



The Municipality of Huron Shores

Draft Comprehensive Zoning By-law

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1 ADMINISTRATION, ENFORCEMENT AND INTERPRETATIONS

1.1 Administration

1.1.1 Short Title

This By-Law may be cited as “The Zoning By-Law”.

1.1.2 Lands Subject to By-Law

The provisions of this By-law shall apply to all those lands lying within the Corporate Limits of the Municipality of Huron Shores.

1.1.3 Certificates of Conformity

Upon payment of the required fees, the Chief Building Official or designate, shall review applications for a certificate of conformity.

1.2 Compliance and Enforcement

1.2.1 Compliance With Zoning By-Law

No person shall, within the lands to which this By-Law applies, *use* any land or erect or use any *buildings* or *structures* in whole or in part, except in conformity with the provisions of this By-Law.

1.2.2 Non-Compliance: No Building Permit to be Issued

Where land is proposed to be used, or a *building* is proposed to be erected or used otherwise than is permitted by this By-law, no permit for the *use* of the land or for the erection or *use* of a *building* shall be issued.

1.2.3 Compliance with Other Restrictions

No provision in this By-law shall reduce or mitigate any restrictions or regulations lawfully imposed by the Government of Canada, the Province of Ontario, or any other governmental authority having jurisdiction to make such restrictions or regulations. Furthermore, all development shall adhere to all other applicable restrictions or regulations lawfully imposed by the aforementioned authorities.

1.2.4 Severability Provisions

If a Court of competent jurisdiction declares any section or part of a section of this by-law to be invalid, such section or part thereof, shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law, and it is hereby declared that the impugned section shall be severable and distinct from the remainder of the by-law, and the remainder of the by-law shall be valid and remain in force.

1.2.5 Penalties

Every person who contravenes any provision of this by-law is guilty of an offence, and upon conviction is liable of a penalty in accordance with the provisions of the Provincial Offences Act, as amended.

1.2.6 Effective Date

This By-law is effective from the following date: _____

1.2.7 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.

1.2.8 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.

1.2.9 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.

1.3 Interpretations

1.3.1 Singular and Plural

In this By-law, unless specifically noted, words used in the singular shall include the plural, and words used in the plural shall include the singular.

1.3.2 Examples and Illustrations

Examples and illustrations are for the purpose of clarification and convenience only, and do not form part of this By-law.

1.3.3 Units of Measurement

All measurements and dimensions set out in this by-law are expressed in metric units. Any imperial equivalents shown in parenthesis or otherwise, are provided for convenience only and do not form part of this By-law. In the event of a discrepancy between a metric or imperial unit, the metric unit shall prevail.

1.3.4 Other Higher Standards Saved

Wherever the provisions of this By-law require a greater width, depth, or area of yards or other open spaces, or require any other higher standards than are required under the provisions of any other By-law, applicable Act, or regulations, the provisions of this By-law shall prevail, however nothing in this By-law shall exempt any person, property, or use from the application of any Federal or Provincial Acts or Regulations.

1.3.5 Minimum Requirements

Unless otherwise noted, all requirements, provisions, and limitations within this By-law shall refer to the minimum requirement.

1.3.6 References to Other Legislation

Where this By-law makes reference to any other legislation, and where such legislation is amended, the reference shall be deemed to include all amendments.

1.3.7 References to Other Agencies

Where this By-law makes reference to the jurisdiction of a public agency, and where the name or responsibilities of such public agency are changed, the reference shall be deemed to include any and all successors to the public agency having jurisdiction over the matters to which the reference applies.

1.4 Zone Boundaries

1.4.1 Streets, Railways, Watercourses, Utilities and other Rights-of-Way as Zone Boundary

- a) Where the zone boundary approximates the centreline of a street, railway, watercourse, utility right-of-way or any other right-of-way, it is deemed to be on the centerline of the watercourse or right-of-way.
- b) Where the zone boundary approximates the edge of a of a street, railway, watercourse, utility right-of-way or any other right of way, it is deemed to be on the centerline of the watercourse or right-of-way.

1.4.2 *Lot Line* as Zone Boundary

Where the zone boundary approximates any registered *lot line*, whether such a lot is in a Plan of Subdivision or not, that *lot line* is deemed to be the zone boundary.

1.4.3 Municipal Limits as Zone Boundary

Where a zone boundary approximates the Municipal boundary, the Municipal boundary is deemed to be the zone boundary.

1.4.4 Scaling a Zone Boundary that Bisects a *Lot*

Where a zone boundary bisects a *lot*, and is indicated as approximately parallel to a *lot line*, public Street, lane, or any other right-of-way, and the distance between the zone boundary and right-of-way is not indicated, such zone boundary shall be determined by the use of the scale shown on the zoning map in question, or measured using the Municipal Geographic Information System (GIS).

1.4.4.1.1 Yard Calculation Where a Zone Boundary Bisects a *lot*

Where a zone boundary bisects a *lot*, buildings and structures may be located upon the zone boundary, so long as there is no non-residential, /residential interface between the 2 zones bisecting the *lot*. Where there is a non-residential/residential interface, required building setbacks will be calculated from the zone boundary.

1.4.5 Zoning of Closed Right-of-Ways

Where a right-of-way is closed or diverted, the land formerly included in such a right-of-way shall be included within the zone of the property adjoining on either side of the right-of-way. If the right-of-way formed a zone boundary between 2 or more zones, the new zone boundary shall be the former centerline of the right-of-way. If the right-of-way is sold to an abutting property owner, the zone boundary is deemed to be the new *lot line*.

1.4.6 Water Lots

Where a zone is shown to include a *lot* abutting Lake Huron, the zone shall include all lands on such a *lot* that were previously covered by water and have been lawfully filled.

1.4.7 Zone Boundaries for the Environmental Protection and Hazard Lands Zones

The zone boundaries for the Environmental Protection (EP) and Hazard Lands (HZ) Zones have been applied at a gross scale, and may be altered, without an amendment to this By-law, subject to detailed on-site investigation by a Qualified Professional, which determines there are no environmental features to protect or no hazard lands to protect against, to the satisfaction of the Municipality.

Where an EP or HZ zone boundary is altered, the zoning that applies to the remainder of the *lot* or the zoning that applies to the nearest abutting *lot* shall be applied.

1.5 Zone Maps

1.5.1 Map Scale To Be Used

Distances not specifically indicated in words or figures on the zoning maps shall be determined according to the scale shown on the zoning map or measured on the Municipal Geographic Information System (GIS).

1.5.2 Written Description vs. Map Description

When a particular zone is shown on a zoning map and also described in a By-law by a written description and there is a difference between the two, the written description of the By-law shall govern.

1.5.3 Zone Maps Form Schedule A To This Zoning By-law

The maps attached are part of and form Schedule A to this By-law.

1.6 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*.

1.7 Compliance and Enforcement

1.7.1 Compliance With Zoning By-Law

No person shall, within the lands to which this By-Law applies, use any land or erect or use any buildings or *structures* in whole or in part, except in conformity with the provisions of this By-Law.

1.7.2 Non-Compliance: No Building Permit to be Issued

Where land is proposed to be used, or a building is proposed to be erected or used otherwise than is permitted by this By-law, no permit for the use of the land or for the erection or use of a building shall be issued.

1.7.3 Compliance with Other Restrictions

No provision in this By-law shall reduce or mitigate any restrictions or regulations lawfully imposed by the Government of Canada, the Province of Ontario, or any other governmental authority having jurisdiction to make such restrictions or regulations.

1.7.4 Severability Provisions

If a Court of competent jurisdiction declares any section or part of a section of this by-law to be invalid, such section or part thereof, shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law, and it is hereby declared that the impugned section shall be severable and distinct from the remainder of the by-law, and the remainder of the by-law shall be valid and remain in force.

1.7.5 Penalties

Every person who contravenes any provision of this by-law is guilty of an offence, and upon conviction is liable of a penalty in accordance with the provisions of the Provincial Offences Act, as amended.

2 PERMITTED USES DEFINED

2.1 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.

2.2 Accessory Uses

A use, *building* or *structure* on the same *lot*, of a nature customarily incidental and subordinate to the principal use, *building* or *structure*.

2.2.1 Accessory Use: Freight Containers

Often referred to as Sea Can buildings, such units are generally associated with the overseas shipping industry. Constructed of metal, the storage containers are used in a manner similar to an *accessory* building. *Accessory Use Freight Containers* may not be used to accommodate work areas, shops, *office uses* or *retail sales*, unless they have been adequately altered and renovated to adhere to applicable Ontario Building Code requirements.

2.2.2 Accessory Use: Storage Trailers

The trailer portion of a tractor-trailer unit, a transport truck, or the box or storage area of a van or utility vehicle that is used in a manner *similar* to an *accessory* building. These trailers are only permitted in the *rear yards* of Industrial or Commercial zones. *Accessory use storage trailers* may not be used to accommodate work areas, shops, *office uses*, or *retail sales*.

2.2.3 Regulations for Accessory Use storage Trailers and Freight Containers

Notwithstanding any other regulations in this By-law, where Accessory Use Storage Trailers and Freight Containers are permitted, the following building regulations shall apply:

<i>Yard</i> Permitted	<i>Rear Yard</i>
Minimum Distance from Any Building	4.5m [14.76']
Maximum Number of <i>Accessory Use Trailers & Freight Containers</i> per <i>lot</i>	3
Minimum Distance from Any <i>Lot Line</i>	9m [9.84']

2.2.4 Accessory Use: Sleep cabins

Often referred to as a 'bunkie', an accessory building to a *residential structure* or recreational dwelling, which is used for sleeping accommodation only and does not contain cooking facilities and does not contain sanitary facilities.

2.2.4.1 Additional Regulations for Sleep Cabins

Where *Accessory Use Sleep Cabins* are a permitted use, they shall conform to the following requirements:

- Setbacks – Sleep cabins are subject to the setbacks outlined for accessory buildings in Section 4.1.
- Maximum Gros Floor Area – 37m² [398.26ft²]
- Number of sleep cabins permitted:

- i. 1 – on lots with a lot area of less than 4ha [9.88acres].
- ii. 2 - on lots with a lot area of 4ha [9.88acres] or greater.

2.2.5 Accessory Use: Solar Power Installations

Systems designed to capture the sun's energy and convert it to electricity. Such systems may be tied into the electrical grid, however they are clearly secondary and subordinate in nature to the main use on the property. Any installations not constructed on the roof of a building shall adhere to the same setbacks and height restrictions for *accessory buildings* as outlined in the zone in which the installation is situated. *Accessory use solar power installations* are exempt from all maximum height restrictions.

2.2.6 Accessory Use: Wind Turbines

Structures which harness wind energy for the primary purpose of on-site consumption. Such *structures* can be tied into the electrical grid, however their primary purpose is to provide power to the buildings and uses located on-site. Accessory use wind turbine installations shall be setback a distance that is equal to 120% of the total height of the installation, with the blade in its highest position. Such setbacks will be calculated from the base of the tower supporting the wind turbine. A limit of 1 wind turbine is permitted as an accessory use in all zones, excluding Industrial Zones

2.3 Accommodation Services

Establishments primarily engaged in providing short-term lodging for travelers, vacationers, and others. Such uses may include the following or *similar uses*;

- Hostels
- Hotels
- Inns
- Motels

2.4 Aggregate and Mineral Mining

Establishments primarily engaged in the removal of aggregate and minerals in open or closed pits and quarries. Concrete and asphalt batch plants, as well as the recycling of asphalt, concrete and other aggregate materials are expressly permitted as a main use or accessory uses.

2.5 Agricultural Uses

Establishments primarily engaged in general farming, which includes the breeding, rearing, and grazing of livestock, including beekeeping, poultry, fowl and fur-bearing animals, the general cultivation of land and associated production, conditioning, processing and storing of field crops, fruits, vegetables, and horticultural crops, and the selling of such produce on the premises. Such uses may include the following or *similar uses*;

- Horse stables and riding schools
- Nurseries and greenhouses
- Tree farming (harvesting of planted trees)

2.6 Amusement and Fitness Facilities

Commercial establishments primarily engaged in operating recreation and amusement facilities and services. Such uses may include the following or *similar uses*;

- Arcades
- Bowling facilities
- Curling rinks
- Health clubs
- Pool and billiards parlours

2.7 Arts Culture and Heritage Uses

Establishments primarily engaged in operating facilities or providing services to meet the cultural interests of patrons. These establishments teach, produce, preserve, and promote events or exhibits. Such uses may include the following or *similar uses*;

- Art and photography galleries
- Artist's studios
- Dance companies and schools
- Libraries
- Museums
- Music companies and schools
- Photography studios
- Theatre companies

2.8 Assembly Facilities

Establishments primarily engaged in renting, leasing, or providing space for the purpose of entertaining a group of people. Such uses may include the following or *similar uses*;

- Banquet halls
- Bingo halls
- Fraternal organizations
- Movie Theatres

2.9 Auto Body Repair Establishments

Establishments engaged in repairing, customizing and painting motor vehicle bodies, interiors, and glass.

2.10 Bed and Breakfasts

Establishments primarily engaged in providing short-term lodging in private homes or in small buildings converted for this use. These types of accommodation are characterized by a highly personalized service, and the inclusion in the room rate of a full breakfast, served by the owner who resides in the building.

2.11 Building, Hardware, and Garden Supply Stores

Establishments primarily engaged in retailing building and home improvement materials, lawn and garden equipment and supplies, and nursery and garden products. Such uses may include the following or *similar uses*;

- Hardware stores
- Home care and decorating centers
- Lawn and garden equipment and supplies stores
- Nursery stores and gardening centers
- Paint and wallpaper stores

2.12 Bulk Storage and Distribution of Fossil Fuels

Establishments primarily engaged in the bulk storage and wholesale distribution of fossil fuels such as, gasoline, diesel, propane, and natural gas.

2.13 Campgrounds

Establishments primarily engaged in operating serviced or un-serviced sites to accommodate campers and their equipment, including tents, tent trailers, travel trailers and recreational vehicles. Such uses may also include *accommodation services*.

2.14 Car Wash Facilities

An establishment with contained facilities for washing motor vehicles mechanically or manually. Such uses include the following or *similar uses*;

- Automatic car wash
- Stationary automatic car wash
- Self car wash

2.15 Cemeteries, Crematoriums and Mausoleums

Land that is used as a place for the internment of the dead or where human or animal bodies have been buried. This may include a *structure* for the cremation of remains and sealed crypts or compartments to store those remains.

2.16 Commercial Port Facilities

Establishments primarily engaged in providing docking facilities for the loading and unloading of passengers and goods from marine vessels.

2.17 Commercial Solar Farms

Systems designed to capture the sun's energy for the sole purpose of selling power back to the electrical grid. Such installations shall adhere to the same setbacks for the main buildings of the zone in which the installation is situated. Notwithstanding any other provisions of this by-law, commercial solar power installations are exempt from all maximum height and lot coverage requirements.

2.18 Commercial Wind Farms

Often referred to as 'wind farms', a series of structures that harness wind energy for the primary purpose of selling it back to the electrical grid for off-site consumption.

2.19 Additional Regulations for Commercial Wind Farms

2.19.1 Setbacks From Lot Lines

All wind turbines are subject to a minimum setback from any *lot line* equal to 110% of the overall *height* of the wind turbine, with the blade in its highest position. Such setbacks will be calculated from the base of the tower supporting the wind turbine.

