) (By-law 20-45)*

Within the R-X10 Zone, the following provisions shall apply:

- a) Waive the frontage requirement of Section 5.15.3 of Zoning By-law #18-18 to facilitate future consent application.
- b) *Holding Provision (HP)* placed upon the proposed retained parcel of Consent File 2020-C-04 to 'hold' or restrict residential development (and subsequent septic system) within 300m [984.3ft.] of Bright Lake.

5.15.5.11 *Rural R-X11 (SEC 9, SW ¼ PT PCL 1028 ACS, Thompson) (By-law 21-43)*

Within the R-X11 Zone, the following provisions shall apply:

- a) *Holding Provision (HP)* placed upon the proposed severed parcel to prohibit development or site alteration within or adjacent to (120m) the *wetland*.

5.15.5.12 *Rural R-X12 (CON 2 LOT 7 NPT, Gladstone) (By-law 21-46)*

Within the R-X12 Zone, the following provisions shall apply:

- a) *Front Yard Setback* (abutting Highway 17) increased to 45m [147.7 ft.] for any future *buildings* or *structures* to proposed severed lot #2 of Consent File 2021-C-06.

5.16 AGRICULTURAL - A

No person shall use any land or erect, alter or use any building or structure in the Agricultural – A Zone except in accordance with the following provisions.

5.16.1 Permitted Main Uses

- a) *Agricultural use*
- b) *Fairground* (If site approved by Council)
- c) *Hobby farm*
- d) *Maple syrup processing establishment*
- e) *Place of worship*
- f) *Schools*
- g) *Single detached dwelling unit*

5.16.2 Permitted Accessory Uses, Buildings and Structures

- a) *Accessory Uses, Buildings and Structures* subject to Section 4.1
- b) *Accessory Dwelling* (if occupied by someone working on the farm)
- c) *Animal hospital*
- d) *Farm vacation establishment*
- e) *Farm produce outlet*
- f) *Feed mill*
- g) *Garden suite* subject to Section 4.13
- h) *Home Based Business* subject to Section 4.14
- i) *Recreational vehicle*

5.16.3 Agricultural Zone Requirements

Zone Requirements (A Zone)	
	All Permitted Main Uses
Minimum Lot area	4 ha [9.8 ac.]
Minimum Lot frontage	n/a
Minimum Yard Requirements for Any Main building	
Front yard and Exterior side yard	15 m [49.2 ft.]
Interior side yard	15 m [49.2 ft.]
Rear Yard	15 m [49.2 ft.]
Minimum Yard Requirements – Accessory Building (see also Section 4.1)	
Interior side yard or Rear Yard	5 m [16.4 ft.]
Maximum Height Requirements - (Accessory Building - see also Section 4.1)	
Main building	15.25 m [50 ft.]
Accessory Building	11 m [36 ft.]
Maximum Lot coverage Requirements - (Accessory Building - see also Section 4.1)	
Main building	n/a
Accessory Building	n/a
Minimum Separation Distance Between Buildings Requirements	
Main building and any Accessory Building	6 m [19.6 ft.]
All Buildings Near A Lake or River	
Setback from Lake or River’s high-water mark	1. m [98.4 ft.]

5.16.4 Additional Provisions

5.16.4.1 Garden suites

A *garden suite* shall be subject to a Temporary Use By-law under Section 39 of the Planning Act and shall only be *permitted* as an *Accessory use* to a *single detached dwelling*.

5.16.4.2 Second Accessory Dwelling Unit

A second *Accessory dwelling* shall be *permitted* on a *farm* with a minimum *lot area* of 40 ha [98.8 ac.].

5.16.4.3 *Recreational vehicles*

- a) One (1) *recreational vehicle* stored on a *lot* occupied by a *dwelling* may be *used* subject to Section 4.20.1.
- b) One (1) or more *recreational vehicles* may be stored on a *lot* occupied by a *dwelling* subject to Section 4.22.2.
- c) One (1) *recreational vehicle* only shall be *permitted* for short term occupancy on a vacant *lot* of record as a temporary *dwelling* provided a valid *building* permit has been issued and is in effect for the construction of a *permitted main use* listed in Section 5.16.1 on the same *lot*.

5.15.4.4 *General Provisions*

All applicable provisions of Section 4 – General Provisions shall apply.

5.15.4.5 *Kennels*

A kennel will only be *permitted* by way of a site-specific zoning approved by *Council*.

5.15.5 *Zone Exceptions*

5.17 OPEN SPACE AND COMMUNITY FACILITY ZONES – OS/CF

No person shall use any land or erect, alter or use any building or structure in the Open space and Community Facility – OS/CF Zone except in accordance with the following provisions.

5.17.1 Permitted Main Uses

5.17.1.1 Open space (OS) Uses:

- a) *Conservation use*
- b) *Continuum-of-Care Facility*
- c) *Forestry use*
- d) *Licensed Day Nursery*
- e) *Park or Playground*
- f) *Recreational and Athletic Facilities such as an arena, baseball field, basketball or tennis courts or recreational trails*
- g) *Skateboard Park*

5.17.1.2 Community Facility (CF) Uses:

- a) *Ambulance facility*
- b) *Arena*
- c) *Cemetery*
- d) *Clinic*
- e) *Community Centre*
- f) *Fire Hall*
- g) *Government Building*
- h) *Museum*
- i) *Library*
- j) *Place of assembly*
- k) *Place of worship*
- l) *Post Office*
- m) *School*

