

# PUBLIC MEETING NOTICE

## MINOR VARIANCE/PERMISSION

(Section 45 of the Planning Act)



## 42 Lynx Avenue

**(Zoning: Residential)**

**Meeting Date and Time:** Wednesday, April 9, 2025, at 6:30 p.m.

**Location:** Manitouwadge Council Chambers, 1 Mississauga Drive

**Requested Variance to Zoning Bylaw 2022-42, Section 5.4.4., Zoning Regulations: The maximum height for an accessory dwelling (garage) is 5.0 metres (16.4 feet).**

**The application proposes to request relief from the zoning provision to permit a height of 6.0 metres (19.7 feet) for an accessory dwelling (garage).**

View Public Notice at:

[www.manitouwadge.ca/news/](http://www.manitouwadge.ca/news/)

Or Call: 807-826-3227 ext: 223

March 10, 2025

## **PUBLIC HEARING NOTICE**

MINOR VARIANCE/PERMISSION  
(Section 45 of the Planning Act)

**Meeting Date and Time:** Wednesday, April 9, 2025, at 6:30 p.m.

**Location\*:** Council Chambers, Municipal Building, 1 Mississauga Drive

**Property Address:** 42 Lynx Avenue

**Legal Description:** PLAN M305 LOT 22

**Present Zoning:** Residential (R)

**Requested Variance to Zoning Bylaw 2022-42, Section 5.4.4., Zoning Regulations:** The maximum height for an accessory dwelling (garage) is 5.0 metres (16.4 feet).

The application proposes to request relief from the zoning provision to permit a height of 6.0 metres (19.7 feet) for an accessory dwelling (garage).

### **Dear Property Owner:**

In accordance with the provisions of the *Planning Act*, this is to advise that the Township of Manitouwadge Planning Department received a complete Minor Variance application for a proposed Zoning Bylaw Amendment.

### **MAKING YOUR VIEWS KNOWN**

The notice has been mailed to you an owner of a property within 60 metres of the subject property, as required by the *Planning Act*, to ensure that, as an interested person, you may make your views known by:

- **Attending the Public Hearing\*:** If you wish to present your views verbally, please contact the Secretary-Treasurer of the Committee to add your name to the Agenda to address the Committee of Adjustment.
- **Sending a Letter by Mail or Email:** Information you choose to disclose in your correspondence will be used to receive your views on the relevant issue(s) to enable the Committee to make its decision on this matter. This information will become part of the public record.

Secretary-Treasurer: [clerk@manitouwadge.ca](mailto:clerk@manitouwadge.ca) (807) 826 3227 ext 223

If you do not attend the public hearing, or express your views in writing, the Committee may make a decision in your absence and may recommend changes in the proposal.

### **TO VIEW THE MATERIALS IN THE APPLICATION FILE**

Application plans and other related materials are available to view on our website under Public Notices at <https://www.manitouwadge.ca/news/>

If you are unable to view plans online, copies of the application submission can be obtained by contacting the Planning Department via the contact information below.

### **RECEIVING A COPY OF THE COMMITTEE'S DECISION**

- The Committee will announce its decision on the application at the Public Hearing.
- To receive a copy of the Decision, please submit a request to the Planning Department via the contact information below.
- If you wish to appeal a Decision of the Committee to the Ontario Land Tribunal (OLT), you must file your written request for a decision with the Secretary-Treasurer of the Committee.

### **SUBJECT PROPERTY KEY MAP**



Property Address: 42 Lynx, Manitouwadge, Ontario  
Legal Description: PLAN M305 LOT 22  
Lot Size: 75' x 100'

Official Plan Designation: Residential (R)  
Zoning Designation: Residential (R)

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#### **For further information, please contact:**

Joleen Keough, Planning Administrator  
Phone: 807 826 3227 ext 223. Email: [clerk@manitouwadge.ca](mailto:clerk@manitouwadge.ca)



# Application for Rezoning/ Bylaw Amendments/Variations

Township of Manitouwadge  
Planning Department

Application For (Check Appropriate Boxes)	FOR Township of Manitouwadge USE ONLY
<input type="checkbox"/> Zoning Amendment <input type="checkbox"/> Major <input checked="" type="checkbox"/> Minor <b>NOTE:</b> Any Minor application may be considered Major in accordance with Appendix 1.	Related Applications:  File Number:
<input type="checkbox"/> Removal of Holding Symbol <input type="checkbox"/> Removal of Environmental Holding Symbol	Date Received:

## 1. Contact Information

Registered Owner <sup>1</sup> : Cody Turner Amy Gray	Address: 42 Lynx Ave Box # - 1085	Home: 807-228-3157
		Business:
		Fax:
		Email: turner-cody7@hotmail.com
Applicant <sup>2</sup> :	Address:	Home:
		Business:
		Fax:
		Email:
Agent:	Address:	Home:
		Business:
		Fax:
		Email:
Ontario Land Surveyor:	Address:	Home:
		Business:
		Fax:
		Email:

<sup>1</sup> If there is more than one Owner, please attach a separate page with the required information. If the owner is a numbered company, give the name and address of principal owner.

<sup>2</sup> Owner's authorization is required if the applicant is not the owner (Section 12).

1.1 Names and addresses of any holders of mortgages, charges or other encumbrances:

CIBC mortgage

1.2 Please indicate to whom all correspondence should be sent (one only). This person will act as the Application Coordinator.

☒ Owner ☐ Applicant ☐ Agent

## 2. Location of Subject Land

Assessment Roll No. 5866 000 004 393 42	Lot(s) Lot 22	Concession(s)			Former Township
Registered Plan No.(s)	Lot(s) / Block(s)	Reference Plan No.(s) Plan - M305			Part Number(s)
Municipal Address (Street No. and Name) 42 Lynx Ave	Area (ha)	Depth (m) 100'	Frontage (m) 75'	PIN No.	
Date Property Acquired:					

## 3. Applications

3.1 Please indicate whether this land was the subject of any other applications under the *Planning Act*?

Application	Yes	No	File No.	Status
Amendment to Official Plan	<input type="checkbox"/>	<input type="checkbox"/>		
Plan of Subdivision / Condominium	<input type="checkbox"/>	<input type="checkbox"/>		
Zoning Amendment	<input type="checkbox"/>	<input type="checkbox"/>		
Minister's Zoning Order	<input type="checkbox"/>	<input type="checkbox"/>		
Consent	<input type="checkbox"/>	<input type="checkbox"/>		
Site Plan Approval / Amendment	<input type="checkbox"/>	<input type="checkbox"/>		
Minor Variance	<input type="checkbox"/>	<input type="checkbox"/>		

**Current Land Use(s)**

3.2 What are the uses of the subject land?

Residential

3.3 Provide the length of time that the uses of the subject land have continued.

1976

3.4 Are there any buildings or structures on the subject land? Please add a separate sheet if more than three buildings or structures exist.

☐ Yes ☒ No

If **Yes**, please complete the following table.

**Existing Buildings and Structures**

	Building or Structure		
	Bldg. 1	Bldg. 2	Bldg. 3
Type	House		
Setbacks – Front (m)	9.7 m		
Setbacks – Rear (m)	12.1 m		
Setbacks – Side (m)	1.2 m		
Setbacks – Side (m)	10.9 m		
Floor Area (m <sup>2</sup> )	1080 Sq/ft		
Height (m)	6 m		
Date of Construction	1976		

3.5 Please provide the current Official Plan designations and Secondary Plan designations, where applicable and an explanation of how the application conforms to the Official Plan.

Residential (R)

3.6 Please provide the current Zoning of the subject land.

Residential (R)

- 3.7 Is the subject land within an area where the Township has predetermined the minimum and/or maximum density requirements or minimum and/or maximum height requirements?

☒ Yes ☐ No

If **Yes**, please indicate these requirements.

Maximum garage height – 5m

Requesting – 6m total height

- 3.8 Will the proposed rezoning implement an alteration to the boundary of an area of settlement or implement a new area of settlement?

☐ Yes ☒ No

If **Yes**, please provide details of the Official Plan/Official Plan amendment that deals with this matter.

- 3.9 Will the application remove land from an area of employment?

☐ Yes ☒ No

If **Yes**, please provide details of the Official Plan/Official Plan amendment that deals with this matter.

- 3.10 If the subject land is within an area where zoning with conditions may apply, provide an explanation of how the application conforms to the Official Plan policies relating to zoning with conditions.



#### 4. Proposed Amendment

4.1 Describe the nature, extent and reason for the rezoning requested:

to have access to bring big boat, Trucks, Loaders into Garage. To have the height to install hoist if wanted to do in the future.

4.2 What are the proposed uses of the subject land?

Residential personal garage

4.3 Are any buildings or structures proposed to be built on the subject land? Please add a separate sheet if more than three buildings or structures are proposed.

☐ Yes ☒ No

If **Yes**, please complete the following table.

**Proposed Buildings and Structures**

	Building or Structures		
	Bldg. 1	Bldg. 2	Bldg. 3
Type			
Setbacks – Front (m)			
Setbacks – Rear (m)			
Setbacks – Side (m)			
Setbacks – Side (m)			
Floor Area (m <sup>2</sup> )			
Height (m)			

#### 5. Provincial Policy Statement and Provincial Plans

5.1 Is the proposed amendment to the Zoning By-law consistent with the Provincial Policy Statements issued under subsection 3(1) of the Planning Act?

☒ Yes ☐ No

5.2 Is the subject land within an area of land designated under any Provincial Plan or Plans (i.e. Oak Ridges Moraine Plan, the Greenbelt Plan or the Growth Plan)?

☐ Yes ☒ No

If **Yes**, does the proposed amendment conform to or does not conflict with the Provincial Plan or Plans?

☐ Yes ☐ No



## 6. Servicing

- 6.1 Indicate below the existing and proposed type of servicing. Any servicing information/reports required, are to be attached.

	Existing	Proposed
Water Supply System	<input checked="" type="checkbox"/> Municipal piped water system <input type="checkbox"/> Individual wells <input type="checkbox"/> Other, describe:	<input type="checkbox"/> Municipal piped water system <input type="checkbox"/> Individual wells <input type="checkbox"/> Other, describe:
Sewage Disposal System	<input checked="" type="checkbox"/> Municipal sewage system <input type="checkbox"/> Individual septic system <input type="checkbox"/> Other, describe:	<input type="checkbox"/> Municipal sewage system <input type="checkbox"/> Individual septic system <input type="checkbox"/> Other, describe:
Stormwater Drainage	<input type="checkbox"/> Storm sewers <input type="checkbox"/> Ditches/swales <input type="checkbox"/> Other, describe:	<input type="checkbox"/> Storm sewers <input type="checkbox"/> Ditches/swales <input type="checkbox"/> Other, describe:

- 6.2 Both a **servicing options report** and a **hydrogeological report** are required if the proposed amendment would permit development on privately owned and operated individual or communal septic systems, and **more than 4,500 litres of effluent** would be produced per day as a result of the development being completed.

## 7. Access

- 7.1 Please indicate the method of access to the subject land.

- ☐ Provincial Highway  
☐ Regional Road  
☒ Municipal Road, maintained:  
     ☒ All Year      ☐ Seasonally  
☐ Right-of-Way  
☐ By Water

- 7.2 If access to the subject land will be by water only, please indicate the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road.

**12. Consent of Owner**

Complete the consent of the owner concerning personal information set out below (or the written authorization of each owner in the case of shared ownership).

I, Cody Turner

am the registered owner of the land that is the subject of this application for approval of this planning document and, for the purpose of the **Freedom of Information and Protection of Privacy Act**, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the **Planning Act** for the purposes of processing this application. I also agree to allow the Township, its employees and agents to enter upon the subject property for the purposes of conducting survey, inspection and tests that may be necessary to the application.

Mar 5 / 25  
Date

[Signature]  
Signature of Owner

**13. Acknowledgement of the Owner for Local Planning Appeal Tribunal Appeals**

The Owner acknowledges and agrees, in the event Council approves the application and it is appealed to the Local Planning Appeal Tribunal (LPAT) by a third party, that they will reimburse the Township for any municipal cost and disbursements for outside legal counsel and external consultants and for preparation and attendance at an LPAT hearing, where the Township is requested to actively defend the decision of Council on a third party appeal.

Mar 5 / 25  
Date

[Signature]  
Signature of Owner

## 10. Affidavit

The following affidavit must be completed prior to submitting this application.

I, Cody Turner  
of the 42 Lynx Ave  
in the Township of Manitouwadge

solemnly declare that the information contained in this application, attachments and accompanying reports are true, and I make this solemn declaration conscientiously believing it to be true and knowing that it is the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act".

Declared before me at the municipal office  
in the Township of Manitouwadge  
this 6<sup>th</sup> day of March, 2025

  
Commissioner of Oaths

  
Applicant

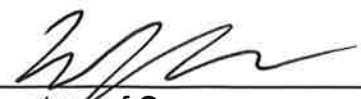
## 11. Authorization

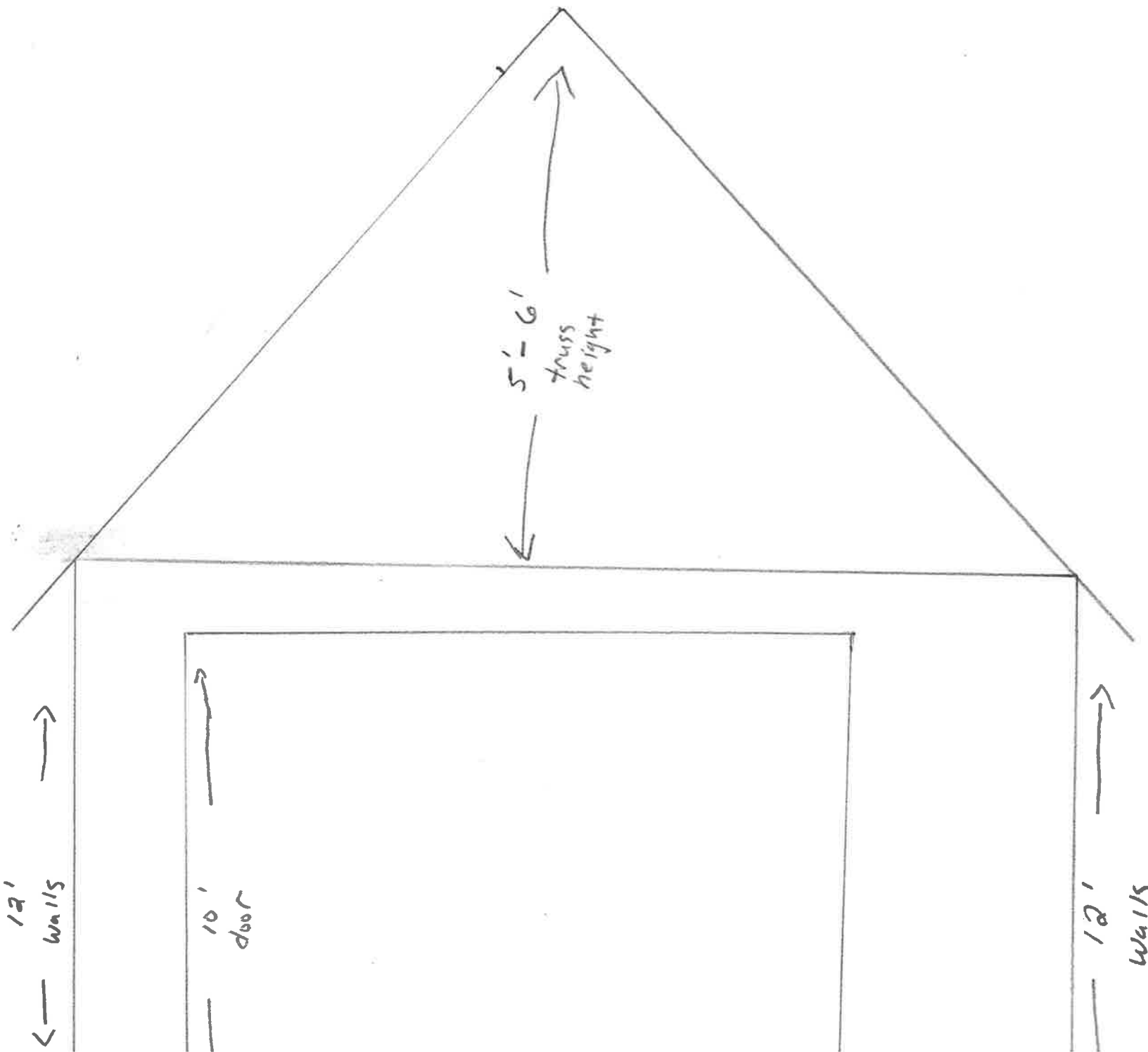
If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner (or the written authorization of each owner, in the case of shared ownership) that the applicant is authorized to make the application **must be attached**, or in the case of a single owner, the authorization set out below must be completed by the owner. **Please print.**

I, \_\_\_\_\_ am the registered owner of the  
land that is the subject of this planning document and I authorize

\_\_\_\_\_ to make this application on my  
behalf and for the purpose of the **Municipal Freedom of Information and Protection of Privacy  
Act** to provide any of my personal information that will be included in this application or collected  
during the processing of the application.

\_\_\_\_\_  
Date

  
Signature of Owner





- 5.4.4 Zone regulations for accessory buildings not attached to the main use, including additional unit (detached), garden suite.

	Accessory buildings	Additional unit (detached), garden suite
<b>Maximum GFA of all Buildings and Roofed Structures</b>	100.0 square metres	40 percent of the GFA of the main building, or 50.0 square metres, whichever is greater
<b>Maximum Height</b>	5.0 metres	
<b>Minimum Front Yard</b>	1.5 metres greater than front yard setback of main building	
<b>Minimum Side Yard</b>	Interior side yard: 1.5 metres Exterior side yard: 3.0 metres	
<b>Minimum Read Yard</b>	0.6 metres	
<b>Minimum Separation Distance</b>	2.0 metres to a main building on same lot	

## 5.5 COMPATIBILITY

As a condition of approval for the development or redevelopment of any permitted main use listed in this section, the Township may require a person to demonstrate compatibility with neighbouring uses where deemed necessary by the Township. This may include a shadow study, drainage and grading plans, etc. Refer to Township of Manitouwadge Official Plan, Section 5.4 for compatibility guidelines.

## 5.6 RECREATIONAL VEHICLE

A maximum of one (1) recreational vehicle may be used for accessory, non-commercial, temporary human habitation provided that:

- 5.6.1 A detached dwelling exists on the property;
- 5.6.2 The recreational vehicle is in compliance with the setback provisions for an accessory building; and
- 5.6.3 Such recreational vehicle may be subject to licensing by the Township.

**THE CORPORATION OF THE TOWNSHIP OF MANITOUWADGE**

**BYLAW NO. 2022-42**

**Being a Bylaw to Regulate the Use of Land within the Township of Manitouwadge.**

**WHEREAS** Section 34 of the Planning Act, R.S.O. 1990, c.P.13, provides that Council of the Corporation of the Township of Manitouwadge may pass a bylaw regulating the use of lands and building and the type of construction, height, bulk, location, spacing and character of buildings to be erected or altered within the Township of Manitouwadge or any defined part thereof; and,

**WHEREAS** municipal control and regulation over the use of land and the erection and use of buildings and/or structures is desirable in the public interest; and,

**WHEREAS** it is deemed to be necessary and expedient to pass a bylaw to restrict the use which may be made of lands, buildings, and/or structures within the Township of Manitouwadge; and,

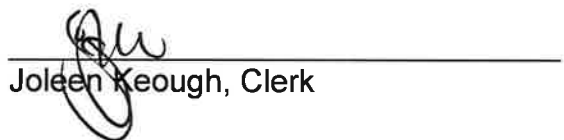
**WHEREAS** this bylaw conforms to both the in-effect Official Plan 1986, and the newly adopted Official Plan 2022;

**NOW THEREFORE** the Council of The Corporation of the Township of Manitouwadge enacts as follows:

1. **THAT** this Bylaw shall be cited as the 'Township of Manitouwadge Zoning Bylaw';
2. **THAT** the document entitled the 'Township of Manitouwadge Zoning Bylaw' and dated October 26, 2022, attached hereto, consisting of the attached text and schedules is hereby adopted;
3. This Bylaw comes into force and takes effect on the date of its final passing.

**READ A FIRST AND SECOND TIME** this 26<sup>th</sup> day of October, 2022; and  
**READ A THIRD TIME AND FINALLY ENACTED** this 26<sup>th</sup> day of October, 2022.

  
Mayor John MacEachern

  
Joleen Keough, Clerk

Comprehensive Zoning By-Law

for the

Township of Manitouwadge

October 2022





The Corporation of the Township of Manitouwadge

By-law No. 2022-42

Being a By-law to regulate the use of land within the Township of Manitouwadge.

WHEREAS Section 34 of the Ontario Planning Act, R.S.O., 1990, c.P.13, provides that Council of the Corporation of the Township of Manitouwadge may pass a By-law regulating the use of lands and building and the type of construction, height, bulk, location, spacing and character of buildings to be erected or altered within the Township or any defined part thereof;

AND WHEREAS municipal control and regulation over the use of land and the erection and use of buildings and/or structures is desirable in the public interest;

AND WHEREAS it is deemed to be necessary and expedient to pass a by-law to restrict the use which may be made of lands, buildings, and/or structures within the Corporation of the Township of Manitouwadge;

AND WHEREAS this By-law conforms to the Official Plan of the Corporation of the Township of Manitouwadge;

NOW THEREFORE the Council of the Corporation of the Township of Manitouwadge ENACTS AS FOLLOWS:



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## FOREWORD



This Foreword is intended to assist the reader in understanding the interpreting the comprehensive zoning by-law of the Township of Manitouwadge. The Foreword does not form part of the Zoning By-law.

## I. OVERVIEW OF THE COMPREHENSIVE ZONING BY-LAW

By-law No. xx-xx is a new Comprehensive Zoning By-law for the Township of Manitouwadge. It replaces the Township's existing Zoning By-law No. 87-25 and all subsequent amendments to By-law No. 87-25.

A Comprehensive Zoning By-law, or simply "Zoning By-law" is a detailed municipal by-law that regulates the types of land uses and activities that may occur on a property or within buildings; and the height, location, massing and character of buildings and structures.

The specific matters that may be regulated by a Zoning By-law are outlined in Section 34 of the Ontario Planning Act. Zoning By-laws are used by municipalities in Ontario to manage land use compatibility and manage the character and appearance of neighbourhoods and communities. Zoning By-laws are also prepared to implement the policies of a Township's Official Plan, which establishes goals and policies respecting the types of permitted land uses and desired built form within different geographic areas of the Township. The Zoning By-law is used to translate these policies into more specific permitted land uses, and requirements for lot and buildings by establishing zone categories and regulations which apply to all lands in the Township.