2.19.2 Setbacks from residential zones

Wind turbines are subject to a minimum setback from any residential zone boundary equal to 200% of the overall *height* of the wind turbine, with the blade in its highest position. Such setbacks will be calculated from the base of the tower supporting the wind turbine.

2.19.3 Other Regulations

- a) If a wind turbine is to be higher than 30m [98.43'] above established grade, a building permit will not be issued until building officials receive proof that all air safety regulations will be adhered to. Nav Canada and Transport Canada set out these regulations.
- b) A building permit will not be issued until the Public Utilities Commission Inc. approves the proposal in writing.

2.20 Community Hubs

Establishments primarily related to providing services, assembly facilities, cultural spaces, and recreational facilities that are of a public nature, and often operated by a non-profit entity. Such uses may include the following or *similar uses*:

- Community gardens
- Medical facilities providing ambulatory health care services, including mental health services
- Fraternal organizations
- Food banks
- *Recreational Facilities*
- *Assembly Facilities* – operated by a non-profit organization

2.21 Conservation Uses

The use of land or water for the purposes of managing, preserving, and enhancing the natural environment. Such uses may accommodate passive forms of recreation so long as the preservation of the natural features is maintained.

2.22 Contractors Yards

Establishments primarily engaged in activities generally needed in the construction of buildings and *structures*. The activities performed may include new construction, additions, alterations, maintenance, and repairs. Such uses may include the following or *similar uses*;

- Foundation, structure, and building exterior contractors
- Excavation contractors
- Building equipment contractors (electrical, plumbing, heating/cooling)
- Building finishing contractors
- Landscaping contractors
- Other specialty contractors

2.23 Day Care Facilities

Establishments primarily engaged in providing regular group care to **5** or more children for a fee. For daycare facilities consisting of less than 5 children, please see home based business regulations in Section 4.13.

2.24 Delivery and Courier Services

Establishments primarily engaged in the local delivery of goods.

2.25 Dry Cleaning and Laundry Plants

Establishments primarily engaged in commercial and industrial laundering and dry-cleaning services such as linen and uniform supply.

2.26 Dwelling, Recreational

A building used as temporary dwelling unit for recreational purposes that is not the principal residence of the owner. Such dwellings are often referred to as camps or cottages.

2.27 Dwelling, Residential Structure

A building designed and used for year-round, permanent human habitation, consisting of one or more *dwelling units*. Residential structures can be the occupant's principal dwelling. Such uses include but are not limited to the following:

- Apartment Dwellings
- Single Detached Dwellings
- Semi-detached dwellings
- Multiple-attached dwellings
- Accessory and additional dwellings
- Recreational dwellings
- Assisted living units

2.28 Emergency Response Centres

Establishments engaged in responding to emergency situations, where quick response times are mandatory. Such uses may include the following or *similar uses*;

- Ambulance and paramedic stations
- Fire stations
- Police stations

2.29 Fairgrounds

Land that is devoted to entertainment on a seasonal or temporary basis, including, but not limited to, grandstands, barns, racetracks, and any other *accessory* buildings normally associated with such a use. Additional uses such as craft sales, flea markets and concerts are also permitted.

2.30 Food Services

Establishments primarily engaged in preparing meals, snacks, and beverages to customer order, for immediate consumption on and off the premises. Such uses may include the following or *similar uses*;

- Bakeries
- Bars and taverns
- Catering establishments
- Fast food outlets
- Full-service restaurants
- Take-out establishments

2.31 Fruit and Vegetable Stands

Establishments primarily engaged in retailing fresh fruits and vegetables for a period no longer than 60 days within a 120-day period.

2.32 Fuel Sales

Establishments primarily engaged in retailing propane and automotive fuels, which can be combined with the retail sale of a limited line of merchandise.

Exclusion – Bulk fuel storage and distribution centers

2.33 Golf Courses

Establishments engaged in providing space for the playing of golf, including a driving range.

2.34 Group Home

An establishment that is operated through the authority of the Government of Canada, the Province of Ontario, or the City of Sault Ste. Marie, and is designed for the **accommodation of 3 to 8 people**, not including staff, living under supervision in a single housekeeping unit and who by reason of their emotional, mental, social, or physical condition, or legal status, require a group living arrangement for their well-being.

2.35 Group Residence

An establishment that is operated through the authority of the Government of Canada, the Province of Ontario, or the City of Sault Ste. Marie, and designed for the **accommodation of more than 8 people**, not including staff, living under supervision in a single housekeeping unit and who by reason of their emotional, mental, social, or physical condition, or legal status, require a group living arrangement for their well-being. All *Group Residences* are subject to site plan control.

2.36 Heavy Equipment Sales, Repair, and Maintenance

Establishments primarily engaged in the selling, leasing, repairing, and maintenance of motorized heavy equipment.

2.37 Home Based Businesses and Industries

An occupation, business or light industrial activity that results in a product or service, and is conducted in whole or in part within a *dwelling unit* or *accessory* building. Such uses are subject to addition regulations contained in Section 4.13 of this By-law.

2.38 Hospices

Often called long-term hospitals or palliative care centers, these institutions provide specialized care for the terminally ill. The care is long term, and patients often stay for longer than 30 days.

2.39 Hospitals

An institution engaged in the supervision, observation, and medical care of persons suffering from sickness, disease, or injury.

2.40 Manufacture of Food and Beverages

Establishments engaged in the manufacture of food and beverages for human or animal consumption. Such uses may include the manufacture of;

- Baked goods
- Beverages
- Dairy products

- Pet foods
- Livestock feed
- All other food products

2.41 Manufacturing, Medium

Only those establishments primarily engaged in the manufacture, processing, or other treatment of;

- Textiles
- Clothing
- Fabricated metal products
- Woodworking and cabinetry shop
- Brushes, pens, lamps, signs, and other light wares
- Computers, precision and electronic products
- Ceramics
- Glass products
- Paper
- Cardboard

2.42 Marinas

Establishments engaged in providing docking and storage facilities for pleasure crafts. These establishments may also have related uses such as, retail fuel and marine supplies, boat repair and maintenance, and rental services.

2.43 Mixed Use Service Centres

Establishments having 2 or more of the following uses: gasoline/diesel/automotive oil sales, convenience store, food services, accommodations, car or truck wash, repair garage, and showers.

2.44 Mobile home Park

A lot under single management, which has been planned and improved for the placement of 2 or more *mobile homes*

2.45 Motion Picture and Sound Recording Studios

Establishments primarily engaged in the production and distribution of audio and video recordings or providing related services. Such uses may include the following or *similar uses*;

- Post-production services
- Exhibition services
- Motion picture processing and development services
- Sound recording studios

2.46 Motor Vehicle Sales and Parts Dealers

Establishments primarily engaged in retailing motor vehicles. Such uses may include the following or *similar uses*;

- Motor vehicle parts dealers
- Motorcycle, boat, and other motor vehicle dealers
- New and used motor vehicle sales
- Passenger car rental

- Recreational vehicle and trailer sales

Exclusions – *Salvage yards*, heavy equipment and farm implement sales

2.47 Nursing and Residential Care Facilities

Establishments primarily engaged in providing residential care combined with nursing, supervisory or other types of care as required by the residents. Such uses may include the following or *similar uses*;

- Assisted living units
- Long term care facilities
- Mental health and substance abuse facilities
- Nursing care facilities
- Residential development facilities for persons with disabilities
- Retirement homes

2.48 Office Uses

A building or part of a building used for the practice of a profession, the carrying on of a business, or the conduct of public administration, but shall not include such uses as *retail trade*, manufacture, assembly or storage of goods, *places of assembly* or amusement. Such uses may include the following or *similar uses*;

- Administrative and support services
- Ambulatory health care services - Offices of physicians, dentists, chiropractors, and other health care professionals
- Broadcasting, publishing and printing services, including the creation and dissemination of online media.
- Information and technology services
- Insurance, banking and financial institutions
- Management of companies and enterprises
- Private vocational schools
- Professional, scientific, technical, and research services
- Public administration
- Printing and related support activities
- Advertising and related services
- Architectural, engineering and related services

2.49 Open Space

A *lot*, either publicly or privately owned, which is open and unobstructed from the ground to the sky, so that there are no buildings or structures. Open space does not necessarily mean that such lands are open or available for public access.

2.50 Parking Lots

A lot or building where the storage of motor vehicles is the principal use.

2.51 Parks and Playgrounds

A publicly owned property consisting largely of *open space*, and generally characterized by its natural, historic, or landscaped features. Such uses are designed to accommodate both passive and active forms of recreation.

2.52 Personal Services

Establishments primarily engaged in providing personal care services. Such uses may include the following or *similar uses*;

- Beauty salons and hair stylists
- Day spas and tanning salons
- Dry cleaning and laundry services (including coin operated)
- Formal wear and costume rental
- Funeral service establishments
- Linen and uniform supply
- Massage therapists
- Photographic studios
- Tailors
- Tattoo parlours
- Travel agents

2.53 Personal Storage

Establishments primarily engaged in operating public self-storage, or mini-storage facilities on a contract basis.

2.54 Pet Care Services

Establishments primarily engaged in grooming, training, and boarding pet animals. Such uses may include the following or *similar uses*;

- Animal shelters
- Boarding kennels and services
- Grooming services
- Obedience and training services
- Pet sitting services

2.55 Places of Worship

A building for public worship that may include a church hall, manse, or rectory when *accessory* to the church building.

2.56 Public Service Facilities

Establishments primarily engaged in providing a public service, which are often operated by the Government of Canada, the Province of Ontario or the Municipality of Huron Shores. Such facilities may include the following or similar uses:

- *Contractor's yards* operated by a public authority
- Road maintenance yards
- Public administration offices – Offices operated by a public authority
- Emergency response centres

2.57 Rail Yards and Related Railway Uses

Establishments primarily engaged in activities directly associated with the operation of a railway. Such uses may include the following or *similar uses*;

- Loading and off-loading of freight
- Maintenance and repair of railway cars

2.58 Recreational Facilities

Establishments primarily engaged in providing recreational facilities. Such uses may include the following or *similar uses*;

- Animal pens and cages
- Athletic fields
- Bandstand
- Boat launching ramps and wharves
- Bowling greens
- Greenhouses and botanical gardens
- Horse riding establishments
- Ice rinks
- Fitness centres
- Sports Stadiums
- Swimming pools
- Tennis courts

2.59 Rental and Leasing Services

Establishments primarily engaged in the rental and leasing of consumer goods, as well as commercial, automotive and industrial machinery and equipment.

2.60 Repair and Maintenance Services

Establishments primarily engaged in repairing and maintaining motor vehicles, machinery, equipment, and other products. Such uses may include the following or *similar uses*;

- Automotive repair and maintenance
- Electronic and precision equipment repair and maintenance
- Furniture and upholstery repair and maintenance
- Personal and household appliances repair and maintenance

Exclusion – Heavy equipment repair and maintenance, and auto body repair establishments

2.61 Retail Trade

Establishments primarily engaged in the sale, lease, and rental of new and used merchandise, generally without transformation. Such uses generally provide services incidental to the sale, lease, or rental of merchandise. Such uses may include the following or *similar uses*;

- Auctioneers facilities
- Clothing and clothing accessories stores
- Consumer goods rental
- Copying facilities
- Department store type merchandise
- Food and beverage stores
- Furniture and home furnishings stores
- General merchandise stores
- Gift shops and antique stores

- Health and personal care stores
- Movie rental
- Photo finishing services
- Sporting goods, hobby, book and music stores

Exclusions – Heavy equipment sales, repair, and maintenance, Fuel sales, and motor vehicle sales and parts dealers.

2.62 Road Transportation and Warehousing

Establishments primarily engaged in the local, regional, national, and international road transportation of passengers and goods, including the warehousing and storage of these goods. Such uses may include the following or *similar uses*;

- Bus depots
- Loading, reloading, and consolidation centres
- Taxi and limousine yards
- Public transportation yards
- Towing yards
- Warehousing, wholesaling and distribution centres

2.63 Rooming Houses

Establishments primarily engaged in providing temporary or longer-term accommodation, which for the period of occupancy, may serve as a principal residence. Rooming houses consist of individual sleeping accommodations with shared cooking and sanitary (kitchen and bathroom) facilities. Each tenant has an individual lease or agreement with the owner, operator or landlord of the facility.

2.64 Salvage Yards and Recycling Centres

Establishments primarily engaged in wrecking, disassembling, repairing, sorting, and/or reselling of second hand goods. Including the following or *similar goods*;

- Motor vehicles, parts, and tires
- Waste paper
- Bottles
- Lumber and building materials
- Any other scrap material or recycling operation

2.65 Schools

An academic institution under the jurisdiction of The Education Act, or the Ministry of Education. Such uses may include the following or *similar uses*;

- Colleges
- Elementary schools
- Secondary schools
- Universities

2.66 Similar uses

Uses of like characteristics, exhibiting the same nature, purpose and scope to those permitted uses within the zone in question.

2.67 Tourism Related Services

Establishments that primarily cater to tourists and the traveling public. Such uses may include the following or *similar uses*;

- Accommodation services
- Amusement parks
- Campgrounds
- Gift shops and antique stores
- Marinas
- Miniature golf
- Tour operators
- Tourist information centers

2.68 Utilities

Establishments primarily engaged in generating, electric, gas, and water utilities. Such uses may include the following or *similar uses*;

- Hydroelectric power generation
- Fossil-fuel generation

2.69 Veterinary Clinics

Establishments primarily engaged in providing medical or surgical treatment for animals. Such uses may include shelter facilities for short-term overnight medical treatment, however outdoor kennel facilities, whether accessory to our not, are only permitted in the Rural Area Zone (RA).

2.70 Waste Management Facilities

Establishments primarily engaged in managing waste. Such uses may include the following or *similar uses*:

- Municipal landfills
- Sewage treatment facilities
- Salvage yards and Recycling facilities

3 DEFINITIONS

3.1 Active Agricultural Use

An agricultural use that adheres to and is enrolled in the Municipal Farm Class Tax Rebate Program.

3.2 Attic

An unusable or uninhabitable area between the top of the ceiling support and the roof support.

3.3 Balcony

An unenclosed *deck* that projects from any floor above the ground floor.

3.4 Basement

Means any area below the *first storey* where at least $\frac{1}{2}$ of the height, from floor to ceiling, is above *established grade*.

3.5 Building footprint

The maximum projected horizontal area of a building at *established grade* measured to the centre of common walls and to the outside of other walls. Including air wells, and all other spaces within the building, but not including open air porches, verandahs, steps, cornices, chimney breasts, fire escapes, exterior stairways, *accessory* buildings, ramps and open loading platforms.

3.6 Cellar (Basement)

Means a *storey* where more than $\frac{1}{2}$ of the height between the floor and ceiling or floor joists, is below *established grade*. A *cellar* shall not be considered in determining the number of permissible *storeys*.

3.7 Commercial vehicle

A vehicle is designated “commercial” when it is titled or registered to a company, or used for commercial purposes.

3.8 Deck

Means an unenclosed floor structure, including stairs, which may be covered with a roof and may be attached to a main building, which services the ground floor and the second floor where there is a walk-out basement. *Decks* shall not be included when calculating the *maximum lot coverage*.

3.9 Drive Through Facilities

Shall mean a building or structure designed to provide goods and services to customers while they remain in their vehicles.