5.17.2 Permitted Accessory Uses, Buildings and Structures

Accessory Uses, Buildings and Structures subject to Section 4.1

5.17.3 Open Space and Community Facilities Zone Requirements

Zone Requirements (OS/CF Zones)		
	All Permitted Open Space Uses	All Permitted Community Facility Uses
Minimum Lot area	n/a	0.6 ha [1.48 ac.]
Minimum Lot frontage	n/a	30 m [98.4 ft.]
Minimum Yard Requirements		
Front yard and Exterior side yard	6 m [19.6 ft.]	6 m [19.6 ft.]
Interior side yard	3 m [9.8 ft.]	3 m [9.8 ft.]
Rear Yard	7.5 m [24.6 ft.]	7.5 m [24.6 ft.]
Minimum Yard Requirements – Accessory Building (see also Section 4.1)		
Interior side yard and Rear Yard	3 m [9.8 ft.]	3 m [9.8 ft.]
Maximum Height Requirements - (Accessory Building - see also Section 4.1)		
Main building	11 m [36 ft.]	11 m [36 ft.]
Accessory Building	11 m [36 ft.]	11 m [36 ft.]
Maximum Lot coverage Requirements - (Accessory Building - see also Section 4.1)		
Main building	n/a	50%
Accessory Building	10%	10%
Minimum Separation Distance Between Buildings Requirements		
Main building and any Accessory Building	6 m [19.6 ft.]	6 m [19.6 ft.]

5.17.4 Additional Provisions

5.17.4.1 General Provisions

All applicable provisions of Section 4 – General Provisions shall apply.

5.17.5 Zone Exceptions

5.17.5.1 Open Space and Community Facilities Zone Requirements, CF-X1 (CON 2 PT LOT 3SPT RP 1R8367; PARTS 6 TO 8 AND RP 1R10815; PARTS 1 TO 3, Gladstone) (By-law 22-07)

Within the CF-X1 Zone, the following provisions shall apply:

- a) Reduce the minimum *separation distance* between buildings from 6m [19.6'] to 3.05m [10'] for *accessory structure c-can*

5.18 ENVIRONMENTAL PROTECTION – EP

No *person* shall *use* any land or *erect, alter* or *use* any *building* or *structure* in the Environmental Protection - EP Zone except in accordance with the following provisions.

5.18.1 Permitted Main Uses

- a) *Conservation use.*

5.18.2 Permitted Accessory Structures

Structures required for conservation purposes only.

5.18.3 Zone Requirements

No *zone* requirements shall apply.

5.18.4 Additional Provisions

5.18.4.1 *General Provisions*

All applicable provisions of Section 4 – General Provisions shall apply.

5.18.5 Zone Exceptions

5.19 HAZARD LANDS – HZ

No *person* shall *use* any land or *erect, alter* or *use* any *building* or *structure* in the Hazard Lands - HZ Zone except in accordance with the following provisions.

5.19.1 Permitted Main Uses

Uses listed in Section 4.11.2 except a *marina* or *marine facility* which shall only be *permitted* where the lands are zoned RC, or are *permitted* as an *Accessory use*.

5.19.2 Permitted Accessory Uses, Buildings and Structures

Accessory Uses, Buildings and Structures to *uses permitted* in Section 4.11.2.

5.19.3 Prohibited Uses, Buildings and Structures

Uses, Buildings and Structures listed in Section 4.11.3.

5.19.4 Zone Requirements

5.19.4.1 Setback from Flood Line

No *building* or *structure* shall be *erected* closer than 15 m [49.2 ft.] from the flood line.

5.19.4.2 Minimum Flood Elevation

No *dwelling* shall be constructed or extended or expanded along the Lake Huron shoreline below the regulatory flood elevation of 178.3 m [584.9 ft.] inclusive of a 5 m [16.4 ft.] *wave uprush*. In addition, no *person* shall *use* any land or *erect, alter* or *use* any *building* or *structure* in the *flood plain* of Lake Huron or the *flood plain* of any other *water body*.

5.19.5 Additional Provisions

5.19.5.1 General Provisions

All applicable provisions of Section 4 – General Provisions shall apply.

5.19.6 Zone Exceptions

5.20 HERITAGE ZONE - H

No *person* shall *use* any land or *erect, alter* or *use* any *building* or *structure* in the Heritage – H Zone except in accordance with the following provisions.

5.20.1 Permitted Main Uses

- b) *An existing use*
- c) *Areas of archaeological potential*
- d) *Built heritage resources*
- e) *Cultural heritage landscape*
- f) *Cemetery*

5.20.2 Permitted Accessory Uses, Buildings and Structures

Accessory Uses, Buildings and Structures subject to Section 4.1.

5.20.3 Zone Exceptions

5.20.3 Hazard Lands Zone Requirements

Zone Requirements (H Zone)	
	All Permitted Uses
Minimum Lot area	n/a
Minimum Lot frontage	n/a
Minimum Yard Requirements for Any New Building	
Front yard and Exterior side yard	6 m [19.6 ft.]
Interior side yard	3 m [9.84 ft.]
Rear Yard	7.5 m [24.6 ft.]
Minimum Yard Requirements for Any Existing Building	
All Yards	<i>Existing setbacks</i>
Minimum Yard Requirements – Accessory Building (see also Section 4.1)	
Interior side yard or Rear Yard	3 m [9.84 ft.]
Maximum Height Requirements - (Accessory Building - see also Section 4.1)	
Main building	11 m [36 ft.]
Accessory Building	6 m [19.6 ft.]
Maximum Lot coverage Requirements - (Accessory Building - see also Section 4.1)	
Main building	n/a
Accessory Building	n/a
Minimum Separation Distance Between Buildings Requirements	
Main building and any Accessory Building	2 m [6.56 ft.]

5.20.4 Additional Provisions

5.20.4.1 General Provisions

All applicable provisions of Section 4 – General Provisions shall apply.