**It is important to refer to the Official Plan Maps - Schedules, A, B and C - when making zoning decisions.**

A Zoning By-law is primarily implemented through the Building Permit application process. Where a property owner or occupant wishes to construct something on their property, and applies for a Building Permit, the proposal must conform to the provisions of the Zoning By-law. If the proposal does not conform to the Zoning By-law, the applicant can:

- a) apply for a minor variance to seek relief from the provisions of the Zoning By-law;
- b) apply for a rezoning (Zoning By-law Amendment) to change their zone or seek major relief from the provisions of the Zoning By-law; or
- c) the applicant can re-work their proposal so that it complies with the Zoning By-law.

## II. HOW TO USE THE COMPREHENSIVE ZONING BY-LAW

### Section 1 – Interpretation and Administration



This section 1 of this Zoning By-law, sometimes referred to herein as “By-law” establishes, among other matters, that the By-law applies to all lands in the Township of Manitouwadge and that no land shall be used and no building or structure shall be used, erected, altered, or enlarged except in conformity with the By-law. It also establishes that the By-law shall come into full force and effect as of the date of its passing by the Council if there are no objections or upon approval by the Ontario Land Tribunal (OLT), as may be modified by the OLT if there are objections.

The Zoning By-law must conform to the intent of the policies of the Official Plan and be consistent with the Provincial Policy Statement.

## Section 2 – Definitions

This section provides a list of definitions that apply to this By-law.

## Section 3 – Zones and Zoning Maps

This section establishes that the Zone Maps comprising Schedules "A" and “B” are part of the By-law, and that the Zone Maps are divided into a number of zones. Section 2 also provides for the manner of interpreting zone boundaries. The Official Plan Schedules A, B and C must also be consulted, and be considered an overlay to the Zoning Maps.

## Section 4 – General Provisions

This section applies to specific uses that apply to all land use zones within this By-law. It describes regulations for specific uses such as, for example, accessory uses or home occupation.

## Sections 5 to 18 – Land Use Zones

Section 5 through Section 18 set out the specific land use zones of the By-law. For each zone there is a listing of permitted main uses, permitted accessory uses, and a number of zone regulations including 'minimum lot size; minimum lot frontage; maximum lot coverage; maximum height; and minimum front, side and rear yards.

### III. AUTHORITY TO PREPARE THIS BY-LAW

The Zoning By-law is prepared in accordance with Section 34 of the Planning Act. Generally speaking, the Planning Act allows the Township of Manitouwadge to pass zoning by-laws to restrict the use of land, and to regulate the size, location and character of buildings and structures within the Township.



#### IV. TECHNICAL REVISIONS TO THE ZONING BY-LAW

Revisions may be made to this Zoning By-law without the need for a zoning by-law amendment for technical reasons, including:

1. correction of numbering, cross-referencing, grammar, punctuation or typographical errors or revisions to format in a manner that does not change the intent of the By-law;
2. adding or revising technical information on maps or schedules that does not affect the zoning of lands including, but not limited to, matters such as updating and correcting infrastructure information, keys, legends or title blocks; and
3. changes to appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, historical or reference information, page numbering, footers and headers, which do not form a part of this by-law and are editorially inserted for convenience or reference only.

#### V. SUBSEQUENT ZONING BY-LAW AMENDMENTS

Applications to change or amend the By-law may be made at any time. All such amendments, however, must be in conformity with the Township of Manitouwadge Official Plan and must receive approval from Council.

The Zoning By-law may be consolidated from time to time to include subsequent amendments to the Zoning By-law. However, there may have been amendments to the Zoning By-law (both text and mapping) or removals or additions of holding symbols which are not consolidated in the current office consolidation of the Zoning By-law. In all cases, the reader should contact the zoning administrator to confirm the most current zoning of a property and applicable regulations. Additionally, the maps contained in Schedules “A” and “B” may not reflect the latest zoning, or any recent changes to the parcel fabric, which may not have been updated in the most recent Zoning By-law consolidation.

#### VI. MINOR VARIANCES

The Council has the authority to approve minor variances to the Zoning By-law, which may provide minor relief from specific zoning provisions or minor changes to the permitted uses of one or more properties. Minor variances previously granted are not reflected in the Zoning By-law. The reader should contact the Township of Manitouwadge to identify whether there are any approved minor variances applicable to a property.



## SECTION 1 - INTERPRETATION AND ADMINISTRATION

### 1.1 TITLE

This by-law shall be known and may be cited as the “Township of Manitouwadge Zoning By-law”, or “Zoning By-law”, or this “By-law”. The term “Municipality” may be interchanged with “Township”.

### 1.2 APPLICATION

The provisions of this Zoning By-law shall apply to all lands within the boundaries of the Corporation of the Township of Manitouwadge as now or hereafter are legally constituted.

Where any lands are added to the Township, or where any lands are otherwise not designated by this Zoning By-law as being within a described zone, such lands shall be deemed to be located in the Rural Zone.

### 1.3 SCOPE

No lands shall be used and no buildings or structures shall be erected, altered, enlarged or used within the Township of Manitouwadge except in conformity with the provisions and conformity of this By-law. Notwithstanding, nothing in this By-law prevents the use of any land, buildings and/or structures for any purpose prohibited by this By-law if such land, buildings and/or structures were lawfully used for a purpose on the day that this By-law comes into force and effect.

### 1.4 MINIMUM REQUIREMENTS

In interpreting and applying the provisions of this By-law, they are held to be the minimum requirements for the promotion of the health, safety, comfort, convenience and general welfare of the inhabitants of the Township.

### 1.5 MEANING OF USE

Unless the context otherwise requires, the expressions "use" or "to use" in this By-law shall include anything done or permitted by the owner or occupant of any land or building, directly or indirectly or by or through any trustee, tenant, servant, or agent, acting for or with the knowledge or consent of such owner or occupant, for the purpose of making use of the said land or building.

### 1.6 MEANING OF SHALL

In this By-law, the word "shall" shall always be construed as mandatory.



## 1.7 ADMINISTRATION

This By-law shall be administered by the Chief Building Official, Planning Administrator and/or such other person or persons as the Council of the Township of Manitouwadge designates.

## 1.8 LICENCES AND PERMITS

No municipal permit, certificate, or licence shall be issued where the said permit is required for a proposed use of land or a proposed erection, alteration, enlargement or use of any building or structure that is in violation of any provisions of this By-law.

## 1.9 BUILDING TO BE MOVED

No building, residential or otherwise, shall be moved within the limits of the Township or shall be moved into the Township from outside unless in conformity with the provisions and requirements of this By-law and with a permit from the Chief Building Official.

## 1.10 REPEAL OF EXISTING BY-LAWS

From the coming into force of this By-law, all previous by-laws passed under the Planning Act or a predecessor thereof, shall be deemed to have been repealed except to the extent that any of the said By-laws prohibits the use of any land, building or structure for a purpose that is also prohibited by this By-law.

## 1.11 COMPLIANCE WITH OTHER BY-LAWS AND LAWS

Nothing in this By-law shall serve to relieve any person from the obligation to comply with the requirements of any by-law of the Township in force from time to time or the obligation to obtain any licence, permit, authority or approval required under any by-Law of the Township.

When the regulations or requirement of any department or office of government impose a greater restriction than the provisions imposed by this By-law, the greater restrictions shall apply.

All references to statutes or regulations of Government of Canada or the Province of Ontario, or to any other Municipal By-Law, shall be deemed to mean reference to that statute, regulation or By-Law as amended or replaced.

## 1.12 VALIDITY

Should any section, clause or provision of this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.



### 1.13 CONTINUATION OF PROSECUTION FOLLOWING REPEAL

The passage of this By-law shall not affect the right of the Township of Manitouwadge to prosecute any violation of the previous by-law, if the violation occurred while such previous by-law was in effect

### 1.14 VIOLATIONS AND PENALTIES

Any person, corporation, or other legal entity who contravenes any of the permitted uses provisions, or any of the regulations and/or provisions or requirements of this By-law is guilty of an offence and is liable, upon summary conviction to a fine as set out in The Planning Act, and such fine shall be recoverable under The Provincial Offences Act. Where a conviction has been entered under this Subsection in addition to any other remedy or any other penalty provided, the Court in which the conviction has been entered, or any Court of competent jurisdiction may make an Order prohibiting the continuation or repetition of the offence by the person convicted.

### 1.15 ENACTMENT

This By-law shall come into force and effect upon final passing by Council; and shall include Schedule “A” and “B” to this By-law which occur after its passing. This Zoning By-law replaces former By-law No. 87-25 for which the text and mapping will be available at the Township office and on-line.

### 1.16 OFFICIAL PLAN CONFORMITY

This By-law conforms to the Official Plan, as it is contained in By-law xx-xx.

### 1.17 CONFORMITY WITH THE BY-LAW

No building or structure or area of a lot shall be used, erected or altered in whole or in part except in conformity with the provisions of this By-law.

No building, structure or area of a lot shall be used or occupied except for uses that are specifically identified in this by-law as permitted uses by the relevant zoning category.

### 1.18 SITE PLAN CONTROL

Pursuant to Section 41 of the Planning Act, all zones are declared as site plan control areas, in accordance with the Official Plan, and are subject to the provisions of Section 41 of the Planning Act. Notwithstanding any other provisions in this Section, a single detached dwelling; semi-detached dwelling; duplex dwelling; are exempt from site plan control and the provisions of Section 41 of the Planning Act, except those permitted within Natural Hazard Lands or within or adjacent to Natural Environment Areas, on private roads or where contained within a condominium development. All development located within the zone





categories described in this Zoning By-law shall be subject to and built, in accordance with a development agreement, if required, pursuant to Section 41 of the Planning Act.

### 1.19 ENFORCEMENT & PENALTIES

**Enforcement:** This By-law may be enforced by any Municipal law enforcement officer.

**Offences relating to use:** No person shall use any land, building or structure within a zone for a use that is not permitted within that zone.

**Offences Relating to Change of use:** No person shall change the use on any land, or within any building or structure, without first obtaining a certificate of occupancy from the Township's Chief Building Official authorizing the change in use.

**Offences Relating to Regulations:** No person shall undertake a permitted use on any land within any zone where the use, or the locations of buildings or structures, on the land contravene the regulations applicable to the zone within which the land exists.

**Offences Relating to Interference:** No person shall interfere with a Municipal law enforcement officer who is lawfully conducting an investigation into an allegation that the provisions of this By-law are being contravened.

**Penalty Provisions:** Any person convicted of an offence under this By-law is subject to the penalties prescribed in Section 67 of the Planning Act, as amended.

**Conflicting Regulations:** Where regulations in this By-law conflict, the most restrictive regulation shall apply.



## SECTION 2 - DEFINITIONS

For the purpose of this By-law, the definitions and interpretations given herein shall govern.

- 2.1 ABANDONED, shall mean the failure to proceed expeditiously with the construction of a work, specifically abeyance of construction for six months.
- 2.2 ACCESSORY BUILDING OR STRUCTURE, shall mean a detached building or structure, the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to, the permitted main use or building and located on the same lot and that is not used for human habitation. An accessory structure does not include a structure made wholly, or in a large part, of fabric. An accessory building shall be considered as such when a building permit has been issued for a main building, even though the main building has not been completed, and such status shall remain so long as the building permit has not been revoked.
- 2.3 ACCESSORY DWELLING UNIT, shall have the meaning attributed to it in the definition of ADDITIONAL UNIT (DETACHED).
- 2.4 ACCESSORY USE, shall mean a use naturally and normally incidental to, subordinate to, and exclusively devoted to a main permitted use and located on the same lot as the main permitted use.
- 2.5 AGRICULTURAL USE, shall mean the raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; fish hatchery, apiary; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for farm labour when the size and nature of the operation requires additional employment. Also includes the growing of nursery, biomass and horticultural crops, excluding the growing of outdoor cannabis.
- 2.6 AGRICULTURE-RELATED USE, shall mean farm-related commercial and farm-related industrial uses that are directly related to the main farming operation and provide direct products and/or services to farm operations as a primary activity.
- 2.7 AGGREGATE, shall mean gravel, sand, clay, earth, shale, stone, limestone, marble, granite, rock, or material other than metallic ores, used for construction purposes.
- 2.8 AGRI-TOURISM USE, shall mean those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation, including, but not limited to, farm machinery and equipment exhibitions (on a temporary basis), farm tours, petting zoos, hay rides and sleigh rides, processing demonstrations, pick-your-own produce establishments, small-scale farm theme playgrounds and small-scale educational establishments that focus on farming instruction.



- 2.9 AIRPORT OR AIRCRAFT LANDING AREA, shall mean the use of land, including water, runway, or other facility designed, used or intended to be used either publicly or by any person or persons for the landing or taking off of aircraft, including all necessary taxiways, aircraft storage, tie-down areas, hangers and other necessary buildings, structures and open spaces.
- 2.10 AIRPORT-RELATED USE, shall mean a use directly associated with or serving an airport or directly related to the operation of aircraft which may include aerospace-related education facilities, industrial uses, storage facilities, research and development, and transportation including but not limited to passenger terminals and vehicle rental, parking, bus, and taxi services. The term includes an airport and associated aircraft storage, airport or aircraft landing area, maintenance and repair facilities, and fuel storage.
- 2.11 ALTER, when used in reference to a building or structure or part thereof, shall mean to change the use or the external dimensions of such building or structure or to change the type of construction material of the exterior walls or roof thereof. When used in reference to a lot, the word “alter” means to decrease the width, depth, or area thereof or to decrease the width, depth, or area of any required yard, setback, landscaped open space, or parking area, or to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise.
- 2.12 AMENITY SPACE, shall mean an area within a lot on which an apartment, stacked or cluster townhouse dwelling is situated, provided for private or common use for the active or passive recreation or enjoyment of the occupants of an apartment, stacked or cluster townhouse dwelling, excluding a driveway or any other parking area;
- 2.12.1 PRIVATE AMENITY SPACE, shall mean an amenity space, excluding a walkway, play area or other communal area, which is accessory to and outside of a dwelling unit;
- 2.12.2 COMMON AMENITY SPACE, shall mean an amenity space which is located inside or outside a dwelling, including, but not limited to, open landscaped areas, playgrounds, dwelling rooftops, patios, terraces, above ground decks, swimming pools, and tennis courts.
- 2.13 APARTMENT BUILDING, shall have the meaning attributed to it in the definition of DWELLING, APARTMENT.
- 2.14 AREA OF NATURAL SCIENTIFIC INTEREST (ANSI), shall mean areas of land and water containing unique natural landscapes or features. These features have been scientifically identified as having life or earth science values related to protection, scientific study or education.



- 2.15 ATTACHED, shall mean a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.
- 2.16 AUTOMOBILE BODY REPAIR SHOP, shall mean a building or structure used primarily for making repairs or alterations to the body or paint work of any vehicle, but excludes a salvage yard.
- 2.17 AUTOMOBILE SERVICE STATION or SERVICE STATION or GARAGE, PUBLIC, shall mean a building or part of a building or a clearly defined space on a lot used primarily for the retail sale of lubricating oils, gasoline, diesel fuel and propane for motor vehicles and may include the sale of automobile accessories, and the servicing and repairing essential to the operation of motor vehicles.
- 2.18 BASEMENT, shall mean one or more storeys of a building located below the first storey.
- 2.19 BED AND BREAKFAST, shall mean a business conducted within a detached house containing a maximum of one (1) dwelling unit or within a building or structure which is accessory to such detached house in which overnight accommodation, with or without meals, is provided to the travelling public.
- 2.20 BICYCLE SPACE, shall mean an area used exclusively for the parking of bicycles, e-bikes and scooters. Every bicycle space falls within one of the following two categories:
- 2.20.1 SHORT TERM BICYCLE SPACE, shall mean a bicycle space other than a long-term bicycle space.
- 2.20.2 LONG TERM BICYCLE SPACE, shall mean a secure bicycle space located within a shelter, a building, or a bike locker
- 2.21 BOARDING HOUSE, ROOMING HOUSE, LODGING HOUSE, shall mean a building or portion thereof containing more than four separate rooming units which the proprietor supplies to other persons for hire or gain. A rooming unit is a room, or a suite of rooms, that constitutes a separate, independent residential occupancy, but which is not self-contained and which requires access to other parts of the building intended to serve the residents, such as cooking or sanitary facilities. Shall not include a hotel, motel, hospital, residential or long-term care homes, emergency shelter, or restaurant accommodating the general public.
- 2.22 BOATHOUSE, shall mean a structure constructed for the purpose of storing boats and accessories but it shall not include a dwelling.
- 2.23 BOAT LAUNCH, shall mean the use of land and water for the purpose of floating and launching, and/or recovering of small pleasure boats and other watercraft, excluding aircraft, and related area for parking of vehicles and boat trailers, and may include a dock.



- 2.24 BUFFER STRIP, shall mean an area of land used for no other purpose than for the erection of a fence, or the planting and maintaining of a continuous row of natural evergreens or a continuous unpierced hedgerow of natural shrubs and the remainder of which is to be used for landscaping. A buffer strip is not part of a required yard.
- 2.25 BUILDING, shall include any structure whether temporary or permanent, used or intended for sheltering any use or occupancy but shall not include a boundary wall.
- 2.26 BUILDING AREA, shall mean an area of a lot within which permitted buildings or other structures may be erected, used and maintained and shall be calculated by deducting all appropriate yard areas and setbacks from the gross lot area.
- 2.27 BUILDING CODE, shall mean the Ontario Regulation 350/06, passed under the Building Code Act, 1992 and any amendments in effect on the effective date.
- 2.28 BUILDING SUPPLY OUTLET, shall mean a place where primarily building products are sold, including wood, lumber, wallpaper, paint, glass, tiles, flooring, fixtures, electrical, plumbing, home and decorating supplies, and/or tools. The use may include the outdoor display of such products.
- 2.29 BULK SALES ESTABLISHMENT, shall mean the use of land for the purpose of storing, buying and selling coal, fuel oil, propane, wood, lumber, building materials, ice and allied chemicals or other similar goods in bulk form, but does not include any manufacturing, assembling or processing uses.
- 2.30 BUSH CAMP, shall mean a building or structure intended to provide basic shelter and accommodation for a person or group of persons engaged in forestry activities on an occasional or seasonal basis in a remote location where municipal or community services are usually not available. Such structure is accessory to forestry as a permitted main use; and may be described as being of light frame construction without any water or wash facilities. A bush camp does not include a dwelling or a commercial use.
- 2.31 CAMPGROUND, shall mean an area consisting of at least five (5) camping lots and comprising land used or maintained as grounds for the short term and/or seasonal camping or temporary parking of travel trailers, motorized mobile homes, recreational vehicles, truck campers, camper trailers or tents but does not include parks or camping grounds maintained by any ministry or department of the Government of Ontario or Canada or any Crown corporation, commission or board. May include unserviced and serviced camp sites; and accessory facilities which support the main use such as administrative offices, washrooms, recreation areas, laundry facilities, sale of convenience goods. Does not include the use of mobile homes on a permanent year-round basis.
- 2.32 CANNABIS PRODUCTION AND PROCESSING FACILITY, shall mean wholly enclosed premises used for cultivating, producing, testing, researching, processing, destroying, storing, or distribution of cannabis, or products containing cannabis, subject to



regulations under the Cannabis Act. This does not include the selling of cannabis products or cannabis paraphernalia or a cannabis retail outlet.

- 2.33 CANNABIS RETAIL OUTLET, shall mean a service commercial use operated by a person licensed under Provincial government regulations, and includes the display and selling of cannabis products and paraphernalia, and shall not include a cannabis production and processing facility.
- 2.34 CARPORT, shall have the meaning attributed to it in the definition of GARAGE, PRIVATE.
- 2.35 CAR WASH, shall mean a building or structure for the operation of automobile washing.
- 2.36 CEMETERY or CREMATORIUM, shall mean land that has been established as a cemetery under provincial legislation or a building that has been established as a crematorium under provincial legislation.
- 2.37 CHIEF BUILDING OFFICIAL, shall mean the officer or employee of the Township and appointed by the Corporation with the duty of administering the provisions of the Ontario Building Code and Zoning By-law.
- 2.38 COMMERCIAL USES, shall mean the use of land or buildings for the purposes of buying and/or selling commodities and supplying services.
- 2.39 COMMUNITY CENTRE, shall mean a building used primarily for community activities and occasionally for commercial purposes, the control of which is vested in the Township, a local board or trustees.
- 2.40 COMMUNITY FACILITY, shall mean a building or part thereof in which facilities are provided for such purposes as meetings for civic, educational, political, recreational, cultural, religious or social purposes, and without limiting the generality of the foregoing, may include such facilities libraries, museums or auditorium. Facility may include meeting rooms for community use, activity areas, cafeteria, reading rooms, laboratories, accessory office, and space for recreational uses.
- 2.41 COMMUNITY GARDEN, shall mean an area of land managed and maintained by a group of individuals to grow and harvest food crops for personal or group use, consumption, donation, or for community benefit, and includes food forests and orchards.
- 2.42 CONDOMINIUM, shall mean a building in which each individual unit is held in separate private ownership and all floor space, facilities, and outdoor areas used in common by all tenants are owned, administered and maintained by a corporation created pursuant to the provisions of the Condominium Act. A vacant land condominium shall mean a subdivision of land processed under the Condominium Act as a vacant land condominium in which individual units of land are established and held under separate private ownership within a condominium corporation, and which may include lands set out as common elements held by the condominium corporation.



