

TOWNSHIP OF MINDEN HILLS

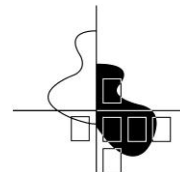
ZONING BY-LAW 06-10

February 23, 2006

Approved by the Ontario Municipal Board August 9, 2006

Office Consolidation

June 2, 2017 ~~April 27, 2017~~ ~~March 31, 2008~~



PLANSCAPE
Building Community Through Planning
Bracebridge, Ontario

By-law Amendments included in the consolidation
to Zoning By-law 06-10 of the Township of Minden Hills

Consolidated to ~~June 2, 2017~~~~April 27, 2017~~~~March 31, 2008~~

By-law #	Property description	ADOPTED
06-15	Pt. Lot 10, Concession 3, Lutterworth	Feb. 27, 2006
06-036	Pt. Lot 2, Concession 4, Minden	May 3, 2006
06-067	Pt. Lot 20, Concession 7, Lutterworth	Aug. 31, 2006
07-13	Pt. Lots 21 & 22, Concession 14, Snowdon	March 29, 2007
07-014	Pt. Lot 11, Concession 10, Minden	May 7, 2007
07-36	Pt. Lot 4, Concession A, Pt. Lot 9, East of Teasdale Street, Registered Plan No. 1, Pt. Lot 9, West of Bruce Street, Registered Plan No. 1, Minden	May 31, 2007
07-37	Pt. Lot 5, Concession 14, Snowdon	June 1, 2007
07-043	All lands in the Township	May 10, 2007
07-51	Pt. Lot 12, Concession 13, Minden	July 3, 2007
07-59	Pt. Lot 29, Concession 7, Minden	July 3, 2007
07-60	Pt. Lot 28, Concession 7, Minden	July 3, 2007
07-73	Pt. Lot 11, Concession 10, Minden	July 31, 2007
07-84	Pt. Lots 3 & 4, Concession 5, Minden	Sept. 28, 2007
07-85	Pt. Lots 16 & 17, Concession 14, Snowdon	Sept. 28, 2007
08-21	Pt. Lots 21 & 22, Concession 2, Minden	March 27, 2008

Township of Minden Hills Zoning By-law 06-10

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TOWNSHIP OF MINDEN HILLS

Zoning By-law 06-10

Consolidated ~~June 2, 2017~~ ~~April 27, 2017~~ ~~March 31, 2008~~

Section 1 ADMINISTRATION AND INTERPRETATION

- 1.1 **TITLE:** This ~~by~~By-law shall be known as the ~~Zoning By-law of the Township of Minden Hills~~ "Township of Minden Hills Zoning By-law".
- 1.2 **APPLICATION:** This By-law applies and is enforceable with respect to the whole of the Township of Minden Hills. For the purposes of this By-law, the definitions and interpretations in this By-law shall govern unless the context requires otherwise.
- 1.3 **ZONE SCHEDULES AND FIGURES:** The zones and zone boundaries are shown on Schedules 1 to 25. Schedules 1 to 25 and Tables 1 to 4 are part of this By-law. The use of Figures are for illustration purposes only and are enclosed in the Bylaw to assist the reader in understanding and applying the By-law. These Figures, however, do not form part of the By-law and, as such, where there is a discrepancy between the wording of the By-law and the Figure, the By-law's wording shall take precedence.
- 1.4 **ADMINISTRATION:** This By-law shall be administered and enforced by any person, or persons, as may be appointed for such purpose by the Council of the Township from time to time.
- 1.5 **INTERPRETATION:** For the purposes of this By-law, words used in the present tense include the future; words used in the singular number include the plural and words in the plural include the singular number; the word "shall" is mandatory; the word "may" is permissive; the words "used" and "occupied" shall include the words "arranged" and "designed to be used or occupied".
- 1.6 **ZONE SYMBOLS:** ~~The Zone Symbols shown on the Schedules refer to the zone categories and the use of land, activities, buildings structures, and excavations permitted by this By-law~~ The Zone symbols used in this By-law and on the Schedules to this By-law refer to lots, buildings and structures and other parcels of land and to the use of lots, buildings and structures and other parcels of land permitted by this By-law.
- 1.7 **EXCEPTION ZONES:** Where a zone symbol on the attached schedules is followed by one or more numbers following the dash (-) symbol (for example SR-4), the numbers following the dash (-) symbol refer to subsections in Section ~~5.4~~3 (Exceptions to zones) of this By-law that apply to the lands noted.
- 1.8 **OVERLAY ZONES:** Notwithstanding any other provision of this By-law to the contrary, within the areas shown on the Schedules to this By-law as being within one or more Overlay Zones, the provisions of the Overlay Zone shall

also apply. In the event of conflict between an Overlay Zone and any other Zone, the more restrictive standards shall apply.

4.71.9 TEMPORARY USE ZONES: Where on Schedules to this By-law, a zone symbol is preceded by the letter “T” and a dash, and followed by a number (for example T-3-RU), one or more additional uses are permitted on the lands noted until the permission granted by the Site Specific Temporary Use By-law expires. Table 5.3 identifies the Temporary Use Zones within the Municipality.

4.81.10 HOLDING PROVISIONS: Notwithstanding any other provision in this By-law, where a Zone symbol is followed by the letter (H), no person shall use the land to which the letter (H) applies for any use other than the use which existed on the date this By-law was passed or as provided for in Section 5.5 of this By-law, until the (H) is removed in accordance with the policies of the Official Plan and the Planning Act, as amended.

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

- Where the extent and boundary of any zone is uncertain, the following provisions shall apply:
- where a zone boundary is indicated as passing through undeveloped land, the location of such boundary shall be determined by scaling the distance on the applicable Schedule;
- where a zone boundary is indicated as following the corporate limits of the Township, such limits shall be the zone boundary; and,
- where a zone boundary is indicated as following a shoreline, then such zone boundary shall follow the high water mark.

4.91.12 ZONING OF ISLANDS: Islands without a specific zone symbol on the Schedules are zoned Open Space.

1.13 HEADINGS AND USE OF FIGURES: The headings of the Parts, Sections, Subsections and clauses of this By-law, including the Schedules, and the figures, appearing at various places throughout this By-law, have been inserted as a matter of convenience, for reference only, and in no way define, limit or enlarge the scope or meaning of this By-law or any of its provisions.

1.14 TECHNICAL REVISIONS TO THE ZONING BY-LAW: Provided that the purpose and effect of this By-law is unaffected, the following technical revisions to this By-law shall be permitted without a Zoning By-law Amendment:

1.14.1 Correction to grammatical, mathematical, boundary or other such errors, including minor technical revisions to the mapping consistent with the intent of this By-law and the Town’s Official Plan;

1.14.2 Changes to the numbering of sections, the numbering contained in the crossreferencing of sections, and the format and arrangement of the text, tables, schedules and maps, and the numbering of pages;

1.14.3 Corrections or revisions to the technical information contained on maps, such as the title blocks and legend;

1.14.4 Changes to headings, indices, table of contents, illustrations, page numbering, footers and headers, or preamble which do not form a part of this By-law and are editorially inserted for convenience of reference only.

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

4.141.16 **SEVERABILITY:** A decision of a court that any provision of this By-law are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this By-law.

4.121.17 **EFFECTIVE DATE:** This By-law shall come into force in accordance with the provisions of the Planning Act.

4.131.18 **REPEAL OF FORMER BY-LAWS:** By-laws 86-26 (Anson, Hindon, Minden), 4-81 (Lutterworth) and 3/78 (Snowdon) and all amendments thereto are hereby repealed.

4.141.19 **OBLIGATION:** Nothing in this By-law shall relieve any person from the obligation to comply with the requirements or the Ontario Building Code Act, any other by-law of the Township of Minden Hills, or other County of Haliburton, provincial or federal legislation.

4.151.20 **UNLAWFUL USES:** Any use established in violation of a Zoning By-law predecessor of this By-law is deemed to have been established unlawfully.

4.161.21 **INTERPRETATION OF ROADS AND ROAD ALLOWANCES:** The Schedules to this By-law show the approximate location and status of road and road allowances. They have been inserted as a matter of convenience, for reference only, and in no way define, limit or enlarge the extent, ownership or scope of municipal ownership or maintenance of roads in the Township.

1.22 **PREVIOUS COMMITTEE OF ADJUSTMENT DECISIONS:** Any variance granted by the Township of Minden Hills Committee of Adjustment or the Ontario Municipal Board to any predecessor of this By-law shall be deemed to be a variance to this By-law.

1.23 **TRANSITION PROVISIONS:** This By-law does not apply to prevent the issuance of a Building Permit for a Development for which an Approval under the Planning Act has been granted for:

- a Minor Variance
- a Zoning By-law Amendment, or;
- Site Plan approval;

where the said Development occurs in strict accordance with the plans originally filed with the Township in support of the application for Development, or where a complete application for a building permit or Site Plan approval was made on or before the effective date of this By-law and the said complete application complied with the provisions of By-law 06-10 as it existed immediately prior to the passage of By-law 17-68

Section 2 COMPLIANCE WITH THE BY-LAW

- 2.1 **COMPLIANCE:** No person shall change the use of any building, structure or land, or erect or use any building or structure, or occupy any land or building or create any lot except in conformity with the provisions of this By-law.
- 2.2 **REQUIREMENTS:** The provisions of this By-law shall be held to be the minimum requirement except where the word maximum is used, in which case the maximum requirement shall apply.
- 2.3 **CHANGE IN LOT SIZE:** No lot shall be changed in area, depth or width, either by the conveyance of land or otherwise, so that the lot coverage exceeds the maximum permitted by this By-law, or so that any existing or resulting lot area, dimension or yard will be less than the minimum permitted by the provisions of this By-law.
- 2.4 **CHANGE IN USE:** A use or occupation of land, building, structure, or excavation, or any activity in connection therewith which, under the provisions of this By-law, is not permissible within the Zone in which such land, building, or structure or excavation is located, shall not be changed except to a use or occupation which is permissible within such zone.
- 2.5 **PUBLIC ACQUISITION:** No person shall be deemed to have contravened any provision of this By-law by reason of the fact that any part or parts of any lot has or have been conveyed to or acquired by any Public Authority.
- 2.6 **BUILDING AND OTHER PERMITS:** No building permit or occupancy permit shall be issued where the proposed building, structure, excavation, use or activity would be in violation of any of the provisions of this By-law.
- 2.7 **ENFORCEMENT:** Any person, or corporation, who contravenes this By-law is guilty of an offence and on conviction is liable to a penalty in accordance with the Planning Act, R.S.O 1990, c.P.13, as amended.

Section 3 DEFINITIONS

3.1 **ACCESSORY BUILDING OR STRUCTURE:** ~~A detached building or structure that is not used for human habitation, the use of which is customarily subordinate, incidental and exclusively devoted to a permitted principal use, building or structure and located on the same lot~~ A building or structure, the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to, a permitted principal use, building or structure and located on the same lot.

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

~~3.3 **ACCOMMODATION UNIT:** A room or group of rooms in a tourist or resort establishment designed to provide accommodation for the traveling or recreational public, including a room in a hotel, motel, resort or tourist establishment, a rental cottage or cabin, a recreational mobile home or a tent or trailer site.~~

~~3.3 **AISLE:** The area of a parking area that provides direct vehicular access to one or more parking spaces~~

~~3.4 **ALTER:** When used in reference to a building, structure, or part thereof, means:~~

- ~~i) to change any one or more of the internal or external dimensions of such building or structure, or
to change the type of construction of the exterior walls or roof thereof~~
- ~~ii) to change the use of such building or structure; or~~
- ~~iii) to change the number of uses or dwelling units contained therein~~

~~When used in reference to a lot means~~

- ~~i) to change the boundary of such lot with respect to a street or lane; or~~
- ~~ii) to change any dimension or area, relating to such lot, which is covered herein by a zone provision; or~~
- ~~iii) to change the use of such lot; or~~
- ~~iv) to change the number of uses located thereon.~~

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

~~3.43.5 **ARENA:** A building, or part thereof, in which the principal facilities provided are for such recreational activities as curling, skating, hockey, lacrosse, broomball or other similar athletic activity, and may include dressing rooms, concession booths for the provision of food and refreshments to the general public,~~

bleachers, plant equipment for the making of artificial ice and/or other incidental and subordinate facilities or public use.

3.53.6 ASPHALT PLANT, PERMANENT: A facility for the mixing of asphalt components, including hot mix asphalt, for transfer to a job site.

3.63.7 ASPHALT PLANT, PORTABLE: Equipment that is used to produce asphalt and which is capable of being readily drawn by a motor vehicle and which is not permanently affixed to the ground.

3.8 ATTACHED: A building or structure, otherwise complete in itself, which depends for structural support or complete closure, upon a division wall or walls shared in common with an adjacent building or buildingsstructure.

Detached shall mean a building or structure which is not attached.

07-043

3.73.9 ATTIC: ~~[deleted by By-law 07-043]~~ For the purposes of this By-law, an attic shall mean the space between the roof and the ceiling of the top storey or between a dwarf wall and a sloping roof, where any part of such sloping roof has an internal angle less than fifty degrees (50°), measured from the horizontal. That portion of a building situated wholly or partly within the roof and which is not a one-half story.

3.10 BALCONY: a structure generally consisting of a platform, projecting from the face of a wall, cantilevered and usually surrounded by a balustrade or railing.

07-043

3.83.11 BASEMENT: ~~[deleted by By-law 07-043]~~ One or more storeys of a building located below the first storey.

3.93.12 BED AND BREAKFAST: An owner occupied single detached dwelling in which no more than three (3) guest rooms are made available for temporary accommodation of the traveling or vacationing public; in which the owner supplies lodgings with or without meals for the persons so accommodated, but does not include a boarding house, group home or tourist establishment.

3.103.13 BOARDING HOUSE: An owner occupied single detached dwelling in which the proprietor provides for a fee sleeping accommodation with board for at least more than three (3) persons and not more than ten (10) persons exclusive of the proprietor and any employees of the establishment. The residents may share common areas of such establishment.

3.113.14 BOAT HOUSE: A detached accessory building or structure located in a required yard, between the shoreline and the dwelling, including those buildings or structures attached to the bed of a waterbody, which is designed or used for the berthing or sheltering of a boat and/or other water craft and marine equipment, and may include storage of accessory equipment incidental to the residential use permitted on the lot, but shall not include any areas for human habitation.

3.123.15 BOAT PORT: A roofed accessory building or structure located in a required yard, between the shoreline and the dwelling, including those buildings or structures attached to the bed of a waterbody, which is designed or used for the berthing and sheltering of a boat and/or other water craft and

~~marine equipment or other marine-related equipment~~ and is not enclosed by more than one wall.

~~3.133.16~~ **BUILDING:** A structure that has one or more floors and a roof, used for the shelter or enclosure of persons, animals or chattel, and includes any structure serving the same purpose such as a tent, an awning or carport.

~~3.143.17~~ **BUILDING SUPPLY OUTLET:** A building or structure in which building, construction, and/or home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials and products related to home improvements.

~~3.153.18~~ **BULK STORAGE TANK:** A tank for the bulk storage of petroleum, gasoline, diesel, propane, oil, or other fuels or flammable liquid or fluid but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use on the premises where such tank is located.

~~3.163.19~~ **BUSINESS, PROFESSIONAL OR ADMINISTRATIVE OFFICE:** A building, or part thereof, in which clerical, administrative, consulting, advisory or training services are performed, but does not include a medical clinic or medical office.

~~3.173.20~~ **CAMPING ESTABLISHMENT:** A seasonal tourist establishment consisting of camping sites and comprising land used or maintained as grounds for the camping or temporary parking of trailers, motorized mobile homes, truck campers, campers or tents, but does not include parks or camping grounds maintained by any department of the Government of Ontario or Canada, or any Crown corporation, commission or board. For the purposes of this definition, seasonal means operating between April 1, and Nov. 30 of each year.

~~3.183.21~~ **CAMPING SITE:** That part of a camping establishment which is occupied on a temporary basis only, by a trailer, motorized home, truck camper, camper or tent, ~~which shall have a minimum area of 75 square meters and a minimum frontage on a private driveway of 6 metres.~~

~~3.193.22~~ **CARPORT:** An attached or detached accessory building or portion of a dwelling which is a roofed enclosure designed for the storage or parking of a motor vehicle, with at least 40 per cent (40%) of the total perimeter open and unobstructed. For the purposes of this By-law, perimeter shall include the main wall of the building to which the carport is attached.

07-043

~~3.203.23~~ **CELLAR:** [deleted by By-law 07-043]

~~3.213.24~~ **CEMETERY:** Land that is set apart or used as a place for the interment of the remains or ashes of human bodies.

~~3.223.25~~ **COMMERCIAL SELF-STORAGE FACILITY:** Premises used for the temporary storage of household items and seasonal, recreational or commercial vehicles, boats and trailers in storage areas or lockers that are generally accessible by means of individual loading doors.

~~3.233.26~~ **COMMUNITY CENTRE:** ~~Any land, building, structure, or part thereof, used for community activities, the control of which is vested in the Township or other Public Authority. Any tract of land, or building, or any part of a building used for community recreational and/or social activities whether used for commercial purposes or not, the control of which is vested in the Municipality, a local board or agent thereof, including any building, structure or facility established as a Community Recreation Centre within the meaning of the Community Recreation Centres Act. Accessory uses may include meeting rooms, a banquet hall, and related kitchen facilities.~~

~~3.243.27~~ **CONSERVATION:** The preservation, protection and improvement of the natural environment through comprehensive management and maintenance.

~~3.28~~ **CONTRACTOR'S ESTABLISHMENT:** ~~An area of land where equipment and materials used by a general contractor or construction company are stored or where a contractor performs shop assembly work. The use of lands, building or structures by any building tradesman or contractor where equipment and material are stored or where a tradesman or contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.~~

~~3.253.29~~ **CUMULATIVE WIDTH:** ~~The sum of the widths of every building and structure located in a required yard of a lot, between the shoreline and the principle building, and any accessory building and structure located at or on the water which is associated with lot, as measured parallel to the contour of the shoreline, but excluding any portion of a building or structure's width located behind another building or structure.~~

~~3.30~~ **DAY CARE CENTRE:** Premises that receive more than five (5) children who are not of common parentage, primarily for providing temporary care, and are licensed in accordance with the Day Nurseries Act ~~but does not include a school, group home or nursing home, or private home daycare.~~

~~3.31~~ **DECK:** An unenclosed structure that is accessory to a residential use and used as an outdoor living area, and, where attached to a building, with a floor which is above finished grade; a deck shall not include a landing nor a stair, and may be attached or detached from a building.

~~3.263.32~~ **DESIGNATED ACCESSIBLE PARKING:** A parking space identified with appropriate signage and markings for the exclusive use of persons in possession of valid accessible parking permits.

~~3.33~~ **DOCK:** An unenclosed accessory structure built at the shoreline or anchored over water at which watercraft are berthed or stored, intended for the berthing and storing of watercraft, and includes such structure whether floating or permanently anchored to the shore or the lake bed.

~~3.273.34~~ **DRIVEWAY:** an area of land which provides vehicular access from a street to a parking aisle or a garage.

~~3.283.35~~ **DRY-CLEANING ESTABLISHMENT:** Premises used only for the purpose of collection, distribution, and processing of articles or goods of fabric to be subjected to the process of dry cleaning, dry dyeing, cleaning, and spotting and stain removing, and for the pressing of any such articles or goods.

~~3.293.36~~ **DWELLING:** A residential building designed for the occupancy by one or more persons, containing one or more dwelling units as a principal use thereof, ~~but shall not include a tourist establishment, boarding house or mobile home.~~

~~3.303.37~~ **DWELLING, CONVERTED:** A dwelling constructed as a single detached dwelling, the interior of which has been altered to contain two dwelling units.

~~3.38~~ **DWELLING, DUPLEX:** A dwelling which is divided horizontally into two separate dwelling units, each of which has an independent entrance either directly from outside the building or through a common vestibule.

~~3.343.39~~ **DWELLING, GARDEN SUITE:** A one-unit, detached, dwelling unit that is accessory to an existing single detached dwelling and that is designed to be temporary and portable.

~~3.32~~ **DWELLING, MODULAR:** ~~A factory constructed sectional dwelling, manufactured in accordance with the applicable standards of the Canadian Standards Association (CSA) and the Ontario Building Code (OBC), which is transported and permanently affixed to a foundation with the necessary service connections, and, from which the steel carriage used for transportation is removed upon erection. For the purposes of this By-law, a modular dwelling is a dwelling as provided in Section 3.32.~~

~~3.33~~ **DWELLING, MOBILE HOME:** ~~Any dwelling unit that is designed to be mobile and which is constructed or manufactured to provide a permanent residence that is certified in accordance with CSA Standard Z240 or CSA Standard A277, but which does not include a travel trailer, recreational mobile home, tent trailer or trailer.~~

~~3.343.40~~ **DWELLING, MULTIPLE:** A dwelling that contains three or more dwelling units.

~~3.353.41~~ **DWELLING, SEMI-DETACHED:** A dwelling divided vertically to provide two separate dwelling units separated by a common wall, each of which has an independent entrance either directly from outside the building or through a common vestibule.

~~3.363.42~~ **DWELLING, SINGLE DETACHED:** A dwelling containing one dwelling unit.

~~3.373.43~~ **DWELLING UNIT:** a suite of habitable rooms which:

- i) Is located in a building;
- ii) Is used or intended to be used in common by the occupants as a single, independent, and separate housekeeping establishment;

07-043

~~ii)iii)~~ Contains food preparation and sanitary facilities provided for the exclusive common use of the occupants thereof; and

~~iv)~~ Has a private entrance from outside the building or from a common hallway or stairway.

~~but does not include a tourist establishment, boarding house, or mobile home.~~

~~3.383.44~~ **DWELLING UNIT, ACCESSORY:** a dwelling unit accessory to a non-residential permitted use, that is located in a building the main use of which is that permitted use, or in a separate building that is located on the same lot as the main use. An accessory dwelling unit shall be occupied by the owner or operator of the non-residential use and/or by his or her family or employees.

~~3.45~~ **DWELLING UNIT AREA:** ~~The habitable area contained within the inside walls of a dwelling unit, excluding any private garage, carport, porch, verandah, unfinished attic, cellar, basement, or sunroom (unless such sunroom is habitable in all seasons of the year), excluding public or common halls or areas, stairways and the thickness of outside walls. The sum total of the areas of every storey within a dwelling unit, measured between the inside surfaces of the exterior walls of the dwelling unit. This calculation shall include all habitable rooms, all stairways, hallways, and other common areas exclusive to that dwelling unit, and the thickness of interior walls, but shall exclude:~~

~~i) any private garage, carport, deck, veranda, attic, or unfinished basement;~~

~~ii) hallways, stairways and other areas common to more than one dwelling unit, and~~

~~ii)iii) the thickness of exterior walls.~~

~~3.46~~ **EAVE:** A roof overhang, free of enclosing walls, without supporting columns.