3.10 Dwelling, Multiple Attached

A building containing 3 or more dwelling units, each with its own entrance, divided vertically and having a common wall between each adjacent dwelling unit. Often referred to as row, or town housing.

3.11 Dwelling, Principal

The main home where an individual resides, and is designed and maintained for year-round use. Such dwelling is designated by the owner and/or occupants as the primary place of residence for tax purposes.

3.12 Dwelling, Semi-Detached

A building divided vertically to provide 2 dwelling units separated by a common wall.

3.13 Dwelling, Single Detached

A building with a single dwelling unit, which is freestanding, separate and detached from other main buildings or structures, including a split-level dwelling, but not a mobile home.

3.14 Dwelling unit

Means a single, or series of rooms of complementary use for human habitation, which is located in a building in which food preparation, eating, living, sleeping and sanitary facilities are provided primarily for the exclusive use of the occupants thereof. Such rooms shall have a private entrance directly from outside the building or from a common hallway inside the building. All occupants have access to all of the habitable areas and facilities of the unit. This unit shall be occupied and used, or be capable of being occupied and used as a single and independent housekeeping establishment.

3.15 Eave

The projecting lower edges of a roof overhanging the wall of a building or *structure*.

3.16 Established Grade

The average elevation of the finished surface of the ground where it meets the exterior face of a building or *structure*; exclusive of any wells providing light or ventilation. The *maximum height* of any *fence* will be based upon the actual established grade along which the *fence* is placed, rather than the average.

3.17 Existing

Means that a building, use, *yard*, or *lot* was legally in existence on February 28th, 2018.

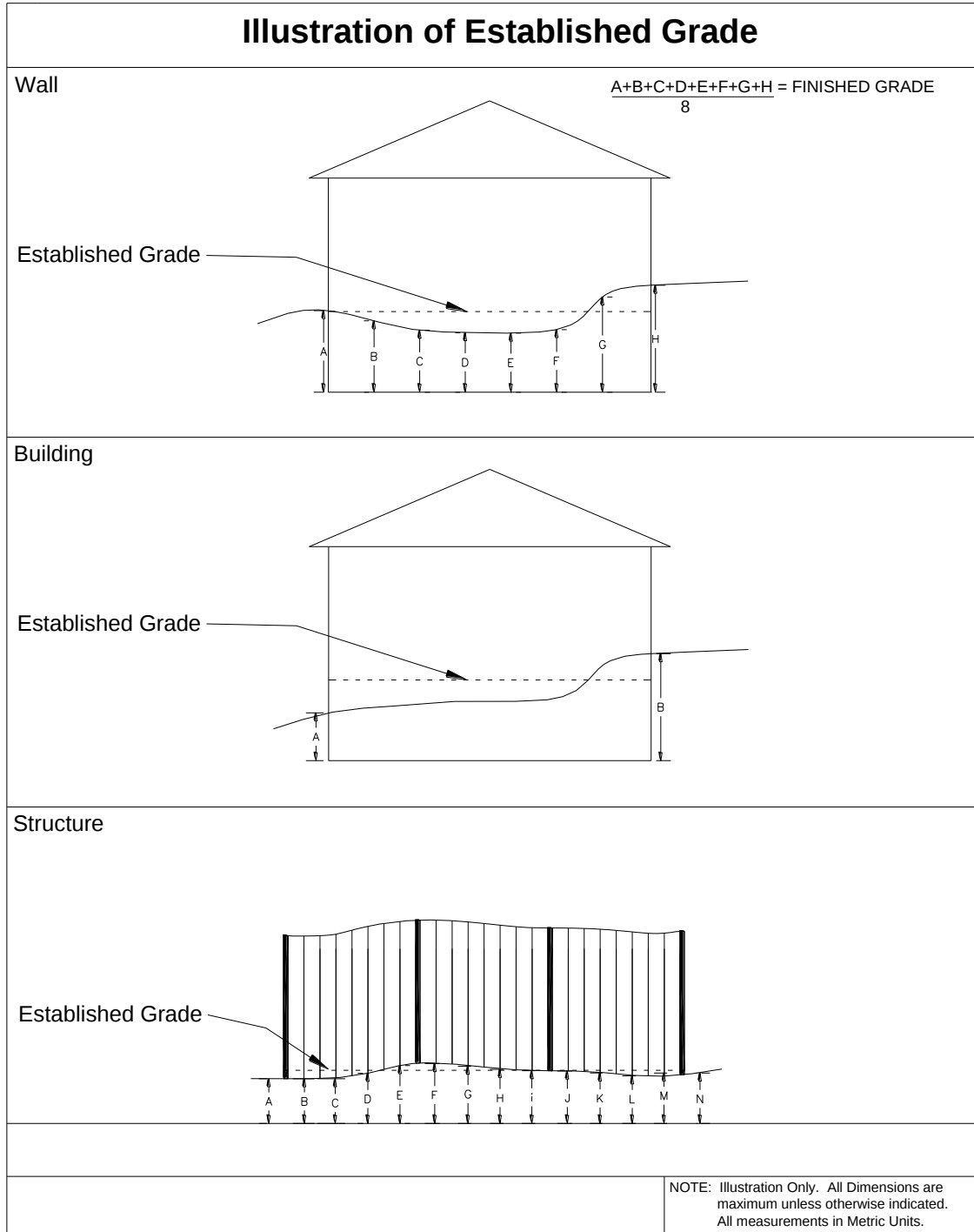
3.18 Fence

A *structure*, which forms a barrier for enclosing, bounding, delineating or protecting land.

3.19 Gross floor area

The sum of the areas of each floor, measured between the exterior faces of the exterior walls, including basements and cellars, but excluding any space used for loading, parking or storage that is accessory to the main use.

Illustration of Established Grade



3.20 Height or Building Height

- a) When used in reference to a building or *structure*, shall mean the vertical distance between the *established grade* and the highest point of the building or structure, excluding chimneys, towers, mechanical installations, and any other ornamental structures on the building.
- b) When used in reference to the total number of *storeys*, it shall mean the total number of *storeys* above *established grade*, taken from the wall of such building or structure that faces the *front lot line*.

3.21 Landscaped area

The area landscaped is calculated as the percentage of the total property which is covered by decks, balconies and terraces as well as landscaped materials such as, grass, trees, shrubs, flowers, etc.

3.22 Lot

Means an area of land registered at the Algoma Land Registry Office #1 as not more than one parcel of land.

3.23 Lot, Area

The total horizontal area within the *lot lines* of a *lot*.

3.24 Lot, Corner

- a) A *lot* located at the intersection of, and abutting upon, two streets where the angle of the intersection does not exceed 135 degrees; or
- b) A *lot* located on the curve of a street where the angle of intersection of the projecting tangents of the street line do not exceed 135 degrees. The corner of the *lot* is deemed to be the center point of the arc.

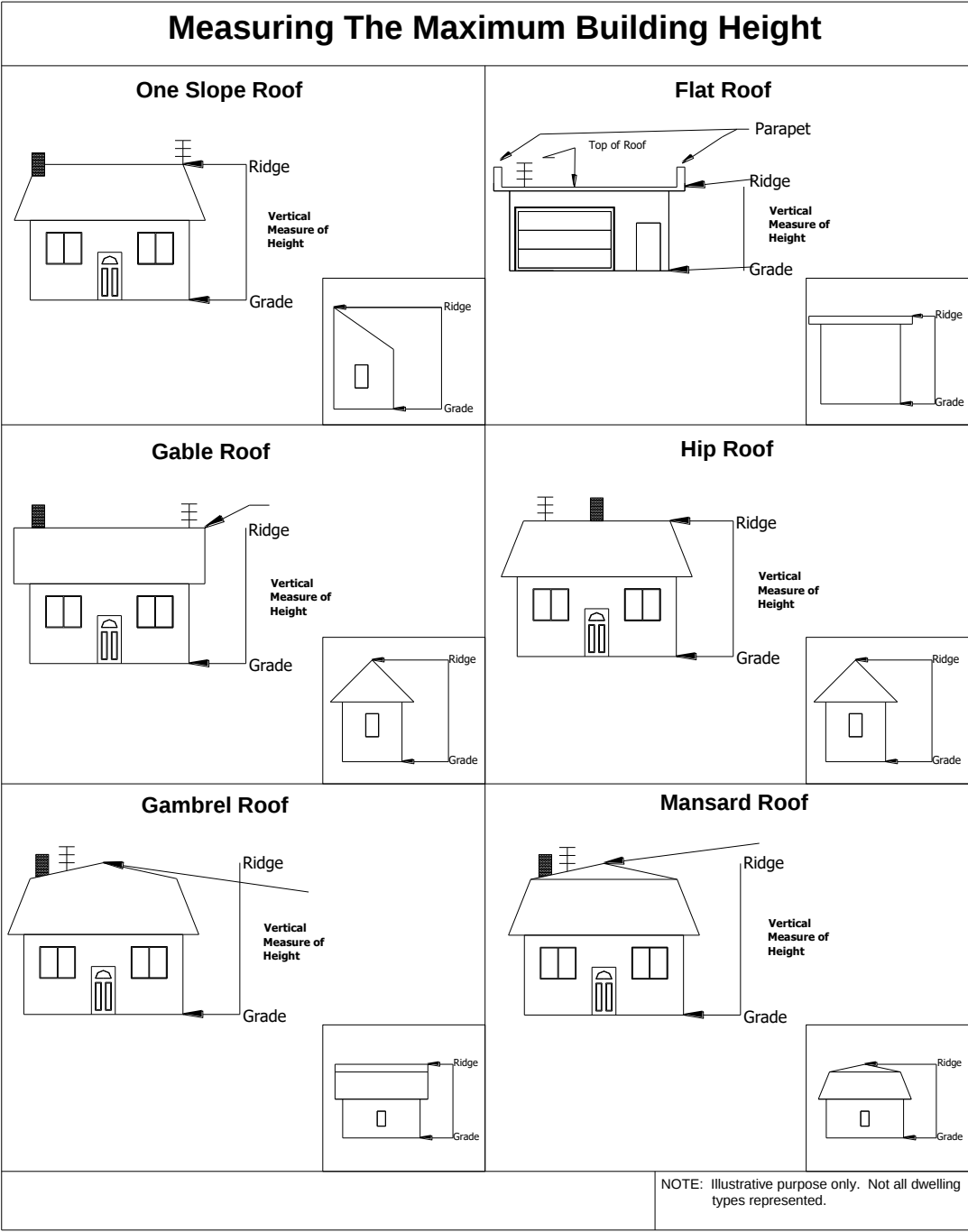
3.25 Lot, Coverage

Means that part or percentage of a *lot* covered by any buildings or *structures*. *Decks*, driveways, patios, fences, landscaping and any other features or structures at or within 0.3m of established grade shall not be included when calculating the maximum *lot coverage*.

3.26 Lot, Depth

The distance measured from the midpoint of the *front lot line* to the midpoint of a *rear lot line*, or in the case of a triangular lot, between the midpoint of the *front lot line* to the apex of the triangle formed by the intersection of the *side lot lines*.

Measuring Maximum Building Height

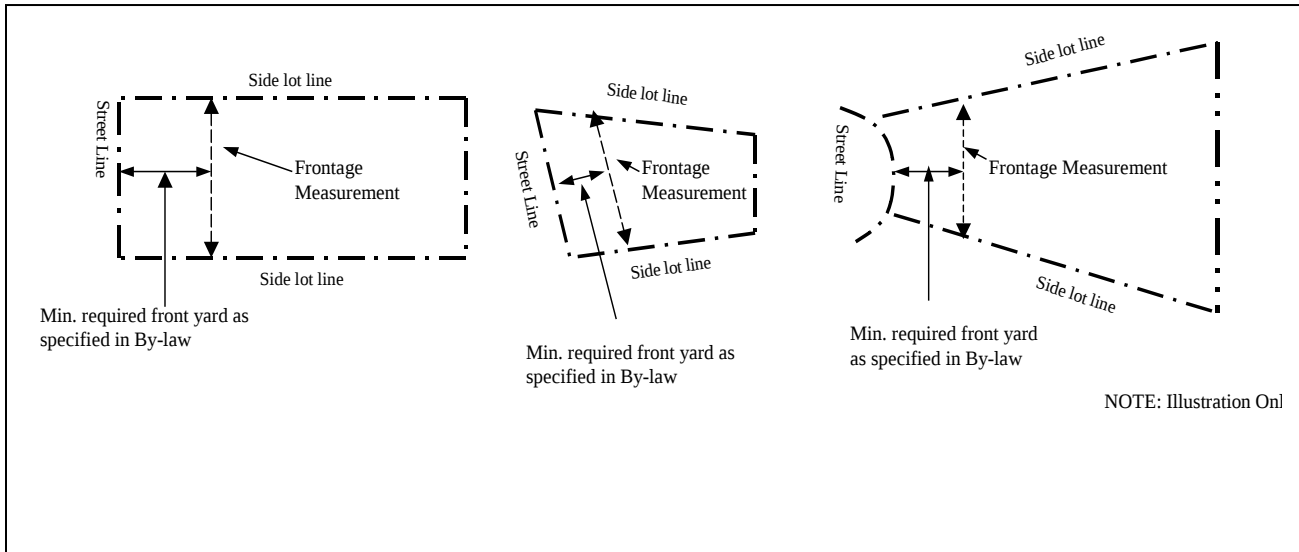


3.27 Lot Frontage

The horizontal distance between the side lot lines of a lot, such distance being measured:

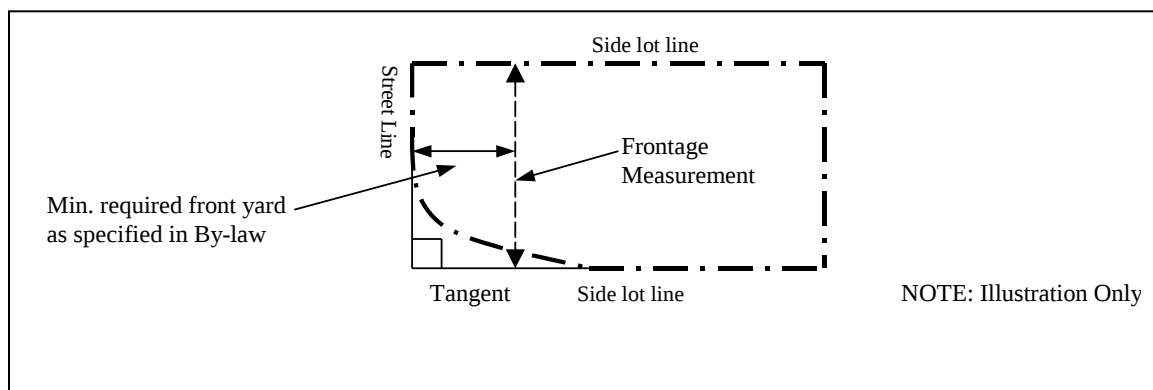
- a) Unless otherwise noted in this Section, along a line between the side lot lines and parallel to the front lot line, measured from a distance equal to the required front yard of the zone in which the lot is situated.