- 2.43 CONSERVATION, shall mean the preservation, protection, and improvement of components of the natural heritage system or other lands through a comprehensive management and maintenance program administered for the benefit of the natural heritage system and/or the public.
- 2.44 COTTAGE OR REMOTE COTTAGE, shall have the meaning attributed to it in the definition of DWELLING, REMOTE COTTAGE.
- 2.45 COVERAGE, shall mean the combined area of all buildings or structures or the lot measured at the level of the lowest storey above grade, including all porches and verandahs open or covered, but excluding open, unenclosed terraces at grade, steps, cornices, eaves, bay windows, chimney breasts, corbelling and similar projections and open parking areas and outdoor swimming pools.
- 2.46 DAY CARE CENTRE, shall mean a place operated by a person licensed or unlicensed under provincial legislation to operate a child or adult care centre for the purpose of providing temporary care for a continuous period not to exceed twenty-four (24) hours or a place for the purpose of providing temporary care to five (5) or more adults for a continuous period not to exceed twenty-four (24) hours.
- 2.47 DECK, shall mean a structure without a roof that is located above ground, and is attached or cantilevered from a dwelling unit and/or supported by a foundation, with or without direct access to the ground, the floor of which is greater than 0.6 metres above finished grade.
- 2.48 DENSITY, shall mean the ratio of the number of dwelling units or number of camp sites to the total lot area of a property.
- 2.49 DISTANCE, shall mean the perpendicular horizontal measurement between a lot line and the nearest part of any building or structure, exclusive of permitted encroachments of this By-law, and/or any objects within a lawful outdoor storage use on a lot.
- 2.50 DEVELOPMENT, shall mean the subdivision or severance of land; the erection or alteration of a building and/or structure, and including any improvements made on/and any addition or alteration to a building or structure that has the effect of increasing the size or usability thereof. The use of the term shall be taken to include redevelopment.
- 2.51 DWELLING, shall mean a building, occupied or designed to be occupied exclusively as a dwelling unit, home, residence or sleeping place by one or more persons, and shall include home-sharing, but shall not include hotels, boarding, rooming or lodging houses, motels, residential or long-term care home, and emergency shelters, or similar institutional buildings.
- 2.52 DWELLING, APARTMENT, shall mean a building that contains four (4) or more dwelling units which units have one or more common entrances from street level and are served by a common corridor, and the occupants of which units have the right to use in common





the corridors, stairs, elevators, yards or one or more of them, but shall not include a cluster or stacked townhouse. Dwelling units cannot be severed by consent.

- 2.53 DWELLING, DUPLEX, shall mean a building that is divided horizontally into two (2) dwelling units each of which has an independent entrance either directly or through a common vestibule.
- 2.54 DWELLING, DOUBLE DUPLEX, shall mean two (2) attached duplex dwellings.
- 2.55 DWELLING, FOURPLEX, shall mean a separate building that is divided vertically and/or horizontally into four (4) dwelling units, each of which has an independent entrance either directly to the outside or through a common vestibule, but shall not include a cluster or stacked townhouse.
- 2.56 DWELLING, MODULAR, shall mean a prefabricated single detached dwelling being so constructed or assembled that the shortest side of such dwelling is not less than six (6) metres in width.
- 2.57 DWELLING, REMOTE COTTAGE, shall mean one single detached dwelling unit or tiny dwelling, built to Ontario Building Code, used for recreational purposes only and thus not occupied or intended to be occupied on a year-round basis, is not located on a municipally-owned and maintained road, and where the owner (occupier) of such dwelling has a main residence elsewhere.
- 2.58 DWELLING, SEMI-DETACHED, shall mean a building that is divided vertically into two (2) dwelling units each of which has an independent entrance whether directly or through a common vestibule and which has no direct access between the two (2) units.
- 2.59 DWELLING, SINGLE DETACHED, shall mean a building used, designed, or intended to be used for occupancy as a single dwelling unit. This definition shall not include a mobile home as defined herein.
- 2.60 DWELLING, TINY, shall mean a small, private and self-contained dwelling unit. A tiny dwelling includes living and dining areas, with kitchen and bathroom facilities, with a sleeping area, and intended for year-round use. A tiny dwelling can be a main dwelling. A recreational vehicle and a small dwelling not certified for year-long accommodation is not considered a tiny dwelling.
- 2.61 DWELLING, TOWNHOUSE, shall mean a building that is divided vertically into three (3) or more separate dwelling units;<sup>23</sup>
- 2.61.1 CLUSTER TOWNHOUSE, shall mean a townhouse situated on a lot in such a way that at least one (1) dwelling unit does not have legal frontage on a public Street;
- 2.61.2 STACKED TOWNHOUSE, shall mean one (1) building or structure containing two (2) townhouses divided horizontally: one atop the other.



- 2.62 DWELLING, TRIPLEX, shall mean a building that is divided horizontally into three (3) separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.
- 2.63 DWELLING UNIT, shall mean one or more habitable rooms occupied or designed to be occupied by one or more persons as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the use of such person(s), with a private entrance from outside the building or from a common hallway or stairway inside the building.
- 2.64 EASEMENT, shall have the meaning attributed to it in the definition of RIGHT-OF-WAY.
- 2.65 EDUCATIONAL INSTITUTION, INDUSTRIAL or COMMERCIAL, shall mean a building or part of a building used for training in specific trades, skills or crafts, and may include a yard for outdoor training facilities, such as, but not limited to, heavy equipment training yard.
- 2.66 EMERGENCY SHELTER, shall mean a fully detached building used for persons in a crisis situation requiring shelter, protection, assistance and counselling or support which is intended to be short term accommodation of a transient nature. An Emergency Shelter shall not include a residential facility, a boarding or rooming house, or any other residential facility which is licensed, approved or regulated under any general or special Act. An emergency shelter shall not exceed 25 residents.
- 2.67 ENVIRONMENTAL PROTECTION AREA, shall mean significant river valley corridors, shorelines, wildlife and fish habitat as classified by the Ministry of Natural Resources and Forestry or the Township. Such areas are sensitive natural areas which serve as important habitat and migration routes for fish and wildlife.
- 2.68 EQUIPMENT SALES/RENTAL AND/OR SERVICING, shall mean a commercial establishment within a building and/or lot used for the display, sale or lease of new or used industrial equipment. This may also include the sale of accessories including fluids, tires, lights, parts, and other related products as well as services including cleaning, polishing, greasing, and other related maintenance services. This establishment may also include a body shop, as part of the same building that can be used to repair industrial equipment as an accessory use but may not be used for motor vehicles or recreational vehicles.
- 2.69 ERECT, shall mean to erect, build, construct, reconstruct, install, enlarge, extent, alter or of a building or structure and shall include the relocation of a building or structure, the installation of a building unit fabricated or removed from elsewhere and the demolition or removal of a building or any part thereof. "Erected" and "erection" shall have corresponding meanings.
- 2.70 EXISTING, shall mean existing as of the date of the final passing of this By-Law.



- 2.71 FARMING OPERATION, shall mean lands that are assessed as farmland, having a valid Farm Business Registration number or a net income of at least \$7,000 directly related to farming operation outputs, for the purpose of growing of crops, raising of livestock, raising of other animals for food, fur or fibre; aquaculture; apiaries; agro-forestry and maple syrup production.
- 2.72 FARM, PERSONAL, shall mean the use of land for the keeping of animals for the personal enjoyment, use and/or consumption by the resident and the use is not a farming operation and does not include a kennel. Number of animals will be determined using the Ontario Ministry of Food and Agriculture Minimum Separation Distance formula.
- 2.73 FARMERS' MARKET, shall mean a building in, and or an open area of land on which stalls or sales areas are set aside and rented or otherwise provided and which are intended for use by various individuals to sell articles that are predominantly homemade, home grown, hand crafted, second hand and or antique.
- 2.74 FLOOD PLAIN, shall mean for river, stream and small island lake systems, the area, usually lowlands, adjoining a watercourse which has been, or may be subject to flooding hazards.
- 2.75 FLOODPLAIN AND SHORELINE PROTECTION WORK, shall mean methods to reduce or prevent the effects of flood waters and erosion on the natural environment, including, but not limited to, bank stabilization and re-naturalization.
- 2.76 FOOD FOREST, shall mean the practice of cultivating a variety of annual and perennial flowers, vegetables, fruits, shrubs and trees in the same area for the purpose of food production.
- 2.77 FORESTRY USE, shall mean the raising and harvesting of wood and without limiting the generality of the foregoing includes the raising and cutting of fuel wood, pulp wood, lumber, Christmas trees and other forest products and may include a wood mill.
- 2.78 FUGITIVE EMISSIONS, shall mean reasonably expected/predictable contaminant occurrences associated with normal operational practices and procedures (e.g. materials handling or outdoor storage) of industrial facilities, which are generally difficult to practically control at the source or on-site. These emissions are not point sources (i.e. not from stacks or vents). Fugitive emissions are from all sources. These emissions may include odour, noise, vibration and particulate such as dust.
- 2.79 GARAGE, PRIVATE or CARPORT, shall mean a building or portion of a building designed for the storage of private passenger motor vehicles wherein no services for profit are rendered. Where such structure is attached to the main building, it shall be deemed to be part of the main building and not an accessory building.
- 2.80 GARAGE, PUBLIC, shall have the meaning attributed to it in the definition of AUTOMOBILE SERVICE STATION.



- 2.81 GARDEN CENTRE, shall mean the use of a premise for the retail and display of only plants, trees and shrubs, and gardening and landscaping supplies and equipment, but does not include the growing, transplanting or selling of cannabis products and cannabis paraphernalia products.
- 2.82 GARDEN SUITE, shall mean a free-standing dwelling unit that can be placed temporarily on an existing residential property. The gross floor area of a garden suite dwelling unit shall not exceed that of the existing living area of the primary residence. A garden suite is to be addressed as a temporary zoning amendment.
- 2.83 GRADE, shall mean the average level of finished ground adjoining a building at all exterior walls.
- 2.84 GREENHOUSE, shall mean a building or structure used for the growing of flowers, plants, shrubs, trees, or similar vegetation, which may be transplanted outdoors on the same lot, and may include the wholesale or retail selling of goods produced in the greenhouse and other types of garden products. The growing of Cannabis is prohibited in a greenhouse or on the same lot as the greenhouse.
- 2.85 GROSS FLOOR AREA or GFA, shall mean the sum of the floor areas of all of the storeys of a building (or that particular part of a building for which the GFA figure is required to be determined) as measured from the exterior faces of the exterior walls or posts. However, when referring to a unit within a multiple unit building or portions of a building, the floor areas are measured as follows:
- 2.85.1 from the centerline of the interior walls to the exterior faces of the included exterior walls if the unit or portion of the building has no exterior walls at least one exterior wall; or
- 2.85.2 from the centerline of all of the interior walls if the unit or portion of the building has no exterior walls.
- 2.86 HAULING SEWAGE DISPOSAL SITE, shall mean a site where sewage is deposited into a Township-owned sewage disposal site, in accordance with the Ministry of the Environment, Conservation and Parks regulations, which has been collected, transported and disposed of by private haulers. Septage is waste from a septic system tank, holding tank or portable toilet and is characterized as raw and untreated sewage that includes both the solids and liquids.
- 2.87 HAZARD LAND, shall mean land which exhibits, or potentially exhibits, a hazardous condition as a result of its susceptibility to flooding, erosion, subsidence, inundation, the presence of organic soils or steep slopes, or where, by reasons of its low lying marshy or unstable character, the cost of construction of satisfactory waterworks, sewage or drainage facilities is prohibitive.



- 2.88 HEALTH CENTRE, shall mean a place where members of the public are provided with medical, health, welfare, or social support services and resources, but not overnight care or living accommodation. The term also includes a place where domestic pets are provided with veterinary health and medical care. A health centre may include an accessory pharmacy or accessory fitness area.
- 2.89 HEIGHT, when used with reference to a building or structure, shall mean the vertical distance between the horizontal plane through the established grade and a horizontal plane through:
- 2.89.1 The highest point of the roof assembly in the case of a building with a flat or deck roof;
  - 2.89.2 The average level of a one slope roof, provided that a roof having a slope of less than 20 degrees with the horizontal plane shall be considered a flat roof;
  - 2.89.3 The deck roof line, in the case of a mansard roof;
  - 2.89.4 The average level between eaves and ridges in the case of a roof type not mentioned in Subsections 2.89.1, 2.89.2, and 2.89.3 immediately preceding.
- 2.90 HIGHWAY, shall have the meaning attributed to it in the definition of STREET.
- 2.91 HOME, shall have the meaning attributed to it in the definition of DWELLING UNIT.
- 2.92 HOME DAY CARE, shall mean a business involving the temporary care of either:
- 2.92.1 Five (5) or less individuals where unlicensed under provincial legislation; or
  - 2.92.2 Six (6) or less children where licensed under provincial legislation.
- 2.93 HOME INDUSTRY, shall mean a small scale commercial or industrial use of a part of a dwelling unit or a part of an accessory building by at least one of the permanent residents of such dwelling unit, and which is clearly accessory to the main use as a dwelling unit, but does not include auto repair, auto painting or a welding shop, furniture stripping or a carpenter's shop for the prefabrication of building components. Kennels, outdoor storage or parking of related vehicles larger than one (1) tonne shall only be permitted through a site-specific Zoning By-law amendment.
- 2.94 HOME OCCUPATION, shall mean a small-scale business or professional use of a part of a dwelling unit or a part of an accessory building by at least one of the permanent residents of such dwelling unit and which is clearly accessory to the main use of the dwelling. Excludes a kennel, outdoor storage or parking of a related vehicle larger than one (1) tonne.
- 2.95 HOME-SHARING, shall mean a homeowner who, advertised and booked through any platform, shares the entire main unit of their main dwelling for gain. Home-sharing shall



not mean or include a motel, hotel, bed and breakfast establishment, tourist resort or remote cottage, hospital, commercial resort unit or similar commercial or institutional use.

- 2.96 HOTEL, shall mean any hotel, tavern, inn, lounge, or public house in one main building or in two or more buildings used mainly for the purposes of catering to the needs of the travelling public by supplying food and furnishing sleeping accommodation of not less than six (6) guest rooms and shall include all buildings liable to be licensed under The Liquor Licence Act, and operating under The Tourism Act.
- 2.97 INDOOR RECREATION USE, shall mean a building used for indoor leisure activities, cultural or social promotion, or entertainment. The term includes but is not limited to, museum, art gallery, movie theatre, social club, public hall, fitness centre, covered arena, convention centre, theatre for the performing arts, gymnasium, billiard hall, bowling alley, or a similar use.
- 2.98 INDUSTRIAL FACILITY, as defined by the Provincial Land Use Compatibility Guidelines, shall mean an industrial use that requires separation from sensitive land uses, and is classified into three (3) classes:
- 2.98.1 CLASS 1 INDUSTRIAL FACILITY, shall mean a place of business for a small-scale, self-contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions. Outputs are infrequent, and could be point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks and has limited outside storage, provided it is screened from view from streets and adjacent properties. Uses may include, but are not limited to, trucking depot, food distribution, warehouse, equipment sales and service establishment, auto body repair, heavy equipment service and rental, industrial or commercial educational institution, and transport terminals.
- 2.98.2 CLASS 2 INDUSTRIAL FACILITY, shall mean a place of business for medium scale processing and manufacturing with outdoor storage of wastes or materials (i.e., it has an open process) and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration, and low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours. Uses may include, but are not limited to, wrecking yard, painting/coating, food manufacturing, dry cleaning plants, ready-mix and concrete product manufacturing, and dry-cleaning plants.
- 2.98.3 CLASS 3 INDUSTRIAL FACILITY, shall mean a place of business for large scale manufacturing or processing, characterized by: large physical size, outside





storage of raw and finished products, large production volumes and continuous movement of products and employees during daily shift operations. It has frequent outputs of major annoyance and there is high probability of fugitive emissions. Uses may include, but are not limited to, cannabis production and processing facility, chemical storage facilities, asphalt manufacturing, paper manufacturing, and airport-related uses but excludes Mineral Aggregate Operations.

- 2.99 INDUSTRIAL USE, shall mean the use of a facility or activity relating to: the assemblage and/or storage of substances/goods/raw materials; their processing and/or manufacturing; and/or the packaging and shipping of finished products, and may require separation from sensitive land uses. Every industrial use falls within one of the following three categories, Class 1 Industrial Facility, Class 2 Industrial Facility, or Class 3 Industrial Facility.
- 2.100 KENNEL, shall mean a building or structure where dogs, cats or other domestic household pets are kept, boarded and/or bred, but shall not apply to the keeping of animals in a veterinary clinic for the purpose of observation and/or recovery necessary to veterinary treatment and shall contain no more than 12 domestic animals over the age of four (4) months and in which enclosed outside runs shall be permitted.
- 2.101 LANE, shall mean a public thoroughfare or way, not more than nine (9) metres wide, which affords only a secondary means of access to abutting lots.
- 2.102 LANDSCAPED AREA, shall mean an open area of land, unoccupied by buildings or structures, vehicles or items on display, situated at ground level on a lot and used for the growth and maintenance of grass, flowers, shrubs, trees or other vegetation. The term does not include surfaced walkways and patios, retaining walls or any other hard landscaping features, roof-top terraces, and driveways or parking lots regardless of composition. For residential areas, the term includes vegetable and/or fruit gardens, food forests and orchards.
- 2.103 LEGALLY EXISTING OR LEGAL EXISTING, shall mean:
- 2.103.1 When used in reference to a use, lot, building or structure, mean:
- 2.103.1.1 A use, lot, building or structure existing lawfully as of the date of passing of this By-law; or
- 2.103.1.2 A building or structure the plans for which were approved prior to the passing of this By-law.
- 2.103.2 When used in reference to a registered lot, means a registered lot which:
- 2.103.2.1 Is or has been held under distinct and separate ownership from abutting registered lots continuously from the date of passing of this By-law;



- 2.103.2.2 Was subject to consent approved pursuant to the Planning Act, prior to the date of passing of this By-law, and was subsequently severed; or
- 2.103.2.3 Is located in a plan of subdivision registered prior to the date of passing hereof.
- 2.104 LOADING SPACE, shall mean a space or bay located on a lot which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise or materials used in connection with the main use of the lot or any building thereon and which has unobstructed access to a street or lane.
- 2.105 LONG-TERM CARE HOME, shall mean a place regulated by the Ontario Long-Term Care Homes Act that provides residential accommodations and a broad range of personal care, support and health services to meet the physical, psychological, social, spiritual, and cultural needs of persons.
- 2.106 LOT, shall mean a parcel or tract of land which is capable of being legally conveyed in accordance with the Planning Act. Lots are categorized as corner lots, interior lots, or through lots. These are not special kinds of lots. Every lot falls within one of these categories.
- 1.106.1 LOT, CORNER, shall mean a lot situated at the intersection of, or abutting upon, two or more streets, provided that the angle of intersection of such streets is not more than 135 degrees and each of which is at least ten (10) metres wide; where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street Lines, drawn through the extremities of the interior lot lines.
- 1.106.2 LOT, INTERIOR, shall mean a lot other than a corner lot or through lot which is situated between adjacent lots and has access to one street.
- 1.106.3 LOT, THROUGH, shall mean a lot bounded on two opposite sides by streets each of which is at least ten (10) metres wide, provided, however, that if any lot qualifies as being both a corner lot and a through lot, such lot shall be conclusively deemed to be a corner lot.
- 2.107 LOT AREA, shall be the total horizontal area within the lot lines of a lot.
- 2.108 LOT DEPTH, shall mean the horizontal distance between the midpoints of the front and rear lot lines. Where there is no rear lot line, lot depth means the horizontal distance between the midpoint of the front lot line and the apex of the triangle formed by the side lot lines.
- 2.109 LOT FRONTAGE, shall mean the horizontal distance between the side lot lines of a lot measured at right angles, but where such lot lines are not parallel, the lot frontage shall be measured perpendicularly to the line joining the midpoint of the front and the





midpoint of the rear lot lines at a point seven and one-half (7.5) metres back from the front lot line. Where side lot lines meet, the lot frontage shall be measured perpendicularly to the line joining the apex of the triangle formed by the side lot lines and the mid-point of the front lot line at a point seven and one-half (7.5) metres back from the front lot line. Where lot lines are curved, the lot frontage shall be measured along the line between the interior side lot line and the intersection of the tangents to the street lines, drawn through the extremities of the front lot line and exterior side lot line.

2.110 LOT LINES, shall mean the boundary lines of a lot defined as follows:

1.110.1 FRONT LOT LINE, shall mean:

- 1.110.1.1 In the case of an interior lot, the lot line dividing the lot from the street;
- 1.110.1.2 In the case of a corner lot, the shorter lot line abutting the street unless each lot line is of equal length in which case the front lot line shall be the lot line where the principal access to the lot is provided;
- 1.110.1.3 In the case of a through lot, the front lot line shall be the lot line where the principal access to the lot is provided;
- 1.110.1.4 In the case of a lot fronting on a navigable waterway, whether access is gained to the lot from a public street or not, the front lot line shall be the lot line closest to or adjacent to the navigable waterway. Such line shall be determined by joining the points of intersection of the side lot lines and the highwater mark or original shoreline reserve.

1.110.2 REAR LOT LINE, shall mean the lot line farthest from and opposite to the front lot line.

1.110.3 SIDE LOT LINE, shall mean a lot line other than a front or rear lot line.

2.111 MAIN BUILDING, shall mean the building or structure in which is conducted the main use for which the lot is used.

2.112 MAIN WALL, shall mean the exterior front, side or rear wall of a building and all structural members essential to the support of a fully enclosed space or roof.

2.113 MAJOR INSTITUTIONAL USE, shall mean any institutional use that is not defined as minor institutional use, including, but not limited to, hospital and post-secondary education facilities as defined in provincial legislation.

2.114 MANITOUWADGE, shall mean the geographic area within the boundaries of the Corporation of the Township of Manitouwadge.



- 2.115 MARINA, shall mean a building or structure with access to a body of water, where boats, canoes, kayaks, and similar items, and boat accessories are berthed, stored, serviced, repaired or kept for sale and where facilities for the sale of marine fuels and lubricants may be provided.
- 2.116 MARKET GARDEN, shall mean a premise used for growing harvesting vegetables, fruits, flowers, shrubs, trees or other horticultural products for the purpose of sale, and includes a food forest or orchard.
- 2.117 MINERAL AGGREGATE OPERATION, shall mean lands under license or permit, other than for wayside pits and quarries, issued in accordance with the Aggregate Resources Act, and associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.
- 2.118 MINIMUM DISTANCE SEPARATION (MDS) GUIDELINES, shall mean guidelines developed by the Province, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.
- 2.119 MINING EXPLORATION, shall mean the exploration of metallic minerals such as gold, copper and nickel, or the exploration for non-metallic such as mica and salt-talc.
- 2.120 MINING OPERATION, shall mean mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.
- 2.121 MINOR INSTITUTIONAL USE, shall include public or private elementary schools as defined in provincial legislation, charitable, philanthropic, or other similar uses; and may include long term care and related programming.
- 2.122 MOBILE HOME, shall mean a factory built residential building with an average width of less than 7.5 metres, containing a maximum of one (1) dwelling unit. It may be designed to be transported in one or more sections to be erected or placed upon a permanent foundation. The term includes dwelling units commonly known as “mobile homes”. The term excludes a recreational vehicle, travel trailer, tent trailer, or trailer otherwise designed.
- 2.123 MOBILE HOME, DOUBLE WIDE OR TWIN-WIDE, shall mean a home that has been transported to the site and the two halves of the unit have been joined and placed on a permanent foundation, such as a poured concrete or mortared concrete block foundation.
- 2.124 MOBILE HOME PARK, shall mean a lot or part of a lot which is designed, used or intended for use for the placement of mobile homes and which consists of a group of not less than ten (10) mobile home sites which are connected to public water supply and public



sanitary sewer, or communal on-site water supply and sanitary sewage facilities and shall include any building, structure or use permitted thereon by this By-law.