~~3.393.47~~ **EQUESTRIAN FACILITY:** An area of land where three or more horses are boarded or rented to others and/or where riding lessons may be given.

~~3.403.48~~ **EQUIPMENT SALES AND RENTAL, HEAVY:** Premises in which heavy machinery and equipment are offered or kept for sale, rent, lease or hire under agreement, for compensation.

~~3.413.49~~ **EQUIPMENT SALES AND RENTAL, LIGHT:** Premises in which light machinery and equipment such as air compressors and related tools and accessories, augers, automotive tools, cleaning equipment, concrete masonry equipment, electric tools and accessories, fastening devices such as staplers and tackers, floor and carpet tools, hoses, ladders, light-compacting equipment, moving equipment, painting and decorating equipment, pipe tools and accessories, plumbing tools and accessories, pumps, scaffolding, welding equipment and other similar tools and appurtenances are offered or kept for sale, rent, lease, or hire, under agreement, for compensation.

~~3.423.50~~ **ERECT:** Set up, build, construct, reconstruct or relocate, and, without limiting the generality of the work, also includes:

- any preliminary physical operation, such as excavating, filling or drainage;
- altering any existing building or structure by an addition, enlargement, extension, relocation or other structural change;
- any work for the doing of which a Building Permit is required under The Building Code Act and Regulations; and,
- erect, erected, and erection shall have a corresponding meaning.

3.433.51 EXISTING: In existence on the date of passing of this by-law.

~~3.443.52 FARM: An area of land used for tillage of soil and the growing of vegetables, fruits, grains and other staple crops, and including livestock raising, dairying or woodlots~~
Land used for the growing of crops including nursery and horticultural crops, the raising of livestock and other animals for food or fur, aquaculture, apiculture, agro-forestry, or maple syrup production. A farm includes a single detached dwelling and buildings and structures, such as barns and silos, which are incidental to the operation of the farm.

3.453.53 FARM PRODUCE OUTLET: A use accessory to a farm that consists of the retail sale of agricultural products produced on the farm where such outlet is located.

3.463.54 FLOOD FRINGE: Shall mean the outer portion of the flood plain between the floodway and the limit of the regulatory flood. Flood depths and velocities are generally less severe in the flood fringe than those experienced in the floodway.

3.473.55 FLOOD PLAIN: Shall mean the area, usually low lands, adjoining a navigable waterway which has been, or may be covered by flood water.

3.483.56 FLOODPROOFING: Shall mean a combination of building changes or adjustments incorporated into the basic design, construction, or alteration of individual buildings or properties subject to flooding so as to reduce or eliminate flood damages.

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

~~3.503.58 FLOOR AREA, GROSS: The total floor area, exclusive of any portion of the building or structure below finished grade which is used for heating, the storage of goods or personal effects, laundry facilities, recreational areas, the storage or parking of motor vehicles or quarters used by the caretaker, watchman or other supervisor of the building or structures; and, in the case of a dwelling, exclusive of any private garage, carport, basement, walkout basement, cellar, porch, verandah or sunroom unless such sunroom is habitable during all seasons of the year for a dwelling, or dwelling unit, the total~~

area of the storeys contained within the outside walls of the dwelling, or dwelling unit, exclusive of any garage, carport, porch, veranda, balcony, sunroom, unfinished attic, or unfinished basement; or,

for a building or part of a building other than a dwelling or dwelling unit, the total area of all the storeys contained within the outside walls of the building dedicated to a specific use;

for any structure other than a building, the total area of the lot occupied by such structure, including such area above grade.

~~3.59~~ **FLOOR AREA, GROUND:** ~~The total ground floor area of a building measured to the outside walls, exclusive of any parking areas within the building and in the case of a dwelling, any basement or cellar or any private garage, carport, porch, veranda or sunroom, unless such sunroom is habitable at all seasons of the year. The area of a building or structure, having a location on or above ground measured from the outside walls or outermost perimeter of such building or structure and independent of any other building or structure it may be attached to.~~

~~3.51~~ **FLOOR AREA, MANUFACTURING:** ~~That portion of the gross floor area of an establishment that is used for manufacturing purposes but does not include areas for storage of finished products or offices.~~

~~3.52~~ **FLOOR AREA, TOTAL:** ~~The aggregate of the horizontal areas of each floor, whether any such floor is above or below grade, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor.~~

~~3.53~~**3.60** **FUNERAL HOME:** Shall mean a building, or part thereof, designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.

~~3.54~~**3.61** **GARAGE, PRIVATE:** A detached accessory building or portion of a dwelling which is fully enclosed and roofed, and is designed or used for the sheltering of a private motor vehicle and storage of household equipment incidental to the residential occupancy. A private garage excludes a carport or other open shelter.

~~3.55~~**3.62** **GARDEN CENTRE and NURSERY:** Premises devoted to the growing or displaying of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation which is sold to the public at retail and shall also include the sale of such goods, products and equipment as are normally associated with gardening or landscaping.

~~3.56~~ **GARDEN SUITE:** ~~Shall mean a one-unit detached residential building containing bathroom and kitchen facilities that is accessory to an existing residential building and that is designed to be portable.~~

~~3.57~~**3.63** **GAZEBO:** A freestanding, roofed, accessory structure which is not closed, except for screening or glass, and which is utilized for the purposes of relaxation.

~~3-583.64~~ **GOLF COURSE:** A public or private area operated for the purpose of playing regulation or par 3 golf, and includes accessory clubhouse and recreational facilities, but does not include driving ranges, miniature courses or similar uses.

~~3-593.65~~ **GOLF DRIVING RANGE:** An outdoor public or private facility used for the practice of golf by the driving of balls from fixed golf tees.

~~3-603.66~~ **GRADE, ESTABLISHED:** ~~The average elevation of the natural and finished levels of the ground measured on any side of a building or structure~~
AVERAGE FINISHED: The average of the lowest and highest elevation of the finished surface of the ground measured at the base of a building wall or the base of a structure.

~~3-613.67~~ **GREENHOUSE, COMMERCIAL:** Premises used for the growing under glass of flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation which are sold directly from such lot at wholesale or retail.

~~3-623.68~~ **GROUP HOME:** A dwelling in which not more than 10 persons, having physical, social or mental disabilities reside in an open custody situation, under the appropriate supervision of personnel who may also reside in the dwelling unit, and which operates in compliance with applicable Provincial legislation and municipal By-laws. Shall mean a residence designed for the accommodation of 3 to 6 persons, exclusive of staff, living under supervision in a dwelling 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. The group home shall be funded wholly or in part by any government, other than funding provided solely for capital purposes, or is licensed or approved under Provincial statute. For the purposes of this By-law, a group home will be classified as either closed custody or open custody.

~~3-633.69~~ **GROUP HOME, CLOSED CUSTODY:** Shall mean a group home operated primarily for persons who have been placed on probation, released on parole, or admitted for correctional purposes.

~~3-643.70~~ **GROUP HOME, OPEN CUSTODY:** Shall mean a group home operated primarily for persons who have been referred by a hospital, court, government agency, recognized social services agency, or health professional.

~~3-653.71~~ **GUEST:** A person, other than a boarder, who contracts for accommodation and includes all members of the person's party.

~~3-663.72~~ **GUEST ROOM:** A room or suite of rooms in a hotel, lodge, tourist establishment or bed and breakfast used or maintained for the accommodation of an individual or individuals to whom hospitality is extended for compensation and which contains no kitchen or cooking facilities.

~~3.73~~ **HABITABLE ROOM:** ~~A room designed for living, sleeping, eating, or food preparation, and includes a den, library, sewing room, or enclosed sunroom~~
A room designed for habitation.

~~3.673.74~~ **HABITATION:** ~~The use and occupancy of a structure by people, primarily for living, sleeping eating, or food preparation. Habitation also includes leisure, recreational, home entertainment, home business, and bed and breakfast establishment activities.~~

~~3.683.75~~ **HEALTH CARE CENTRE:** An establishment licensed under the Nursing Homes Act, the Homes for the Aged and Rest Homes Act, or the Private Hospitals Act, an approved charitable home for the aged as defined in the Charitable Institutions Act, or a hospital as defined in the Public Hospitals Act.

~~3.693.76~~ **HEIGHT AND HEIGHT OF BUILDING:** The vertical distance, measured between the ~~average elevation of the finished grade measured at the front and rear of the building~~ average finished grade, and:

- in the case of a mansard roof, the deck roof line;
- in the case of a flat roof, the highest point of the roof surface;
- in the case of a gambrel, gable or hip roof, the average height between the eaves and ridge; and
- in the case of an A-frame, 75% of the distance between the finished grade measured at the midpoint of the front and rear of the building and the ridge.

~~3.703.77~~ **HIGH WATER MARK:** The normal ordinary or regulated high water mark of any body of water, as indicated by the character of the vegetation or soil, or, where the high water mark is indeterminate, the normal or regular water level as shown on a current plan of survey prepared by an Ontario Land Surveyor.

~~3.713.78~~ **HOME INDUSTRY:** A small scale industrial use, such as a carpentry shop, a metal working shop, a welding shop or an electrical shop that provides services or wares to the community and which is an accessory use to a single detached dwelling. For the purposes of this By-law, the repairing of motor vehicles, mobile homes and trailers is not a home industry.

~~3.723.79~~ **HOME OCCUPATION:** An occupation conducted for gain that is carried on in accordance with the provisions of this By-law, as an accessory use to a single detached dwelling.

~~3.733.80~~ **HOTEL:** A tourist establishment which contains 4 or more guest rooms, with each guest room served by either a common entrance or a separate entrance from outside the building. A hotel includes a motel.

~~3.743.81~~ **HUNT CAMP:** ~~A building or structure consisting of one or more rooms which are at least partially furnished and may include facilities for the preparation of food and overnight accommodation, on a temporary basis, for the purpose of accommodating hunters~~ A building intended to provide basic shelter and accommodation on a temporary basis for persons engaged in such activities as hunting or fishing. A hunt camp may contain cooking, kitchen, and sanitary facilities but shall not be used to provide monetary gain. For the purposes of this By-law, a hunt camp is not a dwelling as defined in Section 3.32.

~~3.753.82~~ **INDUSTRIAL USE:** The use of land, building or structures for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage of goods, and related accessory uses. Such use shall not require a water supply other than that available from within the limits of the lot upon which the use is located.

~~3.763.83~~ **KENNEL, COMMERCIAL:** Premises where dogs and other domestic household pets are kept, bred, or boarded on a commercial basis.

~~3.773.84~~ **LANDSCAPED OPEN SPACE:** The open unobstructed space from ground to sky at finished grade on a lot and which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any surfaced walk, patio or similar area but does not include any driveway or ramp, whether surfaced or not, nor any curb, retaining wall, parking area or any open space beneath or within any building or structure.

~~3.783.85~~ **LAGOON:** A shallow pond used in the process of treating waste.

~~3.86~~ **LAUNDROMAT, COIN-OPERATED:** Premises where the service of coin-operated laundry machines, using only water, detergents and additives are made available to the public for the purpose of laundry cleaning.

~~3.87~~ **LIVESTOCK BARN:** A building intended for housing livestock.

~~3.793.88~~ **LIVESTOCK FACILITIES:** All livestock barns and manure storages on a lot, regardless of whether such buildings or structures are occupied or used for such purpose.

~~3.803.89~~ **LOADING SPACE:** An off-street space on the same lot as the building, or contiguous group of buildings, for the temporary parking of a commercial vehicle while loading or unloading of merchandise or materials, and which has unobstructed access to a street or lane.

~~3.813.90~~ **LOT:** A parcel or tract of land, described in a deed or other legal document, that is capable of being legally conveyed.

~~3.823.91~~ **LOT AREA:** The total horizontal area within the boundaries of a lot, measured above the high water mark. The total horizontal area within the lot lines of a lot, excluding the horizontal area of such lot covered by water.

~~3.833.92~~ **LOT, CORNER:** Shall mean a lot situate at the intersection of and abutting 2 streets, or parts of the same street, the adjacent sides of which street or streets (or in the case of a curved corner, the tangents of which) contain an angle of not more than 135.0 degrees. (see Figure 1—page 17A). A lot at the intersection of two or more streets; a street and either a private road or private right-of-way; or upon two parts of the same street; with such intersection containing an angle of less than or equal to 135 degrees.

~~3.843.93~~ **LOT COVERAGE:** The percentage of the lot area covered by all buildings, including open decks, and shall not include that portion of such lot area that is occupied by a building or portion thereof that is completely below grade. The percentage of the lot area covered by buildings and structures or

portions of such buildings and structures having a location at or above finished grade, and includes any building or structure cantelivered over the finished grade.

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~~3.94~~ **LOT FRONTAGE:** ~~The horizontal distance between the side lot lines measured along the front lot line, except where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage is to be measured by either a line measured back the minimum front yard from and parallel to the chord of the front lot line, or by the chord of the front lot line, whichever is the greater. For the purposes of this By-law, the chord of the front lot line is a straight line joining the two points where the side lot lines intersect the front lot line. Where a lot has more than one front lot line as defined in Section 3.94, the lot line with the largest frontage shall be considered the lot frontage.~~ Shall mean the horizontal straight-line distance determined as follows:

- ~~i)~~ i) where the front lot line is a high water mark or abuts an shore road allowance, the distance between the points where the lot lines or their straight line projections intersect the high water mark.
- ~~ii)~~ ii) where there are no side lot lines, the greatest distance between any point on the front lot line and any point on the rear lot line.
- ~~iii)~~ iii) where there are no side lot lines and no rear lot line, such as on an island, the greatest distance between any two points.
- ~~iv)~~ iv) in all cases other than those above, the distance between the points where the side lot lines intersect the front lot line.

~~3.853.95~~ **LOT, INTERIOR:** A lot other than a corner lot or a through lot.

~~3.863.96~~ **LOT LINE:** Any boundary of a lot or the vertical projection thereof.

~~3.873.97~~ **LOT LINE, FRONT:**

- ~~i)~~ i) In the case of an interior lot, the line dividing the lot from the street; or
- ~~ii)~~ ii) In the case of a corner lot, the shorter lot line abutting the streets; or
- ~~iii)~~ iii) In the case where a lot fronts upon a ~~watercourse~~ waterbody or onto a shore road allowance, the shoreline or lot line abutting the shore road allowance; or
- ~~iv)~~ iv) In the case of a through lot, the lot line where the principal access to the lot is provided, with the exception of where the lot abuts the shoreline or a shore road allowance, in which case the shoreline or line at the shore road allowance is the front lot line.

~~3.883.98~~ **LOT LINE, REAR:** The lot line farthest from and opposite to the front lot line; or in the case of a triangular lot, that point formed by the intersection of the side lot lines.

~~3.893.99~~ **LOT LINE, SIDE:** A lot line, other than a front or rear lot line.

~~3.903.100~~ **LOT LINE, SIDE, EXTERIOR:** Shall mean a side lot line that abuts a street.

~~3.913.101~~ **LOT LINE, SIDE, INTERIOR:** Shall mean a side lot line other than a side lot line that immediately adjoins a street.

3.102 LOT, THROUGH: A lot bounded on both the front and rear lot lines by streets, or in the case of a lot on a navigable waterway, by an original shore road allowance or high water mark and a street.

~~3.923.103~~ **MANURE STORAGE:** A permanent storage which is structurally sound and reasonably capable of storing manure.

~~3.933.104~~ **MARINA:** Premises inclusive of docking facilities, located on a navigable waterway, where boats, other watercraft and boating accessories, and recreational vehicles (excluding motorized mobile homes) are stored, serviced, repaired, or kept for sale or rental and where facilities for the sale of marine fuels and lubricants may be provided.

~~3.943.105~~ **MARINE SALES AND SERVICE ESTABLISHMENT:** A building or part of a building and associated lands where a dealer displays new and used boats and marine accessories for sale at retail or for rental, and where marine equipment is serviced or repaired and may include boat storage facilities.

3.106 MEDICAL or DENTAL CLINIC: Shall mean a building, or part thereof, which is used jointly by 3 or more medical practitioners for the purpose of consultation, diagnosis, or treatment of patients and which may include ancillary administrative offices, waiting rooms, treatment rooms, laboratories, dispensaries, or other similar functions, but shall not include accommodation for in-patient care or facilities for major surgical practice.

3.107 MINIMUM DISTANCE SEPARATION FORMULA: Formulae and guidelines developed by the province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

~~3.953.108~~ **MOBILE HOME:** Shall mean any structure built and designed to be made mobile on its own chassis and wheel system that is intended to be hauled to a permanent site for use with or without a permanent foundation, as a residence for one or more persons, but does not include a travel trailer, tent trailer, or motor home otherwise designed. A Mobile Home includes those manufactured in accordance with Canadian Standards Association Z240 and Z241 but does not include an A277.

~~3.963.109~~ **MODEL HOME DISPLAY COURT:** An area of land used for the display of model home(s) for future retail purposes. For the purposes of this definition, a model home may be used only for the purposes of display and sale.

~~3.973.110~~ **MOTOR VEHICLE:** Any wheeled vehicle self-propelled by an engine or a motor mounted on the vehicle, within the meaning of The Highway Traffic Act.

~~3.983.111~~ **MOTOR VEHICLE, COMMERCIAL:** A commercial motor vehicle within the meaning of The Highway Traffic Act.

~~3.993.112~~ **MOTOR VEHICLE, DERELICT:** A motor vehicle within the meaning of The Highway Traffic Act, whether or not same is intended for use as a private passenger motor vehicle or not, which is inoperable and has no market value as a means of transportation or has a market value that is less than the cost of repairs required to render the motor vehicle operable.

~~3.1003.113~~ **MOTOR VEHICLE DEALERSHIP:** Premises where a dealer displays new motor vehicles for sale or rent or where used motor vehicles are kept for sale in conjunction with which there may be a motor vehicle repair garage or a motor vehicle body shop.

~~3.1013.114~~ **MOTOR VEHICLE SERVICE STATION:** Premises where services are performed or executed on motor vehicles for compensation, and may include diagnostics; facilities for washing motor vehicles; interior or exterior repair, including painting; sales and installation of parts, fuels and other related fluids; and in conjunction with which there may be towing services and/or motor vehicle rentals for customers while the motor vehicle is being serviced.

~~3.1023.115~~ **MOTOR VEHICLE WASH, AUTOMATIC:** Premises containing facilities for washing motor vehicles for profit or gain using production line methods and mechanical devices or a self-service operation, and for the purposes of this By-law may include a motor vehicle gasoline bar.

~~3.116~~ **MOTORIZED MOBILE HOME:** Any motor vehicle so constructed as to be a self-contained, self-propelled unit, capable of being utilized for the living, eating or sleeping accommodation of persons.

~~3.1033.117~~ **MOTORIZED RECREATIONAL VEHICLE:** A vehicle which is drawn, propelled or driven by any kind of power; which is used by the public in connection with any recreational activity, and includes a mobile home.

~~3.1043.118~~ **MOTORIZED SNOW VEHICLE:** A motorized snow vehicle within the meaning of The Motorized Snow Vehicle Act, as amended, or re-enacted from time to time.

~~**NATURALIZED OPEN SPACE:** The open, unobstructed space on a lot which is suitable for the growth and maintenance of grass, flowers, bushes, trees, and other planted or natural vegetation, or which consists of naturally exposed bedrock, and which shall be used for no other purpose. Naturalized open space includes any surfaced walkway, patio, or similar area, but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area, or deck, or any open space beneath or within a structure.~~

~~3.105—~~

~~3.1063.119~~ **NON-COMPLYING:** A permitted building, structure or lot that does not meet the requirement(s) of this By-law.

~~3.1073.120~~ **NON-CONFORMING:** A use which is not permitted in the Zone in which the use is situated.

~~3.1083.121~~ **NOXIOUS:** When used with reference to any use or activity in respect of any land, building or structure or a use or activity which, from its nature or from the manner of carrying on same, creates or is liable to create, by reason of destructive gas or fumes, dust, objectionable merchandise, salvage, machinery parts, junk, waste or other material(s), conditions which may become hazardous or injurious as regards to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use or activity in respect of any land, building or structure.

~~3.1093.122~~ **OUTDOOR DISPLAY AND SALES AREA:** An area of land, used in conjunction with a business located within a building or structure on the same lot, for the display or sale of produce, merchandise or the supply of services.

~~3.1103.123~~ **OUTSIDE STORAGE:** Accessory storage of equipment, goods or materials outside of a principal building on a lot.

~~3.1103.124~~ **PARK:** ~~A public area permanently devoted to recreational uses and generally characterized by its natural, historic, or landscaped features and used for~~ An area of land under the jurisdiction of a public authority that is designed and/or maintained for active or passive recreational purposes. Without limiting the generality of the foregoing, a park may include municipal parks and playgrounds, swimming pools, splash pads, sport courts, bowling greens, boating facilities and sports fields and ancillary retail uses.:

- ~~i) — passive forms of recreational uses which may include a picnic area, walking trail, swimming area, botanical garden, or other like or similar uses;~~
- ~~or~~
- ~~ii) — active forms of recreational uses which may include a baseball diamond, soccer pitch, tennis court, outdoor ice rink, or other like or similar uses;~~

~~designed to serve the residents of a neighbourhood, community, region, or Province.~~

~~3.1113.125~~ **PARKING AREA:** An area provided for the parking of motor vehicles and may include aisles, parking spaces, pedestrian walkways, and related ingress and egress lanes, but shall not include any part of a public street.

~~3.1126~~ **PARKING SPACE:** An area, exclusive of any aisles, ingress and egress lanes, for the temporary parking or storage of motor vehicles, and shall include a private garage or carport.

~~3.1127~~ **PATIO:** a platform or surfaced area without a roof, the surface of which is not more than 0.3 metres (1.0 ft.) above finished grade, which is designed and intended for use accessory to a dwelling or a commercial use. A patio does not include a deck or verandah, and shall not be deemed as part of the main building or structure.

~~3.1123.128~~ **PIT:** A place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being, or has been, removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit.

3.1133.129 PLACE OF ASSEMBLY: A building, or part thereof, in which facilities are provided for such purposes as meetings for civic, theatrical, musical, political, or social purposes, and shall include, without limiting the generality of the foregoing, an auditorium, banquet hall, concern hall, gymnasium, opera house, playhouse, or other similar uses.

3.1143.130 PLACE OF WORSHIP: A building dedicated to religious worship and includes a church, synagogue or assembly hall and may include such accessory uses as a nursery school or a school of religious education.

3.131 PLANTING STRIP: An area which shall be used for no purpose other than planting and maintaining for aesthetic and buffering purposes a continuous, uninterrupted row of coniferous trees or shrubs, not less than 1.5 metres high at planting, abutting a lot line along which the planting strip is required by any zone provision. The remainder of the planting strip shall be used for no purpose other than planting shrubs, flowers, grass, or similar vegetation.

3.1153.132 PORCH or VERANDA: A portion of a building which is structurally dependent on and projecting from a building with walls that are open and unenclosed but may contained mesh screening for insects and is used only as an outdoor unwinterized living area but does not include a deck.