Measuring Frontage on Standard, Pie Shaped, and Irregular Lots



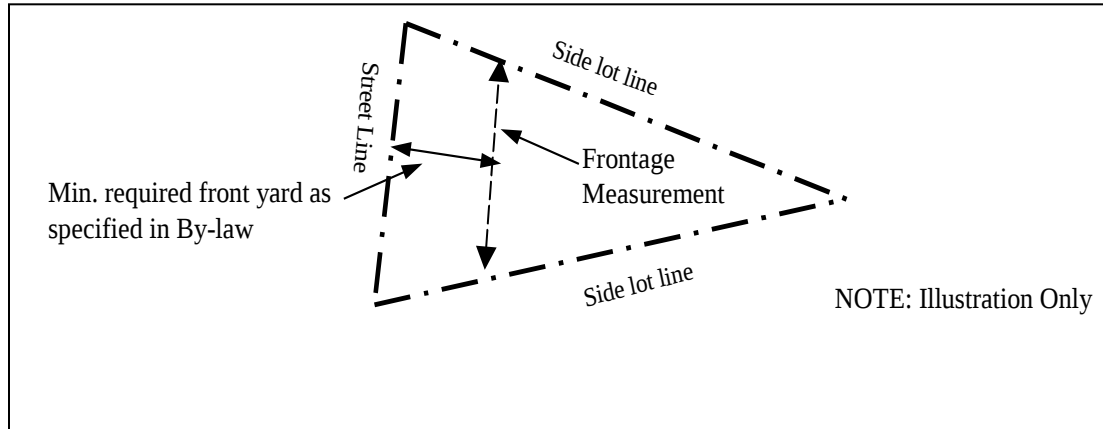
- b) On a corner lot, where the side lot lines are not parallel, a tangent shall be drawn along the front lot line and the exterior side lot line extended to a point. Frontage shall be measured along a line parallel to the front lot line, between the side lot lines or projections thereof, measured from a distance equal to the required front yard of the zone in which the lot is situated.

Measuring Frontage on Corner Lots



- c) Where a lot does not have a rear lot line, lot frontage shall be measured along a line parallel to the front lot line, between the side lot lines, measured from a distance equal to the required front yard of the zone in which the lot is situated.

Measuring Frontage on Lots Without a Rear Lot Line



3.28 Lot, Interior

Means any *lot* that abuts a Street, but is not a *corner lot* or *through lot*.

3.29 Lot Line

Means any boundary of a *lot*, or the vertical projection thereof.

3.30 Lot Line, Exterior Side

A side lot line of a corner lot, which is also a street line.

3.31 Lot Line, Front

The *lot line* that divides the *lot* from a public Street, provided that in the case of a *corner lot*, the shorter *lot line* that abuts a public Street shall be deemed to be the *front lot line*.

3.32 Lot Line, Interior Side

A *side lot line*, which is not a street line.

3.33 Lot Line, Rear

The lot line opposite the front lot line.

3.34 Lot Line, Side

A lot line, which is not a front or rear lot line.

3.35 Lot, Through

An *interior lot* abutting two or more public Streets.

3.36 Mobile home

Means a *dwelling unit* that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer, tent trailer, or recreational vehicle (RV).

3.37 Outdoor display

A portion of a *lot* used for exhibiting in an orderly manner, completely assembled or finished products for immediate sale by a retail business located on the same *lot*. Outdoor display areas do not include *outdoor storage* areas.

3.38 Outdoor storage

The keeping of materials, goods, and equipment outside of a main, or *accessory* building or *structure*.

3.39 Recreational Vehicle

Any vehicle so constructed that is suitable to be attached to a motor vehicle for the purposes of being drawn or is propelled by a motor vehicle and is capable of being used for accommodation of persons on a temporary, transient or short-term basis. Examples include a motor home, tent trailer, camper trailer, recreational vehicle (RV) or a converted bus.

3.40 Signalized street intersection

A road junction that controls vehicular and pedestrian movement through the use of electronic traffic control signals to alternate the right-of-way between conflicting streams of vehicular traffic and pedestrians crossing a roadway.

3.41 Street Line

Means a *lot line* dividing a *lot* from a road, and is the limit of the road allowance.

3.42 Stacked parking space

Parking stalls that do not have direct access to a driveway.

3.43 Storey

A horizontal division of a building from a floor to the ceiling, excluding an occupied or unoccupied attic, basement, cellar, crawl space, or other area that is for all intents and purposes, unusable by virtue of its inaccessibility.

3.44 Storey, First

Means the *storey* with a finished floor level situated closer to the *established grade* than that of any other such *storey* in the same building

3.45 Strip Plaza

Means more than one commercial or industrial function housed in one building, which has been designed to function as an integrated unit.

3.46 Structure

Anything that is erected, or constructed of parts joined together, and fixed to, or supported by, the soil and/or any other *structure*. For the purpose of applying setbacks, *structures* do not include pavements, curbs, walks, open air surfaced areas, and fences.

3.47 Yard, Exterior Side

A *side yard* immediately adjoining a public Street, extending between the *required front yard* and *rear lot line*.

3.48 Yard, Front

A *yard* extending the full width of a *lot* between the *front lot line* and the nearest foundation of any building or *structure* on the *lot*.

3.49 Yard, Interior Side

A side yard other than an exterior side yard.

3.50 Yard, Rear

A *yard* extending the full width of a *lot*, between the *rear lot line* and the nearest foundation of any building or *structure* on the *lot*.

3.51 Yard, Required

Means the minimum depth of the *front, rear, or side, yard* required by this By-law, which will form part or all of the actual *yard* supplied.

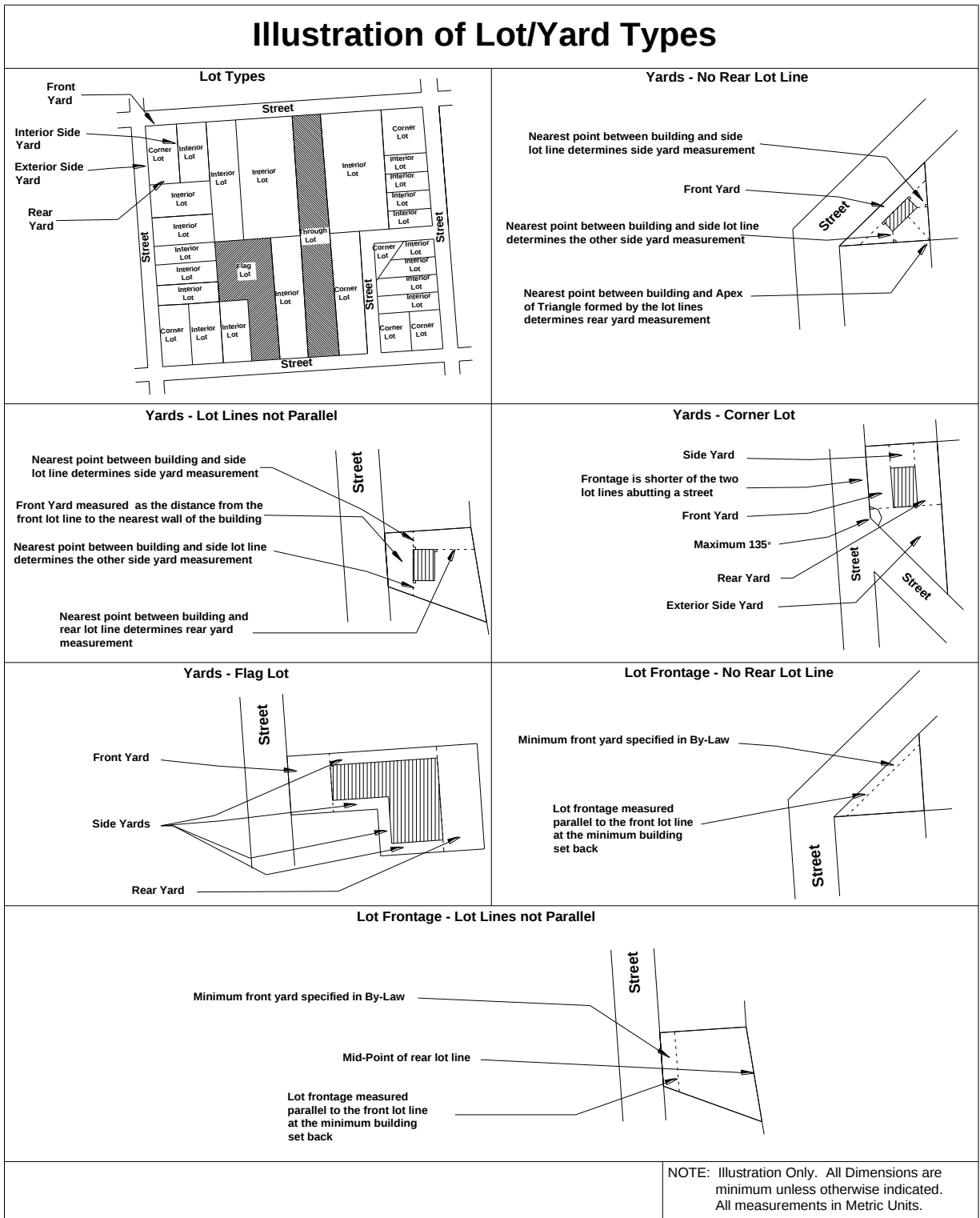
3.52 Yard, Side

A *yard* extending between the *front yard* and the *rear yard*, and from the *side lot line* to the nearest foundation of any main building or *structure* on the *lot*.

3.53 Yard

The actual distance between the *lot line* and the nearest building or *structure*.

Illustration of Lot/Yard Types



4 GENERAL PROVISIONS

4.1 Permitted Uses in All Zones

4.1.1 Utilities and Public Services

Establishments and uses primarily engaged in providing a public service, such as electrical transmission, sewage, including septic systems, underground pipelines, the works and transmission of natural gas, telephone, cable television, and any other public services. Structures such as transmission wires and telecommunications towers are exempt from the *yard* and building regulations of the zone in which they are located, however buildings associated with such uses must conform to the setback and building regulations of the zone in which they are situated.

4.1.2 Construction Uses Incidental to Public Services

The temporary work, staging, and storage *yards* necessary to service road construction and the installation of public services. Such uses are permitted in all zones and exempt from the building regulations of the zone in which they are located.

4.1.3 Temporary *Buildings* or *Structures* During Construction

Temporary *buildings, structures, uses and other equipment* essential to construction in progress, for which a *building* permit has been granted, until such time as the work has been finished or abandoned or such buildings, structures, uses and other 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 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 or abandonment of construction; and,
- c) Such buildings or structures shall be transportable or easily dismantled.

4.1.4 Streets and Parks

Public streets, private roads, multi-use trails and parks.

4.1.5 Accessory Uses, Buildings and Structures

Unless otherwise specified in this by-law, accessory uses, buildings and structures are permitted in all zones, specifically accessory storage buildings such as sheds and garages.

4.2 Setbacks from Lakes and Rivers

Notwithstanding any other provisions in this By-Law, the following minimum setbacks apply from any lake, river, creek, stream or other watercourse. For lakes, the setback shall be measured from the abutting lot line or highwater mark, whichever is further inland. For rivers, streams and other watercourses, the setback shall be measured from the abutting lot line or top of bank of the watercourse, whichever is further inland:

- a) The minimum setbacks for all buildings, uses and structures is 30m [98.43'].

- b) The minimum setback for decks, viewing platforms, saunas, gazebos, sheds and other storage structures with a gross floor area of less than 10m², and other similar structures shall be 15m [49.21’].
- c) The minimum setback for docks, boathouses, wharfs, erosion control structures and other similar structures shall be 0m.

4.3 Accessory Buildings, Structures and Uses

4.3.1 Located on the Same Lot

All *Accessory uses, buildings and structures* shall be located on the same *lot* and in the same *zone* as the principal or main *use*. Unless specified elsewhere in this By-law, accessory uses, buildings and structures may be located in any yard, subject to the setbacks communicated throughout this By-law.

4.3.2 Erecting Accessory Buildings Prior to Main building

Permanent accessory uses, buildings and structures shall not be *erected* or established prior to the *erection* or establishment of the *main building or use*, except 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*. Temporary buildings, structures and uses incidental to construction are permitted in all zones, subject to the provisions of Section 4.1.3.

4.3.3 Short Term Occupancy in Recreational Vehicles 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.

4.3.4 Human Habitation Prohibited

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

4.3.5 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*, in the zone in which it is situated.

4.3.5.1 Reduced Setbacks from Front and Exterior Side Lot lines for Specific Structures

The setback from the front or exterior side lot line shall be a minimum of 3m [9.84’] and shall not be located in a sight triangle, for the following structures:

- a) A partially enclosed shelter for *use* by children waiting for a *school bus*.
- b) Fruit and vegetable stands and *farm produce outlets* where uses are permitted in a particular zone.
- c) A *sign erected* in compliance with the provisions of this By-law.

4.3.6 Setbacks from Rear and Interior side lot lines

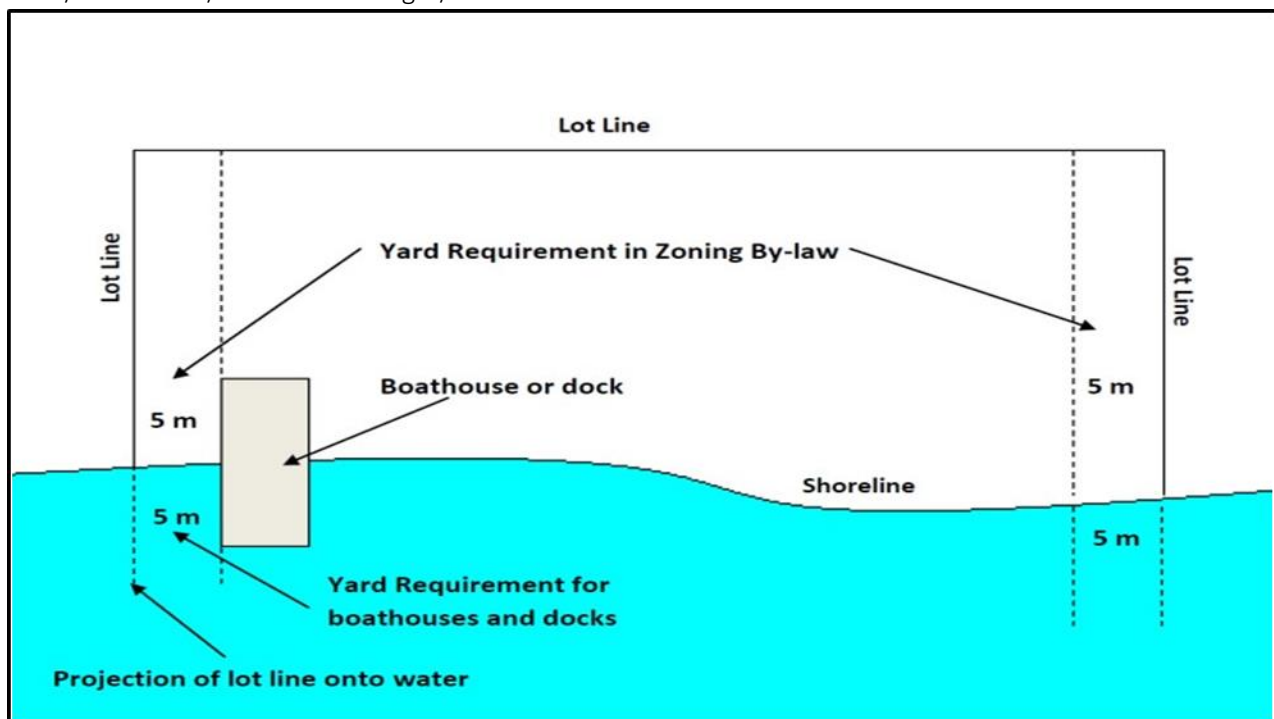
No *Accessory building* shall be *erected* closer than 1.5m [4.9’] from any *interior side lot line* or rear *lot line*.