- 2.125 MOBILE HOME SITE, shall mean a parcel of land within a mobile home park which is serviced and intended for the placement of one mobile home.
- 2.126 MOBILE HOME SUBDIVISION, shall mean a parcel of land which has been planned and approved in accordance with the Planning Act for the placement of mobile homes and which consists of individually serviced lots and shall include any building, structure or use permitted thereon by this By-law.
- 2.127 MOTEL, shall mean one building, or two (2) or more detached buildings for the purpose of catering to the needs of the travelling public by furnishing sleeping accommodation with or without supplying food and shall include a motor court, auto court and all buildings liable to be licensed under the Liquor Licence Act, and/or operating under the Tourism Act.
- 2.128 MUNICIPALITY, shall mean The Corporation of the Township of Manitouwadge.
- 2.129 NON-CONFORMING, shall mean a lot containing a permitted use, buildings and/or structures which is existing but which does not meet or comply with one or more of the regulations of this By-law, either general or relating to the zone in which the lot is located.
- 2.130 NON-RESIDENTIAL, when used with reference to a building, structure or use, shall mean designed, intended or used for purposes other than those of a dwelling.
- 2.131 OFFICE, shall mean a place used for one or more of the following purposes: professional consulting practice, professional advisory services, the administrative functions of a business or industry, the carrying on of a business the main product of which is the creation, processing and/or storage of information rather than the production, retailing, and/or distribution of goods. The term excludes health centre or commercial use.
- 2.132 OFFICIAL PLAN, shall mean the Corporation of the Township of Manitouwadge Official Plan, approved and modified by the Ministry of Municipal Affairs and Housing on [DATE].
- 2.133 ON FARM DIVERSIFIED USE, shall mean the use or uses that are accessory to the main agricultural use of the property, and are limited in area.
- 2.134 OUTDOOR RECREATION USE, shall mean a place used for leisure activities, cultural, social promotion or entertainment, which primarily take place outdoors. The term includes, but is not limited to, outdoor theater, open arena, ski resort, outdoor miniature golf course, driving range, sports field, parks and playground, or similar uses.
- 2.135 OUTDOOR STORAGE, shall mean the storage of goods, merchandise or equipment in the open air and in unenclosed portions of buildings which are open to the air on one or more sides. The term includes the storage of heavy equipment, motor vehicles, including recreational vehicles, or sea can.



- 2.136 PARK, shall mean an area devoted to recreational uses and generally characterized by its natural, historical, or landscaped features and used both for passive and active recreation designed to serve a neighbourhood, and may include features typical for parks, including, but not limited to, playgrounds, gazebo, beaches, and picnic area.
- 1.136.1 PUBLIC, shall mean a park controlled or owned by the Township or a public authority and which is normally open to the public.
- 1.136.2 PRIVATE, shall mean a park other than a public park, regardless of whether or not such park is maintained or operated for gain or profit.
- 2.137 PARKING LOT, or PARKING AREA, shall mean an area for the parking, on a temporary basis, of four (4) or more vehicles, and may include aisles, parking spaces and related entrance and exit lanes, but shall not include any part of a street.
- 2.138 PARKING SPACE, shall mean an area enclosed in a building, or unenclosed and set aside for the temporary storage of a vehicle.
- 2.139 PARKING SPACE, ACCESSIBLE, shall mean a parking space dimensioned, located, and signed to be accessible to persons with disabilities.
- 2.140 PASSIVE OUTDOOR RECREATION or EDUCATION, shall mean outdoor recreational activities such as a nature observation, walking trails, hiking, canoeing or kayaking that require minimum facilities or development and that have minimal impact on the environment. A nature interpretation centre on lands owned by a public authority is also considered to be a passive recreational use, but shall not include campgrounds or outdoor recreation use.
- 2.141 PERMITTED, shall mean permitted by this By-law.
- 2.142 PERSON, shall mean any human being, any association, partnership, corporation, agent or trustee and the heirs, executors and other legal representatives of a person to whom the context can apply according to law.
- 2.143 PLACE, shall mean land, buildings, and/or structures or any portion of any of them.
- 2.144 PORTABLE ASPHALT PLANT, shall mean a facility with equipment to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process, and which is not permanent construction, but which is to be dismantled at the completion of the construction project.
- 2.145 PORTABLE CONCRETE PLANT, shall mean a building or structure with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process, and which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.



- 2.146 PRIVATE OUTDOOR AMENITY SPACE, shall mean an amenity space with direct access from an individual dwelling unit and intended for exclusive use of residents of that dwelling unit, such as at grade garden or yard, private balconies, patios, terraces, etc.
- 2.147 PROVINCE, shall mean the Province of Ontario.
- 2.148 PUBLIC AUTHORITY, shall mean any Federal or Provincial agency, school board, public utility commission, transportation commission, public library board, board of parks management, board of health, board of commissioners of police, Ontario Hydro, or other board or commission or committee or local authority established or exercising any power or authority under any general or special statute of Ontario with respect to any of the affairs or purposes of the Township or any portion thereof and includes any committee or local authority established by By-law of the Municipality.
- 2.149 PUBLIC SERVICES/USE, shall mean the buildings, structures and other related works necessary for supplying water, gas, oil, electricity, steam, hot water, telephone services, telecommunication services, environmental monitoring, sewage collection and treatment facilities and other services provided by a public authority.
- 2.150 RECREATIONAL VEHICLE, shall mean a motor vehicle designed to provide temporary living, sleeping, and/or eating accommodation for one or more persons involved in a recreation experience. A tiny dwelling built on a chassis and not indented for year-round accommodation is considered a recreational vehicle.
- 2.151 RENEWABLE ENERGY, shall mean an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.
- 2.152 RENEWABLE ENERGY SYSTEM, LARGE, shall mean energy obtained from renewable energy exceeding three (3) kilowatts.
- 2.153 RENEWABLE ENERGY SYSTEM, INDIVIDUAL, shall mean energy obtained from solar energy (ten (10) kilowatts or less), wind energy (three (3) kilowatts or less), or individual use geo-thermal energy systems.
- 2.154 RESIDENTIAL CARE HOME, shall mean a dwelling for persons who for any reason require a group living arrangement for their well-being. Separate and independent residential units are provided, but where common dining areas, lounges, and/or recreation areas are provided; where personal staff care may also be provided and individual care programs may be arranged and delivered on an individual basis, but shall not include hospital or boarding and rooming house. The type of dwelling permitted in a zone shall be specified in the permitted zone. It shall not include hospitals and long-term care home, boarding, rooming and lodging house.
- 2.155 RESIDENTIAL USE, shall mean the use of a building or structure or part thereof as a dwelling.



- 2.156 RESTAURANT, shall mean a place where food and/or beverages are prepared and served to persons, primarily for immediate consumption on or off the premises.
- 2.157 RETAIL COMMERCIAL USE, shall mean a place where food, new and/or used goods, wares, merchandise, substances, or articles are sold directly to the public. The term includes an open-air market and a place where an artisan makes and sells their wares. The use does not include a building supply outlet or a furniture store.
- 2.158 RIGHT-OF-WAY, or EASEMENT, shall mean any right, liberty or privilege in, over, along or under land which a person may have with respect to any land in the Municipality.
- 2.159 ROAD, shall have the meaning attributed to it in the definition of STREET.
- 2.160 SEA CAN, shall mean a storage container, rail, seaway, or cargo container or other similar container without running gear that is traditionally used for the shipping and transportation of goods and materials and shall include cargo containers and truck trailers.
- 2.161 SEAPLANE BASE, shall mean the use of land, buildings or structures for the purposes of docking, storing or repairing seaplanes and for the supplying of associated services.
- 2.162 SELF-STORAGE, shall mean a building or part thereof, which is used primarily for the self-storage of household goods, wares, merchandise, articles and the like, but does not include fuel storage. Every self-storage use falls within one of the following two categories:
- 1.162.1 INDOOR SELF-STORAGE, shall mean self-storage where individual units are accessed from indoors, such as from a hallway in a main building.
- 1.162.2 OUTDOOR SELF-STORAGE, shall mean self-storage where individual units are accessed directly from the outdoors.
- 2.163 SENSITIVE LAND USE, shall mean any type of residential use including short-term accommodation uses, community centres, hospitals, day care centres and minor institutional uses.
- 2.164 SEPARATION, shall mean the perpendicular horizontal distance between two things as specified in this By-law. It is measured in the following ways:
- 1.164.1 With respect to distances between buildings, between the exterior walls or foundations of any building or structure to another building or structure on the same lot measured at its closest point.
- 1.164.2 With respect to distances between outdoor storage and a building or structure, distance between the outer limit of the materials stored and the exterior walls or foundations of any building or structure on the same lot, measured at its closest point.





- 1.164.3 With respect to distance between uses and lots, between the lot boundary containing one use and the lot boundary containing the other use measured at its closest point.
- 1.164.4 With respect to distance between uses and zone boundaries, between the use and the zone boundary measured at its closest point.
- 2.165 SERVICE COMMERCIAL USE, shall mean a place where the main function is offering a service for a fee. This term includes, but is not limited to, commercial educational institution, banks and credit unions, domestic pet services, pharmacies, travel agencies, photography studios or print shops, jewellers, florists, optical dispensaries, personal care such as from an esthetician, barber, or hairstylist, and care of apparel such as a tailor, cobbler, self-service laundry, or dry-cleaning drop-off. The accessory retailing of products related to the above is also permitted. The term does not include a motor vehicle service use or the overnight boarding or breeding of domestic pets.
- 2.166 SETBACK, shall mean the horizontal distance between the nearest part of any main wall of any building or structure and the centre line of a street allowance measured at right angles to such centre line.
- 2.167 SETBACK FROM WATER, shall mean the horizontal distance between the normal or controlled high water mark of waterway or watercourse and the nearest part of any building or structure. shall mean the distance between the highwater mark of a waterbody or watercourse and the nearest part of any building or structure.
- 2.168 SHOPPING CENTRE, shall mean a building or group of buildings planned, designed, developed or managed as a unit, having off-street parking provided on the same lot, and which building or buildings contain one or more retail stores, services and offices.
- 2.169 SHORELINE, shall mean the physical high-water mark made by a waterbody or watercourse, and shall include beaches, exposed rock, and other such features that a part of beach environment. Where the water's edge shows no evidence of a high-water mark, the water's edge shall be deemed to be the high-water mark.
- 2.170 SHORELINE STRUCTURES, shall mean accessory buildings and structures erected at or near the shoreline in the required yard located between the shoreline and the dwelling or building. They include buildings and structures that are attached to the land that forms the bed of a navigable waterway, and, for the purpose of this By-law, shall only include boathouse, boat port, boat launch, deck, dock, pier, wharf, pump house, stairs and ramps.
- 2.171 SHORT-TERM ACCOMMODATION, shall mean accommodation that are not intended to be permanent. Examples include, but are not limited to:
- Bed and Breakfast establishments;
  - Home-sharing;



- Motels and hotels;
- Tourist establishments such as remote cabins, cottages or resorts;
- Lodging, Boarding or Rooming houses;
- Campgrounds;
- Emergency shelters; and
- Recreational vehicles.

2.172 SITE ALTERATION, shall mean any change in land including, but not limited to, the placing or dumping of fill, the removal of topsoil, placing, dumping, removal or blasting of rock, any other action that alters the grade of land including the altering in any way of a natural drainage course on a site, or any combination of the above activities.

2.173 SOLID WASTE DISPOSAL OR LANDFILL AREA/SITE, shall mean:

1.173.1 Any land upon, into, in or through which, or building or structure in which, waste is/was deposited, disposed of, handled, stored, transferred, treated or processed;

1.173.2 Any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing referred to in clause a);

1.173.3 Any facility processing non-hazardous wastes through recycling, composting, recovery, incineration, and/or landfilling and operating under an Environmental Compliance Approval under the Environmental Protection Act. For the purpose of this By-Law, this definition does not include any facility generating energy from waste or waste incineration.

2.174 STOREY, shall mean that portion of a building or structure which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

1.174.1 FIRST STOREY, shall mean the story with its floor closes to grade and having its ceiling more than 1.8 metres above grade.

1.174.2 SECOND STOREY, shall mean the storey directly above the first storey.

2.175 STORMWATER MANAGEMENT, shall mean long-term and short-term management of stormwater runoff quality and quantity which may require the construction and installation of permanent stormwater facilities.

2.176 STREET, HIGHWAY OR ROAD, shall mean a street, road or highway under the jurisdiction of the Township or the Province of Ontario but shall not include a lane or private right-of-way.

2.177 STREET LINE, shall mean the boundary between a street, road or highway and a lot.





- 2.178 STRUCTURE, shall mean any type of structure, other than a building, that is developed or requires a foundation to hold it erect. The term excludes vegetation, fences, on-grade and unenclosed parking lots, driveways, on-grade patios, sidewalks, swimming pools, retaining walls, flagpoles, laundry poles, basketball nets, bird houses, and mechanical equipment including air conditioners, and pool heaters, and pumps. The term includes communications devices and temporary shelters that are ineligible for a permit under the Building Code.
- 2.179 TAVERN, shall mean a building where alcoholic beverages are sold and shall include all such buildings operating or liable to be licensed under the Liquor Licence Act.
- 2.180 TINY HOME, shall have the meaning attributed to it in the definition of DWELLING, TINY.
- 2.181 TOURIST COMMERCIAL ESTABLISHMENT, shall mean any premises that operate to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaged in recreational activities, but excluding a hotel or motel.
- 2.182 TOURIST COMMERCIAL USE, shall mean a use or establishment which provides goods, lodging or meals to the vacationing public.
- 2.183 TOURIST RESORT, shall mean a tourist commercial establishment that provides accommodation through all or part of the year and that has facilities for serving meals and furnishing equipment, supplies, or services to persons in connection with angling, hunting, fishing or recreational purposes.
- 2.184 TRAILER, shall mean a vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle and capable of being used for temporary living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or that its running gear is removed. This definition shall not include a mobile home as defined herein.
- 2.185 TRANSPORTATION TERMINAL, shall mean the use of land, buildings or structures where freight and passengers either originate, terminate, or are handled in the transportation process, and includes, but is not limited to, bus terminals.
- 2.186 USE, when used as a noun, shall mean the purpose for which any land, building or structure is designed, used or intended to be used.
- 2.187 USE, CONTINUOUS, in the context of Section 4.22, LEGAL NON-CONFORMING, shall mean the continuous use of any lot, building or structure notwithstanding a change of ownership of the property where the use is located. Use shall further be deemed to be continuous if, after having ceased, the same use recommences within a period of six (6) months from the date of cessation, and/or if a structure is destroyed or damaged, it is rebuilt or repaired for the same use within a period of one year from the date of its destruction or damage.



- 2.188 VARIETY STORE, shall mean a retail business with a maximum gross floor area of 100.0 square metres selling good and associated small household items and which does not include the sale of prepared foods.
- 2.189 VEHICLE, includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, motorized snow vehicle and any vehicle drawn, propelled or driven by any kind of power.
- 2.190 VETERINARY CLINIC, shall mean 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 facilities provided for the sheltering of animals during the treatment period.
- 2.191 WAREHOUSE, shall mean a building or structure used for the storage and distribution of goods, merchandise, substances, or materials which will be sold elsewhere or, subsequently, transported to another location for sale or consumption. The retail or wholesale sale of products may only be permitted as an accessory use.
- 2.192 WATERBODY, shall mean a lake, marsh, or other such inland expanse of water, but not including water that collects behind a beaver dam on a watercourse.
- 2.193 WATERCOURSE, shall mean any surface stream or river and includes a natural channel for an intermittent stream and a municipal drain as defined by The Drainage Act.
- 2.194 WATERFRONTAGE, shall mean the boundary of a lot directly abutting on original shoreline reserve or a front lot line as defined by Section 1.110.1.4 (“navigable waterway”).
- 2.195 WAYSIDE PIT OR QUARRY, shall mean a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.
- 2.196 WRECKING YARD, shall mean an establishment or premises where derelict, discarded, abandoned or inoperable motor vehicles and/or other goods, wares, merchandise, articles, or things are stored wholly or partly in the open. This definition shall include a junk yard, scrap yard, or an wrecking yard.
- 2.197 YARD, shall mean an open space on the same lot with a main building or structure, unoccupied and unobstructed from the ground to the sky except as otherwise permitted by this By-law. In determining yard measurements, the minimum horizontal distance between the main building or structure and the respective lot lines measured perpendicular from the lot line shall be used.
- 1.197.1 FRONT YARD, shall mean a yard extending across the full width of a lot between the front lot line and the nearest main wall of the main building or structure on the lot;



- 1.197.2 REAR YARD, shall mean a yard extending across the full width of a lot between the rear lot line and the main building or structure on the lot;
- 1.197.3 SIDE YARD, shall mean a yard between the side wall of the main building or structure on the lot and the side lot line and extending from the front yard to the rear yard.
- 1.197.3..1 INTERIOR SIDE, shall mean a yard extending from the front yard to the rear yard and abutting a side lot line that does not abut or flank upon a street line;
- 1.197.3..2 EXTERIOR SIDE, shall mean a yard extending from the front yard to the rear yard and abutting a side lot line that abuts or flank upon a street line.
- 2.198 ZONE, shall mean a designated area of land use shown on the Schedules of this By-law.



## SECTION 3 - ZONES AND ZONING MAP

### 3.1 ESTABLISHMENT OF ZONES

For the purposes of this By-law, the maps hereto annexed as Schedules "A" and "B" shall be referred to as the "Zoning Maps" for the Township of Manitouwadge and the said Zoning Maps shall be divided into the following zones:

ZONE	SYMBOL
Residential	R
Remote Cottage	RC
Rural Residential	RR
Rural	RU
Village Centre	VC
Corridor Mixed Use	CMU
Institutional	I
Light Industrial	M1
Heavy Industrial	M2
Waste Disposal	WD
Parks and Recreational	O1
Waterfront	O2
Environmental Protection	EP
Hazard Land	HL

### 3.2 USE OF ZONE SYMBOLS

The symbols listed in Section 3.1 shall be used to refer to land, buildings and structures and the uses thereof permitted by this By-law in the said zones and wherever in this By-law the word "Zone" is used, preceded by any of the said symbols, such zones shall mean any area within the Township of Manitouwadge delineated on the Zoning Maps and designated thereon by the said symbol.



### 3.3 INTERPRETATION OF ZONE BOUNDARIES

Where any uncertainty exists as to the location of the boundary of any of the said zones as shown on the Zoning Maps, the following shall apply:

- 3.3.1 Unless otherwise shown, the boundaries of the zones as shown on the Zoning Maps are the centrelines of the road allowance or lot lines and the projection thereof;
- 3.3.2 Where zone boundaries are indicated as approximately following lot lines shown on a registered plan of subdivision, such lot lines shall be deemed to be the said boundary;
- 3.3.3 Where zone boundaries are indicated as approximately parallel to the line of any street and the distance from such street is not indicated, such zone boundaries shall be construed as being parallel to such street and the distance therefrom shall be determined by the use of the scale shown on the Zoning Maps;
- 3.3.4 Unless otherwise indicated, a street, lane, railroad or railway right-of-way or watercourse included on the Zoning Map, is included within the zone of the adjoining property on either side thereof; and where such street, lane, right-of-way or watercourse serves as a boundary between two or more different zones, a line midway in such street, lane, right-of-way or watercourse and extending in the general direction of the long division thereof is considered the boundary between zones unless specifically indicated otherwise;
- 3.3.5 In the event a dedicated street, lane, or right-of-way shown on the Zoning Map is closed, the property formerly in said street, lane, or right-of-way, shall be included within the zone of the adjoining property on either side of the said closed street, lane, right-of-way and the zone boundary shall be the former centreline of the closed street, lane or right-of-way;
- 3.3.6 Where any zone boundary is left uncertain after application of the preceding provisions, then the boundary line shall be determined according to the scale on the Zoning Maps in the office of the Chief Building Official;
- 3.3.7 Wherever it occurs, the municipal limit of the Township of Manitouwadge is the boundary of the zone adjacent to it.

### 3.4 HOLDING ZONES

- 3.4.1 Any land in any zone may be further classified as a Holding Zone with the addition of the prefix "H-". The intent is to signify Council's approval in principle to future development.



- 3.4.2 Notwithstanding the list of otherwise permitted uses in any zone, where a Holding Zone applies, no land shall be used and no buildings or structures shall be erected or used for any purpose other than uses existing on the date of passing of this By-law, or an agricultural use, a conservation use or a forestry use and such uses shall continue to be the only legal uses of the lands until such time as the holding designation has been removed by by-law. Upon removal of the “H” prefix, all permitted uses listed in the zone shall thereafter be permitted uses.
- 3.4.3 A Holding designation may be removed by by-law where one or more of the following conditions have been introduced or otherwise provided to the lands:
- 3.4.3.1 Where a holding provision is applied to lands that have been granted draft plan of subdivision approval, such provision may be removed where a subdivision agreement has been entered into and duly registered on title.
- 3.4.3.2 Where a holding provision has been applied to lands for which a site plan designation has been enacted, such provision may be removed where a site plan agreement has been entered and duly registered on title.



## SECTION 4 - GENERAL PROVISIONS

Note: existing provisions have been sorted alphabetically, and all subsequent addition inserted alphabetically as well (for ease of interpretation and searching)

The provisions of this section apply in all zones except as may be indicated otherwise.

### 4.1 ACCESSORY USES

Accessory uses, buildings or structures, are permitted in any yard, in any zone, subject to the provisions of this By-law for the particular zone in which said building, structure, or use is located, and provided that accessory building, structure or use:

- 4.1.1 shall not be used for human habitation, except where a residential use is a specifically permitted accessory use;
- 4.1.2 shall not be built closer to the side lot line and shall comply with the applicable zoning provisions in the particular zone;
- 4.1.3 shall not be located in the front yard or the exterior side yard, in the case of a corner lot;
- 4.1.4 shall not be considered as an accessory building or structure if attached to the main building in any way;
- 4.1.5 shall not be considered an accessory building or structure if located completely underground.