3.1163.133 PORTABLE PROCESSING PLANT: Equipment for the crushing, screening or washing of sand and gravel aggregate materials, but not including a concrete batching plant or an asphalt plant, which equipment is capable of being readily drawn or readily propelled by a motor vehicle and which equipment is not considered permanently affixed to the site.

3.1173.134 PREMISES: That portion of a building, structure, or lot occupied or used by a business or enterprise.

3.1183.135 PRINCIPAL BUILDING: The building in which the principal purpose for which the building or lot is used is carried on.

3.1193.136 PRINTING OR PUBLISHING ESTABLISHMENT: Premises in which the business of producing books, newspapers or periodicals, by mechanical means and reproducing techniques, such as photo copying, is carried on, and may include the sale of newspapers, books, magazines, periodicals, or other similar documents, to the general public.

3.1203.137 PRIVATE HOME DAYCARE: Premises for the temporary care for reward or compensation of 5 children or less who are under 12 years of age where such care is provided in a private residence, other than the home of a parent or guardian of any such child, for a continuous period not exceeding 24 hours.

3.1213.138 PUBLIC AUTHORITY: Federal, Provincial, County or Municipal agencies, including any commission, board, authority or department established by such agency and for the purposes of this By-law shall include any hydro, telephone or telegraph company.

~~3.1223.139~~ **PUBLIC USE:** Any activity, occupation, business or operation carried on by a Public Authority.

~~3.1233.140~~ **QUARRY:** An area where consolidated rock has been, or is being, removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit metal mine.

~~3.1243.141~~ **RECREATIONAL INSTITUTION:** An area of land containing sleeping accommodations and facilities used for both passive and active forms of recreation, which without limiting the generality of the foregoing, shall include the following: children's camp, religious camp, institutional camp, or other like or similar camp establishment, but shall not include a tourist establishment.

~~3.125~~ **RECREATIONAL MOBILE HOME:** ~~An accommodation unit that is designed to be mobile and which is constructed or manufactured and is certified in accordance with CSZ Standard Z241, Series M, located on a camp site in a trailer park, used essentially for recreation or relaxation from time to time, by the owner, who normally resides in another location.~~

~~3.126~~ **RECREATIONAL VEHICLE:** ~~A vehicle which is drawn, propelled or driven by any kind of power; which is used by the public in connection with any recreational activity, and includes a motorized mobile home.~~

~~3.1273.142~~ **RECREATIONAL VEHICLE (RV) SALES AND SERVICE**

ESTABLISHMENT: Premises where recreational vehicles and related equipment and accessories are displayed for sale at retail or for rental, and are stored, serviced or repaired.

~~3.1283.143~~ **RESORT:** A tourist establishment which contains guest cabins, guest suites, and/or guest rooms, such that the total number of guest units and guest rooms is 4 or more. A resort may rent or grant rights to use guest cabins, guest suites, and guest rooms through various forms of tenure such as timesharing, interval ownership, and fractional ownership, provided all booking and allocation are undertaken as part of the continued management of the resort as a single operation. ~~The maximum habitation in a resort per family shall not exceed 70 days per year. A resort may include such accessory~~ Accessory uses ~~may include~~as retail stores, personal service shops, Laundromats, or similar uses. ~~The maximum number of timeshare, interval ownership or fractional ownership units shall not exceed one (1) for every 45 metres of frontage on a watercourse except where a site specific zoning amendment specifies a different number.~~

~~3.1293.144~~ **RESTAURANT:** Premises where food, beverage or meals are offered for sale or sold to the public for immediate consumption on or off the premises and may include a dining room, café, cafeteria, ice cream parlour, tea room, dairy bar, coffee shop, snack bar, or refreshment stand, but does not include a drive-through restaurant.

~~3.1303.145~~ **RESTAURANT, DRIVE-THROUGH:** A restaurant where some or all of the food is prepared for consumption off premises, and where such food is

dispensed directly to persons remaining in their motor vehicles ~~who queue for service in an aisle dedicated for that purpose in a designated stacking lane.~~

3.1313.146 RETAIL STORE: Premises in which goods, wares, merchandise, substances, articles, food stuffs and/or services are offered or kept for sale at retail or on a rental basis to the general public.

3.1323.147 RETIREMENT HOME: Premises that provide accommodation primarily to retired persons where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and where common lounges, recreation rooms and medical care facilities may also be provided.

3.148 RIGHT-OF-WAY, PRIVATE: An area of land used as a throughfare for motor vehicles that is legally described in a registered deed for the provision of private access ~~on which there is usually a traveled road~~ but does not include a private road.

3.1333.149 ROAD, FOREST ACCESS: An existing travelled road shown on Schedule 26 which is located on Crown land and is used for vehicular access purposes and which is not maintained, or assumed by the Township or any other authority for year-round maintenance purposes A Forest Access Road may intersect or utilize portions of a Public Road or an unopened Township road allowance, but such encroachments shall not constitute the road being considered to be a Public Road as defined in this By-law.

3.1343.150 ROAD, PRIVATE: An existing traveled road shown on schedule 26 which is located on privately owned land and is used for vehicular access purposes and which is not maintained, or assumed by the Township for year-round maintenance purposes. A private road may intersect or utilize portions of an unopened township road allowance, but such encroachments shall not constitute the road being considered to be a Public Road as defined in this By-law.

3.1353.151 ROAD, PUBLIC: A travelled road, shown on Schedule 26 as a "Highway" or "County Road" or "Township Road", and includes any road which has been legally which is assumed and maintained on a for year-round basis maintenance by the Township, county or province of Ontario.

3.1363.152 ROAD, SEASONAL TOWNSHIP: An existing traveled road shown on Schedule 26 which is located on Township land and/or road allowance and is used for vehicular access purposes and which is only maintained, by the Township or an authorized individual to accommodate access during non-winter months. A seasonal Township Road may intersect or utilize portions of an unopened township road allowance, but such encroachments shall not constitute the road being considered to be a Public Road as defined in this By-law.

3.1373.153 SALVAGE YARD: A lot or premises for the storage, handling or sale of scrap or used materials, which without limiting the generality of the foregoing, shall include waste paper, rags, wood, bottles, bicycles, vehicles, metal or

other scrap material, and salvage and includes a junk yard, a scrap metal yard, or a motor vehicle wrecking yard, including an ancillary motor vehicle sales and service establishment and premises.

~~3.1383.154~~ **SAUNA, OUTDOOR:** An accessory building or structure wherein facilities are provided for the purpose of a steam bath and may include a change room, having a maximum area of 9 square metres.

~~3.1393.155~~ **SAW AND/OR PLANING MILL:** A building, structure or area where timber is cut, sawed or planed, either to finished lumber, or as an intermediate step, and may include facilities for the kiln drying of lumber and/or the distribution of such products on a wholesale or retail basis.

~~3.1403.156~~ **SCHOOL, COMMERCIAL:** A school conducted for hire or gain, other than a private, public, religious or philanthropic school, and shall include the studio of a dancing teacher or a music teacher, art school, golf school, school of calisthenics, a business or trade school and any other specialized school conducted for profit or gain.

~~3.1413.157~~ **SCHOOL, PUBLIC:** A school under the jurisdiction of a Board as defined by the Ministry of Education.

~~3.1423.158~~ **SCHOOL, PRIVATE:** A school other than a public school or a commercial school as otherwise defined or classified in this By-law.

~~3.1433.159~~ **SERVICE SHOP, LIGHT:** Premises, whether conducted in conjunction with a retail store or not, for the servicing or repairing of household or domestic articles and, without limiting the generality of the foregoing, shall include, but not be limited to the repair and servicing of radio and television receivers, vacuum cleaners, appliances, shoes, cameras, toys, watches, clocks, bicycles or other similar goods and appliances but shall not include industrial or manufacturing uses or motor vehicle repair shops as may otherwise be defined or classified in this by-law.

~~3.160~~ **SERVICE SHOP, PERSONAL:** A building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, such as a barber's shop, a ladies hairdressing establishment or other similar services.

~~3.1443.161~~ **SIGHT TRIANGLE:** the triangular space formed by the street lines abutting a corner lot and a third line drawn from a point on a street line to another point on a street line, each such point being the a distance of 9.0 metres from the point of intersection of the street lines. Where the street lines do not intersect at a point, the point of intersection of the street line shall be deemed to be the intersection of the projection of the street lines of the intersection of the tangents to the street lines.

~~3.1453.162~~ **SIGN:** A structure or advertising device having illustrations affixed thereto or displayed thereon in any manner, used to identify, advertise or attract attention to any object, product, place, activity, person, institution, organization, firm, group, profession, enterprise, industry or business, including any letter,

work, model number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement.

~~3.1463.163~~ **SLEEPING CABIN:** An accessory building no larger than 35 square metres separate from the principal residential dwelling, located on the same lot as the principal building, for sleeping accommodation, or for the occasional accommodation of guests. A sleeping cabin shall not contain cooking or kitchen facilities and shall not be used to provide monetary gain, but may contain sanitary facilities.

~~3.164~~ **STOREY:** The portion of a building, other than an attic, ~~basement or cellar,~~ included between any floor level and the next floor above it, ~~ceiling or roof next above it,~~ or if there is no floor above it, then the space between such floor and the ceiling or roof next above it. ~~For the purposes of this By-law, an attic shall mean the space between the roof and the ceiling of the top storey or between a dwarf wall and a sloping roof, where any part of such sloping roof has an internal angle less than fifty degrees (50°), measured from the horizontal.~~

~~3.165~~ **STOREY, FIRST:** The lowest storey of a building closest to finished grade having its ceiling 1.8 metres or more above average finished grade.

~~3.1473.166~~ **STOREY, ONE HALF:** The portion of a building situated wholly or partly within the roof and in which there exists at least one point with a vertical dimension of at least 2.3 metres (measured from the finished floor to finished ceiling).

~~3.1483.167~~ **STREET:** ~~A public thoroughfare for vehicular and pedestrian traffic which is assumed and maintained by/and under the jurisdiction of the Province of Ontario, County of Haliburton or Township of Minden Hills~~ A Public Road, or Seasonal Township Road.

~~3.1493.168~~ **STREET LINE:** The dividing line between a lot and a street; or, when used in reference to a sight triangle, the dividing line between a lot and private road, private right-of-way, or a street, ~~or road.~~

~~3.169~~ **STRUCTURE:** Anything constructed or erected, the use of which requires location on the ground, or attached to something having location on the ground and without limiting the generality of the foregoing, includes a motor vehicle. For the purposes of this By-law, a fence that has a height of two metres or less, a retaining wall that has a height of one metre or less, and light standards shall not be considered structures.

~~3.1503.170~~ **TANDEM PARKING:** means two parking spaces, located one behind the other.

~~3.1513.171~~ **TENT:** Every kind of temporary shelter for sleeping to which the term is normally considered to apply, that is not permanently affixed to the site and that is capable of being easily moved and is not considered a structureA portable shelter of canvas, nylon or other fabricated materials which is support by one or more poles or frame and is not permanently affixed to the site.

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3.1523.172 TOURIST ESTABLISHMENT: A commercial establishment operated to provide sleeping accommodation for the traveling or vacationing public, and may include services and facilities in connection with which sleeping accommodation is provided.

3.1533.173 TRAILER: A vehicle that may be drawn upon a public street by a motor vehicle but for the purposes of this By-law does not include a recreational mobile home.

3.1543.174 TRAILER, TRAVEL OR TENT: Any trailer that is designed to be temporarily utilized for living, shelter and sleeping accommodation, with or without cooking facilities, which is not permanently affixed to the ground and has running gear and towing equipment that is permanently attached, and a current licence plate.

3.1553.175 TRANSPORT DEPOT: A building, structure or place where buses, trucks or tractor trailers are rented, leased, kept for hire, stored, or parked for remuneration, or, from which trucks or tractor trailers, stored or parked on the property, are dispatched for hire as common carriers.

3.1563.176 TRUCK CAMPER: Any unit so constructed that it may be attached upon a motor vehicle, as a separate unit, and is capable of being utilized for the living, eating and/or sleeping accommodation of persons.

3.1573.177 UTILITY SHED: A building or structure maintained and used for the purposes of storing lawn and garden equipment or similar household related appurtenances and which shall not have a ~~total-gross~~ floor area in excess of nine (9) square metres.

3.1583.178 VETERINARY CLINIC: ~~Premises where a veterinary surgeon treats domestic animals, birds or other livestock and in which animals may be boarded, and may include the retailing of pets and pet supplies~~A building or part of a building in which facilities are provided for the prevention, cure and alleviation of disease and injury to animals, and in conjunction with which there may be temporary sheltering of animals during the treatment period. A veterinary clinic shall not include a commercial kennel.

3.1593.179 WAREHOUSE: Premises used for the storage and distribution of goods, wares, merchandise, substances, articles, or things, and may include facilities for a wholesale or accessory retail sales, but shall not include a transport depot.

3.1603.180 WASTE DISPOSAL AREA: An area of land where garbage, refuse or domestic or industrial waste is disposed of or dumped and, for the purposes of this By-law, shall include a sanitary landfill site or sewage lagoon owned, operated and maintained by the Township or the Ministry of the Environment or their agents, but shall not include a private or communal septic system.

3.1613.181 WASTE RECYCLING FACILITY: A facility used for the disposal, sorting, or recycling of materials and without limiting the generality of the foregoing,

may include such materials and goods such as newsprint, glass, plastic, and tin containers.

~~3.1623.182~~ **WATERCOURSE:** The natural channel for a perennial or intermittent body of water, including a lake, a river or stream, with well defined banks and a bed.

~~3.1633.183~~ **WAYSIDE PIT OR QUARRY:** A temporary pit or quarry opened and used by or on behalf of a public authority solely for the purpose of a specific project or contract for road construction.

~~3.1643.184~~ **WHOLESALE ESTABLISHMENT:** Premises used for the purposes of selling or offering for sale goods, wares, or merchandise on a wholesale basis and includes the storage or warehousing of such goods, wares or merchandise.

~~3.1653.185~~ **WORKSHOP:** Premises where fabrication or manufacturing is performed by tradespersons requiring manual or mechanical skills and may include an upholsterer's shop, a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a machine and/or welder's shop, or other similar uses.

~~3.1663.186~~ **YARD:** ~~An open, uncovered and unoccupied space on a lot between a lot line and the nearest part of any building or structure on the lot, the nearest outside storage use on the lot or edge or rim of an excavation on a lot~~ A space, appurtenant to a building or structure, located on the same lot as the building or structure, which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted elsewhere in the By-law.

~~3.1673.187~~ **YARD, FRONT:** A yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any building or structure on the lot, the nearest outside storage use on the lot, or edge or rim of an excavation on the lot.

~~3.1683.188~~ **YARD, REAR:** A yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any building or structure on the lot, the nearest outside storage use on the lot, or edge or rim of an excavation on the lot.

~~3.1693.189~~ **YARD, REQUIRED:** The minimum yard required by the provisions of this By-law.

~~3.1703.190~~ **YARD, SIDE:** A yard extending from the front yard to the rear yard and from the side lot line of the lot to the nearest part of any building or structure on the lot, the nearest outside storage use on the lot, or edge or rim of an excavation on the lot.

~~3.1713.191~~ **YARD, SIDE, EXTERIOR:** A side yard that immediately adjoins a public street or an unopened road allowance.

~~3.1723.192~~ **YARD, SIDE, INTERIOR:** A side yard other than an exterior side yard.

Township of Minden Hills
Zoning By-law 06-10

Consolidated ~~June 2, 2017~~ ~~April 27, 2017~~ ~~March 31, 2008~~

Section 4 GENERAL PROVISIONS

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

4.1 **ACCESSORY BUILDINGS, STRUCTURES AND USES**

4.1.1 **Permitted Uses:** Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any detached accessory building or structure or accessory use, located on the same lot as the primary use to which they are related.

4.1.2 **Uses Permitted in detached accessory buildings and structures:** No detached accessory building or structure shall be used for human habitation or an occupation for gain, unless specifically permitted in this By-law.

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

a) **Residential Zones:** An accessory building or structure which is not part of the principal building shall not be erected

a) in any of the required yards; or,

b) closer to the street line than the principal building on the lot, except in the case of a through lot in the Shoreline Residential (SR) Zone.

unless specifically provided for elsewhere in this By-law.

b) **Non-Residential Zones:** No accessory building or structure shall be erected

a) closer to the street line, side lot line, or rear lot line, than the minimum required yard requirements of the respective Non-Residential Zone ~~and shall not be erected; or,~~

b) ~~closer to a side or rear lot line; or,~~

unless specifically -except as- provided for elsewhere in this By-law.

4.1.4 **Relation to Principal Building:** No ~~detached~~ accessory building or structure ~~that is not part of the principal building~~ shall be erected closer than 1.5 metres to the principal building, unless specifically provided for elsewhere in this By-law.

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

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

4.1.6 **Building Height:** The height of any accessory building or structure located greater than 40 metres from the high water mark, shall not exceed 4.56 metres and shall not be more than twoone (21) storeys in height. Where an accessory

building or structure is located within 40 metres from the high water mark such building or structure shall not exceed 3.5 metres and shall not be more than one (1) storey in height, and provided all other sections of this By-law are complied with.

4.1.64.1.7 Exceptions to Height: The following accessory structures may exceed the height requirements permitted within the Zone in which they are located:

- a grain elevator,
- a barn or silo,
- a church spire,
- a belfry,
- a flag pole,
- a chimney,
- a clock tower,
- a communication tower,
- a water tank,
- a radio or television tower or antenna,
- an air conditioner duct, and
- external equipment associated with internal building equipment, located in the Rural (RU) Zone.

4.1.74.1.8 Coverage: The maximum lot coverage of all detached accessory buildings and structures, except swimming pools and septic tile fields, is five percent (5%) of the lot area. Within an Industrial Zone, the maximum lot coverage of all accessory buildings or structures is ten percent (10%) of the lot area. This coverage is within the total coverage noted in Tables 2 and 4.

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

4.1.94.1.10 Accessory Structure Encroachments

- a) **General:** Drop awnings, clothes poles, flag poles, garden trellises, retaining walls, ~~fences,~~ or signs which comply with the By-laws of the Township, are permitted in any required yard.
- b) **Fire Escapes:** Unenclosed fire escapes, in which the stairs, steps and floor are latticed in such a manner that the proportion of voids to solids is not less than two to one and in which guards, consisting of handrails and the structural members necessary for their support, may project into any required yard a maximum distance of 1.2 metres- or 50% of the required yard, whichever is the lesser.

- c) **Ornamental Structures:** Sills, chimneys, cornices, eaves, gutters, parapets, pilasters, or other ornamental structures may project into any required yard a maximum distance of 0.6 metres.
- d) ~~Unenclosed Porches, Balconies, and Steps or Patios:~~ Unenclosed porches, balconies, steps and patios, covered or uncovered, Unenclosed balconies and steps may project into any required yard a maximum distance of 3.5 metres, provided such structure complies with the required side yard, ~~and provided that in the case of porches, steps or patios such uses are not more than 2.0 metres above finished grade.~~
- e) **Utility Sheds:** A utility shed may be erected and used in any required interior side or rear yard provided that it is not located closer than the required yard or 2.0 metres to the interior side or rear lot line, whichever is less.
- f) **Gatehouse or Information Kiosk:** In a non-residential zone, a gatehouse or information kiosk may be located in any required front or side yard, provided such structure shall not be erected closer than 3 metres to the front or side lot line.

4.1.104.1.11 **Garages:** A single storey detached private garage may be erected and used in any required interior side or rear yard provided that it is no closer than the required yard or 2.0 metres to the interior side or rear lot line, whichever is less, except that common semi-detached garages may be centered on the mutual side lot line.

4.1.114.1.12 **Shoreline Structures**

- a) **Identification:** Shoreline structures refer to accessory buildings and structures erected at or near the shoreline in the required yard located between the shoreline and the dwelling principal building. They include buildings and structures that are attached to the land that forms the bed of a navigable waterway.
- b) **Permitted Uses:** Shoreline structures include the following: deck, dock, gazebo, pumphouse, stairs and ramps, ~~and existing single storey accessory buildings and structures not otherwise prohibited in the zone in which it is located.~~
- c) ~~**Prohibited Uses:**~~
- ~~• A boathouse or boat port are not permitted shoreline structures.~~
 - ~~• A floating or permanent boathouse or boat port anchored to the bed of a watercourse below the high water mark is prohibited.~~
- d)c) **Maximum Width of Shoreline Structures:** The maximum cumulative width of all shoreline structures shall not exceed 30% of the lot frontage to a maximum of 15 metres ~~of the shoreline~~.
- e)d) **Docking Facilities:** A dock may be erected and used in the required front yard of a lot abutting a watercourse provided it complies with the minimum required side yard of the zone, or the straight line projection of the side lot line into the water, and has a maximum projection into the water of 15 metres from the high water mark, with the exception of either:

- ~~a lot fronting upon dock projecting into~~ a narrow watercourse, where the maximum projection shall be the lesser of 6 metres or 30% of the width of the narrow watercourse; or,; and
- ~~where the 15 metre projection of a dock ends in a water depth of less than 1 metre (at low water), the dock may be extended until a water depth of 1 metre is achieved at the end of the dock. a dock projecting into any other watercourse upon which the 15 metre projection of a dock ends in a water depth of less than 1 metre (measured from the normal ordinary or regulated high water level), the dock may be extended until a water depth of 1 metre is achieved at the end of the dock to a maximum projection of 25 metres~~

For the purposes of this Section, a narrow watercourse is a watercourse where the ~~general~~ distance measured perpendicularly from shoreline to shoreline is less than 30 metres.

~~f)e)~~ **Pump House:** A pumphouse may be erected and used in the required front yard of a lot abutting a watercourse or shore road allowance provided it complies with the minimum required side yard. A pumphouse shall not exceed 2.5 square metres in ~~total-ground~~ floor area nor be higher than 2 metres.

~~g)f)~~ **Gazebo and Outdoor Sauna:** A gazebo or outdoor sauna may be erected and used in the required front yard of a lot abutting a watercourse provided it is setback a minimum of 6 metres from a side lot line, does not have a total floor area greater than 9 square metres, and is located a minimum 10 metres from the high water mark.

4.1.13 Sleeping Cabin: A sleeping cabin may be erected on a lot in the Shoreline Residential (SR) Zone or the Rural (RU) Zone, provided:

~~a)~~ A sleeping cabin shall either be a detached one storey building, or be located within a one or two storey accessory building provided that the sleeping cabin is entirely located on one storey. Where the sleeping cabin occupies part of a one storey accessory building, all other uses in the building shall be accessory, and the sleeping cabin shall be separated from any other uses by a common wall and shall have an independent entrance. Where the sleeping cabin is the second storey of a two storey accessory building the following additional provisions shall apply:

~~i)~~ The second floor of a two storey accessory structure shall be restricted to a sleeping cabin.

~~ii)~~ The maximum floor area of the second storey of a two storey accessory building shall be restricted to 35 square metres measured from the exterior walls but excluding any area where the height between the top of the floor and the finished ceiling is less than 1.5 metres.

~~ii)iii)~~ The total ground floor area of all open decks and balconies any part of which is attached to or within two metres of a two storey accessory building shall not exceed 15 square metres.