4.3.7 Specific Setbacks for Boat houses and Docks

Despite Sections 4.3.5 and 4.3.6 above, a *boat house*, boat port, float *plane* hangar, *dock* or wharf may be located in any *yard* that abuts a navigable waterway, subject to the following:

- a) The *boat house*, float *plane* hangar or *dock* is located not closer than 5m [16.4'] to the nearest abutting *lot line*. and;
- b) Does not encroach on adjacent *frontage* when the *lot* boundaries are extended into the water].

Dock/Boat house/Float Plane Hanger/Wharf Locations



4.3.8 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* and shall conform to the same regulations outlined for the main building or structure, in the zone in which it is situated (example: garage, carport, *balcony*, *deck*).

4.4 Swimming Pools

Swimming pools, including above and below ground, are subject to the following requirements.

4.4.1 Outdoor Pools

4.4.1.1 Fence Enclosure

Outdoor pool areas shall be totally enclosed by a *fence* constructed of suitable materials, having a minimum *height* of 1.5m [4.92'] including 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 1.5m [4.92'] 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.

4.4.1.2 Location and Setbacks for Swimming Pools

- a) In all Residential Zones (R1, MR, RW, & W.REC), the Rural Zone (R) and Agricultural Zone (A), outdoor *swimming pools* shall be located in a yard that does not abut a street and shall be setback a minimum of 1.5m from the nearest lot line.
- b) In all Commercial Zones (CG, HC, RC), the Open Space Zone (OS) and Community Facilities Zone (CF), outdoor *swimming pools* may be located in any *yard*, provided the *swimming pool* meets the minimum *setback* requirements for the *main building*

4.5 Fuel Sales: Setbacks for Fuel Pump Islands and Canopies

Often referred to simply as gas stations, which are often associated with other complimentary uses, fuel pump facilities (fuel pump islands) shall be setback a minimum of 10m from any lot line.

4.6 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.

4.7 Car Wash Facilities

In addition to any other regulations contained in this By-law, Car Wash Facilities shall adhere to the following requirements:

4.7.1 Car Washing Operations to be Conducted Indoors

Car washing operations associated with the exterior of vehicles, shall be conducted indoors, in a building that has been appropriately designed to conduct such operations, with special regard for appropriate septage/grey water systems.

The *building* shall be so *designed* that *vehicles* can enter and exit the car wash facility without reversing.

4.7.2 Minimum Lot area and Setbacks from Residential Zones

Notwithstanding any other requirements of this By-law, car wash facilities, including vacuuming stations, shall be no closer than 20m [65.6'] to any *lot line* abutting a Residential Zone (R1, MR, RW, W.REC) Rural Zone (R), Agricultural Zone (A), Open Space Zone (OS) or Community Facilities (CF) Zone. Where the abutting lot line is within any other zone, the setbacks of the zone in which the car wash is proposed shall be applied.

4.8 Reduced Front and Exterior Side Yard Setbacks in Built Up Areas

Where a building is constructed in the Residential Low Density (R1) and Multiple Residential Zones (MR), and there are existing buildings on either side, within 60m [196.85'] of the proposed building, *front* and *exterior side yard setbacks* may be reduced to the average setback of the existing buildings located on either side of the proposed building.

4.9 Setbacks Where *Semi-Detached* and *Multiple Attached Dwellings* Share a Common Wall

Notwithstanding any other provisions of this by-law, where more than one dwelling unit shares a common exterior wall, and such common wall is separated by a lot line, the setback for the common exterior wall can be reduced to 0m. Such is the case *for semi-detached dwellings* and *multiple attached dwellings* (town housing/row housing), which are defined elsewhere in this By-law. Furthermore, the

required setbacks upon the zone in which such dwellings that share a common wall are situated, shall be deemed to be from any walls that are not common walls shared by two or more dwelling units.

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 0.9m [3’].
- d) Fences are not permitted within a sight triangle, as outlined in Section 4.27.

4.11 Flood plains

The following provisions shall apply to areas located below any engineered or photo interpreted flood line 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’] inclusive of a 5m [16.4’] *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 Flood Plains and other Hazard Lands

Buildings and *structures* shall not be *permitted* to locate in flood plains or other 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 Flood Lines along Specific Inland Lakes

Notwithstanding permitted uses within a flood plain (4.11.2), on the specified inland lakes below, no new buildings or structures, and no expansions of existing buildings or structures are permitted where openings to such buildings and structures will be below the following 100-year flood elevations:

Lake	Elevation (Canadian Geodetic Datum)
Basswood Lake	208.75m
Birch Lake	208.42m
Bright Lake	183.5m
Brownlee Lake	209.01m
Clear Lake	220.78m
Cranberry Lake	209.41m
Dean Lake	190.39m
Little Basswood Lake	206.46m
Little Dean Lake	189.41m
Warnock Lake	204.97m

4.11.5 Flood Lines along Other Watercourses

Where a flood line associated with any other watercourse, excluding Lake Huron (Section 4.11.1) and specific inland lakes identified in 4.11.4, no *buildings* or *structures* shall be within the flood plain and must be setback at least 15m [49.2'] 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. The stub end of a street does not constitute frontage.

4.12.1 Frontage Exemptions

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 lot* 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*.

4.13 Home Based Businesses

The following provisions apply to home-based businesses where they are a permitted use.

4.13.1 Permitted Home-Based Businesses

- a) Office Uses
 - i. **Exclusion:** Ambulatory Health Care Services such as doctors dentists, chiropractors, physiotherapists, and optometrists offices.
- b) Personal Services
 - i. **Exclusions:** Dry cleaning and laundry services, linen and uniform supply, and funeral service establishments.
- c) Repair and maintenance services
 - i. **Exclusions:** Repairs to any fuel powered vehicles, equipment, motors, auto body repair, and the painting or priming of any products
- d) Private home daycare facilities – up to a maximum of 5 children
- e) Arts, Culture, and Heritage uses
 - i. **Exclusions:** Dance companies, theatre companies, and museums
- f) Instructional Businesses based upon appointment.

4.13.2 Special Conditions for *Home Based Businesses*

- a) A maximum of 2 full-time employees may be employed on the premises, including at least 1 employee being a resident in the *dwelling unit* where the business is located.
- b) The *home-based business* must clearly be a secondary use to the *dwelling unit* as a private residence, and not change the character of the *dwelling unit* as a private residence.
- c) Other than a sign, there shall be no outdoor display or storage of goods and materials, or any other exterior evidence that a *home-based business* is being conducted within the residence.
- d) The use shall not have an adverse effect on the area, with special regard for parking, traffic, noise, vibration, dust, and odour.
- e) The floor area dedicated to all aspects of the *home-based business* shall not exceed **30%** of the *gross floor area* of the *dwelling unit* and accessory buildings in which it is located, or **50m²** [538.2ft²]whichever the lesser,
- f) A sign no bigger than **0.2m²** [2.15ft²] is permitted to advertise only the name of the home-based business, and;
- g) In addition to the required parking for the *dwelling unit*, the *home-based business* shall provide the required parking as described in Section 4.24 of this By-law, however *home-based businesses* are exempt from the barrier-free parking regulations outlined in Section 4.24 of this By-law.

4.14 Home-Based Industries

- a) Appliance repair
- b) Repair and Maintenance Services
 - i. **Exclusions** – Heavy Equipment Sales, Repair and Maintenance and Autobody Repair Establishments
- c) Sale of bait for recreational fishing purposes

- d) Metal fabrication
- e) Wood working and cabinetry shops
- f) Portable saw mills

4.14.1 Special Conditions for *Home Based Industries*

- a) A maximum of 3 full-time employees may be employed on the premises, including at least 1 employee being a resident in the *dwelling unit* where the home-based industry is located.
- b) Outdoor storage is permitted in any yard, excluding the front yard, and shall be visually screened from abutting neighbours and the street, by an opaque fence, a 100% visually solid hedgerow, buildings, vegetation that is at least 3m wide or a combination thereof. Outdoor storage areas associated with a home based industry shall not exceed 7% total lot coverage.
- c) The use shall not have an adverse effect on the area, with special regard for parking, traffic, noise, vibration, dust, and odour.
- d) The floor area dedicated to all aspects of the *home-based industry* shall not exceed **50%** of the *gross floor area* of the *dwelling unit*. A home-based Industry may occupy the entirety of any accessory buildings in which it is located.
- e) A sign no bigger than **0.4m²** [4.3ft²] is permitted to advertise only the name of the home-based business, and;
- f) In addition to the required parking for the *dwelling unit*, the *home-based industry* shall provide the required parking as described in Section 4.24 of this By-law, however *home-based industries* are exempt from the barrier-free parking regulations outlined in Section 4.24 of this By-law.

4.15 *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 4.24);
- 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 **1m²** [10.76ft²] 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 **3m** [9.84'], 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.

4.16 Kennels

Where outdoor kennels for domestic pets, such as dogs, are permitted in this By-law, they shall be a minimum of **150m** [492.13'] away from the nearest lot line. Kennels shall be completely enclosed by a secure fence at least **1.5m** [4.92'] above established grade and visually screened from abutting lots by an opaque **1.8m** fence, a hedgerow, a continuous strip of vegetation at least 3m [9.84'] wide, or a combination thereof.

4.17 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.

4.18 Loading Space Requirements

Any non-residential use or building, or a *residential structure* with greater than **25 dwelling units**, shall provide and maintain on the same *lot*, facilities comprised of 1 or more loading spaces in accordance with the provisions outlined below.

4.18.1 Minimum Loading Space Requirements In All Zones

Land Use		Minimum Number of Loading Spaces Required
<i>Residential Structure with more than 25 Dwelling units</i>		1
All Non-Residential Uses (Gross floor area)	0 - 500m ²	0
	501m ² – 2500m ²	1
	2501m ² – 7500m ²	2
	7501m ² – 14000m ²	3
	Greater Than – 14000m ²	3 + 1/10,000m ²

4.19 Loading Space Regulations

4.19.1 Dimensions of Loading Spaces

Required loading spaces shall have the following minimum dimensions;

- a) Length = 10m [32.81']
- b) Width = 3.6m [11.81']
- c) Vertical Clearance = 4.25m [13.94']

4.19.2 Location of Loading Spaces

Unless otherwise noted in this By-law, required loading spaces shall be provided on the same *lot* occupied by the building or *structure* for which the loading spaces are required, and may not be located within any *required front* and *exterior side yards*. Required loading spaces may not overlap any other required parking spaces.

4.19.3 Access to Loading Spaces

Access to loading spaces shall be provided by means of 1 or more unobstructed driveways that have a width of at least **3.6m** [11.81'], and provide sufficient space to permit the manoeuvring of vehicles on the *lot* so that hazards and obstructions are not created on adjacent streets.

4.19.4 Exception to Loading Space Regulations: Buildings with a *Gross Floor Area* Less Than 3700m²

Where a residential use requires a loading space, or a building's *Gross floor area* is less than **3700m²** [39,826.47ft²], the required loading space(s) may be located in a parking aisle, provided at least **50%** of the required parking is accessible while the loading space is occupied. The location of such a loading space shall be illustrated on plans submitted for approval.

4.19.5 Existing Buildings and Expansions

The minimum number of loading spaces outlined in Section 4.17.1 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;

4.20 Legal *Non-conforming Uses*

4.20.1 Continuance of Existing Uses, Buildings and Structures

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 established prior to the passing of this By-law. Legal *non-conforming uses*, *buildings* or *structure* shall not be changed except in conformity with the provisions of this zoning By-law.

4.20.2 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*.

4.20.3 Previous Use Violations Continued

No use, building or structure illegally established prior to the day of the passing of this By-law, which does not conform to this by-law, shall become or be made legal solely by the passing of this By-law.

4.20.4 Conveyance to a Public Authority

No person shall be deemed to have contravened any provisions of this By-law where a *lot*, or part thereof has been conveyed to The Government of Canada, Province of Ontario, or Municipality of Huron Shores. Where such a conveyance results in a use, building or structure not adhering to any part of this By-law, such use building or structure shall be deemed to adhere to the provisions of this By-law.

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

Legally existing buildings and *structures* destroyed by fire or any other natural disaster may be reconstructed or repaired, as soon as is practicable, provided that the original dimensions and use are not altered in any way except in conformity with the provisions of this By-law.

4.20.6 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*.

4.20.7 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, *buildings or structures* 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.

4.20.8 Existing Undersized Lots

Legally Existing Lots that lack the *required frontage* and/or *area* as set out in this By-law, may be built upon so long as all other regulations in this By-law are adhered to.

4.21 Short Term Occupancy in Recreational Vehicles

Recreational vehicles such as a travel trailers, motor homes or tents may be *used* for temporary human habitation, subject to the following:

- a) The property upon which the recreational vehicle is parked is zoned R1, RW, W.Rec, R and A.
- b) The recreational vehicle is parked in a permitted parking space (ie. a driveway), interior side yard or rear yard;
- c) Occupancy may consist of not more than 30 days per calendar year;
- d) The *recreational vehicle* is owned by the *owner* of the land upon which it is stored;
- e) The land upon which the *recreational vehicle* is situated is occupied by a *dwelling* unit;
- f) The *recreational vehicle* is not *attached* to any *structure*;
- g) The *recreational vehicle* is not offered as a rental unit by the *owner* of the land and the *recreational vehicle*;
- h) The facilities and amenities of the principal *dwelling* shall be available at all times for the *use* of the occupants of the *recreational vehicle*; and
- i) The owner of the land upon which the recreational vehicle is situated obtains a license from the Municipality.

4.21.1 Number of Recreational Vehicles Permitted Per Lot

Lot Area	Maximum Number of Recreational Vehicles Permitted
Up to 0.6ha [1.5ac]	1
Greater than 0.6ha [1.5ac] up to 1.2ha [3ac]	2
Greater than 1.2ha [3ac.] up to 1.8ha [4.5ac]	3
Greater than 1.8ha [4.5ac]	4

4.22 Outdoor Storage

The following table describes the *outdoor storage* regulations. These regulations shall not apply to any *accessory* or incidental uses permitted in any Residential, Rural, Agricultural, Open Space and Community Facilities Zones, where open storage is permitted in any yard, so long as it is not in a sight triangle.

Zones Where Outdoor Storage is Permitted	Yards Where Permitted	Outdoor Storage Regulations
All Industrial Zones	<i>Rear and Interior Side Yards</i>	<i>Outdoor Storage</i> areas shall be screened with <i>visually solid screening</i> at least 1.8m [5.91'] above <i>established grade</i> , when located upon any <i>yard</i> that abuts a public Street or residentially zoned <i>lot</i> .
Commercial Zones	<i>Rear Yard</i>	

4.22.1 Additional Outdoor Storage Regulations

The following regulations apply to all zones where outdoor storage is permitted.