### 4.2 ADDITIONAL UNIT (ATTACHED)

An additional unit (attached) shall be allowed in the following zones: Residential, Village Centre, Corridor Mixed Use, Rural Residential, and Rural Zones, and subject to the following requirements:

- 4.2.1 Shall only be permitted on lots with no additional unit (detached);
- 4.2.2 One (1) additional unit (attached) shall be permitted per dwelling unit in a single detached dwelling, semi-detached dwelling, duplex dwelling;
- 4.2.3 A direct entrance to an additional unit (attached) from the outside shall be provided from a rear yard or side yard only;



4.2.4 Shall demonstrate that existing private sewage system and potable water supply can support an additional unit (attached), and shall use the existing private sewage system and potable water supply; and

4.2.5 Shall meet all requirements set out in the permitted zones.

### 4.3 ADDITIONAL UNIT (DETACHED)

An additional suite (detached) shall be allowed in the following zones: Residential, Village Centre, Corridor Mixed Use, Rural Residential and Rural Zones, and subject to the following requirements:

4.3.1 Shall only be permitted on lots with no existing additional unit (attached);

4.3.2 Up to one (1) additional unit (detached) shall be permitted on a lot with an existing single detached dwelling, semi-detached dwelling, or duplex dwelling;

4.3.3 Shall not be severed from the lot containing the single detached dwelling, semi-detached dwelling, or duplex dwelling;

4.3.4 Shall be located within an existing accessory building that is not used as a dwelling unit already, such as, but not limited to, a garage.

4.3.5 The gross floor area of an additional suite (detached) shall not exceed 40 percent or 50.0 square metres (whichever is greater) of the gross floor area of the main dwelling unit on the same lot;

4.3.6 An additional suite (detached) shall not be located in the front yard or exterior side yard;

4.3.7 Shall demonstrate that existing private sewage system and potable water supply can support an additional suite (detached), and shall use the existing private sewage system and potable water supply; and

4.3.8 Shall meet all requirements set out in the permitted zones.





#### 4.4 AGRICULTURE-RELATED USE

Agriculture-related uses to main farming operations shall be permitted in the Rural Zone, and may be permitted subject to the following criteria:

- 4.4.1 The agriculture-related use shall not be permitted in protected natural heritage features or hazard lands or former industrial, commercial or institutional use without a Record of Site Condition indicated safe soil or other constraints identified in Official Plan Schedule B, except for expansions to existing buildings and structures where it is demonstrated, through site plan control, that there is no alternative, the expansion into the feature is minimized and is directed away from the feature to the maximum extent possible and the impact is minimized and mitigated to the maximum extent possible.
- 4.4.2 The maximum lot coverage for an agriculture-related use shall not exceed 30 percent of the total lot area of the subject lands.
- 4.4.3 The majority of the product processed, preserved, packaged and/or stored shall be from the farm operation on the subject lands, including crops used to produce wines, beers, spirits, or similar products.
- 4.4.4 If a value-retaining use provides support to surrounding farm operations within a reasonable distance of the subject lands, it shall be considered an agriculture-related use.
- 4.4.5 An agriculture-related use may be subject to the Province of Ontario's Minimum Distance Separation (MDS) Guidelines for compatibility between livestock facilities and sensitive land-uses.
- 4.4.6 The agriculture-related use shall be accessory to the main farm operation on the subject lands.
- 4.4.7 Prior to an agriculture-related use being established on a property, site plan control may be applicable to mitigate the impacts of items such as, but not limited to, traffic, parking, emissions, noise, water and waste water usage, stormwater management, relevant environmental approvals, landscaping, buffering, size and scale in relation to the applicable requirements of this By-law. The need for site plan control will be established during a pre-application meeting with the Township.

#### 4.5 AMENITY SPACE REQUIREMENTS

The provisions below shall apply to all apartment dwellings and cluster or stacked townhouses permitted in any zones.

- 4.5.1 The following standards shall apply to an apartment dwelling:



- 4.5.1.1 An amount not less than 10.0 square metres per dwelling unit, up to 20 dwelling units. For each additional dwelling unit, not less than 6.0 square metres of common amenity space shall be provided.
- 4.5.1.2 For outdoor common amenity space, the following standards shall apply:
  - 4.5.1.2.1 be available to all residents of the apartment dwelling;
  - 4.5.1.2.2 have no dimension less than 6.0 metres and no slope greater than five (5) percent;
  - 4.5.1.2.3 be designed and located so that the length does not exceed four (4) times the width;
  - 4.5.1.2.4 be located in any yard other than the required front yard or required exterior side yard; and
  - 4.5.1.2.5 Landscaped open space areas, apartment dwelling roof tops, patios, and above ground decks may be included as part of the outdoor common amenity space if recreational facilities are provided and maintained (e.g. swimming pools, tennis courts, lounges, and landscaped areas).
- 4.5.1.3 For indoor common amenity space, the following standards shall apply:
  - 4.5.1.3.1 be available to all residents of the apartment building;
  - 4.5.1.3.2 have no dimension less than 6.0 metres; and
  - 4.5.1.3.3 be designed and located so that the length does not exceed four (4) times the width.
- 4.5.2 The following standards shall apply to cluster and stacked townhouse dwelling:
  - 4.5.2.1 For common amenity space, a minimum of 6.0 square metres shall be provided per dwelling unit, and this space shall:
    - 4.5.2.1.1 be available to all residents of the cluster or stacked townhouse dwelling;
    - 4.5.2.1.2 have no dimension less than 6.0 metres and no slope greater than five (5) percent; and
    - 4.5.2.1.3 be designed and located so that the length does not exceed four (4) times the width.



- 4.5.2.2 For private amenity space, a minimum of 20.0 square metres shall be provided per dwelling unit and this space shall:
- 4.5.2.2.1 Be located at least 10.5 metres of a wall in another dwelling unit containing windows of a dwelling unit which face the private amenity space;
  - 4.5.2.2.2 Be 6.0 metres minimum distance between the private amenity space of two separate dwellings where one private amenity space faces any part of the other private amenity space or 3.0 metres where the private amenity space are side by side and aligned parallel to each other. The minimum distance between a private amenity space and the wall of another dwelling shall be 6.0 metres;
  - 4.5.2.2.3 Have a minimum depth (from the wall of the dwelling unit) of 4.5 metres;
  - 4.5.2.2.4 Have a minimum width equal to the width of the unit when the layout of the unit permits. If the preceding cannot be accomplished, the minimum width of the private amenity space shall be 4.5 metres;
  - 4.5.2.2.5 Not form part of a required front or exterior side yard;
  - 4.5.2.2.6 Not face onto a public street;
  - 4.5.2.2.7 Be accessed through a doorway to a hall or from within the dwelling unit, other than a bedroom;
  - 4.5.2.2.8 Be separate and not include walkways, play areas, or any other communal area; and
  - 4.5.2.2.9 Be defined by a wall or fence.
  - 4.5.2.2.10 To be a minimum distance of 3.0 metres from a side or rear lot line.
  - 4.5.2.2.11 For both cluster and stacked townhouse dwellings, private amenity space shall be screened in a manner which prevents viewing into a part of it from any adjacent areas to a height of 1.8 metres. The extent of screening may be reduced if such screening would impair a beneficial outward and open orientation of view and there is not adverse effect on the privacy of the private amenity space.



4.5.2.2.12 Despite Section 4.5.2.2., for cluster and stacked townhouse dwellings above grade, each private amenity space shall:

4.5.2.2.12.1 have a minimum area of 10 square metres;

4.5.2.2.12.2 consist of a patio or terrace; and

4.5.2.2.12.3 be defined by a wall or railing between adjacent units to a height of 1.8 metres.

#### 4.6 AREAS OF NATURAL AND SCIENTIFIC INTEREST (ANSI) AND ARCHAEOLOGICAL SITES

No development shall occur on lands containing an ANSI, or significant Archaeological sites, or within 20 metres of the determined outer boundaries of such sites.

#### 4.7 AUTOMOBILE SERVICE STATION

Notwithstanding any other provisions of this By-law, where a lot is used for an automobile service station, the following regulations shall apply:

4.7.1 Minimum lot frontage: 30.0 metres;

4.7.2 Corner lot: 45.0 metres;

4.7.3 Minimum lot depth: 38.0 metres;

4.7.4 No portion of any pump island shall be located closer than 6.0 metres from a street line;

4.7.5 The minimum distance from the intersection of two street lines to the nearest ingress or egress shall not be less than 9.0 metres;

4.7.6 The maximum width of a curb ramp at the street line shall not be more than 7.0 metres;

4.7.7 The minimum distance between ramps shall not be less than 9.0 metres;



- 4.7.8 Notwithstanding any other provisions of this By-law where a lot is used for a fuel supply station the appropriate Provincial regulations shall apply.

## 4.8 BED AND BREAKFAST

A bed and breakfast is permitted in any zone which permits a single detached dwelling, a semi-detached dwelling or a duplex dwelling as a main use, in accordance with the following:

- 4.8.1 The operation of the bed and breakfast shall be incidental and accessory to the main use as a dwelling unit;
- 4.8.2 Operation of the bed and breakfast shall not change the character or the appearance of the dwelling;
- 4.8.3 Operation shall be by a person or persons whose principal residence is the dwelling unit containing the bed and breakfast;
- 4.8.4 The maximum length of stay for a guest shall not exceed ten consecutive days;
- 4.8.5 One parking space shall be provided for every two bedrooms used for the bed and breakfast, in addition to such parking as is necessary for the dwelling unit;
- 4.8.6 The operation of the bed and breakfast is not permitted in conjunction with rental of accommodation to roomers or boarders;
- 4.8.7 The number of bedrooms in the building shall be at least one greater than the number of bedrooms utilized for the bed and breakfast;
- 4.8.8 One non-illuminated identification sign, with a maximum size of 1.0 square metres is permitted.

## 4.9 BUFFER STRIPS

- 4.9.1 A buffer strip shall be used for no other purpose than for the erection of a fence or the planting of a continuous row of natural evergreens or natural shrubs, immediately adjacent to the lot line or portion thereof along which such buffer strip is required hereunder; the remainder of the strip shall be landscaped and planted with ornamental shrubs, flowering shrubs, flower beds or a combination thereof.
- 4.9.2 Where a buffer strip is required in any zone, it shall be of a minimum width as specified in the regulations for that zone.



- 4.9.3 A buffer strip shall be located within the zone for which it is required.
- 4.9.4 A buffer strip may form part of any required landscaped area, but shall be provided in addition to any required yard.

#### 4.10 CAMPGROUNDS

Where permitted by this By-law, campgrounds shall be in accordance with the following provisions:

- 4.10.1 Unless otherwise specified herein, every building, structure, trailer or designated camping area shall comply with the minimum yard requirements of the applicable zone;
- 4.10.2 Every individual camp site shall have:
  - 4.10.2.1 A minimum width of 9.0 metres and a minimum area of 185.0 square metres; and
  - 4.10.2.2 Have a minimum of one parking space located on the lot.
- 4.10.3 Accessory commercial uses, including accessory retail uses, a laundromat, as well as required parking, shall not exceed 1,000 square metres;
- 4.10.4 A minimum of five (5) percent of the lot area shall be used for outdoor recreation facilities;
- 4.10.5 Designated camping area shall have access by a lane, road, or driveway having a minimum unobstructed width as follows:
- 4.10.6 Where two-way traffic is permitted – 7.5 metres; and
- 4.10.7 Where one-way traffic is permitted – 3.5 metres.
- 4.10.8 Recreational vehicles shall not be occupied on an overnight basis between October 31st and April 1st in any year;
- 4.10.9 Campgrounds shall be subject to Site Plan Control and enter into a site plan agreement with the Township where deemed necessary by the Municipality. Lot development consisting of the construction of decks and patios or trailer replacement, shall not be subject to Site Plan Control;
- 4.10.10 May include seasonal storage of unlimited number of RVs; Subject to setbacks in appropriate zone;



- 4.10.11 Campgrounds and tent and trailer parks shall meet the requirements of any by-law and amendments thereto passed by the Township in accordance with the provisions of the Municipal Act and where there is a conflict between any such by-law and this by-law, the by-law having the more stringent provisions shall apply.

#### 4.11 CANNABIS PRODUCTION FACILITY

A cannabis production facility shall be allowed in the Heavy Industrial Zone, and shall comply with all zone provisions of the Heavy Industrial zone, and subject to the additional:

- 4.11.1 Minimum setback for all structures associated with a cannabis production facility is 30.0 metres from all property lines;
- 4.11.2 A building or structure used for security purposes for a cannabis production facility may be located in the front yard and does not have to comply with the required minimum front yard setback;
- 4.11.3 Loading spaces for a cannabis production facility must be in a wholly enclosed building;
- 4.11.4 All uses and activities associated with the cannabis production facility, with the exception of growing, must take place entirely within a building.

#### 4.12 COMMERCIAL ACCESSORY USES

Notwithstanding any other provisions of this By-law, where a commercial use is permitted as an accessory use in an Industrial Zone, it shall be located within the main building or within 2.0 metres of the main building, shall not exceed 50 percent of the gross floor area of the main building and shall not exceed a maximum gross floor area of 278.0 square metres.

#### 4.13 COMMUNITY GARDEN

A community garden is permitted in all zones, except the Environmental Protection Zone and Hazard Land Zone, subject to the following regulation:

- 4.13.1 On a lot previously used for industrial, commercial or institutional uses without a Record of Site Condition indicating clean soil, raised beds with soil from an uncontaminated source must be used to grow fruits and vegetables, unless it has been demonstrated that the ground soil on the lot is suitable for growing fruits and vegetables intended for human consumption.



#### 4.14 CORNER LOT SIGHT RESTRICTIONS

Notwithstanding any other provisions of this By-law, and except in a Commercial Zone on a corner lot, within the triangular space included between the streetlines for a distance of 6.0 metres from the point of intersection, no building or structure, including a fence or sign, shall be erected and no shrubs or foliage shall be planted or maintained which obstruct the view of a driver of a vehicle approaching the intersection. No parked motor vehicle or recreational vehicle shall impede the view of oncoming motor vehicle and/or pedestrian traffic.

#### 4.15 DANGEROUS USES

No land, building or structure shall be used in the Township of Manitouwadge for the industrial manufacture or distribution of coal oil, rock oil, fuel oil, burning fluid gas, naphtha, benzene, gasoline, dynamite, dualene, nitroglycerine, gunpowder, petroleum products or other combustible or inflammable or liquid material which is likely to create danger to health, or danger from fire or explosion except as otherwise specifically provided for in this By-law.

#### 4.16 EXISTING LOTS

An existing vacant lot having less than the minimum frontage, depth or area required by this By-law may be developed for all uses in the appropriate zone provided all other regulations of this By-law are satisfied; and:

4.16.1 Such lots are serviced by public water supply and public sanitary sewer disposal facilities or alternatively meet the requirements of the authority having jurisdiction;

4.16.2 Such lots have a minimum frontage of 12 metres on a road or street.

#### 4.17 FENCE HEIGHT

(By-Law 89-75)

In any Residential Zone the maximum height of any fence shall be:

4.17.1 1.0 metre for fences located in the front yard, as defined in Section 2.197; and

4.17.2 2.0 metres for fences located in any other yard.

#### 4.18 HEIGHT

The height regulations shall not apply to any ornamental dome or roof feature, chimney, communications tower, storage silo, barn, cupola, steeple, church spire, water storage tank, elevator enclosure, flag pole, television or radio antennae.





## 4.19 HOME INDUSTRY

A home industry shall be permitted in the Residential Zone containing a permanent single detached, semi-detached, and duplex dwelling unit, Rural Residential Zone and Rural Zone, except in an accessory dwelling (attached or detached) and tiny dwelling, and provided that such use shall:

- 4.19.1 Contain no more than two non-resident employees, in addition to the residents of the dwelling unit, may be engaged in the business and working on the lot;
- 4.19.2 Any lot upon which a home industry is located shall be occupied as a residence by the operator of the business;
- 4.19.3 Any accessory building and any associated activity area used for the home industry shall be located no further than 30.0 metres from the detached dwelling on the same lot and no closer than 30.0 metres from any lot line;
- 4.19.4 The gross floor area dedicated to the home industry shall not exceed 200.0 square metres;
- 4.19.5 The driveway accessing the home industry is shared with the driveway that is utilized for the main use on the lot;
- 4.19.6 The use is clearly accessory to the main use on the same lot;
- 4.19.7 Only the sale of goods that are primarily manufactured, processed, fabricated, or produced on the premises is permitted;
- 4.19.8 Outdoor storage of goods or materials related to a home industry shall be permitted in a Rural Residential and Rural Zone only, in the rear yard and interior side yards only, provided that the area occupied by such outdoor storage of goods or materials does not exceed 50 percent of the gross floor area of the home industry;



- 4.19.9 A maximum of two of businesses may exist, provided the cumulative maximum gross floor area outlined in Section 4.19.4 and outdoor storage area outline in Section 4.19.8 is not exceeded;
- 4.19.10 Despite the number of businesses permitted, a maximum of only two non-resident employees shall be permitted on site;
- 4.19.11 Only currently licensed motor vehicles, associated with the home industry, are parked or stored on the lot and within an interior side or rear yard;
- 4.19.12 Any outdoor storage associated with the home industry shall be located within a fenced compound and screened from view in accordance with the requirements of this By-law;
- 4.19.13 Have no external display or advertisement other than one non-illuminated sign which is a maximum of 0.5 square metres;
- 4.19.14 Home industry uses shall not include the generation of or storage of hazardous waste, liquid industrial waste, or any severely toxic contaminant listed in Schedule 3 contaminants of Ontario Regulation 347 of the Environmental Protection Act and shall not generate sewage effluent in excess of 4,500 litres per day;
- 4.19.15 May be subject to licensing by the Township.

## 4.20 HOME OCCUPATION

A home occupation shall be permitted in a permanent residential dwelling, except in an apartment dwelling, accessory dwelling (attached or detached) and tiny dwelling in the Residential Zone, Rural Residential Zone, Rural Zone, and in accessory dwellings (attached) in the Village Centre Zone, and Corridor Mixed Use Zone, provided that such use shall:

- 4.20.1 Not change the character of the dwelling as a private residence or create or become a nuisance;
- 4.20.2 Have at Least one permanent resident of the dwelling unit engaged in the business;



- 4.20.3 Not have more than one employee in addition to the permanent resident engaged in the business;
- 4.20.4 Have no external display or advertisement, other than a non—illuminated sign which is a maximum of 0.2 square metres;
- 4.20.5 Have no external storage of materials, containers, finished products, equipment or associated trucks or commercial vehicles;
- 4.20.6 If used as a business office for an independent trucker, there shall not be any outdoor storage or parking of related trucks or commercial vehicles larger than one (1) ton is permitted;
- 4.20.7 Not have the home occupation occupy more than 25 percent of the gross floor area of the dwelling unit including in the gross floor area any basement area used as living quarters and any basement area used for home occupation or home profession;
- 4.20.8 Any gross floor area used for retail sales shall be no more than 10 percent of the gross floor area of the home occupation and shall generally include goods related the home occupation or manufactured as a part of the home occupation;
- 4.20.9 Not occupy more than 18.5 square metres of an accessory building;
- 4.20.10 Any number of businesses may exist, provided the cumulative maximum gross floor area outlined in Sections 4.20.6, 4.20.7, and 4.20.8 is not exceeded
- 4.20.11 Have any and all parts of a home occupation use on a lot confined to a dwelling unit on the lot;
- 4.20.12 Not exceed more than one home occupation per dwelling unit or lot;
- 4.20.13 Provide adequate off-street parking in accordance with the provisions of this By-law;
- 4.20.14 There shall be no expectation of conversion to future commercial zoning;
- 4.20.15 May be subject to licensing by the Township.

#### 4.21 LAND WITHOUT BUILDINGS

Where land is used for or in connection with any use but without any buildings or structures thereon, all yards required by the By-law on a lot in the respective use zone shall be provided and maintained as yards and the applicable regulations shall apply, except where the land or lot is used for gardening or open space purposes not prohibited by this By-law in such use zone.



## 4.22 LEGAL NON-CONFORMING

- 4.22.1. A use, building or structure that does not comply with this By-law, but which was legally created/erected/alterd in accordance with a by-law that was in effect in accordance with Section 34 of the Planning Act at the time of construction and/or alteration, may be replaced, repaired or renovated provided that the replacement, repair or renovation does not increase the height, size or volume, or change the use of such building or structure.
- 4.22.2. Similarly, a lot in existence prior to the effective date of this By-law, that does not meet the lot area and/or lot frontage requirements of the applicable zone, is permitted to be used and buildings and structures thereon be erected, enlarged, repaired or renovated, provided the use conforms with the By-law and the buildings or structures comply with all of the provisions of this By-law, including safe servicing of water and septic.
- 4.22.3. The provisions of this By-law shall not apply to prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of final passing of this By-law, providing such use has been continuous since that date.
- 4.22.4. Nothing in this By-law applies to prevent the erection or use for a purpose prohibited by the By-law of any building or structure for which a permit has been issued under the Building Code Act prior to the day of the passing of the By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under the Building Code.
- 4.22.5. Where, for any reason, the use of land, buildings and/or structures for a non-conforming use has ceased and is not resumed within a 3-year period of time, such non-conforming status and use shall not be resumed, and any future use of the land, buildings, and/or structures shall be in accordance with this By-law.
- 4.22.6. Where such a new use is undertaken, any deficiencies relating to existing buildings or structures shall be deemed to be non-conforming.
- 4.22.7. Enlargement of or extension of a non-conforming use, building or structure may be granted permission by the Committee of Adjustment or Council, provided the enlargement will comply with all of the provisions of this By-law, and be compatible (see Official Plan common compatibility criteria) with the surrounding community.



- 4.22.8. Where a non-conforming structure is damaged or destroyed by fire or by other causes that are beyond the control of the owner or occupant, such building shall not be repaired or rebuilt unless it conforms.

#### 4.23 LOADING SPACES

No person shall erect or use any building or structure in any Commercial or Industrial Zone which involves the movement of goods, merchandise or materials unless loading spaces are provided and maintained in accordance with the following provisions;

- 4.23.1 One loading space shall be provided for each 278.0 square metres or fraction thereof of the total gross floor area;
- 4.23.2 Loading spaces shall have dimensions not less than 3.0 metres by 7.5 metres;
- 4.23.3 Loading spaces shall not have less than 4.5 metres of vertical clearance.

#### 4.24 MINIMUM DISTANCE SEPARATION FOR LIVESTOCK FACILITIES

All development shall comply with the Minimum Distance Separation (MDS) I and II from livestock facilities as set out by the Government of Ontario.

#### 4.25 NO HABITABLE USE

- 4.25.1 No bus, railroad car, caboose, coach, streetcar, sea cans or automobile shall be used for human habitation whether or not the same is mounted on wheels or not.
- 4.25.2 Notwithstanding 4.25.1 above, sea cans may be used as a building material for a habitable dwelling subject to Ontario Building Code and the requirements of this By-law.