- b) a maximum of one sleeping cabin is permitted on a lot;
- c) the total gross floor area of such cabin does not exceed 35 square metres;
- d) the height of a one storey sleeping cabin does not exceed 4.5 metres;
- a) ~~the sleeping~~ cabin complies with the yard and setback requirements of the Zone in which it is located and is not located to the front of the principal dwelling.

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

4.1.134.1.15 Septic tile field: A septic tile field is permitted as an accessory structure within any yard, provided it is not located closer than 30 metres from the shoreline.

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

4.3 BOATHOUSES AND BOATPORTS: No person shall use any land adjacent to or on a waterbody for the purpose of a boathouse or boatport.

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

4.34.5 DWELLING UNIT: Unless otherwise specified in this By-law, no more than one dwelling unit is permitted on a lot.

07-043 **4.44.6 DWELLING UNIT BELOW GRADE** [deleted by By-law 07-043]

4.54.7 ESTABLISHED BUILDING LINE: Where a permitted dwelling is to be erected on a lot and where there is an established building line extending along a public roadstreet on both sides of the lot, such ~~permitted~~ dwelling may be erected closer to the street line than required by this By-law such that the yard is equal to the average setback of the adjacent dwellings on either side of the lot and located on the same side of the street.

4.64.8 EXISTING BUILDINGS, STRUCTURES AND USES

4.6.14.8.1 Continuation of Existing Uses: The provisions of this By-law shall not apply to prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building, or structure was lawfully used for such purpose on the date of passing of this By-law so long as it continues to be used for that purpose.

4.6.24.8.2 Prohibited Exterior Extension: The exterior of any building or structure, which at the date of passing of this By-law was lawfully used for a purpose prohibited by this By-law, shall not be enlarged, extended, reconstructed, or otherwise structurally altered, unless such building or structure

is to be used for a purpose permitted within such Zone, and complies with all requirements of this By-law for such Zone.

4.6.34.8.3 Restoration to a Safe Condition: Nothing in this By-law, including the preceding subsection 4.7.2, shall prevent the strengthening or restoration to a safe condition of any building or structure or part thereof lawfully used on the date of passing of this By-law, for any purpose prohibited by this By-law, provided that the strengthening or restoration does not increase the height, size, or volume, or change the use of such building or structure.

4.8.4 Permitted Non-Complying Building or Structure: ~~Nothing in this By-law shall prevent the reconstruction, relocation, renovation or repair of an existing legal non-complying building or structure on a lot provided such enlargement, reconstruction, relocation, renovation or repair does not increase the extent of non-compliance by: A non-complying building or structure which was legally erected/altere~~d in accordance with the by-laws in force at the time of construction and/or alteration may be replaced, enlarged, repaired or renovated provided that the replacement, enlargement, repair or renovation does not:

- ~~i) increase the extent of non-compliance, or create a new non-compliance issue; or,~~
- ~~ii) increase the height of the building or structure by more than 1.2 metres; or,~~
- ~~iii) increase the ground floor area of the building or structure, or area of a septic tile field, by greater than 25%~~
- ~~iv) increase the size or height of a building or structure located wholly or in part within 15 metres of the high water mark.~~
- ~~i) —~~
- ~~ii) — increasing the lot coverage if the existing buildings or structures exceed the permitted lot coverage;~~
- ~~iii) — reducing the yard between a lot line and the existing building or structure if the existing yard is less than the required yard except that such yard may be reduced so long as the distance between any high water mark and the nearest part of any such building or structure is a minimum of 15 metres;~~
- ~~iv) — increasing the height of the building or structure by no more than 1.2 metres;~~
- ~~v) — reducing the gross floor area of the existing building or structure if the existing gross floor area is less than the minimum permitted in this By-law; or~~
- ~~vi) — increasing the coverage of the legally non-complying building or structure by more than 25%.~~

4.6.44.8.5 Floor Area Less Than Required: Nothing in this By-law shall prevent an extension or an addition being made to a dwelling, that was lawfully used for

such purpose on the date of passing of this By-law but which has ~~a gross floor area or~~ dwelling unit area less than required by this By-law, provided such extension or addition does not contravene any other provision of this By-law.

~~4.6.54.8.6~~ **Building Permit Issued:** The provisions of this By-law shall not apply to prevent the erection or use of any building or structure, for a purpose prohibited by this By-law, for which a permit has been issued pursuant to The Building Code Act prior to the date of 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, provided further that the permit has not been revoked pursuant to The Building Code Act.

~~4.74.9~~ **EXISTING LOTS**

~~4.7.14.9.1~~ **Existing Undersized Lots:** Notwithstanding the frontage and area provisions of this By-law, where a lot having a lesser lot area and/or frontage than required in this By-law is:

- i) held under distinct and separate ownership from an abutting lot or lots as shown by a conveyance of title properly registered prior to the date of passing of this By-law, or,
- ii) created as a result of an expropriation or highway widening, or
- iii) a lot on an existing plan of subdivision that has not been deemed, and

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where a vacant lot in a Shoreline Residential Zone has a lot area not less than 1,400 square metres and/or a lot frontage not less than 30 metres,

such lot may be used and a building or structure may be erected, altered or used on such smaller lot, provided that all other applicable provisions of this By-law are complied with.

~~4.7.24.9.2~~ **Enlargement of Existing Lots:** Where lands are added to an existing undersized lot, the resulting lot shall be deemed to comply with the minimum lot frontage and area requirements of this By-law, and may be used for a purpose permitted in the Zone in which such lot is located, provided that all other applicable provisions of this By-law are complied with. If applicable, any building located on such enlarged lot shall continue to be subject to the provisions of Section 4.8.1.

~~4.84.10~~ **FRONTAGE REQUIREMENTS**

~~4.8.14.10.1~~ **Public Street:** No person shall erect any building or structure, unless the lot upon which such building or structure is to be erected fronts upon and is directly accessible from an ~~improved public road-street, maintained year-round.~~

~~4.8.24.10.2~~ **Unassumed Road:** The provisions of this By-law shall not apply to prevent the erection of a permitted building or structure on a lot in a Registered Plan of Subdivision where a properly executed subdivision agreement has been entered into with the Township ~~where and registered against the lands~~ ~~whereunder~~ the street or streets will not be assumed by the Township until such time as specified in the agreement.

4.8.34.10.3 Private Right-of-Way or Navigable Waterway:

- a) Where a lot that existed prior to the passage of this By-law is accessible by means of a Private Road, Seasonal Township Road or Forest Access Road ~~as shown on Schedule 26, attached hereto, or; a registered private~~ private right-of-way ~~or easement that has been legally established to permit vehicular access; or, an unopened road allowance on which a road has been constructed in accordance with policies established by the Township,~~ the provisions of this By-law shall not apply to prevent the use of land or the construction of a building or structure, provided the use, building or structure is compliant with all other provisions of this By-law.
- b) Where a building or structure was lawfully used for a purpose permitted within the Zone in which it is located, as of the date of passing of this By-law, and where such building or structure is only accessible by means of a private right-of-way providing ingress and egress to a public street or road allowance, the provisions of this By-law shall not apply to prohibit the extension, enlargement, renovation or reconstruction of such structure provided such extension enlargement, renovation or reconstruction does not contravene any other provision of this By-law.
- c) Notwithstanding the provisions of this Section and Section 4.21 to the contrary, ~~within the Shoreline Residential (SR) Zone where a lot is accessible by means of a navigable waterway only located on an island,~~ the erection, alteration of or use of a building or structure for a use permitted in the Shoreline Residential (SR) Zone, is permitted ~~and the lot shall not be required to provide parking facilities. For the purposes of this by-law, where a lot fronts upon a shore road or marine allowance, the lot shall be deemed to front upon and be accessible from a navigable waterway.~~
- d) ~~Notwithstanding the provisions of this Section to the contrary, within the Rural (RU) Zone, the provisions of this By-law shall not apply to prohibit the erection, alteration or use of a hunt camp on Crown land.~~

4.11 GARDEN SUITES: A garden suite, as defined in this By-law, may be permitted by way of a Temporary Use By-law and furthermore may be subject to an agreement with the Town.

4.94.12 HAZARD LAND – AREA AND FRONTAGE: Land zoned HZ – Hazard Land, may be used in the calculation of the minimum lot area or frontage requirements for another zone on that lot where property under one ownership is zoned only partially as HZ – Hazard Land.

4.104.13 HEIGHT OF BUILDINGS: No principal building or structure shall exceed three (3) storeys in height, exclusive of any basements.

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

- The home occupation shall clearly be secondary to the main residential use of the property and shall not change the residential character of the dwelling;

- Such home occupation shall not be a nuisance, with regard to noise, vibration, etc., and not interfere with television or radio reception of others in neighbouring buildings or structures;
- Such home occupation shall not include a medical clinic, a private hospital, a nursing home, a boarding house, an eating establishment or a veterinary clinic, but may include a business or professional office that complies with the provisions of this subsection;
- There shall be no display to indicate that any part of the property is being used for other than residential uses except for an unlit sign of not more than 0.5 metres square, except where a lot fronts on a County Road or Provincial Highway, in which case the requirements of the County or the Province shall be complied with;
- The home occupation use shall be conducted entirely within the dwelling;
- Not more than 25% of the gross floor area of the dwelling shall be used for the purposes of home occupation use;
- Such use is conducted by a person or persons residing in the dwelling and a maximum of one employee who does not live in the dwelling;
- There shall be no more than one (1) commercial vehicle parked at any one time on the property;
- There shall be no outside storage of equipment, goods or materials associated with the home occupation use; and,
- There shall be no equipment, goods, wares or merchandise offered for sale or rent from the dwelling which are not manufactured or processed on the lot.

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

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

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

4.16 HUNT CAMP: Within the Rural (RU) Zone, a maximum of one (1) hunt camp may be constructed per lot subject to the following regulations:

- a) Maximum gross floor area: 60 square metres;
- b) Minimum setback from a front, rear, or side lot line: 30 metres
- c) Minimum lot size: 20.25 hectares
- d) A hunt camp may not be occupied for more than 90 days in any 12 month period

4.134.17 INDUSTRIAL USES: Notwithstanding any provisions of this By-law to the contrary, any industrial use requiring a new Permit to Take Water from a Provincial agency shall be permitted only through site specific zoning amendment. This provision does not apply to a portable processing plant, where otherwise permitted in this By-law.

4.144.18 LIGHTING: Despite any structure height provision of this By-law, no light standard shall be constructed on any lot with a structure height of more than 4.5 metres, and no exterior light shall be affixed to any structure at a height of more than 4.5 metres above average finished grade. All exterior lighting fixtures shall direct light downwards and not towards abutting lots and streets.

4.154.19 LOADING SPACE REGULATIONS:

4.15.14.19.1 Loading Space Requirements: ~~For all Commercial, Industrial, and Institutional zones, Loading or unloading spaces are required under this By-law, in accordance with the Loading Space Requirement Table. The owner of every building or structure erected for any purpose involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, merchandise or raw materials shall provide and maintain on the lot, loading and unloading spaces.~~

LOADING SPACE REQUIREMENT TABLE	
Gross Floor Area of Building	Loading Spaces Required
Less than 300 m²	1 space
300 m² to 2800 m² Greater than 250 m² and less than 2,500 m²	2 spaces <u>1</u>
2800 m² to 7500 m² Greater than or equal to 2,500 m² and less than 7,500 m²	3 <u>2</u> spaces
More than Greater than 7,500 m²	3 <u>2</u> spaces + 1 additional <u>loading</u> space for each additional <u>9,300</u> m ² or part thereof in excess of

7500 m²

4.15.24.19.2 Loading Space Dimensions: For the purposes of this By-law, each loading ~~or unloading~~ space shall be a minimum 9 metres in length, 4 metres in width and have a vertical clearance of 5 metres. ~~In addition, adequate space shall be provided for the parking of vehicles awaiting access to the loading or unloading spaces.~~

4.15.34.19.3 Access: Access to loading ~~or unloading~~ spaces shall be by means of a driveway at least 3.5 metres in width contained on the lot on which the spaces are located and leading to an improved public street.

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

4.15.54.19.5 Location: ~~The L~~ loading spaces ~~or spaces required hereunder~~ shall be located in the interior side or rear yard unless such space or spaces are removed from the street line a minimum distance of 15 metres.

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

4.20 MINIMUM DISTANCE SEPARATION – AGRICULTURAL USES: ~~Notwithstanding any provision of this By-law to the contrary, no dwelling shall be erected closer to any farm building or structure on adjacent lands held under distinct and separate ownership, than the minimum requirements set forth under the Ministry of the Environment's D Series Guidelines or the Ministry of Agriculture and Food Minimum Distance Separation Formulae~~

4.20.1 Non-Agricultural Uses: ~~Notwithstanding any other yard or setback provisions in this By-law to the contrary no residential, institutional, commercial, industrial or recreational use located on a separate lot and otherwise permitted by this By-law shall be erected or altered unless it complies with the Minimum Distance Separation (MDS I) Formula as developed by the Ontario Ministry of Agriculture and Rural Affairs.~~

4.15.74.20.2 Agricultural Uses: ~~Notwithstanding any other yard or setback provision in this By-law to the contrary, no livestock facilities shall be erected or expanded unless it complies with the Minimum Distance Separation (MDS II) Formula as developed by the Ontario Ministry of Agriculture and Rural Affairs.~~

4.164.21 MULTIPLE USES ON ONE LOT: Where any building, structure or lot is used for more than one purpose, the applicable provisions of this By-law which serve to regulate each such use shall be complied with, provided that no detached dwelling as may be permitted shall be erected closer than 10 metres to any other structure on the lot.

4.174.22 MULTIPLE ZONES ON ONE LOT: Where a lot is divided into more than one Zone, each portion of the lot shall be used in accordance with the provisions of this By-law for the applicable Zone, provided however that the maximum number of dwelling units permitted on the total lot does not exceed one, except where a larger number of dwellings is specifically permitted.

4.184.23 NOXIOUS USES: No person shall, within the zoned area, use any land or construct or use any structure for any noxious use.

4.194.24 PARKING AREA REQUIREMENTS

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

PARKING SPACE REQUIREMENT TABLE	
Type or Nature of Use	Minimum Parking Spaces
<ul style="list-style-type: none"> • Assembly hall; • Auditorium; • Arena; • Community centre; • Place of entertainment; • Place of worship; • Restaurant; • Tavern; • Similar places of assembly not • Otherwise specified; or • Funeral home 	<p>The greater of:</p> <ul style="list-style-type: none"> ▪ 1 space/5 fixed seats or 3 metres of bench seating or portion thereof ▪ 1 space /9 sq. metres of gross floor area ▪ 1 space for each 4 persons that may be legally accommodated at any one time
<ul style="list-style-type: none"> • Dwelling unit 	2 spaces for each dwelling unit(1)
<ul style="list-style-type: none"> • Bank; • Business or professional office; • Retail commercial establishment 	1 space for each 28 m ² of gross floor area of the building directly related to the specified permitted uses
<ul style="list-style-type: none"> • Bed and Breakfast establishment 	1 space for each guest room in addition to the requirement for a dwelling unit
<ul style="list-style-type: none"> • Elementary School • High School 	2 spaces for each teaching classroom 4 spaces for each teaching classroom
<ul style="list-style-type: none"> • Golf course 	24 spaces for each 9 holes of golfing facilities <u>+ spaces as required for accessory uses</u>
<ul style="list-style-type: none"> • Tourist establishment 	1 space for each guest room + spaces as required for accessory uses such as an eating establishment or entertainment lounge
<ul style="list-style-type: none"> • Liquor licensed premises exclusive of an eating establishment but including an entertainment lounge, public house or lounge licensed in accordance with licensing requirements 	1 space for each 4 persons that may be legally accommodated at any one time
<ul style="list-style-type: none"> • Manufacturing, processing, assembly fabricating plant; • Wholesale establishment; or • Warehouse 	1 space of each 38 m ² of gross floor area or portion thereof
<ul style="list-style-type: none"> • Marina 	1 space for each 27 m² of the total retail floor area or fraction thereof + 1 space for each boat slip provided <u>+ spaces as required for accessory uses</u>
<ul style="list-style-type: none"> • Medical or dental clinic, • Veterinary clinic 	5 spaces per doctor + 1 space for each examination room exceeding 5 such rooms per office
<ul style="list-style-type: none"> • Health Care Centre 	1 space for each 4 beds
<ul style="list-style-type: none"> • Commercial self storage 	3, or 1 space for each 20 individual spaces or lockers, whichever is greater
<ul style="list-style-type: none"> • Post office, • Museum, • Art gallery, • Public library 	1 space for each 38 m ² of gross floor area
<ul style="list-style-type: none"> • All other non-residential uses 	1 space per 27 m ² of gross floor area

Notes: (1) In the case of a single detached dwelling, the required parking spaces may be provided by means of tandem parking

4.24.2 Calculation of Parking: Where the minimum number of parking spaces is calculated on the basis of a rate or ration, the required number of spaces shall be rounded to the next higher whole number

~~4.19.24.24.3~~ More than One Use on a Lot: Where a building or structure accommodates more than one type of use, the parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate types of use. Where there are two (2) or more uses in any building or on any lot, including accessory uses, the required parking shall be the sum total of the parking requirements for each of the component uses

4.24.4 Parking Based On Occupancy: Where parking space requirement establishes the required parking in relationship to the number of persons that may be legally accommodated at any one time, such number shall be calculated in accordance with the Ontario Building Code, as amended.

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

4.24.6 Size of Parking Spaces and Aisles: Surface parking spaces shall have a minimum width of 2.75 metres and a minimum length of 6.0 metres. The width of the adjacent aisle shall be in accordance with Table 5.1:

<u>Parking Aisle Width Table</u>	
<u>Angle of Parking Space at Aisle</u>	<u>Minimum Perpendicular Width of Aisle</u>
<u>60 to 90 degrees</u>	<u>5.8 metres</u>
<u>59 to 45 degrees</u>	<u>5.2 metres</u>
<u>44 degrees or less</u>	<u>3.6 metres</u>

Where parking spaces are provided in an enclosed or underground parking garage, such parking spaces shall have a width of not less than 2.6 metres and a length of not less than 5.8 metres

The minimum width of an aisle providing access to a parking space within a parking area shall be 6.0 metres, except in the case of angled off-street parking accessed by a one-way aisle, which shall be a minimum width of 4.5 metres.

4.24.7 Designated Accessible Parking: Designated accessible parking spaces shall be provided in accordance with the Accessible Parking Space Requirements Table and subject to the following provisions. The provision of accessible parking spaces shall be included as part of the total calculation of parking spaces required for any lot, building or use.

Designated Accessible Parking Requirement Table	
<u>Total number of parking spaces required</u>	<u>Number of designated accessible parking spaces</u>
<u>4-10</u>	<u>1</u>
<u>11-20</u>	<u>2</u>
<u>21-50</u>	<u>3</u>
<u>51-75</u>	<u>4</u>
<u>76-100</u>	<u>5</u>
<u>100-200</u>	<u>6</u>
<u>More than 200</u>	<u>1 additional space for each additional 100 spaces</u>

A designated accessible parking space for motor vehicles shall be a minimum of 3.5 metres wide that includes an adjacent 1.75 metre wide aisle that is hatch marked on the parking lot.

The minimum length of a designated accessible parking space for motor vehicles shall be 6 metres (19.7 ft). 4.4.3 Two designated accessible parking spaces may share a single 1.5 metre (4.9 ft.) wide hatched aisle.

Designated accessible parking spaces shall have a firm, level surface. If the required number of parking spaces is reduced to accommodate designated accessible parking, this does not create a non-compliance with respect to Section 4.2.1.

Designated accessible parking spaces shall be located as near as possible to the main entrance, and in no circumstance be located greater than 30 metres (98.4 ft.) of an entrance.

4.19.34.24.8 Ingress and Egress Provisions:

- a) Ingress and egress to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least 3 metres but not more than 9 metres in perpendicular width.
- b) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 9 metres.
- c) The minimum distance between any two driveways on a lot or between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 9 metres.
- d) The minimum angle of intersection between a driveway and a street line shall be 60 degrees. Every lot shall be limited to the following number of driveways:
 - i. Up to the first 15 metres of lot frontage, not more than one driveway; and,
 - ii. Greater than 15 metres of lot frontage, not more than two driveways with a combined width not exceeding thirty percent (30%) of the lot frontage.

4.19.44.24.9 Ingress and Egress Regulations - Retail Gasoline Establishments:

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

~~4.19.54.24.10 More than One Use on a Lot: Where a building or structure accommodates more than one type of use, the parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate types of use.~~

4.19.64.24.11 Parking Area Location on a Lot: Parking areas, inclusive of driveways, shall be permitted in the required yards in accordance with the following provisions:

- a) In all Zones, except Residential Zones, no driveway shall be permitted within 9.0 metres of the boundary of a Residential Zone;
- b) In all Zones, except Residential Zones, no parking space shall be permitted within 3.0 metres of the boundary of a Residential Zone;
- c) Within all Residential Zones, parking spaces and areas shall be permitted within a front, interior side or rear yard provided that no part of any parking area, other than a driveway, is located closer than 2 metres to any street line or within a sight triangle;
- d) Within the Rural, Open Space, Community Facility and all Commercial Zones, parking spaces and areas shall be permitted within a front, interior side or rear yard provided that no part of any parking area, other than a driveway, is located closer than one metre to any street line or within a sight triangle;
- e) Within all Industrial Zones, parking spaces and areas shall be permitted within a front, interior side or rear yard provided that no part of any parking area, other than a driveway, is located closer than 2 metres to any street line or within a sight triangle;
- f) ~~Within a Shoreline Residential Zone~~ Notwithstanding the provisions of this Section to the contrary, within the Shoreline Residential (SR) Zone, no parking space shall be permitted in the front yard.

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

~~4.19.84.24.13~~ **Use of Parking Space(s) and Area(s):** Parking spaces and areas shall be used for the parking of operative, currently licensed vehicles only, and for vehicles used in operations incidental to the permitted uses in respect of which such parking spaces and areas are required or permitted. Notwithstanding the foregoing, within any Residential Zone, the owner or occupant may use a parking space for the purposes of the parking or storage of one currently licensed commercial motor vehicle ~~as defined in The Highway Traffic Act.~~

~~4.204.25~~ **PITS AND/OR QUARRIES:** The making or establishing of pits and/or quarries is prohibited except in accordance with the express provisions of this By-law. No person shall use land or erect any building or structure for the purpose of processing, washing, sorting, screening or crushing rock, sand or gravel in any locations, except as expressly provided for in this By-law.

~~4.214.26~~ **PLANTING STRIP REGULATIONS**

~~4.21.14.26.1~~ **Location:** Where the interior side or rear lot line, or portion thereof, in a Community Facility, Commercial or Industrial Zone abuts a Residential Zone, a planting strip shall be provided on the lot within the Community Facility, Commercial or Industrial Zone with a minimum width of 6 metres.