- Any area used for *outdoor storage* shall be in addition to and separate from such areas required by this By-law for the provision of off-street parking and loading, as well as any landscaping requirements.
- If the *outdoor storage or display* area is to be lit, such lighting shall be shielded to direct light towards the ground and away from any residentially zoned properties.

4.23 Prohibition of *Commercial Vehicle* Parking in All Residential Zones

No bus, or *commercial vehicle* exceeding 3200kg [7,054.8lbs] curb weight shall be parked or stored upon any lot residentially zoned *lot*.

4.24 Off-Street Parking Regulations

4.24.1 Parking space Size

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

4.24.2 Rounding of Requirements

If the calculation of the required parking spaces results in a fraction, the required parking spaces shall be rounded to the nearest whole number, calculated using normal rounding rules.

4.24.3 Areas Excluded

Parking spaces required by this By-law shall not include any parking spaces used primarily for the storage or parking of vehicles for rent, display, sale, or awaiting repairs.

4.24.4 Requirements Based On Employees

Where the number of parking spaces required by this By-law is based upon the number of employees on the largest shift, the parking requirements will be calculated on the day in which the building permit is applied for.

4.24.5 Requirements Based On Capacity

Where the number of parking spaces required by this By-law is based upon the maximum capacity of a building or *structure*, it is deemed to be the same as the maximum capacity outlined by the Ontario Building Code, or where applicable, the Liquor Licensing Board of Ontario, whichever capacity is the lesser.

4.24.6 Requirements Based On Area

Where the number of parking spaces required by this By-law is based upon the area of a building or *structure*, such area is deemed to be the *gross floor area* of that building or *structure*.

4.24.7 More Than One Use in the Same Building

Where a building or *lot* accommodates more than 1 *use*, or includes *accessory uses*, the required parking spaces shall be the sum of the required parking spaces for the separate uses, except for *strip plazas*, which have their own parking requirements.

4.24.8 Residential Parking Requirements

Supplementary requirements for *parking spaces* for *residential structures* 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 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 50% of the *lot frontage* as defined by this By-law shall be *used* or constructed as a *driveway* or *parking space*.

4.24.9 Requirements for Parking Areas Accommodating More Than 4 Vehicles

The following provisions apply to any parking area with more than 4 parking spaces:

- 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 Municipality;
- 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 6m [19.7'] for two-way traffic and 4m [13.1'] 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 3.5m [11.4'] where *designed* for one-way vehicular circulation or 6m [19.7'] where *designed* for two-way vehicular circulation.

4.24.10 Off-street Parking on Neighbouring Lots

Except where *permitted* elsewhere in this By-law, the required *parking* in any Residential Zone shall be provided on the same *lot* as the *dwelling* unit. In all other *zones*, parking may be required on abutting lots subject to an agreement, having a definite term of at least 10 years. Any leased parking spaces shall be in addition to the minimum number of spaces required on the lot which is providing such spaces.

4.24.11 Barrier Free Parking Requirements

The following table outlines minimum barrier free parking requirements:

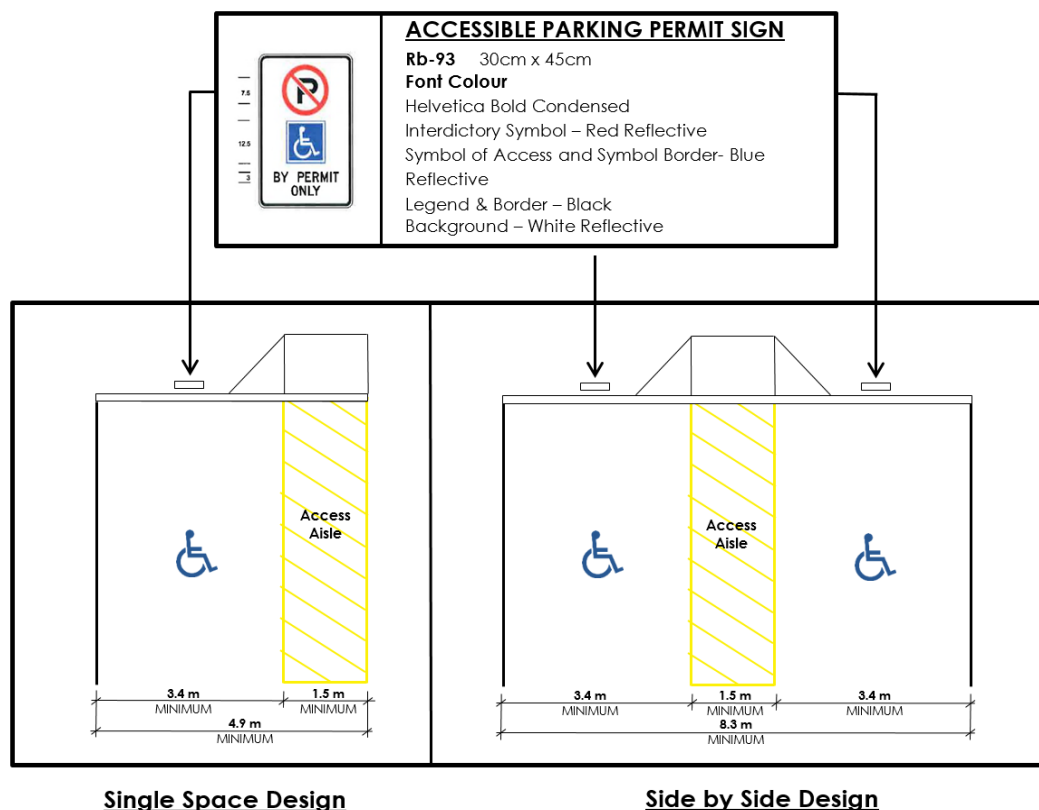
Number of Parking Spaces as required by Section 4.23.12	Minimum Number of Required Barrier-free Parking Spaces
1 – 3	No Barrier Free parking spaces required.
4 – 10	1
11 – 35	2
36 – 50	3
Greater than 50	3 + 1 additional barrier-free space shall be supplied for every additional 50 required parking spaces, or part thereof.

4.24.12 Barrier-Free Parking Space Design

Barrier-free parking shall be clearly marked and visible at all times, in accordance with the regulations set out in the Highway Traffic Act, and accessible to the entrance point of the building or activity.

Minimum dimensions for barrier-free parking spaces shall be **3.4m x 5.8m** with a **1.5m** access aisle.

Where 2 barrier-free spaces are side-by-side, the access aisle may be shared. The maximum slope of any part of any required barrier free parking space shall be no steeper than 1:20.



4.24.13 Stacked Spaces for Drive Through Facilities and Car Washes

Car washes and drive-throughs shall provide the following *stacked parking spaces* with minimum dimensions of **3m by 6m** [9.84'x19.69'] subject to the following:

- a) **Automatic Car Wash** – Shall provide at least 10 stacked spaces, counted back from the point of entry into the car wash building.
- b) **Self-Serve Car Wash** – Shall provide at least 4 stacked spaces per washing stall. Such stacked spaces shall not interfere with vehicles exiting any washing stalls.
- c) **Drive-Through Facilities Related to a Food Services Use** – Shall provide at least 10 stacked spaces counted back from the pick up or service window.
- d) **Drive-Through Facilities Related to Non-Food Related Use** – Shall provide at least 4 stacked spaces counted back from the pick up or service window.

4.24.14 Stacked Spaces for Residential Uses and Designated Employee Parking

Residential uses and designated employee parking in association with any other permitted use in this By-law may provide stacked parking spaces within minimum dimensions of **3m by 6m** [9.84'x19.69'] subject to the following:

- a) **Residential Uses Consisting of up to 4 Dwelling Units** - Up to 2 required parking spaces may be located in a stacked parking configuration within a driveway for residential developments of no more than 4 units.
- b) **Designated Employee Parking** – A use or building may provide *stacked spaces* for employee parking only. Such stacked spaces shall be clearly marked and reserved for employees of the said use or building, and may not exceed 50% of the total number of required parking spaces.

4.24.15 Minimum Parking Requirements For All Permitted Uses

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:

Permitted Uses	Required Parking
Residential Structures and Recreational Dwellings	1.25 spaces/ <i>Dwelling Unit</i>
Abattoir	1 space/employee on the largest shift
Aggregate and Mineral Mining	No parking required for the main use
Accommodation Services	1.25 spaces/guestroom
Agricultural Uses	No parking required for main use
Amusement and Fitness Facilities	1/5 persons Max. Building Capacity
Arts Culture and Heritage Uses	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter
Assembly facilities	1 space/5 persons maximum building capacity

Athletic Fields	15 spaces / field
Auto Body Repair Establishments	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter
Bakeries	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter
Bed and Breakfasts	1 space/guestroom + required parking for residence
Building, Hardware, and Garden Supply Stores	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter
Bulk Storage of Fossil Fuels	No parking required for the main use
Campgrounds	No parking required for main use
Catering Establishments	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter
Car Wash Facilities	No required parking for the main use, see Section 4.23.13 for stacked space (queue) requirements
Cemeteries and Crematoriums	No parking required for main use
Conservation Area	No parking required for main use
Contractors Yards	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter
Day Care Facilities	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter
Delivery and Courier Services	1 space/employee on the largest shift
Dry Cleaning and Laundry Plants	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter
Elementary Schools	1.25 spaces/classroom
Emergency Response Centres	1 space/employee on the largest shift
Food Services (Exclusions: Bakeries and Take-out Establishments)	1 space/5 persons Max. Building Capacity
Food Services as an <i>Accessory use</i> (Less than 25% of main buildings <i>Gross floor area</i>)	1 space /10 persons max. building capacity
Fruit and Vegetable Stands	4.5 spaces/100m ²

Fuel Sales	No parking required for fuel sales use.
Funeral Service Establishments	1/5 persons Max. Building Capacity
Furniture Store	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter
Golf Courses	No parking required for main use
Greenhouses and Botanical Gardens	No parking required for main use
Group Home	3 spaces/100m ²
Group Residence	3 spaces/100m ²
Heavy Equipment Sales, Repair and Maintenance Services	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter
Hospitals and hospices	2 spaces/100m ²
Ice Rinks	1/5 persons Max. Building Capacity
Manufacturing Uses	1 space/employee on the largest shift
Marinas, Boat Launching Ramps, Wharves	15 spaces/launch ramp with min. dimensions of 11m by 4m.
Medical Centres	4.5 spaces/100m ²
Motion Picture and Sound Recording Studios	1 space/employee on the largest shift
Motor Vehicle Sales and Parts Dealers	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter
Movie Theatres	1/5 persons Max. Building Capacity
Nursing and Residential Care Facilities	1 space/2 beds
Office Uses	4.5 spaces/100m ²
Parks and Playgrounds	No parking required for main use
Personal Services (Exclusion: Funeral Service Establishments)	4.5 spaces/100m ²
Personal Storage	No parking required for main use
Pet Care Services	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter

Places of Worship	1 space/5 persons maximum building capacity
Rail <i>Yards</i> Related to Railway Uses	1 space/employee on the largest shift
Rental and Leasing Services	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter
Repair and Maintenance Services	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter
Retail Trade	4.5 spaces/100m ²
Road Transportation and Warehousing	1 space/employee on the largest shift
Rooming Houses	1/5 persons Max. Building Capacity
Salvage <i>Yards</i> and Recycling Centres	1 space/employee on the largest shift
Secondary Schools	5 spaces/classroom
Sports Facilities	1/5 persons Max. Building Capacity
Strip Plazas	4.5 spaces/100m ²
Take-out Facilities that are not part of a restaurant	4.5 spaces/100m ²
Tennis, Squash, and Racquet Ball Courts	No parking required for main use
Tourism Uses (Exclusions: Marinas)	4.5 spaces/100m ²
Utilities	No parking required for main use
Veterinary Clinic	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter
Waste Management Facilities	1 space/employee on the largest shift

4.25 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) Telecommunication towers

- j) Ventilating fan or skylight
- k) Water tower.

4.26 *Permitted* Projections

Unless otherwise noted in this By-law, every part of a required yard shall remain open and unobstructed by any building or structure, from the ground to the sky however, the following structures listed below shall be permitted to project into the required yards indicated for the distances specified.

4.26.1 Schedule of Permitted Projections

STRUCTURE	MAXIMUM PROJECTION INTO REQUIRED YARD
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Chimneys, Cornices, sills, bay windows, pilasters, eaves or gutters	0.75m [2.46'] into any required <i>front yard, 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	2m [6.5'] 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	1.2m [3.9'] 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	0.5m [1.6'] into any <i>yard</i>
Heat pump, fire escape	1.5m [4.92'] 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 lines</i> and similar <i>structures</i> or features	No restrictions apply except with respect to a <i>sight triangle</i>

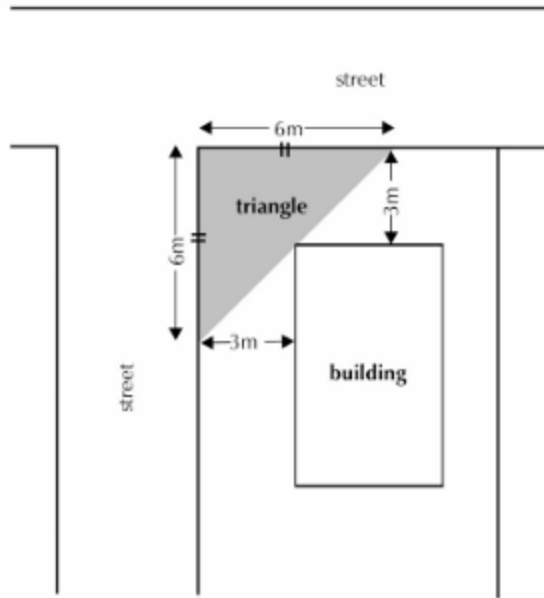
4.27 Sight Triangle Regulations

On a *corner lot*, no building, *structure* or *fence* shall be erected, and no landscaping, hedge, shrubs or foliage shall be allowed to grow beyond a height of greater than **0.75m** above *established grade*, within a distance of **6m** from the intersecting *lot lines*, or projections thereof, that abut a street intersection or railway crossing.

4.27.1 Exclusion to Site Triangle Requirements

Existing and new trees are permitted within the defined sight triangle so long as no part of the canopy grows below **2m** [6.56'] above *established grade*.

Illustration of a Sight Triangle



4.28 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.

4.29 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*.