#### 4.26 OBNOXIOUS USES

- 4.26.1 Nothing in this By-law shall be construed to permit the use of land for the erection or use of a building or structure for any purpose that is or is likely to become a nuisance or offensive:
- 4.26.1.1 By the creation of noise or vibrations; or
- 4.26.1.2 By reason of the emission of gas, fumes, dust or objectionable odour;  
or



- 4.26.1.3 By reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter or other such material.

#### 4.27 OCCUPANCY OF PARTIALLY COMPLETED BUILDINGS

- 4.27.1 No new building, except in the case of an apartment building, shall be occupied before the main side walls and roof have been erected and the external siding and roofing have been completed and sanitary conveniences installed, and, where applicable, kitchen and heating facilities have been installed.
- 4.27.2 Any dwelling unit in an apartment building may be occupied provided that all of the above conditions are satisfied notwithstanding the fact that one or more of the dwelling units have not been completed.

#### 4.28 ON-FARM DIVERSIFIED USES

On-farm diversified uses accessory to the main farming operations shall be permitted in the Rural Zone, and may be permitted subject to the following criteria:

- 4.28.1 An on-farm diversified use shall only be permitted accessory to a farm operation on the same lot;
- 4.28.2 An on-farm diversified use shall maintain the character of the Rural Zone;
- 4.28.3 On-farm diversified use(s) shall not exceed a combined total of either 1.0 hectare or two (2) percent of the area of the lands on which the use is proposed, whichever is less;
- 4.28.4 The gross floor area of all buildings or structures used for an on-farm diversified use shall not exceed twenty (20) percent of the land area;
- 4.28.5 100 percent of the area needed for parking areas and outdoor storage for the on-farm diversified use shall be included in the area calculation;
- 4.28.6 Services required for the use proposed are provided on the same lot, to the satisfaction of the Municipality, and shall not have any negative impacts on neighboring and surrounding land uses;
- 4.28.7 On-farm diversified uses that include agri-tourism and farm experience activities shall be directly related to the main agricultural use;
- 4.28.8 The on-farm diversified use shall not be permitted in hazard land or natural heritage features or other constraints shown on Official Plan Schedule B except for expansions to existing buildings and structures where it is demonstrated that there is no alternative, the expansion into the feature is minimized and is



directed away from the feature to the maximum extent possible and the impact is minimized and mitigated to the maximum extent possible;

- 4.28.9 An agricultural event is considered an on-farm diversified use. Agricultural events that are beyond the scale of an on-farm diversified use shall only be permitted on a temporary basis through a temporary zoning by-law amendment;
- 4.28.10 An on-farm diversified use shall be subject to the Minimum Distance Separation (MDS) Guidelines, except where an on-farm diversified use does not generate a significant number of visitors and does not include agri-tourism or food services or provide accommodations on site;
- 4.28.11 Prior to an on-farm diversified use being established on a property, site plan control may be applicable to mitigate the impacts of items such as but not limited to traffic, parking, emissions, noise, water and waste water usage, relevant environmental approvals, landscaping, buffering, size and scale in relation to the applicable requirements of this By-law. The need for site plan control will be established during a pre-application meeting with the Municipality.

## 4.29 OUTDOOR STORAGE

The following outdoor storage provisions apply:

- 4.29.1 Outdoor storage is only permitted in zones where it is expressly permitted in this By-law.
- 4.29.2 Parked vehicles must be licenced, insured, and fully operational. Any vehicle that is not licenced, insured, and fully operational is considered outdoor storage for the purposes of this By-law.

## 4.30 PARKING SPACES

### 4.30.1 PARKING REQUIREMENTS

For every type of building listed below which is erected, altered, or enlarged in any zone after the passing of this By-law, offstreet parking shall be provided and maintained in accordance with the following provisions:

<u>Type of Use of Building</u>	<u>Minimum Parking Required</u>
Single detached dwellings, modular, double-wide or twin-wide modular, semi-detached dwellings, duplex dwelling, double duplex dwelling, triplex dwelling, fourplex dwelling,	One and one-quarter (1.25) parking spaces per dwelling unit rounded to the next highest whole number.



cluster or stacked townhouse dwelling, converted dwelling, tiny dwelling	
Apartment, cluster or stacked townhouse	One (1) parking space per unit. 0.20 visitor parking spaces per unit.
Additional unit (attached), additional unit (detached), garden suite.	One (1) parking space in addition to the parking required for the main dwelling.
Residential care home, long-term care home	50 percent of the number of dwelling units.
Emergency shelter	A minimum of five (5) parking spaces
Hospital	One (1) parking space for every two (2) beds.
Community facility, indoor recreation use, outdoor recreation use, restaurants, community centres, and other places of assembly (except where one or more of these uses are located in a shopping centre)	One (1) parking space for every three (3) persons to be accommodated according to in the design capacity of the building.
Minor institutional uses, major institutional uses	One (1) parking space per classroom, and one (1) parking space for each twenty (20) people of maximum design capacity of the main use.
Public services building, libraries	A minimum of ten (10) parking spaces or one (1) parking space per 28.0 square metres of gross floor space, whichever is greater.
Hotels, motels and taverns	One (1) parking space per rental unit, plus one additional parking space for each 9.0 square metres of gross floor area devoted to public uses such as restaurants, taverns and other eating places associated with hotel, motels and staff houses.





Boarding house, rooming house, lodging house, bed and breakfast, tourist resort, tourist commercial establishment	One (1) parking space for every one (1) room rented.
Campground	One (1) parking space per campsite, plus one (1) parking space per 25.0 square metres of retail gross floor area, plus 1 (one) parking spaces per employee
Industrial uses, indoor and outdoor self storage, warehouse	One (1) parking space for each 93.0 square metres of gross floor area or for each five (5) employees, whichever is greater.
Commercial uses, retail or service stores, bank, veterinary clinic, greenhouse, health centre, farmer's market	One (1) parking space per 25.0 square metres of retail gross floor area, except that no offstreet parking is required for this use in a Village Centre Zone.
Retail lumber and building supply outlet, garden centre, bulk sales establishment	One (1) space for every 28.0 square metres of retail gross floor space with a minimum of six (6) spaces.
Automobile sales and service station, equipment sales and service establishment	A minimum of five (5) spaces plus one (1) space for every employee working on the premises during the peak business period.
Shopping centre	One (1) offstreet parking space per 25.0 square metres of rentable gross floor area (except that no offstreet parking shall be required for theatres or cinemas in a shopping centre).
Offices	One (1) parking area per 28.0 square metres of gross floor area.
Home occupation, home industry, home day care	One (1) offstreet parking space for each 28.0 square metres of gross floor area devoted to said use in



	addition to the parking required for the dwelling.
Park, public or private, market garden	A minimum of five (5) parking spaces
Community garden	No minimum parking spaces
Uses Permitted by this By-law (other than those listed above)	One (1) parking space for every 28.0 square metres of gross floor area.

#### 4.30.2 PARKING AREA STANDARDS

Where in this By-law parking areas are required or permitted:

- 4.30.2.1 Each parking space shall be 3.0 metres by 6.0 metres and shall be provided with unobstructed access to a street by a driveway, aisle or lane;
- 4.30.2.2 Adequate drainage facilities shall be provided and maintained in accordance with the requirements of the Municipality;
- 4.30.2.3 The parking area and approaches shall be surfaced with concrete, asphalt, crushed stone, gravel, or a combination thereof with a stable surface treated to prevent the raising of dust or loose particles;
- 4.30.2.4 The lights used for illumination of parking areas shall be so arranged as to divert the light away from adjacent lots;
- 4.30.2.5 Parking areas shall be within 90.0 metres of the location which it is intended to serve and shall be situated in the same zone;
- 4.30.2.6 A strip of land not less than 3.0 metres wide lying within the lot in which the parking area is located and along all boundaries of said area shall be used for landscaping, excluding those areas used as entrance and exits.

#### 4.30.3 ACCESSIBLE PARKING REGULATIONS

- 4.30.3.1 Accessible parking spaces for non-residential uses shall be provided in compliance with Table 4.30.3 - Accessible Parking Regulations;
- 4.30.3.2 Accessible parking spaces for residential uses shall only apply to the total number of visitor parking spaces required and shall be provided in compliance with Table 4.30.3 - Accessible Parking Regulations;

Table 4.30.3 – Accessible parking regulations



	Column A	Column B	Column C
Line 1	Total number of required non-residential parking spaces	Total number of required visitor parking spaces	Minimum number of required accessible parking spaces <sup>(1)</sup>
Line 2	1-12	1-12	1
Line 3	13-100	13-100	4 percent of total
Line 4	101-200	101-200	1 space plus 3 percent of total
Line 5	201-1000	201-1000	2.0 spaces plus 2% of the total
Line 6	1001 and greater	1001 and greater	11.0 spaces plus 1% of the total

<sup>(1)</sup> Where a shared parking arrangement is used for the calculation of required visitor/non-residential parking, the required accessible parking space requirement will be calculated on either the visitor component or non-residential component.

4.30.3.3 With an accessible parking space being not less than a minimum width of 3.4 metres by 6.0 metres;

4.30.3.4 Where a minimum aisleway of 1.5 metres abuts adjacent to such space on the full length of one side;

4.30.3.5 Where the maximum distance from a barrier free space to a building entrance is not more than 45.0 metres;

4.30.3.6 Where such barrier free spaces are identified and/or marked in accordance with applicable law.

#### 4.30.4 BICYCLE PARKING REGULATIONS

4.30.4.1 The following bicycle parking regulations shall apply to residential uses with 3 or more dwelling units in the main building within any zone constructed after the effective date of this By-law:

4.30.4.1.1 Where a building contains twenty (20) dwelling units or less, a minimum of 0.6 bicycle parking spaces shall be provided for each dwelling unit; and,

4.30.4.1.2 Where a building contains more than twenty (20) dwelling units, a minimum of 0.6 bicycle parking spaces



shall be required per dwelling unit, and a minimum of 50 percent of the required bicycle parking spaces shall be weather protected.

- 4.30.4.2 Within the Village Centre and Corridor Mixed Use zones, bicycle parking spaces shall be provided at a minimum rate of 40 percent of the required vehicle parking spaces for non-residential uses, plus any bicycle parking spaces required for applicable residential dwelling units. Where a non-residential use is not required to provide additional vehicle parking, no bicycle parking spaces shall be required.

#### 4.31 PERMITTED ENCROACHMENTS IN YARDS

Every part of any yard required by this By-law shall be open and unobstructed by any structure, other than a fence, from the ground to the sky, provided however that those structures listed in the following table shall be permitted to project into the yards indicated for the distances specified:

<b><u>Structure</u></b>	<b><u>Yard in which Projection is permitted</u></b>	<b><u>Maximum Projection from Main Wall permitted</u></b>
Sills, belt courses, cornices, eaves, gutters, chimneys or pilasters	Any yard	0.5 metre
Fire escapes and exterior staircases	Rear yard only	1.5 metres
Window bays	Front and rear yards only	1.0 metre
Balconies	Front and rear yards only for single detached, semi-detached and duplex dwellings; any yard for apartment buildings	2.0 metres
Open, roofed porches not exceeding one storey in height; covered terraces	Front yard and rear yards	2.5 metres, including eaves and cornices



#### 4.32 PERMITTED PUBLIC USES

Notwithstanding anything else in this By-law, the provisions of this By-law shall not apply to the use of any land or to the erection or use of any building or structure for the purpose of public service by the Province of Ontario, the Corporation of the Township of Manitouwadge, Ontario Hydro, utility companies, or by any local board thereof as defined by the Municipal Affairs Act, provided that:

- 4.32.1 The lot coverage, setback and yard requirements prescribed for the zone in which such land, building or structure is located are complied with, except electric power facilities (such as poles, towers, lines and similar elements);
- 4.32.2 No goods, material, or equipment are stored in the open in a residential zone, or within 60.0 metres of a residential zone;
- 4.32.3 Any building erected in a residential zone under the authority of this paragraph is designed and maintained in general harmony with residential buildings of the type permitted in the said residential zone;
- 4.32.4 Any parking and loading regulations are complied with.

#### 4.33 PORTABLE ASPHALT AND/OR CONCRETE PLANT

A portable asphalt and/or concrete plant, used by a public roads authority or their agent shall be permitted throughout the Municipality, except within 200.0 metres of a residence or an environmentally sensitive area or sensitive use during the period of a particular project, after which such plant shall be removed and the site rehabilitated.

#### 4.34 PROHIBITED USES

It shall be prohibited to use any land or to erect and use any building or other structure in any zone for the purposes of wrecking yards, automobile storage yards, a waste disposal site or processing facility, a pit or quarry, the collection or rags, junk, refuse, or scrap metals unless such uses are specifically listed as permitted uses within that particular zone.

#### 4.35 RECREATIONAL VEHICLE (RV)

Notwithstanding campgrounds (Section 4.10), outdoor storage (Section 4.29) and temporary dwelling (Section 4.48) establishments, no RV shall be used or stored except in accordance with the following requirements and standards:



- 4.35.1 No person shall, except where specifically permitted by this By-law, use any RV for the purpose of providing temporary or permanent living or eating accommodation.
- 4.35.2 The parking or storage of recreational vehicles shall not be permitted in any yard other than an interior side yard or a rear yard or in a garage, carport, or other building and such storage shall not be permitted closer than 1.5 metres of an interior side lot line or rear lot line.
- 4.35.3 No storage or parking of recreational vehicles shall be permitted on any vacant lot in a Residential Zone or Remote Cottage Zone except where such vehicles are located on the rear half of the lot and the lot is owned by the owner of the adjacent lot. One vehicle is permitted; and shall be stored for personal use only and shall not be stored for a fee. Two are permitted in the Rural zone and Remote Cottage Zone; and unlimited in an Industrial zone.
- 4.35.4 Sewage must be disposed of in accordance with applicable laws.
- 4.35.5 RVs may be parked in public parking lots, as per Township of Manitouwadge Parking By-Law.

#### 4.36 REDUCTION OF A LOT AREA

- 4.36.1 No lot shall be reduced in area so that any use, building, or structure located on such lot shall have a lot coverage or gross floor area that exceeds, or yards that are less than that permitted in the zone in which the lands are located.
- 4.36.2 Notwithstanding 4.36.1 above, a public roads authority may acquire lands for road purposes, and if the result is the creation or the furthering of an existing discrepancy, such discrepancy shall be deemed to be legally non-conforming.
- 4.36.3 Proposed lots smaller than 1.0 hectares shall require site specific approval based on proof of servicing from Thunder Bay District Health Unit and/or a supporting hydrogeological report showing capacity for safe servicing and drinking water meets Ontario Drinking Water. Lots must also have sufficient space to accommodate the main use and related accessory uses, including on-site parking and vehicular movement, loading, landscaping, and amenity space, as well as established yard requirements.



#### 4.37 REGULATIONS FOR ROADS AND HIGHWAYS

- 4.37.1 Notwithstanding any other provisions of this By-law, a building or structure in any zone on a public road allowance which is less than 20.0 metres wide, shall be set back 10.0 metres plus the required minimum front yard for that zone measured from the centreline of the road allowance.
- 4.37.2 For lands abutting a Provincial Highway, any and all outdoor storage shall be screened or sheltered by planting or a privacy fence, being not less than 1.8 metres in height.
- 4.37.3 Direct access to Provincial Highways shall be restricted. Where access is possible, only properties that comply with Ministry of Transportation access management practices and principles shall be considered.

#### 4.38 RENEWABLE ENERGY SYSTEM, LARGE

Renewable energy system, large, is permitted in the Rural Residential, Rural Zone, Light and Heavy Industrial Zones and Waste Disposal Zone, subject to the following criteria:

- 4.38.1 Subject to Site Plan Control.
- 4.38.2 All commercial renewable energy systems shall comply with applicable Ontario Building Code regulations and other applicable provincial and federal regulations.

#### 4.39 RENEWABLE ENERGY SYSTEM, INDIVIDUAL

Renewable energy systems, individual, (wind turbine of three kilowatts or less and solar facilities of ten kilowatts or less), and/or individual use geo-thermal energy systems, are permitted in all zones, subject to the following criteria:

- 4.39.1 Solar or wind be attached to a main or accessory building;
- 4.39.2 Solar or wind not extend beyond the ridgeline of the;
- 4.39.3 Solar or wind not extend beyond the outermost edge of the roof;
- 4.39.4 Approvals for wind turbines shall also be in accordance with the Provincial Technical Guideline for Renewal Energy Approvals, Chapter 3: Required Setbacks for Wind Turbines;
- 4.39.5 All renewable energy systems, individual, shall comply with applicable Ontario Building Code regulations and other applicable provincial and federal regulations.



#### 4.40 SEA CAN

- 4.40.1 A sea can shall be permitted in the Light and Heavy Industrial zones and Waste Disposal Zone, and, along with the requirements set out in the zones, are subject to the following requirements:
- 4.40.1.1 The maximum number of sea cans located on a lot shall not exceed one (1),
- 4.40.1.2 The sea can shall:
- 4.40.1.2.1 Comply with the zone provisions for an accessory building in the applicable zone;
- 4.40.1.2.2 Used for storage purposes considered accessory to the main use on the lot;
- 4.40.1.2.3 Be subject to any requirements of the Ontario Building Code;
- 4.40.1.2.4 Require a visual buffer strip.
- 4.40.2 Where a sea can is used as a construction material for a residential dwelling or accessory building, it will be subject to the Ontario Building Code and shall comply with this By-law. This use shall not be permitted in zones where residential dwellings (as a main use or accessory use) are not listed as permitted.

#### 4.41 SERVICES REQUIRED

No person shall erect or use any building or structure unless the requirements of the Thunder Bay District Health Unit or the Ministry of Environment, Conservation and Parks are met for the supply of potable water and the collection and treatment of sanitary sewage and other wastes.

#### 4.42 SETBACKS

- 4.42.1 Unless otherwise specified in this By-law, all permanent buildings and/or structures and excavations shall have a setback determined by the process set out in the Official Plan using Schedule B Development Constraints.
- 4.42.2 Notwithstanding a), all permanent buildings and/or structures and excavations shall have the following setbacks of the determined outer boundaries of such sites:

<b>Archaeological features</b>	<b>20.0 metres</b>
Class 1 Industrial Facility	20.0. metres





Class 2 Industrial Facility	70.0 metres
Class 3 Industrial Facility	300.0 metres
Mine Hazard	1,000.0 metres
Pipeline	7.0 metres
Railway	120.0 metres except where an earth berm, whereupon reduced to not less than 30 metres

#### 4.43 SPECIAL USES PERMITTED

Nothing in this By-law shall prevent the use of land or the use or erection of a building or structure for:

- 4.43.1 A scaffold or other temporary building or structure incidental to construction in progress on premises for which a building permit has been granted, until such time as the work has been finished or abandoned;
- 4.43.2 A sign having an area of not more than 4.7 square metres incidental to construction in progress on premises for which a building permit has been granted, until such time as the work has been finished or abandoned;
- 4.43.3 A street sign or street light or yard light;
- 4.43.4 A municipal parking meter;
- 4.43.5 An authorized traffic sign or signal; or
- 4.43.6 A public election list or other proclamation by governmental authority.

#### 4.44 STANDARDS FOR LOADING SPACES

Where in this By-law, loading spaces are required or permitted, the following standards shall apply;

- 4.44.1 Adequate driveway space to permit the safe maneuvering, loading and unloading of vehicles on the lot such that they do not cause an obstruction or a hazardous condition on adjacent streets or sidewalks;
- 4.44.2 Adequate drainage facilities in accordance with requirements of the Township;
- 4.44.3 Surfacing of loading spaces and approaches shall be surfaced in accordance with the requirements of the Municipality;



- 4.44.4 Illumination of loading spaces shall be so arranged as to be diverted away from any adjacent Residential, Rural Residential, Village Centre, Corridor Mixed Use, Parks and Recreation, and Waterfront Zone, or the sky;
- 4.44.5 Location of loading spaces to be restricted to the rear yard where a lot has access at both the front and rear to a street or road.

#### 4.45 STREET FRONTAGE REQUIRED

- 4.45.1 No person shall erect any building or structure unless the lot upon which such building or structure is to be erected, except as otherwise specifically permitted in this By-law, has lot frontage upon a street which has been assumed by the Municipality, the Province of Ontario or some other road authority and is maintained by such authority in such a manner so as to permit its use by vehicular traffic.
- 4.45.2 Notwithstanding 4.45.1 above, a building or structure may be erected upon a lot within a registered plan of subdivision in accordance with the provisions of a subdivision agreement in respect of such plan of subdivision notwithstanding that the streets within such plan of subdivision have not been assumed and are not being maintained by the Municipality.
- 4.45.3 Notwithstanding 4.45.1 above, tourism related development and resource related development may be erected and used on land where public road frontage is not available and access is provided by documented arrangements respecting Crown land, water access, and/or legal private access easements or right of way.

#### 4.46 STRUCTURES IN WATER

No person shall erect, alter or use any structure located in a navigable water course except in compliance with applicable Provincial and Federal regulations.

#### 4.47 TEMPORARY CONSTRUCTION USES

The temporary use of buildings and structures incidental and necessary for lawful construction work will be permitted in all zones, but only for so long as the same are necessary for construction work.

#### 4.48 TEMPORARY DWELLING

Notwithstanding Section 4.54 “uses prohibited in all zones” of this by-law, a temporary dwelling is permitted as follows:



- 4.48.1 The use of a recreational vehicle as a main place of residence on a vacant parcel of land while the main dwelling is being constructed with an upscale time limit of one (1) year. Any time limit beyond one (1) year would require a temporary use by-law. The use of a recreational vehicle as a temporary main residence may be subject to licensing.
- 4.48.2 The use of a recreational vehicle as a main place of residence on a parcel of land containing a main dwelling and where said main dwelling is being demolished and replaced with a new main dwelling. The permission for the recreational vehicle residency is limited to a maximum of one (1) year. Any time limit beyond one (1) year would require a temporary use by-law. The use of a recreational vehicle as a temporary main residence may be subject to licensing.
- 4.48.3 The use of an existing main dwelling where said dwelling is to be demolished and replaced with a new main dwelling. Occupancy of the existing main dwelling is permitted during the construction of the new main dwelling on the same lot with an upscale time limit of one year or when the new dwelling is occupied, whichever is less.

#### 4.49 TINY DWELLING

Tiny dwellings are subject to the following requirements:

- 4.49.1 Shall be placed on a foundation with solid skirting finished in like material as the house exterior;
- 4.49.2 Shall conform to Ontario Building Code; and
- 4.49.3 Shall be serviced by an approved private sewage system and potable water supply.