~~4.21.24.26.2~~ **Contents:** Any required planting strip shall consist of a row of trees or a continuous hedgerow of evergreens or shrubs, not less than 2 metres high at planting, immediately adjacent to the lot line or portion thereof along which such planting strip is required hereunder. The remainder of the strip shall be used for no other purpose than the planting of shrubs, flowerbeds, grass or a combination thereof.

~~4.21.34.26.3~~ **Interruption for Driveways or Pedestrian Walks:** In all cases where ingress and egress driveways or walks extend through a planting strip, it shall be permissible to interrupt the strip within 3 metres of the edge of such driveway or within 1.5 metres of the edge of such walk.

~~4.21.44.26.4~~ **Maintenance:** Where a planting strip is required, it shall be planted, nurtured and maintained by the owner(s) of the lot on which the strip is located.

~~4.21.54.26.5~~ **Landscaped Open Space Supplement:** A planting strip referred to in this subsection may form a part of any landscaped open space required by this By-law.

~~4.224.27~~ **PROHIBITED USES**

~~4.22.14.27.1~~ The following uses are prohibited in any Zone:

- The use of any trailer for human habitation, except where such trailer is located in a permitted camping establishment or in a trailer park.
- The use of any motor vehicle, truck, bus or coach body for human habitation.
- The use of any accessory building or structure for human habitation, with the exception of a sleeping cabin.

- The storage of disused rail cars, streetcars, truck bodies or trailers without wheels.
- Permanent asphalt plants.
- The parking or storage of trailers or commercial motor vehicles on a vacant lot, except where specifically permitted elsewhere in this By-law.
- The outdoor storage of partially dismantled motor vehicles or trailers or motor vehicle or trailer parts, except where specifically permitted elsewhere in this By-law.
- Obnoxious uses.
- The manufacturing, refining, rendering or distillation of acid, ammonia, chlorine, coal, creosote, explosives, fireworks, glue, petroleum or tar.
- The bulk storage of industrial chemicals, hazardous waste or liquid industrial waste as defined under the Environmental Protection Act, as amended.

4.23.4.28 PUBLIC USES

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

4.23.24.28.2 **Location Restrictions:** Notwithstanding Section 4.25.1, where a public use is specifically listed as a permitted use in a zone on Tables 1 and 3, such use shall only be carried out in that specific zone or zones.

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

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

4.23.44.28.4 **Streets and Installations:** Nothing in this By-law shall prevent land to be used as a street or prevent the installation of a watermain, sanitary sewer, storm sewer, gas main, pipeline, street lighting, overhead or underground hydro, communication line or high voltage and extra high voltage electrical facilities owned, operated and maintained by a hydro company, provided the location of

such main or line has been approved by the Township. Notwithstanding the generality of the foregoing, this approval shall not be required for any public use that has received prior approval pursuant to the provisions of The Environmental Assessment Act, as amended.

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

4.30 SIGHT TRIANGLES: On a corner lot, ~~no building or structure, fence, wall, vegetative planting or landscaping that has a height of greater than 0.6 metres shall be permitted; and no no motor vehicle shall be parked in a sight triangle within the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being 9.0 metres measured along the street line from the point of intersection of the street lines, no motor vehicle, as defined in the Highway Traffic Act, shall be parked, no building or structure which would obstruct the vision of drivers of motor vehicles shall be erected, and, no land shall be used for the purposes of growing shrubs or trees in excess of 0.6 metres in height. Such triangular space shall be referred to as a "sight triangle". Where the street lines do not intersect at a point, the point of intersection of the street line shall be deemed to be the intersection of the projection of the street lines of the intersection of the tangents to the street lines.~~

4.31 SIGNS: ~~The provisions of this By-law shall not apply to prevent the erection, alteration or use of any sign provided such sign complies with the By-law of the Township regulating signs Nothing in this By-law shall prevent the construction, alteration, or use of any sign, provided the sign complies with Sections 3.10, 3.11, and 3.25 of this Bylaw and with the other by-laws of the Township of Minden Hills or County of Haliburton. .~~

SPECIAL PROVISIONS – CROWN LANDS: ~~Within the Rural (RU) Zone, where lands are held under the tenure of the Crown, the provisions of this By-law shall not apply to Crown Land uses or uses of Crown lands as may be authorized by the Crown.~~

4.244.32 SPECIAL REGULATIONS – Cabin, Cottage or Resort Establishments in a Recreational Commercial (C3) Zone Resort Establishments
~~The maximum habitation in a resort per family shall not exceed 70 days per year. The maximum number of timeshare, interval ownership or fractional ownership units shall not exceed one (1) for every 45 metres of frontage on a watercourse except where a site specific zoning amendment specifies a different number.~~

- Minimum Distance Between Cabins or Cottages on Same Lot 4 metres

4.254.33 SPECIAL REGULATIONS – Camping Establishment or Private Camp in a Recreational Commercial (C3) Zone Recreational Institutions

- Minimum Lot Area Requirement 4 hectares
- Minimum Lot Frontage Requirement 60 metres
- Minimum Campsite Area Requirements 200 sq. metres

- d) Minimum Campsite Frontage Requirement
(on an internal roadway) 12 metres
- e) Minimum Distance Between Campsites 2 metres
- e)f) Maximum Density of Campsites
Maximum density of campsites shall not exceed 15 sites per 4,050 sq.
metres, exclusive of lands used for ingress and egress.

07-043 4.34 **SPECIAL SETBACK REQUIREMENTS FROM A WATERCOURSE:** Notwithstanding the yard provisions of this By-law to the contrary, where a watercourse runs through a lot, no building or structure shall be erected within 15 metres of the existing high water mark of such watercourse.

4.35 **SPECIAL SETBACK REQUIREMENT FROM A PRIVATE ROAD OR PRIVATE RIGHT-OF-WAY:** ~~No building may be erected or used within 3 m of a private right-of-way or private road.~~

4.36 **SPECIAL YARD REQUIREMENTS FOR THROUGH LOTS:** Where a lot is a through lot, the front yard requirements shall apply on each street or ~~watercourse or~~ waterbody, as the case may be, ~~in accordance with the provisions of the Zone(s) in which such lot is located~~ excepting that, within the Shoreline Residential (SR) zone, the required front yard setback from such street, on a through lot shall be 15 metres.

4.264.37 **TRAILER OR MOBILE HOME PARKS:** The establishment of a trailer park or mobile home park is prohibited in any Zone, save and except where such parks are specifically permitted by this By-law. The use of any trailer or recreational vehicle for human habitation is prohibited except where such trailer or recreational vehicle is located in a camping establishment or in a trailer park.

4.274.38 **TRUCK, BUS, COACH BODIES AND DERELICT VEHICLES:** No truck, bus, coach, trailer or streetcar body, or structure of any kind, other than a dwelling unit erected and used in accordance with this By-law, The Building Code and Regulations passed there under and all other By-laws of the Township, shall be used for human habitation or storage of goods and materials whether or not the same is mounted on wheels. The provisions of this By-law shall not apply to prohibit the outside storage of a maximum of two derelict motor vehicles within the Rural (RU) Zone nor the outside storage of contractors equipment, whether currently licensed or inoperative, provided the applicable provisions regarding outside storage are complied with and further that such use is accessory to the principal permitted use on the lot.

~~4.28~~ ~~**WAYSIDE PITS AND QUARRIES:** Where specifically permitted in the By-law, a portable asphalt plant shall be subject to the following provisions: the wayside pit or quarry shall be used by or on behalf of a Public Authority; the wayside pit or quarry shall have a Certificate of Approval from the Ministry of Environment and Energy or its designate; the wayside pit or quarry shall not be located closer than 300 metres from an existing residence; and, upon completion of the public project, the site shall be rehabilitated to its former use.~~

4.294.39 **ZONING OF ISLANDS AND LANDS COVERED BY WATER**

- 07-043 ~~4.29.14.39.1~~ 4.39.1 All lands covered by water are zoned Open Space (OS). A dock is the only permitted use and only where it is accessory to a permitted use on the adjoining lot above the high water mark and provided it complies with the applicable zone requirements for the adjoining lot.
- | ~~4.29.24.39.2~~ 4.39.2 Where an island is not labelled with a Zone Symbol on the Schedules to this By-law, such island is deemed to be zoned Open Space (OS).

Section 5 ZONE PROVISIONS

5.1 **CLASSIFICATION**

The provisions of this By-law apply to all lands within the limits of the Township, which lands, for the purpose of this By-law are divided into various Zones ~~as follows as named and described below. For the purposes of this By-law, reference may be made to individual zones, categories of zones or sub categories of zones as set out below:~~

<u>Zone</u>	<u>Zone Symbol</u>
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Residential Zones

R1: RESIDENTIAL TYPE ONE	R1
R2: RESIDENTIAL TYPE TWO	R2
HR: HAMLET RESIDENTIAL	HR
RR: RURAL RESIDENTIAL	RR
SR: SHORELINE RESIDENTIAL	SR
HZ: HAZARD LAND	
OS: OPEN SPACE	

Non-Residential Zones

Rural Zones

RU: RURAL	RU
R1: RESIDENTIAL TYPE ONE	
R2: RESIDENTIAL TYPE TWO	
HR: HAMLET RESIDENTIAL	
RR: RURAL RESIDENTIAL	
SR: SHORELINE RESIDENTIAL	
CF: COMMUNITY FACILITY	

Commercial Zones

C1: HIGHWAY COMMERCIAL	C1
C2: GENERAL COMMERCIAL	C2
C3: RECREATIONAL COMMERCIAL	C3
C4: VILLAGE COMMERCIAL	C4

Institutional Zones

CF: COMMUNITY FACILITY	
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Industrial Zones

M1: GENERAL INDUSTRIAL	M1
M2: EXTRACTIVE INDUSTRIAL	M2
M3: WASTE DISPOSAL INDUSTRIAL	M3
FP: FLOOD PROOFING (see Section 5.3.5)	
FR: FLOOD RISK (see Section 5.3.3)	
FW: FLOODWAY (See Section 5.3.4)	

Environmental and Hazard Zones

HZ: HAZARD LAND	HZ
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OS: — OPEN SPACE	OS
FLOODWAY	FW

Overlay Zones

FP: — FLOOD PROOFING (see Section 5.3.5)	FP
FR: — FLOOD RISK (see Section 5.3.3)	FR
FW: — FLOODWAY (See Section 5.3.4)	

5.2 **ZONE PROVISIONS**

No person shall, within any of the Zones, use any land or erect or use any building or structure, except in accordance with the uses permitted (Tables 1 and 3 - Permitted Uses) and the provisions (Tables 2 and 4 - Lot Regulations) of this By-law.

Township of Minden Hills Zoning By-law No. 06-10

Section 5.2

Table 1 - Residential Zones - Permitted Uses

Zone	Residential Type One (R1)	Residential Type 2 (R2)	Hamlet Residential (HR)	Rural Residential (RR)	Shoreline Residential (SR)
Principal Uses					
Dwelling, Single Detached	X	X	X	X	X
Dwelling, Converted	X	X			
Dwelling, Duplex		X			
Dwelling, Multiple		X			
Dwelling, Semi Detached		X			
Public Use	X	X	X	X	X
Accessory Uses					
Bed & Breakfast Establishment	X	X	X	X	X
Group Home, Open Custody	X	X	X	X	
Home Industry				X	
Home Occupation	X	X	X	X	X
Private Home Daycare	X	X	X	X	X
Notes: X Denotes a permitted use.					

Table 1 to By-law 06-10
 passed this 23rd day of
 February, 2006

ORIGINAL SIGNED BY:

Jim McMahon, Cheryl McCarroll,
 Reeve Clerk

Township of Minden Hills Zoning By-law No. 06-10

Section 5.2

Table 1 - Residential Zones - Permitted Uses

Zone	Residential Type One (R1)	Residential Type 2 (R2)	Hamlet Residential (HR)	Rural Residential (RR)	Shoreline Residential (SR)
Principal Permitted Uses					
Dwelling, Single Detached	X	X	X	X	X
Dwelling, Converted	X	X			
Dwelling, Duplex		X			
Dwelling, Multiple		X			
Dwelling, Semi Detached		X			
Public Use	X	X	X	X	X
Accessory Uses					
Bed & Breakfast Establishment	X	X	X	X	X
Group Home, Open Custody	X	X	X	X	
Home Industry				X	
Home Occupation	X	X	X	X	X
Private Home Daycare	X	X	X	X	X
Notes: X Denotes a permitted use.					

Table 1 to By-law 06-10
 passed this 23rd day of
 February, 2006

ORIGINAL SIGNED BY:

Jim McMahon, Cheryl McCarroll,
 Reeve Clerk

TOWNSHIP OF MINDEN HILLS ZONING BY-LAW NO. 06-10

Section 5.2

Table 4 - Lot Regulations - Non Residential Zones

ZONES	Hazard Land (HZ)	Open Space (OS)	Rural (RU)	Community Facility (CF)	Highway Commercial (C1)	General Commercial (C2)	Recreational Commercial (C3)	Village Commercial (C4)	General Industrial (M1)	Extractive Industrial (M2)	Waste Disposal Industrial (M3)
Lot Area (min m ²)	(5)	4 ha	2 ha	1500	1500(6)	3000	1 ha (7)	n/a	4000	8000	(5)
Lot Frontage (min m)	(5)	60 (1)	100	30	30	30	60(1)(7)	10 (9)	30	60	(5)
Front Yard (min m)	15	15	15(11)	15	10	10	12	0 (8)	20	30(10)	100
Interior Side Yard (min m)	15	3	15(11)	8	10(3)	6 (2)	6 (2)	0 (4)(9)	8 (3)	30(10)(12)	100
Exterior Side Yard (min m)	15	15	15(11)	15	10	10	12	0 (8)(9)	20	30(10)(12)	100
Rear Yard (min m)	15	15	15(11)	15	10	12	12	7.5	20	30(10)(12)	100
Setback from High Water mark	30	30	30	30	30	30	30	7.5	30	100	100
Building height (principal building) (max m)	8	8	11	11	11	11	11	11	11	11	11
Lot coverage (max%)	10	10	20	30	25	30	30	80	30	10	5
Landscaped Open Space (min %)	30	30	5	30	20	10	30	0	5	10	10
<p>Notes:</p> <p>(1) = increase to 100 m if for a camping establishment (2) = increase to 10 m if abutting a residential zone (3) = increase to 20 m if abutting a residential zone (4) = increase to 3 m if abutting a residential zone (5) = as existed at the date of passage (6) = increase to 3000 sq. metres if not connected to sanitary sewage system (7) = or as noted in Section 5.4 (8) = any lot abutting Hwy 35 shall have a minimum Front or Exterior Side Yard of 10 metres (9) = except for lots fronting on Bobcaygeon Road north of the Gull River, and between Highway 35 and Peck Street, in which case the minimum lot frontage shall be 15 metres and the minimum interior and exterior side yards shall be 1 metre. (10) = Any stockpiling of materials shall be located a minimum of 90 metres from any residential zone. (11) = increase to 50 metres for a commercial kennel (12) = no yard is required where the lot abuts an M2 Zone.</p>								<p>Legend: m = metres ha = hectares m² = square metres min = minimum max = maximum</p> <p>Table 4 to By-law 06-10 passed this 23rd day of February, 2006</p> <p>ORIGINAL SIGNED BY:</p> <p><u>Jim McMahan</u>, <u>Cheryl McCarroll</u> Reeve Clerk</p>			

Zone	Rural (RU)	Hazard (HZ)	Open Space (OS)	Community Facilities (CF)	Highway Commercial (C1)	General Commercial (C2)	Recreational Commercial (C3)	Village Commercial (C4)	General Industrial (M1)	Extractive Industrial (M2)	Waste Disposal Industrial (M3)
* Please refer to Notes for number references											
Principal Permitted Uses											
Aggregate stockpiling/storage										X	
Arena				X	X	X		X			
Asphalt Plant, Portable	X				X				X	X	X
Bank						X		X			
Bed & Breakfast	X			X	X	X	X	X			
Boarding House	X										
Building supply outlet					X	X		X	X		
Bulk storage tank					X				X		X
Business, professional or administrative office					X	X		X			
Camping establishment							X(1)				
Cemetery	X		X	X	X						
Commercial Self Storage					X				X		
Community centre	X			X	X	X		X			
Conservation	X	X	X	X	X	X	X	X	X	X	X
Contractor's establishment									X		

Township of Minden Hills Zoning By-law No. 06-10

Section 5.2

Table 3 - Non - Residential Zones - Permitted Uses

Zone	Rural (RU)	Hazard (HZ)	Open Space (OS)	Community Facilities (CF)	Highway Commercial (C1)	General Commercial (C2)	Recreational Commercial (C3)	Village Commercial (C4)	General Industrial (M1)	Extractive Industrial (M2)	Waste Disposal Industrial (M3)
* Please refer to Notes for number references											
Principal Permitted Uses											
Day care centre	X			X	X	X		X			
Dry cleaning establishment								X	X		
Dwelling, single detached	X										
Equestrian facility	X		X				X				
Equipment sales & rental, heavy									X		
Equipment sales & rental, light					X	X			X		
Farm	X	X(2)	X								
Farm Produce Outlet	X				X	X		X			
Funeral Home					X	X		X			
Garden Centre & nursery	X				X	X		X	X		
Golf course			X	X			X				
Golf driving range			X		X	X	X				
Greenhouse, commercial	X				X	X			X		

Township of Minden Hills Zoning By-law No. 06-10

Section 5.2

Table 3 - Non - Residential Zones - Permitted Uses

Zone	Rural (RU)	Hazard (HZ)	Open Space (OS)	Community Facilities (CF)	Highway Commercial (C1)	General Commercial (C2)	Recreational Commercial (C3)	Village Commercial (C4)	General Industrial (M1)	Extractive Industrial (M2)	Waste Disposal Industrial (M3)
* Please refer to Notes for number references											
Principal Permitted Uses											
Group Home, Open	X										
Health Care Centre				X				X			
Hotel					X	X	X	X			
Hunt camp (on crown lands)	X										
Industrial use									X		
Kennel, commercial	X(3)										
Laundromat, coin operated					X	X		X	X		
Marina					X	X	X(1)	X			
Marine sales & service establishment					X	X	X	X	X		
Medical or dental clinic				X	X	X		X			
Motor vehicle dealership					X	X		X			
Motor vehicle service station					X	X		X	X		

Motor vehicle wash, automatic					X				X		
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Township of Minden Hills Zoning By-law No. 06-10

Section 5.2

Table 3 - Non - Residential Zones - Permitted Uses

Zone	Rural (RU)	Hazard (HZ)	Open Space (OS)	Community Facilities (CF)	Highway Commercial (C1)	General Commercial (C2)	Recreational Commercial (C3)	Village Commercial (C4)	General Industrial (M1)	Extractive Industrial (M2)	Waste Disposal Industrial (M3)
* Please refer to Notes for number references											
Principal Permitted Uses											
Municipal Works depot				X							
Park	X	X	X	X	X	X	X	X	X	X	X
Pit										X	
Place of Assembly				X	X	X		X			
Place of Worship				X	X	X		X			
Portable processing plant										X	
Printing or publishing establishment					X			X	X		
Public use	X	X	X	X	X	X	X	X	X	X	X
Quarry										X	
Recreational Institution				X			X	X			
RV sales & service establishment					X	X		X	X		

Resort							X				
Restaurant					X	X	X	X			

Township of Minden Hills Zoning By-law No. 06-10

Section 5.2

Table 3 - Non - Residential Zones - Permitted Uses

Zone	Rural (RU)	Hazard (HZ)	Open Space (OS)	Community Facilities (CF)	Highway Commercial (C1)	General Commercial (C2)	Recreational Commercial (C3)	Village Commercial (C4)	General Industrial (M1)	Extractive Industrial (M2)	Waste Disposal Industrial (M3)
* Please refer to Notes for number references											
Principal Permitted Uses											
Restaurant, Drive-through					X						
Retail store					X	X		X			
Retirement home				X	X			X			
Salvage yard										X(1)	
Saw and/or planing mill									X		
School, commercial				X	X			X			
School, public or private				X	X			X			
Service shop, light					X	X		X			
Service shop, personal					X	X		X			
Tourist establishment					X	X	X	X			

Transport Depot									X		
Veterinary clinic	X				X			X	X		
Warehouse									X		

Township of Minden Hills Zoning By-law No. 06-10

Section 5.2

Table 3 - Non - Residential Zones - Permitted Uses

Zone	Rural (RU)	Hazard (HZ)	Open Space (OS)	Community Facilities (CF)	Highway Commercial (C1)	General Commercial (C2)	Recreational Commercial (C3)	Village Commercial (C4)	General Industrial (M1)	Extractive Industrial (M2)	Waste Disposal Industrial (M3)
* Please refer to Notes for number references											
Principal Permitted Uses											
Waste disposal area											X
Waste Recycling Facility											X
Wayside pit or quarry	X			X	X	X			X	X	X
Wholesale estab.					X				X		
Accessory Uses											
Bed & Breakfast Establishment	X						X	X			
Dwelling Unit, accessory (6)					X	X	X	X	X(4)		

Home Industry	X										
Home Occupation	X								X		

Township of Minden Hills Zoning By-law No. 06-10

Section 5.2

Table 3 - Non - Residential Zones - Permitted Uses

Zone	Rural (RU)	Hazard (HZ)	Open Space (OS)	Community Facilities (CF)	Highway Commercial (C1)	General Commercial (C2)	Recreational Commercial (C3)	Village Commercial (C4)	General Industrial (M1)	Extractive Industrial (M2)	Waste Disposal Industrial (M3)
* Please refer to Notes for number references											
Outside Display					X	X			X		
Private Home Day Care	X										
Retail store							X(5)		X(5)		

Notes: X Denotes a permitted use

(1) Existing establishments only

(2) No buildings or structures are permitted in the HZ Zone

(3) Provided such use is located on a lot having a minimum lot area of 4 ha

(4) Provided the dwelling unit is a detached dwelling

(5) Provided the retail store is accessory to the principal permitted use, and occupies an area of not more than 50 square metres

(6) Provided a minimum dwelling unit size of 55 m²

NOTE: 07-043 - Addition of Dwelling Unit, accessory in C1 Zone as permitted use

Table 3 to By-law 06-10

amended by 07-043

Consolidate March 31, 2008

TOWNSHIP OF MINDEN HILLS ZONING BY-LAW NO. 06-10

Section 5.2

Table 4 - Lot Regulations - Non Residential Zones

ZONES	Hazard Land (HZ)	Open Space (OS)	Rural (RU)	Community Facility (CF)	Highway Commercial (C1)	General Commercial (C2)	Recreational Commercial (C3)	Village Commercial (C4)	General Industrial (M1)	Extractive Industrial (M2)	Waste Disposal Industrial (M3)
Lot Area (min m ²)	1 ha (51)	4 ha	2 ha	1500	1500 (6)	3000	1 ha (7)	n/a	4000	8000	(5)
Lot Frontage (min m)	30 (51)	60 (4)	100	30	30	30	60 (4) (7)	10 (9)	30	60	(5)
Front Yard (min m)	15	15	15 (11)	15	10	10	12	0 (8)	20	30 (10)	100
Interior Side Yard (min m)	15	3	15 (11)	8	10 (3)	6 (2)	6 (2)	0 (4) (9)	8 (3)	30 (10) (12)	100
Exterior Side Yard (min m)	15	15	15 (11)	15	10	10	12	0 (8) (9)	20	30 (10) (12)	100
Rear Yard (min m)	15	15	15 (11)	15	10	12	12	7.5	20	30 (10) (12)	100
Setback from High Water mark	30	30	30	30	30	30	30	7.5	30	100	100
Building height (principal building) (max m)	8	8	11	11	11	11	11	11	11	11	11
Lot coverage (max%)	10	10	20	30	25	30	30	80	30	10	5
Landscaped Open Space (min %)	30	30	5	30	20	10	30	0	5	10	10

Notes:

(1) = ~~increase to 100 m if for a camping establishment minimum requirement is only applicable where a permitted use is conducted within the Hazard Land (HZ) zoned area~~

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

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

(4) = increase to 3 m if abutting a residential zone

(5) = as existed at the date of passage

(6) = increase to 3000 sq. metres if not connected to sanitary sewage system

(7) = or as noted in Section 5.4

(8) = any lot abutting Hwy 35 shall have a minimum Front or Exterior Side Yard of 10 metres

(9) = except for lots fronting on Bobcaygeon Road north of the Gull River, and between Highway 35 and Peck Street, in which case the minimum lot frontage shall be 15 metres and the minimum interior and exterior side yards shall be 1 metre.