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	5.3
Multiple Residential	MR	5.4
Waterfront Residential	RW	5.5
Waterfront <i>Recreational</i>	W.REC	5.6
Commercial Zones		
General Commercial	GC	5.7
<i>Highway</i> Commercial	HC	5.8
<i>Recreational</i> Commercial	RC	5.9
Industrial Zones		
General Industrial	M1	5.10
Heavy Industrial	M2	5.11
<i>Mineral Aggregate</i> Extraction	MX	5.12
Waste Management	WM	5.13
Waste Management Zone Buffer Overlay	WMB	5.14
Rural and Other Zones		
Rural	R	5.15
Agricultural	A	5.16
<i>Open space</i>	OS	5.17
Community Facility	CF	5.18
Environmental Protection	EP	5.19
Hazard Lands	HZ	5.20

5.3 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:

5.3.1 Permitted Uses

- a) *Residential Structures*, for a total of not more than 3 dwelling units on a single lot

- b) Accessory uses
- c) Accessory use: Solar power installations – subject to additional regulations in Section 2.2.5
- d) *Bed and Breakfast* – subject to additional regulations in Section 4.15
- e) *Daycare Facility*
- f) *Group Home*
- g) Home based business – subject to additional regulations in Section 4.13
- h) *Nursing Home and Residential Care Facility*
- i) *Park or Playground*
- j) *Place of worship*
- k) *Rooming Houses – consisting of not more than 4 bedrooms on a single lot.*
- l) *Schools*
- m) Similar uses

5.3.2 Residential Low-Density Zone Requirements

Zone Requirements (R1 Zone)			
	<i>All Dwelling Units, Nursing Homes and Residential Care Facilities and Group Homes</i>	<i>Park or Playground</i>	<i>Dwellings with Frontage on a Water body</i>

Minimum Lot area	0.6ha [1.48ac.] / <i>dwelling</i> unit	0.6ha [1.48ac] if serviced with sewage system. No minimum if un-serviced.	0.8ha [2ac] / <i>dwelling</i> unit
Minimum Lot frontage	45m [147.6’]	No minimum	60m [196.8’]
Minimum Yard/Setback Requirements – Main building			
Front yard or Exterior side yard	6m [19.6’]	6m [19.6’]	The minimum setback from any lot line abutting a water body is 30m [98.43’]
Interior side yard	3m [9.8’]	3m [9.8’]	
Rear Yard	7.5m [24.6’]	3m [9.8’]	
Interior side yard or Rear Yard	1.5m [4.92’]	3m [9.8’]	
Maximum Height Requirements			
Main building	11m [36’]	11m [36’]	11m [36’]
Accessory Building	6m [19.6’]	11 m [36 ft.]	6m [19.6’]
Maximum Lot Coverage	9%	30%	9%
Minimum Separation Distance Between Buildings	2m [6.56’]	2m [6.56’]	2m [6.56’]

5.4 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.

5.4.1 Permitted Uses

- Residential Structures* with no limit on the total number of dwelling units.
- Accessory uses*

- c) *Accessory use: Solar power installations – Subject to additional regulations in Section 2.2.4*
- d) *Bed and Breakfast – Subject to additional regulations in Section 4.15*
- e) *Day Care Facilities*
- f) *Group Homes*
- g) *Group Residences*
- h) *Home based businesses – Subject to additional regulations in Section 4.13*
- i) *Nursing and Residential Care Facilities*
- j) *Rooming Houses*
- k) *Park or Playground*
- l) *Similar uses*

5.4.2 Multiple Residential Zone Requirements

Zone Requirements (MR Zone)			
	All Permitted Uses	Park or Playground	All Permitted Uses with Frontage on a Water body
Minimum Lot area	0.6ha [1.48ac] / dwelling unit for the first 2 units plus 0.4ha [1ac] for each additional unit	0.6ha [1.48ac] if serviced with sewage system. No minimum if unserviced	0.8ha [2.0ac] / dwelling unit for the first 2 units plus 0.4ha [1ac] for each additional unit
Minimum Lot frontage	45m [147.6’] or 10m [32.8’] for each row or townhouse unit	30m [98.4’]	60m [196.8’] or 10m [32.8’] for each row or townhouse unit
Minimum Yard Requirements – Main building			
Front yard or Exterior side yard	6m [19.6’]	6m [19.6’]	The minimum setback from any lot line abutting a water body is 30m [98.43’]
Interior side yard	3m [9.8’]	3m [9.8’]	
Rear Yard	7.5m [24.6’]	3m [9.8’]	
Interior side yard or Rear Yard	1.5m [4.92’]	3m [9.8’]	
Maximum Height Requirements			
Main building	4 storeys	4 storeys	4 storeys
Accessory Building	6m [19.6’]	11m [36’]	6m [19.6’]
Maximum Lot Coverage	35%	30%	30%
Minimum Distance Separation Between Buildings	6m [19.6’]	2m [6.56’]	6m [19.6’]

5.5 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.

5.5.1 Permitted Uses

- a) *Accessory uses*
- b) *Accessory use: Sleep cabin* – Subject to additional regulations in Section 2.2.4.1
- c) *Accessory use: Solar power installations* – Subject to additional regulations in Section 2.2.4
- d) Home based business – Subject to additional regulations in Section 4.13
- e) *Recreational dwelling*
- f) *Residential Structure containing not more than 1 dwelling unit.*
- g) *Park or Playground*
- h) *Similar uses*

5.5.2 Waterfront Residential Zone Requirements

	<i>Residential Structures and Recreational Dwellings</i>	<i>Park or Playground</i>
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Minimum <i>Lot area</i>	0.8ha [2ac]	0.6ha [1.48ac] if serviced with sewage system. No minimum if unserviced
Minimum <i>Lot frontage</i>	60m [196.8']	30m [98.4]
Minimum <i>Yard Requirements – Main building</i>		
Minimum Setback from any Lot line Abutting the Water	30m [98.43']	30m [98.43']
<i>Front yard or Exterior side yard</i>	6m [19.6']	6m [19.6']
<i>Interior side yard</i>	3m [9.8']	3m [9.8']
<i>Rear Yard</i>	7.5m [24.6']	3m [9.8']
Maximum <i>Height Requirements</i>		
<i>Main building</i>	11m [36']	11m [36']
<i>Accessory Building</i>	6m [19.6 ft.]	11 m [36']
<i>Maximum Lot Coverage</i>	9%	30%
<i>Minimum Separation Distance between Buildings</i>	2m [6.56']	2m [6.56']

5.5.3 Zone Exceptions

5.5.3.1 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:

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

5.5.3.2 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:

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

5.5.3.3 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:

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

5.6 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.

5.6.1 Permitted Uses

- a) *Accessory Uses*
- b) Accessory use: Sleep Cabin – Subject to additional regulations in Section 2.2.4.1

- c) *Accessory use: Solar power installations – Subject to additional regulations in Section 2.2.4*
- d) *Recreational dwelling – consisting of not more than 1 dwelling unit*
- e) *Park or Playground*
- f) *Similar uses*

5.6.2 Waterfront Recreational Zone Requirements

	Recreational Dwellings	<i>Park or Playground</i>
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Minimum Lot area	0.8ha [2ac]	0.6ha [1.48 ac] if serviced with sewage system. No minimum if unserviced
Minimum Lot frontage	60m [196.8']	30m [98.4']
Minimum Yard/Setback Requirements		
Minimum Setback from any Lot line Abutting the Water	30m	30m
Front Yard and Exterior Side Yard	6m	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.]
Maximum Height Requirements		
Main building	11 m [36 ft.]	11 m [36 ft.]
Accessory Building	6 m [19.6 ft.]	11 m [36 ft.]
Maximum Lot Coverage	9%	30%
Minimum Separation Distance Between Buildings	2 m [6.56 ft.]	2 m [6.56 ft.]

5.7 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.

5.7.1 Permitted Uses

- a) *Residential Structures* for a total of not more than 1 dwelling unit on a single lot
- b) *Accessory uses*
- c) *Accessory use Storage Trailers and Freight Containers* - Subject to additional regulations in Section 2.2.3
- d) *Accessory use: Solar power installations* – Subject to additional regulations in Section 2.2.4
- e) *Accessory use: Wind Turbines* - Subject to additional regulations in Section 2.2.5
- f) *Accommodation services*
- g) *Amusement and fitness facilities*
- h) *Arts, culture, and heritage institutions*
- i) *Assembly facilities*
- j) *Broadcasting*
- k) *Building, hardware, and garden supply stores*
- l) *Car wash facilities*
- m) *Day care facilities*
- n) *Delivery and courier services*
- o) *Food services*
- p) *Fuel sales*
- q) *Home based business*
- r) *Motion picture and sound recording studios*
- s) *Nursing and residential care facilities*
- t) *Office uses*
- u) *Parking lots*
- v) *Personal services*
- w) *Personal Storage*
- x) *Pet care services* – with no outdoor kennel facilities
- y) *Rental and leasing services*
- z) *Repair and maintenance services*
- aa) *Retail trade*
- bb) *Similar uses*
- cc) *Tourism related services*
- dd) *Veterinary Clinics* - with no outdoor kennel facilities

5.7.2 General Commercial Zone Requirements

	All Permitted Main Uses	Park or Playground
Minimum Lot area	0.6ha [1.48ac]	0.6ha [1.48ac] if serviced with sewage system. No minimum if unserviced
Minimum Lot frontage	45m [147.6']	30m [98.4']
Minimum Yard Requirements		
Front yard and Exterior side yard	6m [19.69']	6m [19.69']
Interior side yard	3m [9.8']	3m [9.8']
Rear Yard	7.5m [24.6']	3m [9.8']
Maximum Height Requirements		
Main building	3 storeys	11m [36']
Accessory Building	6m [19.69']	11m [36']
Maximum Lot Coverage Requirements	50%	30%
Minimum Separation Distance Between Buildings	6m [19.69']	2m [6.56']

5.8 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.

5.8.1 Permitted Uses

- a) *Residential Structures* for a total of not more than 1 dwelling unit on a single lot
- b) *Accessory uses*
- c) *Accessory use Storage Trailers and Freight Containers* - Subject to additional regulations in Section 2.2.3
- d) *Accessory use: Solar power installations* – Subject to additional regulations in Section 2.2.4
- e) *Accessory use: Wind Turbines* - Subject to additional regulations in Section 2.2.5
- f) *Accommodation services*
- g) *Amusement and fitness facilities*
- h) *Assembly Facilities*
- i) *Auto body repair establishments*
- j) *Building hardware and garden supply stores*
- k) *Car wash facilities*
- l) *Emergency response centres*
- m) *Food services*
- n) *Fruit and vegetable stands*
- o) *Fuel sales*
- p) *Heavy equipment sales, repair, and maintenance*
- q) *Information and technology services*
- r) *Mixed use service centers*
- s) *Motor vehicle sales and parts dealers*
- t) *Office uses*
- u) *Personal storage*
- v) *Pet Care Services* – with no outdoor kennel facilities
- w) *Public service facilities*
- x) *Recreational facility*
- y) *Rental and leasing services*
- z) *Repair and maintenance services*
- aa) *Retail Trade*
- bb) *Road transportation and warehousing*
- cc) *Similar uses*
- dd) *Tourism related uses*
- ee) *Veterinary Clinics* – with no outdoor kennel facilities

5.8.2 Highway Commercial Zone Requirements

	All Permitted Main Uses	Park or Playground
Minimum Lot area	0.6ha [1.48ac] plus an additional 0.4ha [1ac] for each <i>dwelling unit</i> in a <i>residential structure</i> .	0.6ha [1.48ac] if serviced with sewage system. No minimum if unserviced
Minimum Lot frontage	45m [147.6']	30m [98.4']
Minimum Yard Requirements – Main building		
Front yard & Exterior side yard	6m [19.69']	6m [19.69]
Interior side yard	3m [9.8']	3m [9.8']
Rear Yard	7.5m [24.6']	3m [9.8']
Maximum Height Requirements - (Accessory Building - see also Section 4.1)		
Main building	3 storeys	11m [36']
Accessory Building	6m [19.69']	11m [36']
Maximum Lot Coverage Requirements	50%	30%
Minimum Separation Distance Between Buildings	6m [19.69']	2m [6.56']

5.9 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.

5.9.1 Permitted Uses

- a) *Residential Structures* for a total of not more than 1 dwelling unit on a single lot
- b) *Accessory uses*
- c) *Accessory use: Solar power installations* – Subject to additional regulations in Section 2.2.4
- d) *Accommodation Services*
- e) *Bed and Breakfast* – Subject to regulations in Section 4.15
- f) *Campgrounds*
- g) *Food services*
- h) *Golf courses*
- i) *Park or Playground*
- j) *Recreational facilities*
- k) *Tourism related uses*

5.9.2 Recreational Commercial Zone Requirements

	All Permitted Main Uses	<i>Park or Playground</i>
Minimum Lot area	0.6ha [1.48ac]	0.6ha [1.48ac] if serviced with sewage system. No minimum if unserviced
Minimum Lot frontage	45m [147.6']	30m [98.43']
Minimum Yard/Setback Requirements – Main building		
Minimum Setback from any Lot line Abutting the Water	30m [98.43']	30m [98.43']
Front and Exterior side yard	6m [19.69'] for exterior side yard	6m [19.69']
Interior side yard	3m [9.8']	3m [9.8']
Rear Yard	7.5m [24.6']	3m [9.8']
Maximum Height Requirements		
Main building	3 storeys	11m [36']
Accessory Building	6m [19.69']	11m [36']
Maximum Lot Coverage	50%	30%
Minimum Separation Distance Between Buildings	6m [19.69']	2m [6.56']

5.10 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.

5.10.1 Permitted Uses

- a) *Abattoir*
- b) *Accessory uses*
- c) *Accessory use Storage Trailers and Freight Containers* - Subject to additional regulations in Section 2.2.3
- d) *Accessory use: Solar power installations* – Subject to additional regulations in Section 2.2.4
- e) *Accessory use: Wind Turbines* - Subject to additional regulations in Section 2.2.5
- f) *Auto body repair establishments*
- g) *Building, hardware, and garden supply stores*
- h) *Bulk storage and distribution of fossil fuels*
- i) *Commercial Solar Farms*
- j) *Commercial Wind Farms*
- k) *Contractors yards*
- l) *Heavy equipment sales maintenance and repair*
- m) *Manufacture of food and beverages*
- n) *Motion picture and sound recording studios*
- o) *Medium manufacturing*
- p) *Personal storage*
- q) *Public Service Facilities*
- r) *Rental and leasing services*
- s) *Repair and maintenance services*
- t) *Road transportation and warehousing*
- u) *Similar uses*

5.10.2 General Industrial Zone Requirements

	All Permitted Main Uses
Minimum Lot area	0.6ha [1.48ac]
Minimum Lot frontage	45m [147.6']
Minimum Yard Requirements – All Buildings	
Front yard and Exterior side yard	15m [49.2']
Interior side yard	5m [9.8']
Rear Yard	10m [32.4']
Maximum Height Requirements	
Maximum Height of All Buildings	15.25m [50']
Maximum Lot Coverage	65%
Minimum Separation Distance Between Buildings	6m [19.69']

5.10.3 Additional M1 Zone Regulations

5.10.3.1 Minimum Setbacks for Accessory Buildings

Despite any other provision in this By-law, accessory buildings and structures shall conform to the same setback requirements as set out for the main buildings above.

5.10.4 Zone Exceptions

5.10.4.1 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 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.

5.11.1 Permitted Uses

- a) *Abattoir*
- b) *Accessory uses*
- c) *Accessory use Storage Trailers and Freight Containers* - Subject to additional regulations in Section 2.2.3
- d) *Accessory use: Solar power installations* – Subject to additional regulations in Section 2.2.4
- e) *Accessory use: Wind Turbines* - Subject to additional regulations in Section 2.2.5
- f) *Auto body repair establishments*
- g) *Building, hardware, and garden supply stores*
- h) *Bulk storage and distribution of fossil fuels*
- i) *Commercial port facilities*
- j) *Commercial Solar Farms*
- k) *Commercial Wind Farms*
- l) *Contractors yards*
- m) *Delivery and courier services*
- n) *Dry cleaning and laundry plants*
- o) *Emergency response centres*
- p) *Heavy equipment sales maintenance and repair*
- q) *Manufacture of food and beverages*
- r) *Motion picture and sound recording studios*
- s) *Medium manufacturing*
- t) *Public service facilities*
- u) *Rail yards and related railway uses*
- v) *Reload centres for logs and pulpwood*
- w) *Rental and leasing services*
- x) *Repair and maintenance services*
- y) *Road transportation and warehousing*
- z) *Salvage yards and recycling centers* – Permitted by way a of a site specific (zone exception) rezoning approved by Council.
- aa) *Similar uses*

5.11.2 Additional M1 Zone Regulations

5.11.2.1 Minimum Setbacks for Accessory Buildings

Despite any other provision in this By-law, accessory buildings and structures shall conform to the same setback requirements as set out for the main buildings above.