#### 4.50 TOLERANCE

Any provision of this By-law that is followed by the words "metres" "square metres" or "hectares" shall be deemed to have a tolerance of plus or minus 3.0 centimetres in the case of a linear measurement; 0.1 square metres in the case of an area expressed in square metres; and 0.1 hectares in the case of any area expressed in hectares, unless specified otherwise in this By-law.



#### 4.51 TRUCK, BUS AND COACH BODIES OR TRAILERS OR TENTS USED FOR HUMAN HABITATION

- 4.51.1 Except as expressly permitted by this By-law, no truck, bus, railroad car, caboose, coach or streetcar body shall be used for human habitation whether the same is mounted on wheels or not.
- 4.51.2 Except as expressly permitted by this By-Law, the use of tents and trailers for human habitation is prohibited provided, however, that this provision shall not prevent the use of tents or trailers for children's play or for picnics or for the occasional accommodation (not exceeding two (2) weeks) of guests in any residential zone.

#### 4.52 USES PER LOT

On any property, there shall be one main permitted use per lot, unless otherwise specified in that zone. Accessory uses are permitted in accordance with the regulations of each zone.

#### 4.53 USES PERMITTED IN ALL ZONES, EXCEPT EP AND HL

The following uses may be permitted in any zone, except the EP and HL Zones, subject to applicable setbacks in Section 4.42 of this By-law:

- 4.53.1 Works related to a watercourse management and conservation program, conditional upon required permits from the Province;
- 4.53.2 Street, traffic signs and traffic signals;
- 4.53.3 Public emergency service facility;
- 4.53.4 Public utility installations;
- 4.53.5 Water or sewage treatment plant including any accessory public utility yard;
- 4.53.6 Gas, oil or water pipeline, powerline, telecommunications infrastructure, environmental monitoring, or any similar utility service line including any substation, transformer or similar utility service building or structure associated therewith, excluding any public utility yard;
- 4.53.7 Railway line excluding any accessory station, depot or yard;
- 4.53.8 Park, private or public subject to the provisions within applicable zone;



- 4.53.9 Signs and billboards except within a Residential zone and in accordance with the Municipality's Sign By-law;
- 4.53.10 Buildings, structures and uses accessory to any permitted use subject to the provisions within applicable zone;
- 4.53.11 Public washrooms and change houses for bathers;
- 4.53.12 Swimming pools and hot tubs accessory to any permitted main use;
- 4.53.13 Construction camp, work camp, tool shed, scaffold or other buildings and structures accessory to and necessary for construction work on a premises, but only until such construction work is completed or abandoned. For the purpose of this subsection, failure to proceed expeditiously with the construction work shall constitute abandonment of such work;
- 4.53.14 Any building or structure accessory to exploration, drilling or pumping of petroleum or natural gas, but only until the work is completed or abandoned. For the purpose of this subsection, failure to proceed expeditiously with any work shall constitute abandonment of such work;
- 4.53.15 Special event sales ancillary to a community centre, minor institutional use, or park or retail sales accessory to permitted uses within buildings owned or controlled by the Township or Province or agencies thereof;
- 4.53.16 Aids to navigation;
- 4.53.17 Shoreline structures;
- 4.53.18 Canada Post mail boxes; and
- 4.53.19 Stormwater management facilities.

#### 4.54 USES PROHIBITED IN ALL ZONES

Unless specifically permitted in a zone, no land shall be used for the following:

- 4.54.1 Ammonia manufacture;
- 4.54.2 Commercial manufacturing of fertilizers from dead animals or from human or animal waste;
- 4.54.3 Industrial liquid waste disposal well;



- 4.54.4 Industrial waste landfill site;
- 4.54.5 Industrial waste lagoon;
- 4.54.6 Manufacture of explosives;
- 4.54.7 Manufacturing of a hazardous substance;
- 4.54.8 Sanitary landfill;
- 4.54.9 Stock yards;
- 4.54.10 Tannery;
- 4.54.11 The racing or any other similar competition involving vehicles whether sanctioned or unsanctioned unless authorized as a special event by a license issued pursuant to a By-law passed under the Municipal Act;
- 4.54.12 The use of any recreational vehicle as a main place of residence;
- 4.54.13 Thermal destructor;
- 4.54.14 Accessory use to any permitted use until the main use is established; and
- 4.54.15 Solidification process plant for industrial waste.

#### 4.55 YARD AND OPEN SPACE PROVISION FOR ALL ZONES

No part of a yard or other open space required abutting any building for the purpose of complying with the provisions of this By-law shall be included as part of a yard or other open space similarly required for another building.



## SECTION 5 – RESIDENTIAL ZONE (R) REGULATIONS

### 5.1 GENERAL PURPOSE

Within a Residential Zone (R), no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### 5.2 PERMITTED USES AS A MAIN USE

- 5.2.1 Single detached dwelling
- 5.2.2 Modular dwelling
- 5.2.3 Double-wide or twin-wide modular dwelling
- 5.2.4 Semi-detached dwelling
- 5.2.5 Duplex dwelling
- 5.2.6 Double duplex dwelling
- 5.2.7 Triplex dwelling
- 5.2.8 Fourplex dwelling
- 5.2.9 Cluster or stacked townhouse dwelling
- 5.2.10 Apartment dwelling with a maximum of three (3) storeys
- 5.2.11 Tiny dwelling
- 5.2.12 Residential care home or facility to a maximum of 12 residents not including staff
- 5.2.13 Park, public or private
- 5.2.14 Community garden
- 5.2.15 Market garden

### 5.3 PERMITTED ACCESSORY USES TO PERMITTED MAIN USE

- 5.3.1 Up to one (1) additional unit (detached) on the same lot as a single-detached dwelling, semi-detached dwelling or duplex dwelling
- 5.3.2 Up to one (1) additional unit (attached) in a single-detached dwelling, semi-detached dwelling or duplex dwelling
- 5.3.3 Garden suite on the same lot as a single-detached dwelling, semi-detached dwelling or duplex dwelling



- 5.3.4 Home-sharing
- 5.3.5 Bed and breakfast in a single detached dwelling containing one dwelling unit or in an additional unit (detached)
- 5.3.6 Home day care
- 5.3.7 Home occupation
- 5.3.8 Home industry in a single detached, semi-detached and duplex dwelling
- 5.3.9 Renewable energy system, individual
- 5.3.10 Community garden
- 5.3.11 Market garden
- 5.3.12 Recreational vehicle, in accordance with Subsection 5.6

## 5.4 ZONE REGULATIONS

- 5.4.1 Zone regulations for single detached, twin-wide or double-wide trailer, semi-detached dwelling and duplex dwelling

	Single detached dwelling, modular dwelling, double-wide or twin-wide modular dwelling, tiny dwelling, residential facility	Semi-detached dwelling unit	Duplex dwelling
<b>Minimum Lot Area (square metres)</b>	460.0	278.0	555.0
<b>Minimum Lot Frontage</b>	10.5 metres	10.5 metres	18.0 metres
<b>Maximum Lot Coverage</b>	40 percent		
<b>Maximum Height</b>	2 storeys or 10.0 metres		
<b>Minimum Front Yard</b>	7.5 metres		
<b>Minimum Side Yard</b>	<ul style="list-style-type: none"> <li>No one side yard shall be less than 1.0 metre and the aggregate of the two side yards shall not be less than 4.0 metres.</li> </ul>		





	<ul style="list-style-type: none"> <li>No side yard shall be required for a semi-detached dwelling along the common vertical wall separating one dwelling unit from an adjoining dwelling unit.</li> </ul>
<b>Minimum Read Yard</b>	9 metres
<b>Minimum Landscaped Area</b>	50 percent of minimum front yard
<b>Maximum Number of Main Uses</b>	One per lot

5.4.2 Zone regulations for triplex dwelling, fourplex dwelling, cluster or stacked townhouse dwelling, apartment building with a maximum of four (4) storeys.

	<b>Triplex dwelling unit, fourplex dwelling unit, cluster or stacked townhouse dwelling unit</b>	<b>Apartment building</b>	<b>Boarding house, rooming house</b>
<b>Minimum Lot Area (square metres)</b>	230.0	For the first 4 units: 230.0 square metres per dwelling unit  For each additional unit: 100.0 square metres	For the first 10 rooms capable of being occupied: 460.0 square metres  For each additional room thereafter: 46.0 square metres
<b>Minimum Lot Frontage</b>	30 metres		
<b>Maximum Lot Coverage</b>	50 percent		
<b>Maximum Height</b>	3 stories or 13.5 metres		
<b>Minimum Front Yard</b>	7.5 metres		



<b>Minimum Side Yard</b>	<ul style="list-style-type: none"> <li>No one side yard shall be less than 1.0 metre and the aggregate of the two side yards shall not be less than 4.0 metres.</li> <li>No side yard shall be required for a semi-detached dwelling along the common vertical wall separating one dwelling unit from an adjoining dwelling unit.</li> </ul>	
<b>Minimum Read Yard</b>	9.0 metres	
<b>Minimum Landscaped Area</b>	50 percent of minimum front yard	
<b>Amenity Requirements</b>	For Cluster/Stacked Townhouse and Apartment building, refer to Section 4.5	Nil
<b>Maximum Number of Main Uses</b>	One per lot	

5.4.3 Zone regulations for community garden, market garden, and park, public or private, as a main use.

	<b>Community garden, market garden, park, public or private</b>	
<b>Minimum Lot Area (square metres)</b>	460.0	
<b>Maximum Lot Coverage</b>	70 percent	
<b>Maximum Height</b>	See Subsection 5.4.4 for accessory building regulations	
<b>Minimum Front Yard</b>		
<b>Minimum Side Yard</b>		
<b>Minimum Read Yard</b>		
<b>Minimum Landscaped Area</b>	Nil	
<b>Maximum Number of Main Uses</b>	One per lot	



- 5.4.4 Zone regulations for accessory buildings not attached to the main use, including additional unit (detached), garden suite.

	Accessory buildings	Additional unit (detached), garden suite
<b>Maximum GFA of all Buildings and Roofed Structures</b>	100.0 square metres	40 percent of the GFA of the main building, or 50.0 square metres, whichever is greater
<b>Maximum Height</b>	5.0 metres	
<b>Minimum Front Yard</b>	1.5 metres greater than front yard setback of main building	
<b>Minimum Side Yard</b>	Interior side yard: 1.5 metres Exterior side yard: 3.0 metres	
<b>Minimum Read Yard</b>	0.6 metres	
<b>Minimum Separation Distance</b>	2.0 metres to a main building on same lot	

## 5.5 COMPATIBILITY

As a condition of approval for the development or redevelopment of any permitted main use listed in this section, the Township may require a person to demonstrate compatibility with neighbouring uses where deemed necessary by the Township. This may include a shadow study, drainage and grading plans, etc. Refer to Township of Manitouwadge Official Plan, Section 5.4 for compatibility guidelines.

## 5.6 RECREATIONAL VEHICLE

A maximum of one (1) recreational vehicle may be used for accessory, non-commercial, temporary human habitation provided that:

- 5.6.1 A detached dwelling exists on the property;
- 5.6.2 The recreational vehicle is in compliance with the setback provisions for an accessory building; and
- 5.6.3 Such recreational vehicle may be subject to licensing by the Township.



## 5.7 SITE-SPECIFIC PROVISIONS

### 5.7.1 Setback Requirements (By-Law No. 97.33, November 26, 1997)

Notwithstanding setback requirements contained in Section 5 – Residential Zone Regulations, the following provision shall apply for any building (dwelling or accessory building) which shall have been constructed prior to the date of the adoption of this By-Law Amendment on November 26, 1997.

#### 5.7.1.1 Lot 41 and Block B and part of Block C, Plan M-305 designated as Lots 1 to 53 as indicated on Draft Plan of Subdivision.

5.7.1.1.1 Minimum Front Yard Setback from Residence/Main Use Building: 4.57 metres

5.7.1.1.2 Minimum Side Yard Setback from Residence/Main Use Building: 0.49 metres plus an aggregate of 1.66 metres except in the case of Lot 14, which shall be 1.18 metres.

5.7.1.1.3 Minimum Side Yard Setback from Accessory Building: 0.30 metres except in the case of Lot 53, which shall be 0.00 metres.

5.7.1.1.4 Minimum Rear Yard Setback from Accessory Building: 0.35 metres

5.7.1.1.5 Minimum Frontage for Lots with two (2) semi-detached units located thereon: 18.29 metres.

#### 5.7.1.2 Part of Block C, Plan M-305, designated as Block 56, 57 and 58 on Draft Plan of Subdivision.

5.7.1.2.1 Minimum Front Yard Setback: 8.33 metres

5.7.1.2.2 Minimum Side Yard Setback: 4.54 metres

5.7.1.2.3 Minimum Rear Yard Setback: 19.0 metres



## SECTION 6 – REMOTE COTTAGE ZONE (RC) REGULATIONS

### 6.1 GENERAL PURPOSE

Within a Cottage Zone (RC), no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### 6.2 PERMITTED USES AS A MAIN USE

- 6.2.1 One single detached recreational dwelling built to permanent residential Ontario Building Code standards
- 6.2.2 One single detached recreational dwelling on one lot where the lot has waterfrontage only built to permanent residential Ontario Building Code standards
- 6.2.3 Tiny recreational dwelling
- 6.2.4 Tourist resort, subject to site plan control

### 6.3 PERMITTED ACCESSORY USES TO A PERMITTED MAIN USE

- 6.3.1 Up to one (1) additional unit (detached) on the same lot as a single-detached dwelling
- 6.3.2 Up to one (1) additional unit (attached) in a single-detached dwelling
- 6.3.3 Garden suite on the same lot as a single-detached dwelling
- 6.3.4 Retail or service store related to permitted tourist resort
- 6.3.5 Renewable energy system, individual
- 6.3.6 Renewable energy system, large
- 6.3.7 Community garden
- 6.3.8 Recreational vehicle, in accordance with Subsection 6.5



## 6.4 ZONE REGULATIONS

### 6.4.1 Zone regulations main use.

	<b>Main use</b>
<b>Minimum Lot Area</b>	1.0 hectare on waterfront 35.0 hectares inland
<b>Minimum Lot Frontage</b>	45.0 metres
<b>Maximum Lot Coverage</b>	15 percent
<b>Minimum Setback from Water</b>	30.0 metres
<b>Maximum Height</b>	7.5 metres
<b>Minimum Front Yard</b>	10.0 metres
<b>Minimum Side Yard</b>	<ul style="list-style-type: none"> <li>• In the case of water frontage only: 10.0 metres</li> <li>• All other: 7.5 metres</li> </ul>
<b>Minimum Rear Yard</b>	7.5 metres
<b>Minimum Landscaped Area</b>	50 percent of minimum front yard
<b>Maximum Number of Main Uses</b>	One per lot

### 6.4.2 Zone regulations for accessory dwelling not attached to the main use, including additional unit (detached), garden suite.

	<b>Accessory buildings</b>	<b>Additional unit (detached), garden suite</b>
<b>Maximum Coverage of all Buildings</b>	100.0 square metres	40 percent of the gross floor area of the main use, or 50.0 square metres, whichever is greater



<b>and Roofed Structures</b>		
<b>Minimum Setback from Water</b>	Shoreline structures: nil All other accessory buildings: 30.0 metres	30.0 metres
<b>Maximum Height</b>	5.0 metres	
<b>Minimum Front Yard</b>	1.5 metres greater than front yard setback of main building	
<b>Minimum Side Yard</b>	Interior side yard: 1.5 metres Exterior side yard: 3.0 metres	
<b>Minimum Rear Yard</b>	0.6 metres	1.5 metres
<b>Minimum Separation Distance</b>	2.0 metres to a main building on same lot	

## 6.5 RECREATIONAL VEHICLE

A maximum of one (1) recreational vehicle may be used for accessory, non-commercial, temporary human habitation provided that:

- 6.5.1 A detached dwelling exists on the property;
- 6.5.2 The recreational vehicle is in compliance with the setback provisions for an accessory building; and
- 6.5.3 Such recreational vehicle may be subject to licensing by the Township.



## SECTION 7 – RURAL RESIDENTIAL ZONE (RR) REGULATIONS

### 7.1 GENERAL PURPOSE

Within the Rural Residential Zone (RU) no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### 7.2 PERMITTED USES AS A MAIN USE

- 7.2.1 Single detached residential dwelling
- 7.2.2 Tourist resort, subject to site plan control
- 7.2.3 Campground, subject to site plan control
- 7.2.4 Boarding house, rooming house, lodging house, subject to site plan control
- 7.2.5 Conservation
- 7.2.6 Park, private or public
- 7.2.7 Community garden
- 7.2.8 Tiny dwelling – with approved water and septic

### 7.3 PERMITTED ACCESSORY USES TO A PERMITTED MAIN USE

- 7.3.1 Retail or service store related to permitted campground, tourist resort, or boarding house, rooming house, lodging house, subject to site plan control
- 7.3.2 Greenhouse
- 7.3.3 Market garden
- 7.3.4 Garden Suite
- 7.3.5 Home occupation
- 7.3.6 Home industry
- 7.3.7 Home-sharing
- 7.3.8 Up to one (1) additional unit (attached)
- 7.3.9 Up to one (1) additional unit (detached)
- 7.3.10 Bed and breakfast
- 7.3.11 Renewable energy system, individual
- 7.3.12 Renewable energy system, large





- 7.3.13 Kennel
- 7.3.14 Temporary bush camp for forestry staff
- 7.3.15 Temporary structures for wood cutting
- 7.3.16 Recreational vehicle, in accordance with Subsection 7.5

## 7.4 ZONE REGULATIONS

- 7.4.1 Zone regulations for permitted main uses.

	Permitted main uses
Minimum Lot Area	1.0 hectare
Minimum Lot Frontage	45.0 metres
Maximum Lot Coverage	15 percent
Maximum Height	10.0 metres
Minimum Setback from Water	30.0 metres
Minimum Front Yard	15.0 metres
Minimum Side Yard	15.0 metres
Minimum Rear Yard	15.0 metres
Minimum Landscaped Area	6.0 m wide strip along all lot lines abutting a street
Maximum Number of Main Uses	One main use per lot



#### 7.4.2 Zone regulations for accessory buildings not attached to the main use.

	Accessory building	Additional Unit (detached), garden suite
<b>Maximum Coverage of all Buildings and Roofed Structures</b>	200.0 square metres  Farming operation: 15 percent of lot area	40 percent of gross floor area of main building, or 50.0 square metres, whichever is greater
<b>Maximum Height</b>	Agricultural-related uses: no maximum  All other accessory buildings: 7.5 metres	7.5 metres
<b>Minimum Setback from Water</b>	Shoreline structures: nil  All other accessory buildings: 30.0 metres	30.0 metres
<b>Minimum Front Yard</b>	15.0 metres	
<b>Minimum Side Yard</b>	Interior: 1.5 metres  Exterior: 10.0 metres	
<b>Minimum Read Yard</b>	1.5 metres	
<b>Minimum Separation Distance</b>	2.0 metres	

## 7.5 RECREATIONAL VEHICLE

A maximum of two (2) recreational vehicle may be used for accessory, non-commercial, temporary human habitation provided that:

- 7.5.1 A detached dwelling exists on the property;
- 7.5.2 The recreational vehicle is in compliance with the setback provisions for an accessory building; and
- 7.5.3 Such recreational vehicle may be subject to licensing by the Township.



## SECTION 8 – RURAL ZONE (RU) REGULATIONS

### 8.1 GENERAL PURPOSE

Within the Rural Zone (RU) no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### 8.2 PERMITTED USES AS A MAIN USE

- 8.2.1 Single detached residential dwelling
- 8.2.2 Agricultural use
- 8.2.3 Farming operation
- 8.2.4 Cannabis production facility
- 8.2.5 Conservation
- 8.2.6 Farm, personal
- 8.2.7 Forestry use
- 8.2.8 Park, private or public
- 8.2.9 Campground
- 8.2.10 Community garden
- 8.2.11 Portable asphalt and/or concrete plant
- 8.2.12 Tiny dwelling – with approved water and septic
- 8.2.13 A wayside pit or quarry approved in accordance with the Official Plan requirements and site plan control, including, drilling and blasting

### 8.3 PERMITTED ACCESSORY USES TO A PERMITTED MAIN USE

- 8.3.1 Agriculture-related use
- 8.3.2 On-farm diversified use
- 8.3.3 Agri-tourism use
- 8.3.4 Greenhouse
- 8.3.5 Market garden
- 8.3.6 Garden Suite



- 8.3.7 Home occupation
- 8.3.8 Home industry
- 8.3.9 Home-sharing
- 8.3.10 Up to one (1) additional unit (attached)
- 8.3.11 Up to one (1) additional unit (detached)
- 8.3.12 Bed and breakfast
- 8.3.13 Renewable energy system, individual
- 8.3.14 Renewable energy system, large
- 8.3.15 Kennel
- 8.3.16 Temporary bush camp for forestry staff
- 8.3.17 Temporary structures for wood cutting
- 8.3.18 Recreational vehicle, in accordance with Subsection 8.6

## 8.4 ZONE REGULATIONS

8.4.1 Zone regulations for permitted main uses.

	Permitted main uses
<b>Minimum Lot Area</b>	4.0 hectare, unless lot is on water, in which case 1.0 hectare
<b>Minimum Lot Frontage</b>	120.0 metres, unless lot is on water, in which case 45.0 metres
<b>Maximum Lot Coverage</b>	15 percent
<b>Maximum Height</b>	10.0 metres
<b>Minimum Setback from Water</b>	30.0 metres
<b>Minimum Front Yard</b>	15.0 metres
<b>Minimum Side Yard</b>	15.0 metres
<b>Minimum Read Yard</b>	15.0 metres
<b>Minimum Landscaped Area</b>	6.0 m wide strip along all lot lines abutting a street



**Maximum Number  
of Main Uses**

One main use per lot

8.4.2 Zone regulations for accessory buildings not attached to the main use.

	<b>Accessory building</b>	<b>Additional Unit (detached), garden suite</b>
<b>Maximum Coverage of all Buildings and Roofed Structures</b>	200.0 square metres  Farming operation: 15 percent of lot area	40 percent of gross floor area of main building, or 50.0 square metres, whichever is greater
<b>Maximum Height</b>	Agricultural-related uses: no maximum  All other accessory buildings: 7.5 metres	7.5 metres
<b>Minimum Setback from Water</b>	Shoreline structures: nil  All other accessory buildings: 30.0 metres	30.0 metres
<b>Minimum Front Yard</b>	15.0 metres	
<b>Minimum Side Yard</b>	Interior: 1.5 metres  Exterior: 10.0 metres	
<b>Minimum Rear Yard</b>	1.5 metres	
<b>Minimum Separation Distance</b>	2.0 metres	

## 8.5 MINIMUM AGRICULTURAL SETBACKS

All development shall comply with the Minimum Distances Separation I and II, if applicable.