(10) = Any stockpiling of materials shall be located a minimum of 90 metres from any residential zone.

(11) = increase to 50 metres for a commercial kennel

(12) = no yard is required where the lot abuts an M2 Zone.

Legend: m = metres

ha = hectares

m² = square metres

min = minimum

max = maximum

**Table 4 to By-law 06-10
passed this 23rd day of
February, 2006**

ORIGINAL SIGNED BY:

Jim McMahon, Cheryl McCarroll,
Reeve Clerk

5.3 ZONE PROVISIONS APPLICABLE TO SPECIFIC USES OR OVERLAY

5.3.1 List of Temporary Use Zones

Table 5: Temporary Use Zones

<u>By-law</u>	<u>Property Roll Number</u>	<u>Land Use Zone</u>	<u>Temporary Use Permitted</u>	<u>Date Enacted</u>	<u>Date Expires</u>

~~5.2.15.3.2 Special Regulations – Cabin, Cottage or Resort Establishments in a Recreational Commercial (C3) Zone~~

- ~~• Minimum Distance Between Cabins or Cottages on Same Lot 4 metres~~

~~5.2.25.3.3 Special Regulations – Camping Establishment or Private Camp in a Recreational Commercial (C3) Zone~~

- ~~f)g) Minimum Lot Area Requirement 4 hectares~~
- ~~g)h) Minimum Lot Frontage Requirement 60 metres~~
- ~~h)i) Minimum Campsite Area Requirements 200 sq. metres~~
- ~~i)j) Minimum Campsite Frontage Requirement (on an internal roadway) 12 metres~~
- ~~j)k) Minimum Distance Between Campsites 2 metres~~
- ~~k)l) Maximum Density of Campsites
 Maximum density of campsites shall not exceed 15 sites per 4,050 sq. metres, exclusive of lands used for ingress and egress.~~

5.2.35.3.4 Flood Risk (FR) Zone Overlay (Schedule 25)

5.2.3.15.3.4.1 Permitted Uses: On Schedule 25, where a FR (Flood Risk) symbol is shown in association with another zone, no person shall within a Flood Risk (FR) Zone use any land or erect, alter or use any building or structure except for a purpose permitted in accordance with the following:

- a) Flood Proofing Requirements

Where a building or structure is permitted, no person shall erect any new building or structure or enlarge, extend, reconstruct or renovate a permitted building or structure except in accordance with the following provisions, namely:

- i. that the building or structure, inclusive of the enlargement, extension, reconstruction or renovation of an existing permitted building or structure, be designed to withstand the hydrostatic and hydraulic forces resulting from flooding;
- ii. that the composition and strength of all structural materials used in the erection of a new building or structure or the extension, enlargement, reconstruction or renovation of an existing building or structure not be susceptible to deterioration as a result of flooding;
- iii. that the minimum elevation of all doors, windows or other exterior openings not be less than the minimum elevation for flood proofing as specified in brackets following the Flood Risk Zone symbol, which elevations are in metres based upon the Geodetic Survey of Canada and the Flood Risk Mapping for the Gull River; and,
- iv. that all measures for flood proofing shall be completed in accordance with the standards and regulations established in the Building By-law of the Township, the Ontario Building Code Act, and, the requirements of the Ministry of Natural Resources.

b) Exceptions

The provisions set forth in Section (a), above, shall not apply to any accessory building or structure except where such accessory building or structure is designed or intended for human habitation.

c) Other Zone Provisions

In all other respects the provisions of the applicable zone classification shall apply.

5.2.45.3.5 Floodway (FW) Zone – Schedules 21, 22 and 25

5.2.4.15.3.5.1 Permitted Uses

Uses permitted in the Floodway Zone are as follows:

- a) Existing uses buildings and structures
- b) Open Space, conservation, agriculture, recreation and forestry uses.

5.2.4.25.3.5.2 Regulations:

- a) No building or structures shall be erected nor any fill be removed or placed in any Floodway Zone except as follows:
 - i. Buildings or structures to be used for purposes of flood or erosion control or the generation of electricity by a public authority, may be constructed.
 - ii. The extension, enlargement or repair of existing buildings or structures may be permitted with the requirement of flood

proofing measures as noted in Section 5.3.5, and provided that such extension or enlargement is not greater in size than 50% of the existing structure as determined by the ground floor areas.

~~5.2.5~~5.3.6 Flood Proofing (FP) Zone (Minden Urban Area)

~~5.2.5.15~~5.3.6.1 Regulations

a) The Flood Proofing Zone (FP) is an overlay zone, which places restrictions on the location of building openings. The FP Zone regulations apply in addition to the requirements of the use zones. No person shall erect any building in any FP Zone with building openings below the level noted on the Flood Damage Reduction Program (F.D.R.P.) schedules on file at the Township offices. This level is expressed in metres above sea level based on Canadian Geodetic Datum.

b) Exceptions

The provisions set forth in Section (a), above, shall not apply to any accessory building or structure except where such accessory building or structure is designed or intended for human habitation.

c) Other Zone Provisions

In all other respects the provisions of the applicable zone classification shall apply.

~~5.3~~5.4 EXCEPTIONS TO ZONES

5.4.1. HAZARD LAND ZONE (HZ)

5.4.1.1 Hazard Land Exception One (HZ-1) Zone *Part of Lot 6, Concession A, Minden, Schedule 21*

On the lands zoned Hazard Land Exception One (HZ-1), no greens or trees shall be located within 15 metres of either side of the creek. All other applicable provisions of the Hazard Land (HZ) Zone shall continue to apply.

5.4.2 OPEN SPACE ZONE (OS)

5.4.2.1 Open Space Exception One (OS-1) Zone: *Part of Lot 12, Concession 10, Minden, Schedule 7*

On the lands zoned Open Space Exception One (OS-1), parking use for an adjacent commercial property shall be the only permitted use. All other applicable provisions of the Open Space (OS) Zone shall continue to apply.

5.4.2.2 Open Space Exception Two (OS-2) Zone:
Part of Lots 11, 12 and 13, Concession 13, Snowdon, Schedule 15

On the lands zoned Open Space Exception Two (OS-2), the permitted uses shall be limited to the following:

- a) Residential Uses:
prohibited
- b) Non-residential Uses:
a public park
an interpretive centre
a kiosk
a picnic shelter

All other applicable provisions of the Open Space (OS) Zone shall continue to apply to these lands.

5.4.2.3 Open Space Exception Three (OS-3) Zone
Part of Lots 13 and 14, Concession 11, Lutterworth, Schedule 14

On the lands zoned Open Space Exception Three (OS-3) Zone, the uses permitted shall be restricted to that of private open space including boat launching facilities and such other accessory non-residential uses as are normally considered incidental and subordinate thereto. All other applicable provisions of the Open Space (OS) Zone shall continue to apply.

5.4.2.4 Open Space Exception Four (OS-4) Zone
Part of Lot 6, Concession A, Lutterworth, Schedule 18

On the lands zoned Open Space Exception Four (OS-4), the permitted uses shall include a shooting range. All other applicable provisions of the Open Space (OS) Zone shall continue to apply.

07-043 5.4.2.5 Open Space Exception Five (OS-5) Zone
Part of Lot 23, Concession 3, Minden, Schedule 12

On the lands zoned Open Space Exception Five (OS-5), no buildings or structures are permitted. All other applicable provisions of the Open Space (OS) Zone shall continue to apply. [By-law 05-63]

5.4.3.5 Rural Exception Five (RU-5) Zone
Part of Lots 3 & 4, Concession 12, Lutterworth, Schedule 14

On the lands zoned Rural Exception Five (RU-5) Zone, the following provisions apply:

Permitted Use:

- i. a mobile home dwelling house or a modular manufactured dwelling house within a mobile home park;
- ii. a home occupation use;
- iii. a public use or municipal utility

Regulations for Residential Uses:

a) Minimum Lot Area Requirement

Lot serviced by piped water supply system
and private waste disposal system 900 sq. metres

b) Minimum Lot Frontage Requirement

Lot serviced by piped water supply system
and private waste disposal system 30 metres

c) Minimum Yard Requirements

- i. Front Yard 8 metres
- ii. Exterior Side Yard 8 metres
- iii. Interior Side Yard 1.5 metres
- iv. Rear Yard 8 metres

d) Minimum Dwelling Unit Area Requirement 65 sq. metres

e) Maximum Lot Coverage of All Buildings 30 per cent

f) Minimum Landscaped Open Space Requirement 30 per cent

g) Maximum Number of Dwelling Houses Per Lot one

h) Maximum Height of Buildings 10 metres

For the purpose of this Section, a mobile home park means a parcel of land, which is not the subject of a Registered Plan of Subdivision defining individual lots legally capable of conveying title, which is developed and managed as a unit where individual lots are made available on a rental basis for the placing of a mobile home where the ownership and responsibility for the maintenance of private internal roads, services, communal areas and buildings, including snow ploughing and removal, garbage collection, together with general park management, etc., rests with management.

All other applicable provisions of the Rural (RU) Zone shall continue to apply.

5.4.3.6 Rural Exception Six (RU-6) Zone
Part of Lot 28, Concession 3, Lutterworth, Schedule 17

On the lands zoned Rural Exception Six (RU-6) Zone, the following provisions shall apply:

- a. Residential Uses Permitted
 - a permanent single detached dwelling
 - a mobile home dwelling
 - a home occupation use

- b. Regulatory Provisions
 - i. Minimum Yard Requirement – Mobile Home Dwelling
 - Front Yard – 80 metres
 - Rear Yard – 68 metres
 - Side Yard – Minimum required interior side yards shall be 100 metres and 30 metres from the more northerly and southerly boundaries, respectively, of the Rural Exception Six (RU-6) Zone.
 - ii. Minimum Dwelling Unit Area Requirement – Mobile Home Dwelling – 66 square metres

 - iii. Maximum Number of Dwelling Units Per Lot – two

All other applicable provisions of the Rural (RU) Zone shall continue to apply.

5.4.3.7 Rural Exception Seven (RU-7) Zone
Part of Lot 10, Concession 9, Minden, Schedule 7

On the lands zoned Rural Exception Seven (RU-7), the winterizing of boats will be a permitted use. All other applicable provisions of the Rural (RU) Zone shall continue to apply.

5.4.3.8 Rural Exception Eight (RU-8) Zone
Part of Lot 7, Concession 14, Lutterworth, Schedule 25

On the lands zoned Rural Exception Eight (RU-8), the uses permitted shall include two single detached dwelling houses together with such accessory uses, buildings or structures as are normally considered incidental and subordinate thereto, inclusive of a private cabin where such private cabin complies with the yard and setback provisions of the Rural (RU) Zone and does not have a ground floor area in excess of 30 square metres, does not exceed a height of 5 metres, and does not include facilities for the cooking or preparation of food. All other applicable provisions of the Rural (RU) Zone shall continue to apply.

5.4.3.9 Rural Exception Nine (RU-9) Zone
Part of Lot 8, Concession 10, Lutterworth, Schedule 14

On the lands zoned Rural Exception Nine (RU-9), the following provisions apply:

- a. Residential Uses Permitted
 - i. a seasonal dwelling
 - ii. uses, buildings or structures accessory to a seasonal dwelling

- b. Regulatory Provisions
 - i. Minimum Lot Area Requirement – 6 hectares
 - ii. Minimum lot frontage requirement – 100 metres
 - iii. Minimum dwelling unit area requirement – 56 square metres

All other applicable provisions of the Rural (RU) Zone shall continue to apply.

5.4.3.10 Rural Exception Ten (RU-10) Zone
Part of Lot 18, Concession 1, Minden, Schedule 12

On the lands zoned Rural Exception Ten (RU-10), a welding shop is a permitted use. All other applicable provisions of the Rural (RU) Zone shall continue to apply.

5.4.3.11 Rural Exception Eleven (RU-11) Zone
Part of Lot 10, Concession 3, Lutterworth, Schedule 18

On the lands zoned Rural Exception Eleven (RU-11), the permitted uses shall be limited to the following:

- cemetery
- conservation
- farm
- farm produce outlet
- park
- public use,

provided that in no case is a dwelling permitted on the lands.

All other applicable provisions of the Rural (RU) Zone shall continue to apply.

- 06-067 5.4.3.12 Rural Exception Twelve (RU-12) Zone
Part of Lot 20, Concession 7, Lutterworth, Schedule 17

On the lands zoned Rural Exception Twelve (RU-12), a dwelling unit is not permitted to be constructed within 300 metres of the normal high water mark of Gull Lake. All other applicable provisions of the Rural (RU) Zone shall continue to apply.

- 07-59 5.4.3.13 Rural Exception Thirteen (RU-13) Zone
Part of Lot 29, Concession 7, Minden, Schedule 8

On the lands zoned Rural Exception Thirteen (RU-13), a dwelling unit is not permitted to be constructed within 300 metres of the normal high water mark of Soyers Lake. All other applicable provisions of the Rural (RU) Zone shall continue to apply.

- 07-84 5.4.3.14 Rural Exception Fourteen (RU-14) Zone
Part of Lots 3 and 4, Concession 5, Minden, Schedule 11

On the lands zoned Rural Exception Fourteen (RU-14), a dwelling unit and related structures are not a permitted use within 300 metres (1,000 ft.) of the normal high water mark of Mountain Lake. All other applicable provisions of the Rural (RU) Zone shall continue to apply.

- 07-85 5.4.3.15 Rural Exception Fifteen (RU-15) Zone
Part of Lots 16 and 17, Concession 14, Snowdon, Schedule 16

On the lands zoned Rural Exception Fifteen (RU-15), a dwelling unit and related structures are not a permitted use within 300 metres of the normal high water mark of Canning Lake. All other applicable provisions of the Rural (RU) Zone shall continue to apply.

- 08-21 5.4.3.16 Rural Exception Sixteen (RU-16) Zone
Part of Lots 21 and 22, Concession 2, Minden, Schedule 12

On the lands zoned Rural Exception Sixteen (RU-16), the lot frontage shall be 38.5 metres. The permitted uses shall be as follows:

Conservation; Dwelling, single detached; Dwelling, converted; and Public Use.

The following Accessory Uses are also permitted:

Bed and Breakfast Establishment, Home Industry, Home Occupation, and Private Home Day Care.

The setback for all structures shall be 150 metres from Lake Kashagawigamog as shown on the attached Schedule "A".

All other applicable provisions of the Rural (RU) Zone shall continue to apply.

08-21

5.4.3.17 Rural Exception Seventeen (RU-17) Zone
Part of Lots 21 and 22, Concession 2, Minden, Schedule 12

On the lands zoned Rural Exception Seventeen (RU-17), the permitted uses shall be as follows:

Conservation; Dwelling, single detached; Dwelling, converted; and Public Use.

The following Accessory Uses are also permitted:

Bed and Breakfast Establishment, Home Industry, Home Occupation, and Private Home Day Care.

The setback for all structures shall be 150 metres from Lake Kashagawigamog as shown on the attached Schedule "A".

All other applicable provisions of the Rural (RU) Zone shall continue to apply.

5.4.4 RESIDENTIALTYPE 1 (R1) ZONE

5.4.4.1 Residential Type One Exception One (R1-1)
Part of Lot 3, Concession A, Anson, Schedule 23

On the lands zoned Residential Type One Exception One (R1-1) Zone, in addition to the permitted uses in the Residential Type One (R1) Zone, a community centre is permitted. For the purposes of this section, a community centre shall mean premises used for social, recreational and/or athletic purposes by members of the surrounding community.

All other applicable provisions of the Residential Type One (R1) Zone shall continue to apply.

5.4.5 RESIDENTIAL TYPE 2 (R2) ZONE

5.4.5.1 Residential Type Two Exception One (R2-1) Zone *Part of Lot 5, Concession A, Minden, Schedule 21*

On the lands zoned Residential Type Two Exception One (R2-1), a senior citizens apartment complex is a permitted use. All other applicable provisions of the Residential Type 2 (R2) Zone shall continue to apply.

5.4.5.2 Residential Type Two Exception Two (R2-2) Zone *Part of Lot 5, Concession A, Minden, Schedule 21*

On the lands zoned Residential Type Two Exception Two (R2-2) Zone, the buildings and structures existing on May 14, 1998, are deemed to conform to the minimum front yard, minimum side yard, minimum rear yard and minimum frontage and maximum height requirements of this By-law; and further, no extension or enlargement of any existing building or structure is permitted. All other applicable provisions of the Residential Type Two (R2) Zone shall continue to apply.

5.4.5.3 Residential Type Two Exception Three (R2-3) Zone *Part of Lot 4, Concession A, Minden, Schedule 21*

On the lands zoned Residential Type Two Exception Three (R2-3) Zone, the use of a bed and breakfast establishment having twelve (12) rooms and an illuminated advertising sign of 0.46 square metres (5 square feet) will be permitted. All other applicable provisions of the Residential Type Two (R2) Zone shall continue to apply.

5.4.5.4 Residential Type Two Exception Four (R2-4) Zone *Part of Lot 3, Concession A, Anson, Schedule 23*

[deleted by By-law 07-043]

5.4.5.5 Residential Type Two Exception Five (R2-5) Zone *Part of Lot 3, Concession A, Anson, Schedule 23*

[deleted by By-law 07-043]

5.4.5.6 Residential Type Two Exception Six (R2-6) Zone *Part of Lot 3, Concession A, Anson, Schedule 23*

[deleted by By-law 07-043]

5.4.5.7 Residential Type Two Exception Seven (R2-7) Zone *Part of Lot 3, Concession A, Anson, Schedule 23*

[deleted by By-law 07-043]

5.4.5.8 Residential Type Two Exception Eight (R2-8) Zone
Part of Lot 3, Concession A, Anson, Schedule 23

On the lands zoned Residential Type Two Exception Eight (R2-8) Zone, the following provisions apply:

- A multiple dwelling is not permitted;
- A minimum lot area of 350 square metres shall be required for each dwelling unit.

All other applicable provisions of the Residential Type Two (R2) Zone shall continue to apply.

5.4.5.9 Residential Type Two Exception Nine (R2-9) Zone
Part of Lot 3, Concession A, Anson, Schedule 23

On the lands zoned Residential Type Two Exception Nine (R2-9) Zone, the following provisions apply:

- A multiple dwelling is not permitted;
- A minimum lot area of 400 sq. metres per unit shall be required.

All other applicable provisions of the Residential Type Two (R2) Zone shall continue to apply.

5.4.6 HAMLET RESIDENTIAL ZONE (HR)

(No exceptions to date)

5.4.7 RURAL RESIDENTIAL ZONE (RR)

5.4.7.1 Rural Residential Exception One (RR-1) Zone
Part of Lot 32, Concession A, Lutterworth, Schedule 14

On the lands zoned Rural Residential Exception One (RR-1) Zone, the minimum lot area requirement shall be 3.4 hectares and the minimum lot frontage requirement shall be 120 metres. All other applicable provisions of the Rural Residential (RR) Zone shall continue to apply.

5.4.7.2 Rural Residential Exception Two (RR-2) Zone
Part of Lot 6, Concession 14, Lutterworth, Schedule 25

On the lands zoned Rural Residential Exception Two (RR-2) Zone, the minimum lot area requirement shall be 3.6 hectares and the minimum lot frontage requirement shall be 97 metres. All other applicable provisions of the Rural Residential (RR) Zone and the Flood Risk (FR) Zone shall continue to apply.

07-043 5.4.7.3 Rural Residential Exception Three (RR-3)
Part of Lot 36, Concession A, Lutterworth, Schedule 22

On the lands zoned Rural Residential Exception Three (RR-3) Zone, in addition to the permitted uses in a Rural Residential (RR) Zone, a sales office in an unoccupied model home is permitted. All other applicable provisions of the Rural Residential (RR) Zone shall continue to apply. [By-law 05-64]

5.4.8 SHORELINE RESIDENTIAL ZONE (SR)

5.4.8.1 Shoreline Residential Exception One (SR-1) Zone - Wahlroth
Part of Lot 24, Concession 5, Lutterworth, Schedules 17 and 24

On lands zoned Shoreline Residential Exception One (SR-1), and further shown on Schedule 24 as Lots 1, 2 and 3, notwithstanding the provisions of 4.6.2.a and 4.6.2.b, the lot requirements are as follows:

a. Lot Requirements:

Minimum lot area:

Lot 1	1.14 hectares
Lot 2	0.80 hectares
Lot 3	0.53 hectares

Minimum lot frontage:

Lot 1	165 metres
Lot 2	93 metres
Lot 3	105 metres

b. Requirements for Buildings and Structures:

Building Locations:

The location of the dwelling unit shall be restricted to the hatched area identified as Building Envelope for each lot, as shown on Schedule 24 and the minimum yards shall be as follows:

Minimum Front Yard (Lake side):

Lot 1	25 metres
Lot 2	25 metres
Lot 3	30 metres from southerly shoreline, 25 metres from westerly shoreline as shown on Schedule 24.

Minimum Rear Yard:

Lot 1	10 metres
Lot 2	10 metres
Lot 3	10 metres

Minimum Side Yard (North side):

Lot 1	52 metres
Lot 2	20 metres
Lot 3	10 metres

Minimum Side Yard (South side):

Lot 1	33 metres
Lot 2	35 metres
Lot 3	N/A

Building Size:

The maximum individual dwelling unit building size is 500 square metres and the maximum lot coverage of all buildings on a lot is 10% of the lot area.

Septic System Locations:

The location of tile fields for septic systems shall be restricted to the cross-hatched areas identified for each lot and labelled "Sewage Treatment" with the minimum side and rear yards to be as shown on Schedule 24.