5.11.3 Heavy Industrial Zone Requirements

	All Permitted Main Uses
Minimum Lot area	2ha [4.94ac]
Minimum Lot frontage	45m [147.6']
Minimum Yard/Setback Requirements	
Front yard and Exterior side yard	15m [49.2']
Interior side yard	5m [16.4']
Rear Yard	10m [32.4']
Maximum Height Requirements	
Main building	15.25m [50']
Accessory Building	11m [36']
Maximum Lot Coverage	65%
Minimum Separation Distance Between Buildings	6m [19.69']

5.11.4 Additional M2 Zone Regulations

5.11.4.1 Minimum Setbacks for Accessory Buildings

Despite any other provision in this By-law, accessory buildings and structures shall conform to the same setback requirements as set out for the main buildings above.

5.12 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.

5.12.1 Permitted Uses

- a) *Aggregate and Mineral mining operation*
- b) *Accessory use Storage Trailers and Freight Containers* - Subject to additional regulations in Section 2.2.3
- c) *Accessory use: Solar power installations* – Subject to additional regulations in Section 2.2.4
- d) *Accessory use: Wind Turbines* - Subject to additional regulations in Section 2.2.5
- e) Manufacturing of cement, concrete, pavement, brick or granular or other similar materials including an asphalt or ready-mix concrete plant
- f) *Agricultural uses with no buildings or structures with the exception of barns and fencing.*

5.12.2 Mineral Extraction Zone Requirements

	All Permitted Main Uses	
Minimum Lot area	4ha [9.8ac]	
Minimum Lot frontage	200m [656.1’]	
Minimum Yard/Setback Requirements – All Buildings		
Front yard and Exterior side yard	15m [49.2’]	
Interior side yard	15m [49.2’]	
Rear Yard	15m [49.2’]	
Maximum Height		
Main building	15.25m [50’]	
Accessory Building	11m [36’]	
Maximum Lot Coverage	65%	
Minimum Distance Separation Between Budlings	6m [19.6’]	
Minimum Setbacks for any open or below grade pits or extraction		30m from any lot line.

5.12.3 Additional MX Zone Regulations

5.12.3.1 Minimum Setbacks for Accessory Buildings

Despite any other provision in this By-law, *accessory buildings and structures* shall conform to the same setback requirements as set out for the main buildings above.

5.13 WASTE MANAGEMENT - WM

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

5.13.1 Permitted Uses

- a) *Accessory uses*
- b) *Accessory use Storage Trailers and Freight Containers* - Subject to additional regulations in Section 2.2.3
- c) *Accessory use: Solar power installations* – Subject to additional regulations in Section 2.2.4
- d) *Accessory use: Wind Turbines* - Subject to additional regulations in Section 2.2.5
- e) *Commercial Solar Farm*
- f) *Commercial Wind Farm*
- g) *Salvage yards and recycling centres*
- h) *Waste management facilities*
- i) *Similar uses*

5.13.2 Minimum Yard/Setback Requirements

All *buildings* and *structures*, including *accessory buildings* and *structures*, shall be setback a minimum of 30m [98.43'] from any *lot line*.

5.14 Waste Management Zone Buffer Overlay – WMB

Explanatory Note: The Waste Management Zone Buffer Overlay has been applied to all lands within 500m [1,640.42'] of the landfilling footprint of every landfill within the Municipality. Permitted uses include those uses permitted in the underlying zoning, excluding sensitive uses as listed in Section 5.14.2.

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

5.14.1 Permitted Uses

- a) Any use permitted in the underlying zoning upon the property or portion thereof which is within the Waste Management Zone Buffer Overlay – WMB

5.14.2 Prohibited Uses

Notwithstanding Section 5.14.1, the following uses are expressly prohibited:

- a) *Residential Structures*
- b) *Accommodation Services*
- c) *Bed and Breakfasts*
- d) *Daycare Facilities*
- e) *Group Homes*
- f) *Group Residences*
- g) *Mobile Home Parks*
- h) *Office Uses*
- i) *Parks and Playgrounds*
- j) *Rooming Houses*
- k) *Schools*
- l) *Tourism Related Services*

5.14.3 Waste Management Buffer Zone Overlay Requirements

All buildings and structures are subject to the zone requirements (minimum setbacks, lot area, lot frontage, maximum lot coverage and height, etc...) outlined within the underlying zoning.

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 Uses

- a) *Residential Structures* – consisting of up to 3 dwelling units in total on the lot
- b) *Accessory Uses*
- c) *Accessory use: Sleep Cabin* – Subject to additional regulations in Section 2.2.4.1
- d) *Accessory use Storage Trailers and Freight Containers* - Subject to additional regulations in Section 2.2.3
- e) *Accessory use: Solar power installations* – Subject to additional regulations in Section 2.2.4
- f) *Accessory use: Wind Turbines* - Subject to additional regulations in Section 2.2.5
- g) *Agricultural uses*
- h) *Ambulance facility*
- i) *Animal hospital*
- j) *Bed and Breakfast* – subject to additional regulations in 4.15
- k) *Conservation use*
- l) *Fruit and Vegetable Stands*
- m) *Group home*
- n) *Group residence*
- o) *Home based business* – subject to additional regulations in 4.13
- p) *Home based industry* – subject to additional regulations in 4.14
- q) *Park or Playground*
- r) *Places of worship*
- s) *Public service facilities*
- t) *Schools*

5.15.2 Accessory Uses, Buildings and Structures to an Active Agricultural Use

In addition to the main and accessory uses listed in Section 5.14.1, the following accessory uses, buildings and structures are permitted on the same lot as an operating *agricultural use* that is part of the Municipal Property Assessment Corporation's Farm Property Class Tax Rate Program:

- a) *Residential structures* for agricultural workers, intended to provide temporary occupancy for labourers.
- b) A farm produce outlet or fruit and vegetable stand, which may be permanent in nature – subject to the zone requirements outlined in Section 5.14.3 and all other requirements of this by-law.
- c) *Food Services* – excluding drive-through facilities, subject to the regulations outlined in Section 5.14.3 and all other requirements of this by-law
- d) *Manufacture of Food and Beverages* – Limited to agricultural products produced on-site or within the region. Excluding an *Abattoir*.
- e) *Personal storage*
- f) *Outdoor Assembly Facilities* – Temporary buildings or structures, such as tents, are subject to the regulations outlined in Section 5.14.3 and all other requirements of this By-law.

5.15.3 Rural Zone Requirements

	All Residential Structures	All Permitted Uses Excluding Residential Structures
Minimum Lot area	0.6ha [1.48ac] / <i>dwelling</i> unit located in a residential structure	1ha [2.47ac] if serviced with sewage system. No minimum if unserviced
Minimum Lot frontage	45m [147.6']	60m [196.8']
Minimum Yard/Setback Requirements – Main building		
Minimum Setback from any Lot line Abutting the Water	30m [98.43']	30m [98.43']
Front yard	6m [19.69']	6m [19.69']
Exterior side yard	6m [19.69']	6m [19.69']
Interior side yard	3m [9.8']	5m [16.4']
Rear Yard	7.5m [24.6']	10m [32.4']
Maximum Height Requirements		
Main building	11m [36']	11m [36']
Accessory Building	6m [19.6']	11m [36']
Minimum Distance Separation Between Buildings	2m [6.56']	5m [16.4']

5.15.5 Zone Exceptions

5.15.3.1 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 100m [328.4']

5.15.3.2 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 30m [98.43'].
- b) *Railway Setback*: The minimum *setback* from the limit of the railway *right-of-way* to any residential *dwelling* shall be 300m [984'].

5.15.3.3 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*: 30m [98.4 ft.] from the *high-water mark* of Pahpasheah Creek.

5.15.3.4 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

5.15.3.5 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

5.15.3.6 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 Kennel

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 Uses

- a) Residential Structure - consisting of up to 3 dwelling units.
- b) Accessory uses
- c) Accessory use: Sleep Cabin – Subject to additional regulations in Section 2.2.4.1
- d) *Accessory use Storage Trailers and Freight Containers* - Subject to additional regulations in Section 2.2.3
- e) *Accessory use: Solar power installations* – Subject to additional regulations in Section 2.2.4
- f) *Accessory use: Wind Turbines* - Subject to additional regulations in Section 2.2.5
- g) *Agricultural use*
- h) *Fairgrounds* – Subject to a site-specific zone exception
- i) *Home based business* – Subject to additional regulations in 4.13
- j) *Home based industry* – Subject to additional regulations in 4.14
- k) *Places of worship*
- l) *Schools*
- m) Similar uses
- n) *Veterinary Clinic* – With outdoor kennel facilities subject to additional regulations in Section 4.16.

5.16.2 Accessory Uses, Buildings and Structures to an *Active Agricultural Use*

In addition to the main and accessory uses listed in Section 5.15.1, the following accessory uses, buildings and structures are permitted on the same lot as an operating *agricultural use* that is part of the Municipal Property Assessment Corporation's Farm Property Class Tax Rate Program:

- g) *Residential structures* for agricultural workers, intended to provide temporary occupancy for labourers.
- h) A farm produce outlet or fruit and vegetable stand, which may be permanent in nature – subject to the zone requirements outlined in Section 5.15.3 and all other requirements of this by-law.
- i) *Food Services* – excluding drive-through facilities, subject to the regulations outlined in Section 5.15.3 and all other requirements of this by-law
- j) *Manufacture of Food and Beverages* – Limited to agricultural products produced on-site or within the region. Excluding an *Abattoir*.
- k) *Personal storage*
- l) *Outdoor Assembly Facilities* – Temporary buildings or structures, such as tents, are subject to the regulations outlined in Section 5.15.3 and all other requirements of this By-law.

5.16.3 Agricultural Zone Requirements

	All Permitted Main Uses
Minimum Lot area	4ha [9.8ac]
Minimum Lot frontage	n/a
Minimum Yard Requirements for Any Main building	
Minimum Setback from Any Lot Line Abutting a Waterbody	30m [98.43']
Front yard and Exterior side yard	15m [49.2']
Interior side yard	15m [49.2']
Rear Yard	15m [49.2']
Interior side yard or Rear Yard	5m [16.4']
Maximum Height Requirements	
Main building	15.25m [50']
Accessory Building	11m [36']
Maximum Lot Coverage Requirements	No Maximum
Minimum Distance Separation Between Buildings	6m [19.69']

5.17 OPEN SPACE ZONE – OS

No *person* shall use any land or *erect, alter* or use any *building* or *structure* in the *Open Space Zone OS* except in accordance with the following provisions.

5.17.1 Permitted Uses:

- a) *Accessory uses*
- b) *Accessory use Storage Trailers and Freight Containers* - Subject to additional regulations in Section 2.2.3
- c) *Accessory use: Solar power installations* – Subject to additional regulations in Section 2.2.4
- d) *Accessory use: Wind Turbines* - Subject to additional regulations in Section 2.2.5
- e) *Cemeteries, Crematoriums and Mausoleums*
- f) *Community Hubs*
- g) *Conservation uses*
- h) *Day Care Facilities*
- i) *Emergency Response Centres*
- j) *Nursing Homes and Residential Care Facilities*
- k) *Park or Playground*
- l) *Places of Worship*
- m) *Public service facilities*
- n) *Recreational Facilities*
- o) *Similar uses*

5.17.2 Open Space Zone Requirements

	All Permitted Uses
Minimum Lot area	n/a
Minimum Lot frontage	n/a
Minimum Yard/ Setback Requirements – All Buildings	
Front yard and Exterior side yard	6m [19.69’]
Interior side yard	3m [9.8’]
Rear Yard	7.5m [24.6’]
Maximum Height Requirements	
Main building	11m [36’]
Accessory Building	11m [36’]
Maximum Lot coverage Requirements - (Accessory Building - see also Section 4.1)	
Maximum Lot Coverage Requirements	n/a
Minimum Distance Separation Between Buildings	6m [19.69’]

5.17.3 Additional OS Zone Regulations

5.17.3.1 Minimum Setbacks for Accessory Buildings

Despite any other provision in this By-law, accessory buildings and structures shall conform to the same setback requirements as set out for the main buildings above.

5.18 Community Facilities Zone – CF

No *person* shall *use* any land or *erect, alter* or *use* any *building* or *structure* in the Community Facility – Zone - CF except in accordance with the following provisions.

5.18.1 Permitted Uses:

- a) Accessory uses
- b) *Accessory use Storage Trailers and Freight Containers* - Subject to additional regulations in Section 2.2.3
- c) *Accessory use: Solar power installations* – Subject to additional regulations in Section 2.2.4
- d) *Accessory use: Wind Turbines* - Subject to additional regulations in Section 2.2.5
- e) Arts, Culture and Heritage Uses
- f) *Cemeteries, crematoriums and mausoleums*
- g) *Community Hubs*
- h) Emergency Response Centres
- i) *Places of worship*
- j) *Public service facilities*
- k) *Schools*
- l) *Similar uses*

5.18.2 Community Facilities Zone Requirements

	All Permitted Community Facility Zone Uses
Minimum Lot area	0.6ha [1.48ac]
Minimum Lot frontage	30m [98.4']
Minimum Yard Requirements	
Front yard and Exterior side yard	6m [19.6']
Interior side yard	3m [9.8']
Rear Yard	7.5m [24.6']
Maximum Height Requirements	
Main building	11m [36']
Accessory Building	11m [36']
Maximum Lot Coverage	60%
Minimum Distance Separation Between Buildings	6m [19.69']

5.18.3 Additional OS Zone Regulations

5.18.3.1 Minimum Setbacks for Accessory Buildings

Despite any other provision in this By-law, *accessory buildings* and *structures* shall conform to the same setback requirements as set out for the main *buildings* above.

5.19 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.

5.19.1 Permitted Uses

- a) *Conservation uses.*

5.19.2 Permitted Accessory Structures

Structures required for conservation purposes only.

5.19.3 Zone Requirements

No *zone* requirements shall apply.

5.20 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.

5.20.1 Permitted Uses

The erection of buildings, structures and uses are prohibited without a site-specific zone exception, unless otherwise noted in this by-law, with special regard for:

- a) The continuation, repair or reconstruction of legal non-conforming buildings, structure and uses, as outlined in Sections 4.20.5 and 4.20.6 only.
- b) Buildings, structures and uses permitted in a flood plain, as outlined in Section 4.11.2.

5.20.2 Hazard Lands Zone Requirements

	<i>All Permitted Uses</i>
<i>Minimum Lot area</i>	n/a
<i>Minimum Lot frontage</i>	n/a
<i>Minimum Requirements for Any Existing Building or Structure</i>	
<i>All Yards</i>	<i>Existing setbacks, existing height and existing maximum lot coverage</i>