Boathouse and Docking Facilities:

Docking facilities and boathouses shall be restricted as follows:

Lots 1, 2 & 3

All docking facilities shall be firmly attached to the shore above the high water mark, shall have a maximum deck area of 25 square metres and a maximum width not to exceed 5 metres and shall be constructed in order to attach to and provide safe access to floating docks, docks on posts, or cantilevered docks. No docks with crib bases will be permitted.

Docking facilities shall be located as shown on Schedule 24 labelled "*docking facilities*".

Lot 1

No boathouse is permitted.
No more than one dock is permitted.
The maximum dock length permitted will be 6 metres.
Any dock must be designed for removal during winter.

Lot 2

No boathouse is permitted.
No more than one dock is permitted.
The maximum dock length permitted will be 6 metres.
Any dock must be designed for removal during winter.

Lot 3

No boathouse may be constructed unless it is located on land above the high water mark and complies with all other provisions of this By-law.
No more than one dock is permitted.

c. Vegetative Buffer:

No building or structure shall be erected within twenty-five (25) metres of the high water mark of Moore Lake on Lots 1 and 2 or 3 on the west shoreline or within thirty (30) metres of the high water mark of Moore Lake on the south shore of Lot 3.

These areas shall be maintained as a Shoreline Buffer.

For the purpose of this by-law, a Shoreline Buffer shall be defined as:

A natural area retained in its natural pre-development state with no buildings or structures, except docks, pump-houses and a boathouse as permitted on Lot 3 and with minimal clearing permitted for the purposes of providing limited access to the lake, for safety.

d. General Provisions

All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.

5.4.8.2 Shoreline Residential Exception Two (SR-2) Zone

Part of Lot 12, Concession 14, Snowdon – Canning Lake, Schedule 15

On lands zoned Shoreline Residential Exception Two (SR-2), the minimum front yard setback shall be 8.5 metres and the side yard setback distance shall be 2.29 metres. All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.

5.4.8.3 Shoreline Residential Exception Three (SR-3) Zone

Part of Lots 3 and 4, Concession A, Snowdon, Schedule 19

On the lands zoned Shoreline Residential Exception Three (SR-3) Zone, the accessory building located on the property shall be permitted to remain on the property on the condition that it will not be converted into a dwelling unit and that no sanitary or kitchen facilities are allowed, but shall remain as an accessory building without a main dwelling. All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.

5.4.8.4 Shoreline Residential Exception Four (SR-4) Zone
Part of Lot 12, Concession 14, Snowdon – Canning Lake, Schedule 15

On lands zoned Shoreline Residential Exception Four (SR-4), the minimum lot area shall be 1,950 sq. metres, the minimum lot frontage on water shall be 32.92 metres, the front yard setback shall be 6.4 metres and side yard setback for an existing accessory building shall be 3.0 metres. All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.

5.4.8.5 Shoreline Residential Exception Five (SR-5) Zone
Part of Lot 11, Concession 12, Lutterworth, Schedule 14

On the lands zoned Shoreline Residential Exception Five (SR-5) Zone, the minimum lot area and frontage requirements shall be two hectares and 145 metres respectively. All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.

5.4.8.6 Shoreline Residential Exception Six (SR-6) Zone
Part of Lot 17, Concession 8, Lutterworth, Schedule 13

On the lands zoned Shoreline Residential Exception Six (SR-6) Zone, the minimum lot area shall be 1.4 hectares. All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.

5.4.8.7 Shoreline Residential Exception Seven (SR-7) Zone
Part of Lot 26, Concession 4, Lutterworth, Schedule 17

On the lands zoned Shoreline Residential Exception Seven (SR-7) Zone, no person shall use any land or erect, alter or use any building or structure except as specified hereunder, namely:

- i. Minimum Lot Area Requirement – one hectare
- ii. Minimum Lot Frontage Requirement – 150 metres
- iii. Minimum Setback from the High Water Mark
The minimum setback from the existing high water mark of Moore's lake, having an elevation of 269.95 metres g.s.c., shall be 30 metres.

All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.

5.4.8.8 Shoreline Residential Exception Eight (SR-8) Zone
Part of Lot 6, Concession 7, Minden, Schedule 7

On the lands zoned Shoreline Residential Exception Eight (SR-8), the continued use of an existing dwelling together with a cottage and accessory structures shall be permitted. All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.

5.4.8.9 Shoreline Residential Exception Nine (SR-9) Zone
Part of Lot 27, Concession 8, Minden, Schedule 8

On the lands zoned Shoreline Residential Exception Nine (SR-9) Zone, the minimum front yard shall be 30 metres. All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.

5.4.8.10 Shoreline Residential Exception Ten (SR-10) Zone
Part of Lot 2, Concession 2, Snowdon-Burnt River, Schedule 19

On the lands zoned Shoreline Residential Exception Ten (SR-10) Zone, the minimum lot area shall be 0.1 hectare, the minimum lot frontage on water shall be 30.48 metres, and the minimum main floor elevation for all new or reconstructed habitable buildings and structures shall be 281.48 metres CGD (Canadian Geodetic Datum). All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.

5.4.8.11 Shoreline Residential Exception Eleven (SR-11) Zone
Part of Lot 12, Concession 14, Snowdon – Canning Lake, Schedule 15

On the lands zoned Shoreline Residential Exception Eleven (SR-11) Zone, the minimum lot frontage on water shall be 28.96 metres and the front yard setback shall be 3.6 metres. All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.

5.4.8.12 Shoreline Residential Exception Twelve (SR-12) Zone
Part of Lots 19, 20 and 21, Concession 5, Lutterworth, Schedule 17

On the lands zoned Shoreline Residential Exception Twelve (SR-12) Zone, the following provisions apply:

- a) Frontage and Area Requirements
 - On Lots 1, 2, 5, 7 and 8 as shown on Schedule 17, the minimum lot frontage shall be 100 metres and the minimum lot area shall be 2 hectares.

- On Lot 6 as shown on Schedule 17, the minimum lot frontage shall be 100 metres and the minimum lot area shall be 6 hectares.
- On Lots 3 and 4 as shown on Schedule 17, the minimum lot frontage shall be 100 metres and the minimum lot area shall be 25 hectares.
- On Lots 9 and 10 as shown on Schedule 17, the minimum lot frontage shall be 200 metres and the minimum lot area shall be 7 hectares.

b) Vegetative Buffer:

- Lands within 30 metres of the high water mark shall be maintained as a natural shoreline buffer. For the purposes of this section, a Natural Shoreline Buffer is defined as a natural area retained in its natural pre-development state with no buildings or structures, except permitted shoreline structures, and with minimal clearing permitted for the provisions of providing limited access to the lake, for safety.

All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.

07-043

5.4.8.13 Shoreline Residential Exception Thirteen (SR-13) Zone
Part of Lot 11, Concession 12, Lutterworth, Schedule 14

On Part 1, Plan 19R-7448 and on Parts 2-6, Plan 19R-7448, the minimum setback from the high water mark shall be 20 metres for a structure, including a septic tile field, but excluding permitted accessory shoreline structures.

On Parts 4-7, Plan 19R-5310, the minimum setback from the high water mark shall be 23 metres for a structure, including a septic tile field, but excluding permitted accessory shoreline structures.

All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.

07-014

5.4.8.14 Shoreline Residential Exception Fourteen (SR-14) Zone
Part of Lot 11, Concession 10, Minden, Schedule 7

On the lands zoned Shoreline Residential Exception Fourteen (SR-14) Zone, the minimum lot area and lot frontage requirements shall be 0.10 hectares and 18.5 metres respectively. The minimum westerly interior side yard shall be 2.3 metres and the minimum front yard shall be 21 metres. All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.

- 07-014 5.4.8.15 Shoreline Residential Exception Fifteen (SR-15) Zone
Part of Lot 11, Concession 10, Minden, Schedule 7
- On the lands zoned Shoreline Residential Exception Fifteen (SR-15) Zone, the minimum lot area shall be 0.14 hectares respectively. The minimum interior side yard shall be 2.5 metres and the minimum front yard shall be 10.6 metres. All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.
- 07-37 5.4.8.16 Shoreline Residential Exception Sixteen (SR-16) Zone
Part of Lot 5, Concession 14, Snowdon, Schedule 15
- On the lands zoned Shoreline Residential Exception Sixteen (SR-16) Zone, the minimum lot area and frontage requirements shall be 0.22 hectares and 30.0 metres respectively. The minimum front yard for the main building shall be 19.5 metres. The minimum front yard for the accessory building shall be 9.5 metres. All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.
- 07-37 5.4.8.17 Shoreline Residential Exception Seventeen (SR-17) Zone
Part of Lot 5, Concession 14, Snowdon, Schedule 15
- On the lands zoned Shoreline Residential Exception Seventeen (SR-17) Zone, the minimum lot area and frontage requirements shall be 0.23 hectares and 30.0 metres respectively. The minimum front yard for the main building shall be 23.0 metres. All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.
- 07-51 5.4.8.18 Shoreline Residential Exception Eighteen (SR-18) Zone
Part of Lot 12, Concession 13, Minden, Schedule 7
- On the lands zoned Shoreline Residential Exception Eighteen (SR-18) referred to as Part 1 on Schedule "A", attached hereto, the minimum front yard for the 1 storey frame cottage converted into an accessory building shall be 8.54 metres. The interior side yard shall be 2.1655 metres. Lot frontage shall be not less than 51.5 metres and lot area shall be not less than .36 hectares. All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.
- 07-51 5.4.8.19 Shoreline Residential Exception Nineteen (SR-19) Zone
Part of Lot 12, Concession 13, Minden, Schedule 7
- On the lands zoned Shoreline Residential Exception Nineteen (SR-19) referred to as Part 2 on Schedule "A", attached hereto, the interior side yard for the frame cabin shall be 0.8235 metres. Lot frontage shall be not less than 40.8 metres and lot area shall be not less than .26 hectares. All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.

- 07-60 5.4.8.20 Shoreline Residential Exception Twenty (SR-20) Zone
Part of Lot 28, Concession 7, Minden, Schedule 8

Notwithstanding the provisions of Section 4.15 to the contrary, on lands within the Shoreline Residential Exception Twenty (SR-20) Zone, one accessory storage building is a permitted use on a vacant lot without the requirement of a principal building. No part of the structure shall be used for habitation and no sanitary or kitchen facilities shall be permitted as part of this accessory building. In all other respects, the requirements of By-law 06-10, as amended, applicable to the Shoreline Residential (SR) Zone shall continue to apply.

- 07-73 5.4.8.21 Shoreline Residential Exception Twenty-one (SR-21) Zone
Part of Lot 11, Concession 10, Minden, Schedule 7

On the lands zoned Shoreline Residential Exception Twenty-one (SR-21) referred to as Part 1 on Schedule "A", attached hereto, the minimum lot area shall be 2,870 square metres with a minimum lot frontage of 27 metres. The interior side yard for the existing accessory building shall be .55 metres. The front yard setback for the main dwelling unit shall be 8.5 metres. The front yard setback for the existing accessory building shall be 1 metre. All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.

- 07-73 5.4.8.22 Shoreline Residential Exception Twenty-two (SR-22) Zone
Part of Lot 11, Concession 10, Minden, Schedule 7

On the lands zoned Shoreline Residential Exception Twenty-two (SR-22) referred to as Part 2 on Schedule "A", attached hereto, the minimum lot area shall be 2,870 square metres with a minimum lot frontage of 45 metres. The interior side yard for the existing main dwelling unit shall be 3.66 metres. The front yard setback for the main dwelling unit shall be 8.5 metres. All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.

- 07-84 5.4.8.23 Shoreline Residential Exception Twenty-three (SR-23) Zone
Part of Lots 3 and 4, Concession 5, Minden, Schedule 11

On the lands zoned Shoreline Residential Exception Twenty-three (SR-23) the minimum lot frontage and area shall be 54.9 metres (180 ft.) and .64 ha (1.57 ac.) respectively. All other applicable provisions of the Shoreline Residential (SR) Zone shall continue to apply.

5.4.9 COMMUNITY FACILITY ZONE (CF)

(No exceptions to date.)

5.4.10 HIGHWAY COMMERCIAL ZONE (C1)

5.4.10.1 Highway Commercial Exception One (C1-1) (H) Zone

Part Lots 35 & 36, Concession A, Lutterworth, Schedule 22

On the lands zoned Highway Commercial Exception One (C1-1) (H) Zone, the following provisions apply in addition to the provisions of the Highway Commercial (C1) Zone:

a) Permitted Uses

- A single detached dwelling where such dwelling is ancillary to a principal permitted non-residential use and is occupied by the owner, caretaker, watchman or other similar person, and his family, as are employed on the lot;
- A propane refill station where ancillary to a permitted non-residential use otherwise specified hereunder;

b) Regulatory Provisions for Residential Uses

i) Minimum Yard Requirements

- Front Yard 14 metres
- Interior Side Yard 10 metres
- Rear Yard 15 metres

c) Regulatory Provisions for Non-Residential Uses

i) Minimum yard requirements

- Interior side yard

Minimum interior side yard shall be 6 metres except where the interior side lot line abuts a Residential Zone, in which case the minimum interior side yard width shall be 15 metres.

All other applicable provisions of the Highway Commercial (C1) Zone shall continue to apply.

Where the Highway Commercial Exception Eleven (C1-1) Zone symbol, is followed by a Holding symbol denoted (H), no person shall use such lands or erect, alter or use any building or structure thereon, except for those purposes allowed as of the date of passing of this by-law (April 26, 2001), until such time as the following provisions have been complied with, namely:

- i) All necessary approvals have been obtained, in writing, from the Township of Minden Hills, the Ministry of the Environment, the Ministry of Natural Resources, the Ministry of Transportation, the Haliburton, Kawartha, Pine Ridge District Health Unit, and, the County of Haliburton; and
- ii) A site plan agreement has been entered into with the Municipality and registered against the title of the lands to which it applies.

5.4.10.2 Highway Commercial Exception Two (C1-2) Zone
Part of Lot 1, Concession A, Anson, Schedule 22

On the lands zoned Highway Commercial Exception Two (C1-2) the following additional uses are permitted:

- a) A Bowling Alley
- b) Apartments, to a maximum of six (6) apartments or accessory dwelling units

For the purpose of this section, a bowling alley is a building, or portion thereof, which is used for the game of bowling and may include a restaurant as an accessory use.

All other applicable provisions of the Highway Commercial (C1) Zone shall continue to apply.

5.4.10.3 Highway Commercial Exception Three (C1-3) Zone
Part Lot 2, Concession 12, Lutterworth, Schedule 14

On the lands zoned Highway Commercial Exception Three (C1-3) Zone, the non-residential uses permitted shall be restricted to that of only a go-kart race track and such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto. All other applicable provisions of the Highway Commercial (C1) Zone shall continue to apply.

5.4.10.4 Highway Commercial Exception Four (C1-4) Zone
Part Lot 16, Concession 4, Lutterworth, Schedule 17

On the lands zoned Highway Commercial Exception Four (C1-4) Zone, the non-residential uses permitted shall be limited to that of a convenience store; an eating establishment; an eating establishment, a drive-in, or take out; equipment sales and rental, light; a garden nursery sales and supply establishment; a greenhouse, commercial; outside display of goods and materials where such display is accessory and incidental to a permitted non-residential use specified hereunder; a place of entertainment for such activities as mini golf and bird watching stations; a post office; a public use in accordance with the provisions in this By-law; a retail commercial establishment where such use is accessory and incidental to a permitted non-residential use specified hereunder. Commercial activities with the exception of mini golf and bird watching stations shall be contained in a building no larger than 93 square metres.

The above is conditional upon receiving approval from the Road Superintendent with respect to a suitable entrance. No outside storage

shall be permitted. All other applicable provisions of the Highway Commercial (C1) Zone shall continue to apply.

5.4.10.5 Highway Commercial Exception Three (C1-5) Zone
Part Lot 3, Concession 12, Lutterworth, Schedule 14

On the lands zoned Highway Commercial Exception Five (C1-5) Zone, the minimum lot frontage shall be 27 metres. Permitted uses shall be limited to Storage of boats, snowmobiles and modular manufactured dwelling houses, plus accessory storage buildings to house these goods. No residential uses shall be permitted in the C1-5 Zone. No direct access onto Highway No. 35 shall be permitted from any property in the C1-5 Zone. All other applicable provisions of the Highway Commercial (C1) Zone shall continue to apply.

5.4.10.6 Highway Commercial Exception Six (C1-6) Zone
Part Lot 2, Concession 13, Lutterworth, Schedule 14

On the lands zoned Highway Commercial Exception Six (C1-6) Zone, the non-residential uses permitted shall be restricted to that of a service shop for electronic equipment, a retail outlet for the sale of such products and such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto. All other applicable provisions of the Highway Commercial (C1) Zone shall continue to apply.

5.4.10.7 Highway Commercial Exception Seven (C1-7) Zone
Part Lot 28, Concession 7, Minden, Schedule 8

On the lands zoned Highway Commercial Exception Seven (C1-7) Zone, a service and retail television and electronic store with an accessory dwelling shall be the only permitted use. All other applicable provisions of the Highway Commercial (C1) Zone shall continue to apply.

5.4.10.8 Highway Commercial Exception Eight (C1-8) Zone
Part Lot 4, Concession A, Minden, Schedule 21

On the lands zoned Highway Commercial Exception Eight (C1-8), the use of real estate office will be permitted in addition to the permitted uses in the C1 Zone. All other applicable provisions of the Highway Commercial (C1) Zone shall continue to apply.

5.4.10.9 Highway Commercial Exception Nine (C1-9) Zone
Part Lot 28, Concession 7, Minden, Schedule 8

On the lands zoned Highway Commercial Exception Nine (C1-9), the use of a five (5) unit apartment building will be a permitted use in addition to the permitted uses in the C1 Zone. All other applicable provisions of the Highway Commercial (C1) Zone shall continue to apply.

5.4.10.10 Highway Commercial Exception Ten (C1-10) Zone
Part Lot 1, Concession A, Anson, Schedule 22

On the lands zoned Highway Commercial Exception Ten (C1-10), light manufacturing shall be permitted in addition to the permitted uses in the C1 Zone. All other applicable provisions of the Highway Commercial (C1) Zone shall continue to apply.

Light manufacturing is defined as the processing of semi-manufactured goods or assembly of manufactured goods.

07-36 5.4.10.11 Highway Commercial Exception Eleven (C1-11) Zone
Part Lot 4, Concession A, Minden, Schedule 21
[deleted by By-law 07-36]

07-043 5.4.10.12 Highway Commercial Exception Twelve (C1-12) Zone
Part of Lot 24, Concession 6, Lutterworth, Schedule 17

On the lands zoned Highway Commercial Exception Twelve (C1-12) Zone, the non-residential uses permitted shall be restricted to that of a motor hotel and eating establishment and such other accessory buildings, structures and uses as are normally considered incidental and subordinate thereto. All other applicable provisions of the Highway Commercial (C1) Zone shall continue to apply.

07-36 5.4.10.13 Highway Commercial Exception Thirteen (C1-13) Zone
Part Lot 4, Concession A, Pt. Lot 9, East of Teasdale Street, Registered Plan No. 1, Pt. Lot 9, West of Bruce Street, Registered Plan No. 1, Minden, Schedule 21

On the lands zoned Highway Commercial Exception Thirteen (C1-13) Zone, the following provisions shall apply:

- a) The permitted uses shall include all those uses permitted in the Highway Commercial (C1) Zone;
- b) Frontage shall be measured from the Water Street front lot line nearest to the intersection with Highway 35; the balance of the Water Street lot line shall continue to be considered a front lot line;

- c) The minimum Interior Side Yard abutting a Residential Zone shall be 10 metres, with the exception of a parking or driveway area, in which case the minimum interior side yard abutting a Residential Zone shall be 5 metres;
- d) The minimum Rear Yard shall be 3.5 metres from the Teasdale Street cul-de-sac property line;
- e) The minimum Planting Strip Width shall be 5 metres adjacent to a residential zone;
- f) A planting strip having a minimum width of 4 metres shall be provided adjacent to the front lot line;
- g) Notwithstanding any provision to the contrary in Section 4.15, the maximum permitted height of exterior light fixtures shall be 13 metres, including light standard structure and exterior lights affixed to any structure;
- h) The maximum width of a joint ingress and egress driveway ramp measured along the street line shall be 13 metres;
- i) The maximum number of driveways that provide ingress or egress onto Water Street shall be two.

All other applicable provisions of the Highway Commercial (C1) Zone shall continue to apply.

5.4.11 GENERAL COMMERCIAL ZONE (C2)

5.4.11.1 General Commercial Exception One (C2-1) Zone *Part Lot 29, Concession 5, Snowdon, Schedule 20*

On the lands zoned General Commercial Exception One (C2-1), no person shall use any lot or erect, alter or use any building or structure for any purpose except one of the following uses, namely:

- a) Residential Uses:
 - an accessory dwelling; or
 - an accessory dwelling unit.
- b) Non-Residential Uses:
 - a home occupation;
 - a merchandise service shop;
 - a parking lot;
 - a personal service shop;
 - a post office;
 - a public use;
 - a restaurant;
 - a retail store.

All other applicable provisions of the General Commercial (C2) Zone shall continue to apply.

5.4.11.2 General Commercial Exception Two (C2-2) Zone
Part Lot 19, Concession 13, Snowdon, Schedule 16

On the lands zoned Highway Commercial Exception Two (C2-2), recycling and processing of municipal waste, and storage will be permitted uses in addition to the permitted uses in the C2 Zone. All other applicable provisions of the General Commercial (C2) Zone shall continue to apply.

5.4.11.3 General Commercial Exception Three (C2-3) Zone
Part Lot 14, Concession 13, Minden (Carnarvon), Schedule 7

On the lands zoned General Commercial Exception Three (C2-3) Zone, a commercial self-storage facility and a boat storage facility may be a permitted use in addition to the permitted uses in the C2 Zone. All other applicable provisions of the General Commercial (C2) Zone shall continue to apply.

5.4.12 RECREATIONAL COMMERCIAL ZONE (C3)

5.4.12.1 Recreational Commercial Exception One (C3-1) Zone
Part Lots 27 & 28, Concession 3, Lutterworth, Schedule 17

On the lands zoned Recreational Commercial Exception One (C3-1) Zone, the non-residential uses permitted shall be restricted to that of only a seasonal trailer park and such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto. All other applicable provisions of the Recreational Commercial (C3) Zone shall continue to apply.

5.4.12.2 Recreational Commercial Exception Two (C3-2) Zone
Part Lot 18, Concessions 6 and 7, Lutterworth, Schedule 17

On the lands zoned Recreational Commercial Exception Two (C3-2) Zone, the non-residential uses permitted shall be restricted to that of only a resort establishment inclusive of a cottage and cabin establishment, a camping establishment, a convenience store and the retail sale of souvenirs and similar articles or goods or facilities for the sale of marine fuels and the rental of boats and motors together with such other uses as are normally considered incidental and subordinate thereto. All other applicable provisions of the Recreational Commercial (C3) Zone shall continue to apply.

5.4.12.3 Recreational Commercial Exception Three (C3-3) Zone
Part of Lot 18, Concession 10, Lutterworth, Schedule 13

On the lands zoned Recreational Commercial Exception Three (C3-3) Zone, the non-residential uses permitted shall be restricted to that of only a cabin and cottage establishment together with such other accessory uses, buildings or structures as are normally considered incidental and subordinate thereto. All other applicable provisions of the Recreational Commercial (C3) Zone shall continue to apply.

5.4.12.4 Recreational Commercial Exception Four (C3-4) Zone
Part of Lots 11 & 12, Concession 10, Lutterworth, Schedule 14

On the lands zoned Recreational Commercial Exception Four (C3-4) Zone, the non-residential uses permitted shall be restricted to that of a private camp, as herein defined, together with such other accessory uses, buildings or structures as are normally considered incidental and subordinate thereto. All other applicable provisions of the Recreational Commercial (C3) Zone shall continue to apply.

For the purposes of this section, “private camp” means a privately owned and operated establishment which operates throughout all or part of the year for recreational, educational or religious purposes; which provides accommodation for ten or more persons, or to any group or groups which contract accommodation for a period having a minimum duration of two (2) days; which includes campgrounds, facilities for servicing meals, and may or may not include bunkhouses or similar facilities; where a program is offered in conjunction with the provision or equipment or supplies or services related to angling, hiking, camping, archery, sailing, swimming, skiing, skating, snowshoeing or crafts or similar indoor or outdoor recreational activities or any of them during all or part of the year; and, for the purposes of this By-law may include educational or conference facilities but shall not include lands used or maintained as grounds for the parking of mobile homes, motorized homes, truck campers or any establishment or operation essentially engaged in providing special care or retention or rehabilitation, including any facilities and services as may be required in conjunction therewith, to members of the general public for compensation.

5.4.12.5 Recreational Commercial Exception Five (C3-5) Zone
Part of Lot 30, Concession 6, Minden, Schedule 12

On the lands zoned Recreational Commercial Exception Five (C3-5) Zone, the only permitted use shall be a tourist lodge with a maximum of ten rental units. No accessory uses, such as a restaurant, public docks or outdoor recreational facilities, other than those currently existing may be permitted. In addition no building or structure may be erected closer than 40 m to the easterly property line, 100m from the westerly property line, 160 m from the front property line and 23 m from the water’s edge.

All other applicable provisions of the Recreational Commercial (C3) Zone shall continue to apply.

5.4.12.6 Recreational Commercial Exception Six (C3-6) Zone
Part of Lots 26 & 27, Concession 5, Lutterworth, Schedule 17

On the lands zoned Recreational Commercial Exception Six (C3-6) Zone, the uses permitted shall be restricted to that of a motel, a retail outlet for handicraft goods, a single-family mobile home dwelling unit and such other accessory buildings, structures and uses, as are normally considered incidental and subordinate thereto. All other applicable provisions of the Recreational Commercial (C3) Zone shall continue to apply.

5.4.12.7 Recreational Commercial Exception Seven (C3-7) Zone
Part Lots 26 & 27, Concessions 4 & 5, Lutterworth, Schedule 17

On the lands zoned Recreational Commercial Exception Seven (C3-7) Zone, the non-residential uses permitted shall be restricted to that of only a motel, cabin establishment and eating establishment ancillary to the foregoing permitted uses, together with such other accessory uses, buildings or structures as are normally considered incidental and subordinate thereto. All other applicable provisions of the Recreational Commercial (C3) Zone shall continue to apply.

5.4.12.8 Recreational Commercial Exception Eight (C3-8) Zone
Part Lot 8, Concession 11, Lutterworth, Schedule 14

On the lands zoned Recreational Commercial Exception Eight (C3-8) Zone, the non-residential uses permitted shall be restricted to that of only a motel and/or cabin establishment and eating establishment and retail outlet which such uses are ancillary to the principal permitted non-residential uses and are wholly contained within the principal permitted buildings or structures, together with such other accessory buildings, structures and uses as are normally considered incidental and subordinate thereto. All other applicable provisions of the Recreational Commercial (C3) Zone shall continue to apply.

5.4.12.9 Recreational Commercial Exception Nine (C3-9) Zone
Part Lot 19, Concession 11, Lutterworth, Schedule 13

On the lands zoned Recreational Commercial Exception Nine (C3-9) Zone, the non-residential uses permitted shall be restricted to that of only a resort establishment together with such other accessory buildings, structures and uses as are normally considered incidental and subordinate thereto. All other applicable provisions of the Recreational Commercial (C3) Zone shall continue to apply.

5.4.12.10 Recreational Commercial Exception Ten (C3-10) Zone
Part of Lot 2, Concession 13, Lutterworth, Schedule 14

On the lands zoned Recreational Commercial Exception Ten (C3-10), the non-residential uses permitted shall be restricted to: go-kart tracks, mini adventure golf course and putting green, water amusement facilities, recreational facilities, cross country skiing, picnic area, accessory office, eating establishment, and small engine repair shop.

The minimum number of parking spaces is 100; the minimum height of privacy fence is 2.4 metres; the maximum number of coin-operated mechanical or electric pinball machines or video games 50.

The minimum width of buffer zone is 15.24 metres.

A vertical board on board privacy fence shall be constructed 2 metres from the north and west property line where the interior side and front lot line abut the Recreational Commercial Exception Ten (C3-10) Zone.

All other applicable provisions of the Recreational Commercial (C3) Zone shall continue to apply.

5.4.12.11 Recreational Commercial Exception Eleven (C3-11) Zone
Part Lot 27, Concession 7, Minden, Schedule 8

On the lands zoned Recreational Commercial Exception Eleven (C3-11), the minimum rear yard shall be 30 metres and no docking facilities are permitted.

Notwithstanding any other provisions of the By-law on the lands zoned C3-11, a portion of the land located along the west property line, commencing at the north-west corner of the lot, adjacent to Highway 121 and extending south along the said property line 61 metres and being 6 metres in width shall only be used for landscaped screening. Landscaped screening shall be defined as an opaque visual barrier formed by a row of shrubs or trees or by a wooden fence or masonry wall or by a combination of these. In this particular instance, landscaped screening will consist of a row of red pine trees 3 metres to 4 metres in height; planted 1.21 to 3.048 metres apart.

All other applicable provisions of the Recreational Commercial (C3) Zone shall continue to apply.

5.4.12.12 Recreational Commercial Exception Twelve (C3-12) Zone
Part Lot 5, Concession 14, Lutterworth, Schedule 25

On the lands zoned Recreational Commercial Exception Twelve (C3-12) Zone, the following provisions shall apply:

Permitted Uses shall be restricted to:

- i. Residential Uses
A detached dwelling house or a dwelling unit in a portion of a non-residential building where such dwelling is ancillary to a permitted non-residential use and is occupied by the owner, caretaker or other similar person, and his family, as is or are employed on the lot on which such dwelling is located.
- ii. Non-Residential Uses
A resort establishment inclusive of facilities for the preparation and serving of food to guests, a recreation hall, and administrative offices. The facilities for the preparation and serving of food to guests shall be used exclusively to serve the patrons of the Inn and shall not otherwise be open to the public.
- iii. Accessory Uses
Uses, buildings and structures accessory to any of the foregoing permitted uses specified herein and in accordance with the provisions of Section 5.1 of this by-law.

Access is permitted from a private right-of-way.

The following regulations apply:

- i. minimum lot area requirement 0.9 hectares
- ii. minimum yard requirements
 - interior side yard
 - adjacent the easterly property line 13.6 metres
 - adjacent the westerly property line 14.5 metres
 - rear yard 17.8 metres
- iii. minimum setback from high water mark 16.8 metres
- iv. maximum lot coverage
 - all buildings and structures 14 percent
- v. minimum landscaped open space requirement 50 percent
- vi. maximum number of rental units 15
- vii. maximum number of dwelling units 2

All other applicable provisions of the Recreational Commercial (C3) Zone shall continue to apply.

5.4.12.13 Recreational Commercial Exception Thirteen (C3-13) Zone
Part Lots 28 & 29, Concessions 4 & 5, Minden, Schedule 12

On the lands zoned Recreational Commercial Exception Thirteen (C3-13) Zone, the only permitted use shall be an Interval Ownership Cottage Resort which may include a maximum of eighteen (18) units. Accessory uses also permitted may include docking facilities for a maximum of eighteen (18) boats, a manager's residence and office, accessory storage buildings and outdoor facilities for recreational

activities, such as but not limited to skating, tennis, badminton and/or volleyball.

For the purposes of this section, an Interval Ownership Cottage Resort is a commercial use owned by an organization with members who each share the right to occupy a unit for part of a year, not to exceed twelve (12) continuous weeks.

All other applicable provisions of the Recreational Commercial (C3) Zone shall continue to apply.

5.4.12.14 Recreational Commercial Exception Fourteen (C3-14) Zone
Part Lots 16 & 17, Concession 7, Minden, Schedule 8

On the lands zoned Recreational Commercial Exception Fourteen (C3-14) Zone, the only permitted use shall be restricted to:

- i. a golf course;
- ii. an accessory restaurant;
- iii. an accessory retail store;
- iv. a banquet hall;
- v. a private club but not including a marina or tourist accommodation;
- vi. tennis courts; and
- vii. one accessory dwelling unit.

All other applicable provisions of the Recreational Commercial (C3) Zone shall continue to apply.

5.4.12.15 Recreational Commercial Exception Fifteen (C3-15) Zone
Part Lot 1, Concessions 8 & 9, and Part Lots 20 & 21, Concession A, Lutterworth, Schedule 14

On the lands zoned Recreational Commercial Exception Fifteen (C3-15) Zone, no person shall use any land or erect, alter or use any building or structure except in accordance with the following:

- a) Permitted Uses
 - A single detached dwelling where such dwelling is ancillary to a principal permitted non-residential use and is occupied by the owner, caretaker, watchman or other similar person, and his family, as are employed on the lot;
- b) Non-Residential
 - A camping establishment containing a maximum of 30 campsites;

- A convenience store and administrative offices where such uses are ancillary and incidental to the principal permitted non-residential use; and,
- A public use or municipal utility in accordance with the provisions of Section 5.18 hereinafter set forth in this By-Law.

c) Regulatory Provisions for Non-Residential Uses

- i) Minimum lot area requirement 114 hectares
- ii) Minimum lot frontage requirement -
County Road No. 121 800 metres
- iii) Minimum yard requirements all yards 30 metres
- iv) Maximum lot coverage – all buildings & structures 10 per cent
- v) Minimum landscaped open space requirement 60 per cent

d) Special Provisions

- i) Setback from Waterbodies and Environmental Protection (EP) Zones

Except as may exist at the date of passing of this By-Law (April 26, 2001), no building or structure, campsite, private road or off-street parking area shall be located within 30 metres of the high water mark of any lake or waterbody or within 30 metres of lands zoned within the Hazard Land (HL) Zone.

- ii) Minimum Campsite Area and Frontage
Each campsite shall have a minimum area of 300 square metres and a minimum width of 12 metres.
- iii) Planting Strip
An area having a minimum width of 3 metres shall be maintained in its natural state as a planting strip between campsites.

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All other applicable provisions of the Recreational Commercial (C3) Zone shall continue to apply. (By-law 01-29)

5.4.13 VILLAGE COMMERCIAL (C4) ZONE

(No exceptions to date)

5.4.14 GENERAL INDUSTRIAL (M1) ZONE

5.4.14.1 General Industrial Exception One (M1-1) Zone

Part Lot 28, Concession 3, Lutterworth, Schedule 17

On the lands zoned General Industrial Exception One (M1-1) Zone, the uses permitted shall be restricted to that of only a contractor's yard and related shop facilities together with such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto. All other applicable provisions of the General Industrial (M1) Zone shall continue to apply.

5.4.14.2 General Industrial Exception Two (M1-2) Zone

Part Lot 26, Concession 6, Lutterworth, Schedule 17

On the lands zoned General Industrial Exception Two (M1-2) Zone, the uses permitted shall be restricted to that of only a structure for the storage of boats and related marine equipment together with such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto. All other applicable provisions of the General Industrial (M1) Zone shall continue to apply with the following exceptions:

- i. Minimum exterior side yard – 9 metres
- ii. Minimum rear yard – 1.2 metres

5.4.14.3 General Industrial Exception Three (M1-3) Zone

Part Lot 25, Concession 6, Lutterworth, Schedule 17

On the lands zoned General Industrial Exception Three (M1-3) Zone, the uses permitted shall be restricted to that of only a marine and snowmobile sales and service establishment inclusive of facilities for the storage of boats and such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto. All other applicable provisions of the General Industrial (M1) Zone shall continue to apply.

5.4.14.4 General Industrial Exception Four (M1-4) Zone

Part Lot 27, Concession A, Lutterworth, Schedule 14

On the lands zoned General Industrial Exception Four (M1-4) Zone, the uses permitted shall be restricted to that of only a salvage yard and such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto. All other applicable provisions of the General Industrial (M1) Zone shall continue to apply.

5.4.14.5 General Industrial Exception Five (M1-5) Zone
Part Lot 12, Concession 6, Lutterworth, Schedule 18

On the lands zoned General Industrial Exception Five (M1-5) Zone, the uses permitted shall be restricted to that of only a salvage yard and such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto. All other applicable provisions of the General Industrial (M1) Zone shall continue to apply.

5.4.14.6 General Industrial Exception Six (M1-6) Zone
Part Lots 18 and 19, Concession 9, Minden, Schedule 8

On the lands zoned General Industrial Exception Six (M1-6) Zone, the only permitted use shall be the processing, manufacturing, and warehousing of coffee.

All other applicable provisions of the General Industrial (M1) Zone shall continue to apply.

5.4.14.7 General Industrial Exception Seven (M1-7) Zone
Part Lot 26, Concession 14, Snowdon, Schedule 16

On the lands zoned General Industrial Exception Seven (M1-7) Zone, the only permitted use shall be a metal fabrication workshop.

All other applicable provisions of the General Industrial (M1) Zone shall continue to apply.

5.4.14.8 General Industrial Exception Eight (M1-8)
Part of Lot 13, Concession 12, Snowdon, Schedule 15

On the lands zoned General Industrial Exception Eight (M1-8) Zone, the uses permitted shall be restricted to:

- An accessory dwelling unit, and
- A garage for heavy equipment and storage yard

The maximum building height shall be 12.2 metres and the minimum dwelling unit area shall be 55.7 square metres. A maximum of one dwelling unit is permitted.

All other applicable provisions of the General Industrial (M1) Zone shall continue to apply.

5.4.14.9 General Industrial Exception Nine (M1-9) Zone
Part Lot 1, Concession 14, Lutterworth, Schedule 22

On the lands zoned General Industrial Exception Nine (M1-9) Zone, the uses permitted shall be restricted to that of only a contractor's yard, a maintenance yard and associated buildings related thereto; a motor vehicle repair garage and body shop within the principal or main building; and, a retail commercial outlet where such use is accessory and incidental to the principal permitted non-residential uses specified hereunder, together with such other accessory uses, buildings and structures as are normally considered incidental and subordinate thereto. All other applicable provisions of the General Industrial (M1) Zone shall continue to apply.

5.4.14.10 General Industrial Exception Ten (M1-10) Zone
Part Lot 5, Concession 12, Lutterworth, Schedule 14

On the lands zoned General Industrial Exception Ten (M1-10) Zone, the following provisions and regulations shall apply:

Permitted Uses:

- a) Residential Uses - prohibited
- b) Non-Residential Uses – In addition to the uses permitted in the M1 Zone, the following uses are permitted:
 - i. a business or professional office where such use is ancillary and incidental to a permitted non-residential use as otherwise specified herein;
 - ii. a farm implement and related equipment sales and service establishment;
 - iii. a retail commercial outlet for the sale of heating, plumbing and electrical supplies;

Regulatory Provisions

- | | |
|---|------------|
| • Exterior Side Yard | 15 metres |
| • Interior Side Yard | |
| - Adjacent the northerly property line | 5 metres |
| - Adjacent the southerly property line | 15 metres |
| • Rear Yard | 12 metres |
| • Minimum Landscaped Open Space Requirement | 10 percent |
| • Maximum Height of Buildings or Structures | 12 metres |

Special Provisions – Gasoline Pumps and Propane Refill Facilities:

A gasoline pump island, gasoline pumps or propane refill facility may be located within any yard provided:

- i. that the minimum distance between any portion of the pump island or gasoline pumps or propane refill facility and any front, interior side, exterior side or rear lot line is not less than 5 metres;
- ii. that the minimum distance between any portion of the pump island or gasoline pumps or propane refill facility and any adjacent lands zoned for residential purposes is not less than 15 metres; and,
- iii. that, where the lot is a corner lot, no portion of any pump island or gasoline pumps or propane refill facility shall be located closer than 3 metres to a straight line between a point in the front lot line and a point in the exterior side lot line, such points being distant 15 metres from the intersection of such lot lines.

Entrance Regulations:

The following provisions shall apply to ingress and egress driveways:

- i. that the maximum width of a driveway measured along the street line shall be 9 metres;
- ii. that the minimum distance between driveways, measured along the street line intersected by such driveway, shall be 9 metres;
- iii. that the minimum distance between an interior side lot line and any driveway shall be 10 metres provided that no driveway is located closer than 87 metres to the more southerly side lot line; and,
- iv. that the interior angle formed between the street line and the centerline of any driveway shall not be less than 45 degrees.

Special Provisions – Accessory buildings and structures:

Notwithstanding the yard and setback requirements, an accessory building for storage purposes only and having an area of not greater than 90 square metres, may be permitted in the rear yard provided that such accessory building is not located closer than 3.0 metres to an interior side or rear lot line.

All other applicable provisions of the General Industrial (M1) Zone shall continue to apply.

5.4.14.11 General Industrial Exception Eleven (M1-11) Zone
Part Lot 25, Concession 6, Lutterworth, Schedule 17

On the lands zoned General Industrial Exception Eleven (M1-11) Zone, the non-residential uses permitted shall be restricted to the following:

- i. boat storage;
- ii. a business or professional office where such use is ancillary and incidental to a permitted non-residential use as otherwise specified herein;

- iii. a marine sales and service establishment;
- iv. a printing or publishing establishment;
- v. a retail commercial outlet where such use is accessory and incidental to a permitted non-residential use otherwise specified hereunder;
- vi. a snowmobile sales and service establishment;
- vii. a warehouse or wholesale establishment;
- viii. a workshop; and
- ix. accessory uses, buildings and structures as are normally considered incidental and subordinate to the foregoing permitted uses, save and except the outside storage of goods and materials which shall be prohibited.

In all other respects the provisions of the General Industrial (M1) Zone shall continue to apply.

5.4.15 EXTRACTIVE INDUSTRIAL (M2) ZONE

5.4.15.1 Extractive Industrial Exception One (M2-1) Zone

Part Lots 21 and 22, Concession 14, Snowdon, Schedule 16

On the lands zoned Extractive Industrial Exception One (M2-1) Zone, the uses permitted shall be restricted to an aggregate crushing plant, an aggregate storage area, a gravel pit, and an operation for the screening, washing or classifying of aggregate. All other applicable provisions of the Extractive Industrial (M2) Zone shall continue to apply.

5.4.15.2 Extractive Industrial Exception Two (M2-2) Zone

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Part Lots 21 and 22, Concession 14, Snowdon, Schedule 16

On the lands zoned Extractive Industrial Exception Two (M2-2) Zone, the interior side yard (min m) shall be 15 metres. All other applicable provisions of the Extractive Industrial (M2) Zone shall continue to apply.

5.4.16 WASTE DISPOSAL INDUSTRIAL (M3) ZONE

(No exceptions to date.)

5.45.5 HOLDING ZONES:

5.4.15.5.1 Part of Lots 3 & 4, Concession A, Minden (Schedule 23)

Residential Type Two Holding (R2) (H)
Residential Type Two Exception Four Holding (R2-4 (H))
Residential Type Two Exception Five Holding (R2-5 (H))
Residential Type Two Exception Six Holding (R2-6 (H))
Residential Type Two Exception Seven Holding (R2-7 (H))

- a) The above-noted lands are zoned on Schedule 23 with a Holding (H) symbol.

Upon application by the registered owners, the Municipality will amend the by-law to remove the holding provisions, with respect to any of the lands, when the following conditions have been completed or demonstrated to the satisfaction of the Municipality:

- i) a Storm Water Management Plan;
- ii) a Site Plan Agreement, pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended, between the owner and the Municipality, has been registered against the title of the lands;
- iii) a By-law has been passed and registered pursuant to Section 50(4) of the Planning Act, R.S.O. 1990, as amended, deeming those lots on Plan 627 affected, not to be lots on a registered plan of subdivision for the purposes of Section 50(3) of the Planning Act, R.S.O. 1990, as amended; and
- iv) the Municipality has received an application from the registered owner to amend the by-law such that the holding provisions are removed.

During the period that the holding provisions are in place, the provisions of Section 5.3 as they pertain to the Residential Type One (R1) Zone will apply.

5.4.25.5.2 Part of Lot 1, Concessions 8 & 9, and Part Lots 20 & 21, Concession A, Lutterworth (Schedule 14)

Recreational Commercial Exception Fifteen Holding (C3-15 (H))

- a) The above noted lands are zoned on Schedule 14 with a Holding (H) symbol.

Where the Recreational Commercial Exception Fifteen (C3-15) Zone is followed by a Holding Symbol denoted "(H)", no person shall use such lands or erect, alter or use any building or structure thereon, except for those purposes existing as of the date of passing of this by-law (April 26, 2001), until such time as the following provisions have been complied with, namely:

- i) All necessary approvals have been obtained, in writing, from the Township of Minden Hills, the Ministry of the Environment, the Ministry of Natural Resources, the Haliburton, Kawartha, Pine Ridge District Health Unit, and, the County of Haliburton; and
- ii) A site plan agreement has been entered into with the Municipality and registered against the title of the lands to which it applies.

5.4.35.5.3 Part of Lots 3 & 4, Concession A, Minden (Schedule 23)
Residential Type Two Exception Nine Holding (R2-9 (H))

- a) The above noted lands are zoned on Schedule 23 with a Holding (H) symbol.

Where the Residential Type Two Exception Nine (R2-9) Zone is followed by a Holding Symbol denoted "(H)", no person shall use such lands or erect, alter or use any building or structure thereon, except for those purposes existing as of the date of passing of this By-law (date), until such time as the following provisions have been complied with;

- i. confirmation is provided to the Township that the lands are not required for storm water management purposes in relation to development on the abutting lands to the west.

Section 6 ENACTMENT:

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

READ a FIRST and SECOND time this 23rd day of February, 2006.

ORIGINAL SIGNED BY:

Jim McMahan
Jim McMahan
Reeve

Cheryl McCarroll
Cheryl McCarroll
Clerk

READ a THIRD time this 23rd day of February, 2006.

ORIGINAL SIGNED BY:

Jim McMahan
Jim McMahan
Reeve

Cheryl McCarroll
Cheryl McCarroll
Clerk