## 8.6 RECREATIONAL VEHICLE

A maximum of two (2) recreational vehicle may be used for accessory, non-commercial, temporary human habitation provided that:



- 8.6.1 A detached dwelling exists on the property;
- 8.6.2 The recreational vehicle is in compliance with the setback provisions for an accessory building; and
- 8.6.3 Such recreational vehicle may be subject to licensing by the Township.

## 8.7 SETBACK FOR A PORTABLE ASPHALT AND/OR CONCRETE PLANT, WAYSIDE PIT AND QUARRY

A portable asphalt and/or concrete plant and wayside pit or quarry operation shall be set back a minimum of 200.0 metres from any existing dwelling.



## SECTION 9 – VILLAGE CENTRE ZONE (VC) REGULATIONS

### 9.1 GENERAL PURPOSE

Within the Village Centre (VC), no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### 9.2 PERMITTED USES AS A MAIN USE

- 9.2.1 Apartment dwelling, over three (3) storeys; refer to Subsection 9.6., with permitted commercial uses
- 9.2.2 Cluster or stacked townhouse
- 9.2.3 Minor institutional use
- 9.2.4 Municipal campground
- 9.2.5 Retail commercial use
- 9.2.6 Service commercial use
- 9.2.7 Cannabis retail outlet
- 9.2.8 General or professional office
- 9.2.9 Restaurant
- 9.2.10 Hotel
- 9.2.11 Boarding, rooming, or lodging house
- 9.2.12 Tourist resort
- 9.2.13 Community facility
- 9.2.14 Health centre
- 9.2.15 Residential care home
- 9.2.16 Long-term care home
- 9.2.17 Emergency shelter
- 9.2.18 Indoor recreation use
- 9.2.19 Marina



- 9.2.20 Seaplane base
- 9.2.21 Service station for boats and planes
- 9.2.22 Day care centre
- 9.2.23 Farmers' market
- 9.2.24 Park, private or public
- 9.2.25 Community garden

### 9.3 PERMITTED ACCESSORY USES TO A PERMITTED MAIN USE

- 9.3.1 Additional unit (attached) above a permitted commercial building
- 9.3.2 Home occupation within the additional unit (attached)
- 9.3.3 Home-sharing in a residential dwelling
- 9.3.4 Renewable energy system, individual
- 9.3.5 Community Garden

### 9.4 ZONE REGULATIONS

- 9.4.1 Zone regulations for permitted main uses.

	All other permitted main uses	Apartment dwelling, over three (3) storeys	Community garden, park, public or private
<b>Minimum Lot Area (square metres)</b>	90.0	For the first 4 units: 230.0 square metres per dwelling unit  For each additional unit: 100.0 square metres	90.0
<b>Minimum Lot Frontage</b>	5.0 metres	5.0 metres	Nil
<b>Maximum Lot Coverage</b>	100 percent	75 percent	Nil





<b>Maximum Height</b>	14.0 metres	18 metres or 6 storeys	Nil
<b>Minimum Setback From Water</b>	30.0 metres	30.0 metres	Nil
<b>Minimum Front Yard</b>	Nil	5.0 metres	Nil
<b>Minimum Side Yard</b>	Nil	5.0 metres	Nil
<b>Minimum Read Yard</b>	<ul style="list-style-type: none"> <li>3.0 metres</li> <li>Apartment building: 3.0 metres in addition to the above buffer zone</li> </ul>		Nil
<b>Minimum Percent of Commercial Uses Gross Floor Area</b>	Nil	20 percent	Nil
<b>Minimum Percent of Residential Uses Gross Floor Area</b>	Nil	20 percent	Nil
<b>Minimum Landscaped Area</b>	Nil	10 percent of lot area	Nil
<b>Amenity Requirements</b>	Nil	Refer to Section 4.5	Nil
<b>Maximum Number of Main Uses</b>	See Subsection 9.6 for regulations for more than one permitted main uses per lot		

9.4.2 Zone regulations for accessory buildings not attached to the main use.

	<b>Accessory building</b>
<b>Maximum Coverage of all</b>	100.0 square metres



<b>Buildings and Roofed Structures</b>	
<b>Maximum Height</b>	5.0 metres
<b>Minimum Setback from Water</b>	Shoreline structures: nil All other accessory buildings: 30.0 metres
<b>Minimum Front Yard</b>	1.5 m greater than front setback of main building
<b>Minimum Side Yard</b>	Interior side yard: 1.5 metres
<b>Minimum Rear Yard</b>	5.0 metres
<b>Minimum Separation Distance</b>	5.0 metres to a main building on same lot

## 9.5 ADDITIONAL UNIT (ATTACHED)

- 9.5.1 Pedestrian access to an additional unit (attached) shall be provided from an adjacent street or lane and shall be for the sole use of the occupants of the said additional unit (attached).
- 9.5.2 No commercial building wherein gasoline, petroleum products or any other highly flammable, toxic or explosive products are handled in quantity shall have attached dwelling units. Where such dwelling units exist and the use of the commercial establishment changes to a use involving the aforementioned products, the said dwelling units shall cease to be occupied as dwelling units.

## 9.6 APARTMENT DWELLING

Apartment dwellings are subject to site plan approval to ensure compatibility with neighbouring uses. This will be determined in a pre-consultation meeting between the person and the Township.



## 9.7 BUFFER STRIP

Where a Village Centre Zone abuts a residential, institutional, industrial or open space zone, a buffer strip shall be provided along the abutting lot lines having a minimum width of 2.0 metres.



## SECTION 10 – CORRIDOR MIXED USE ZONE (CMU) REGULATIONS

### 10.1 GENERAL PURPOSE

Within the Corridor Mixed Use (CMU), no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### 10.2 PERMITTED USES AS A MAIN USE

- 10.2.1 Service commercial use
- 10.2.2 Major institutional use
- 10.2.3 Apartment dwelling, over three (3) storeys; refer to Subsection 10.8., with permitted commercial uses
- 10.2.4 Cluster and stacked townhouse
- 10.2.5 Lodging or boarding house
- 10.2.6 Residential care home
- 10.2.7 Long-term care home
- 10.2.8 Hotel
- 10.2.9 Motel
- 10.2.10 Variety Store accessory to a service station or hotel or motel
- 10.2.11 Tourist resort
- 10.2.12 Tourist commercial establishment
- 10.2.13 Campground
- 10.2.14 Automobile service station
- 10.2.15 Automobile sales
- 10.2.16 Public garage
- 10.2.17 Cannabis retail outlet
- 10.2.18 Veterinary clinic
- 10.2.19 Restaurant, bakery or coffee shop accessory to a service station or hotel or motel



- 10.2.20 Transportation terminal
- 10.2.21 Building supply outlet
- 10.2.22 Garden centre
- 10.2.23 Bulk sales establishment
- 10.2.24 Health centre
- 10.2.25 Emergency shelter
- 10.2.26 Farmers' market
- 10.2.27 Indoor recreation use
- 10.2.28 Outdoor recreation use
- 10.2.29 Day care centre
- 10.2.30 Indoor and outdoor self-storage
- 10.2.31 Community garden
- 10.2.32 Park, public or private
- 10.2.33 Greenhouse

### 10.3 PERMITTED ACCESSORY USES TO A PERMITTED MAIN USE

- 10.3.1 Additional unit (attached) above a permitted commercial building
- 10.3.2 Home occupation within an additional unit (attached)
- 10.3.3 Home-sharing in a residential dwelling
- 10.3.4 Renewable energy system, individual
- 10.3.5 Community Garden

### 10.4 ZONE REGULATIONS

- 10.4.1 Zone regulations for permitted main uses.



	All other permitted main uses where both public and sanitary sewer are available:	Apartment dwelling, over three (3) storeys	Community garden, park, public or private
Minimum Lot Area	1000.0 square metres	For the first 4 units: 230.0 square metres per dwelling unit For each additional unit: 100.0 square metres	1000.0 square metres
Minimum Lot Frontage	30.0 metres	30.0 metres	Nil
Maximum Lot Coverage	50 percent	75 percent	Nil
Maximum Height	11.0 metres	18 metres or 6 storeys	Nil
Minimum Front Yard	7.5 metres	7.5 metres	Nil
Minimum Side Yard	3.0 metres	7.5 metres	Nil
Minimum Read Yard	3.0 metres	3.0 metres in addition to the above buffer zone	Nil
Minimum Percent of Commercial Uses Gross Floor Area	Nil	20 percent	Nil
Minimum Percent of Residential Uses Gross Floor Area	Nil	20 percent	Nil



<b>Minimum Landscaped Area</b>	20 percent of lot area which must include a 6.0 metre strip along all street lines and a 3.0 metre strip along all other lot lines		Nil
<b>Amenity Requirements</b>	Nil	Refer to Section 4.5	Nil
<b>Maximum Number of Main Uses</b>	See Subsection 10.8 for regulations for more than one permitted main uses per lot		

#### 10.4.2 Zone regulations for accessory buildings not attached to the main use.

	<b>Accessory building</b>
<b>Maximum Coverage of all Buildings and Roofed Structures</b>	100.0 square metres
<b>Maximum Height</b>	5.0 metres
<b>Minimum Setback from Water</b>	Shoreline structures: nil All other accessory buildings: 30.0 metres
<b>Minimum Front Yard</b>	1.5 m greater than front setback of main building
<b>Minimum Side Yard</b>	Interior side yard: 1.5 metres
<b>Minimum Read Yard</b>	5.0 metres
<b>Minimum Separation Distance</b>	5.0 metres to a main building on same lot



## 10.5 SERVICE STATIONS AND PUBLIC GARAGES

Notwithstanding any other provisions of this By-law, where a lot is used for service station or public garage, the following regulations shall apply:

	<u>Interior Lot</u>	<u>Corner Lot</u>
10.5.1 Minimum lot frontage	30.0 metres	45.0 metres
Minimum lot depth	38.0 metres	38.0 metres
10.5.2 No portion of any pump island shall be located closer than 6.0 metres from the streetline of any street		
10.5.3 The minimum distance from the intersection of two streetlines to the nearest ingress or egress ramp shall be not less than 9.0 metres		
10.5.4 The maximum width of a curb ramp at the streetline shall be not more than 7.0 metres		
10.5.5 The minimum distance between ramps shall be not less than 9.0 metres		
10.5.6 Notwithstanding any other provisions of this By-law, where a lot is used for a fuel supply station, the regulations of the Gasoline Handling Act shall apply.		

## 10.6 ADDITIONAL UNIT (ATTACHED)

- 10.6.1 Pedestrian access to an additional unit (attached) shall be provided from an adjacent street or lane and shall be for the sole use of the occupants of the said additional unit (attached).
- 10.6.2 No commercial building wherein gasoline, petroleum products or any other highly flammable, toxic or explosive products are handled in quantity shall have attached dwelling units. Where such dwelling units exist and the use of the commercial establishment changes to a use involving the aforementioned products, the said dwelling units shall cease to be occupied as dwelling units.
- 10.6.3 No person shall erect or use any accessory dwelling units unless a private sewage system and potable water supply are provided to the satisfaction of the Thunder Bay District Health Unit or the Ministry of Environment, Conservation and Parks.

## 10.7 BUFFER STRIP

Where the Corridor Mixed Use Zone abuts a residential, institutional, industrial or open space zones, a buffer strip shall be provided along the abutting lot Lines having a minimum width of 3.0 metres.





## 10.8 APARTMENT DWELLING

Apartment dwellings are subject to site plan approval to ensure compatibility with neighbouring uses. This will be determined in a pre-consultation meeting between the person and the Township.



## SECTION 11 – INSTITUTIONAL ZONE (I) REGULATIONS

### 11.1 GENERAL PURPOSE

Within the Institutional Zone (I) no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### 11.2 PERMITTED USES AS A MAIN USE

11.2.1 Minor institutional use

11.2.2 Major institutional use

11.2.3 Public service/use

11.2.4 Community facility

11.2.5 Public/private park

11.2.6 Community garden

### 11.3 PERMITTED ACCESSORY USES TO A PERMITTED MAIN USE

11.3.1 Renewable energy system, individual

11.3.2 Community Garden

### 11.4 ZONE REGULATIONS

11.4.1 Zone regulations for permitted main uses.

	Permitted main uses	Community Garden
<b>Minimum Lot Area</b>	90.0 square metres	90.0 square metres
<b>Minimum Lot Frontage</b>	5.0 metres	Nil



<b>Maximum Lot Coverage</b>	100 percent	Nil
<b>Maximum Height</b>	14.0 metres	Nil
<b>Minimum Setback from Water</b>	30.0 metres	Nil
<b>Minimum Front Yard</b>	Nil	Nil
<b>Minimum Side Yard</b>	Nil	Nil
<b>Minimum Read Yard</b>	Nil	Nil
<b>Minimum Landscaped Area</b>	15 percent of lot area	Nil
<b>Maximum Number of Main Uses</b>	No maximum per lot, if located in the same main building	Nil

#### 11.4.2 Zone regulations for accessory buildings not attached to the main use.

	<b>Accessory building</b>
<b>Maximum Coverage of all Buildings and Roofed Structures</b>	300.0 square metres
<b>Maximum Height</b>	7.5 metres
<b>Minimum Setback from Water</b>	Shoreline structures: nil All other accessory buildings: 30.0 metres
<b>Minimum Front Yard</b>	5.0 metres
<b>Minimum Side Yard</b>	5.0 metres
<b>Minimum Read Yard</b>	5.0 metres
<b>Minimum Separation Distance</b>	6.0 metres to a main building on same lot



## SECTION 12 – LIGHT INDUSTRIAL ZONE (M1) REGULATIONS

### 12.1 GENERAL PURPOSE

Within the Light Industrial Zone (M1) no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### 12.2 PERMITTED USES AS A MAIN USE

12.2.1 Class 1 industrial facility

12.2.2 Large retail commercial use

12.2.3 Bulk service station

12.2.4 Public services/use

12.2.5 Public works building

12.2.6 Indoor and outdoor self-storage

12.2.7 Indoor recreation use

12.2.8 Bulk sales establishment

### 12.3 PERMITTED ACCESSORY USES TO A PERMITTED MAIN USE

12.3.1 Renewable energy system, individual

12.3.2 Renewable energy system, large

### 12.4 ZONE REGULATIONS

12.4.1 Zone regulations for permitted main uses.

	Permitted main uses
Minimum Lot Area	1850.0 square metres
Minimum Lot Frontage	30.0 metres
Maximum Lot Coverage	60 percent
Maximum Height	12.0 metres
Minimum Setback from Water	30.0 metres



<b>Minimum Front Yard</b>	7.5 metres
<b>Minimum Side Yard</b>	5.0 metres
<b>Minimum Read Yard</b>	5.0 metres
<b>Minimum Landscaped Area</b>	15 percent of lot area which must include a 6.0 metre strip along all street lines and a 3.0 metre strip along all other lot lines not abutting a sensitive land use  Refer to Subsections 12.6 and 12.7 for additional setback and buffer strips
<b>Maximum Number of Main Uses</b>	No maximum per lot, if located in the same main building

#### 12.4.2 Zone regulations for accessory buildings not attached to the main use.

	<b>Accessory building</b>
<b>Minimum lot area</b>	Not applicable
<b>Maximum Coverage of all Buildings and Roofed Structures</b>	300.0 square metres
<b>Maximum Height</b>	7.5 metres
<b>Minimum Setback from Water</b>	Shoreline structures: nil All other accessory buildings: 30.0 metres
<b>Minimum Front Yard</b>	5.0 metres
<b>Minimum Side Yard</b>	5.0 metres
<b>Minimum Read Yard</b>	5.0 metres
<b>Minimum Separation Distance</b>	6.0 metres to a main building on same lot



## 12.5 OUTSIDE STORAGE

Notwithstanding any provisions in this By-law, outside storage accessory to the main use shall be screened from view from streets and adjacent properties.

## 12.6 BUFFER STRIP

Where a Light Industrial abuts an Institutional, Village Centre, Corridor Mixed Use, Parks and Recreation or Waterfront Zone, a buffer strip shall be provided along the abutting lot lines having a minimum width of 7.5 metres.

A 6.0-metre-high natural vegetated buffer shall be provided along all lot lines abutting a shoreline and/or abutting the Environmental Protection (EP) Zone.

## 12.7 SETBACK FROM ABUTTING RESIDENTIAL ZONE

Where this zone abuts a residential zone, or a roadway is the only separation between this zone and a residential zone, there shall be a 20.0 metres setback from the abutting lot line and no parking use shall be made of any land within 7.5 metres of the abutting lot line. The intervening land shall be kept in an open space condition with grass, trees and shrubs and retained as part of the normal operation of the permitted activity. This area may be part of the minimum landscaped area calculations.



## SECTION 13 – HEAVY INDUSTRIAL ZONE (M2) REGULATIONS

### 13.1 GENERAL PURPOSE

Within the Heavy Industrial Zone (M2) no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### 13.2 PERMITTED USES AS A MAIN USE

- 13.2.1 Class 1 industrial facility
- 13.2.2 Class 2 industrial facility
- 13.2.3 Class 3 industrial facility
- 13.2.4 Major institutional use related to main use
- 13.2.5 Indoor and outdoor self-storage
- 13.2.6 Public services/use
- 13.2.7 Bulk service station
- 13.2.8 Public works building
- 13.2.9 A wayside pit or quarry approved in accordance with the Official Plan requirements and site plan control, including, drilling and blasting
- 13.2.10 Mineral aggregate operation
- 13.2.11 Forestry uses
- 13.2.12 Open space, conservation and agriculture uses, excluding any building or structure, in accordance with relevant provisions of this Zoning By-law
- 13.2.13 Rehabilitation activities

### 13.3 PERMITTED ACCESSORY USES TO A PERMITTED MAIN USE

- 13.3.1 Renewable energy system, individual
- 13.3.2 Renewable energy system, large



## 13.4 ZONE REGULATIONS

### 13.4.1 Zone regulations for permitted main uses.

	Permitted main uses
Minimum Lot Area	1850.0 square metres
Minimum Lot Frontage	30.0 metres
Maximum Lot Coverage	60 percent
Maximum Height	12.0 metres
Minimum Front Yard	7.5 metres
Minimum Side Yard	5.0 metres
Minimum Read Yard	5.0 metres
Minimum Landscaped Area	<ul style="list-style-type: none"> <li>15 percent of lot area which must include a 6.0 metre strip along all street lines and a 3.0 metre strip along all other lot lines not abutting a sensitive land use</li> <li>Refer to Subsections 13.5, 13.6, and 13.7 for setback and buffer strips</li> </ul>
Maximum Number of Main Uses	No maximum per lot, if located in the same main building

### 13.4.2 Zone regulations for accessory buildings not attached to the main use.

	Accessory building
Maximum Coverage of all Buildings and Roofed Structures	300.0 square metres
Maximum Height	7.5 metres
Minimum Front Yard	5.0 metres
Minimum Side Yard	5.0 metres
Minimum Read Yard	5.0 metres





**Minimum Separation  
Distance**

6.0 metres to a main building on same lot

### 13.5 SETBACKS

Refer to setback provision in Section 4.42.

### 13.6 BUFFER STRIP

13.6.1 Where a Heavy Industrial Zone abuts any other Zone, a buffer strip shall be provided along the abutting lot lines having a minimum width of 7.5 metres.

13.6.2 A 6.0-metre-high natural vegetated buffer shall be provided along all lot lines abutting a shoreline and/or abutting the Environmental Protection (EP) Zone.

### 13.7 WRECKING YARD AND SCRAP METAL YARD

Where land is used for the purposes of a wrecking yard or similar use, the storage of derelict automobiles, scrap metal, or similar materials shall not be carried out in that part of the land designated herein as the "Front Yard", "Side Yard", or "Rear Yard" and a natural or artificial screen or buffer shall be provided to obscure the subject property from the street on which the lands abut and from any opposite or adjoining properties to the side or rear of the subject property.



## SECTION 14 – WASTE DISPOSAL ZONE (WD) REGULATIONS

### 14.1 GENERAL PURPOSE

Within the Waste Disposal Zone (WD) no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### 14.2 PERMITTED USES AS A MAIN USE

14.2.1 Hauling sewage disposal site

14.2.2 Municipally owned and operated solid waste disposal or landfill area/site

14.2.3 Open space and conservation, excluding any building or structure

### 14.3 PERMITTED ACCESSORY USES TO A PERMITTED MAIN USE

14.3.1 Renewable energy system, individual

14.3.2 Renewable energy system, large

### 14.4 ZONE REGULATIONS

14.4.1 Zone regulations for permitted main uses.

	Permitted main uses
<b>Minimum Lot Area</b>	2.0 hectares
<b>Minimum Lot Frontage</b>	120.0 metres
<b>Maximum Lot Coverage</b>	20 percent
<b>Maximum Height</b>	30.0 metres
<b>Minimum Front Yard</b>	15.0 metres
<b>Minimum Side Yard</b>	15.0 metres
<b>Minimum Read Yard</b>	15.0 metres
<b>Minimum Landscaped Area</b>	<ul style="list-style-type: none"> <li>• 15 percent of lot area which must include a 6.0 metre strip along all street lines</li> <li>• Refer to Subsection 14.5 for additional buffer strip regulations</li> </ul>



<b>Maximum Number of Main Uses</b>	No maximum per lot, if located in the same main building
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14.4.2 Zone regulations for accessory buildings not attached to the main use.

	<b>Accessory building</b>
<b>Maximum Coverage of all Buildings and Roofed Structures</b>	300.0 square metres
<b>Maximum Height</b>	7.5 metres
<b>Minimum Front Yard</b>	15.0 metres
<b>Minimum Side Yard</b>	15.0 metres
<b>Minimum Read Yard</b>	15.0 metres

## 14.5 BUFFER STRIP

Where this zone abuts a residential zone, institutional zone, or an open space zone, or a roadway is the only separation between this zone and the other zone, there shall be a 30.0 metres setback from the abutting lot line and no parking use shall be made of any land within 7.5 metres of the abutting lot line. The intervening land shall be kept in an open space condition with grass, trees and shrubs and retained as part of the normal operation of the permitted activity.

## 14.6 OTHER PROVISIONS AND PROTECTIONS

- 14.6.1 No excavation, building, equipment, or stockpiling shall be located within 120.0 metres of a lot line where an abutting building is used for residential, recreational, institutional, or commercial purposes.
- 14.6.2 No excavation, building, equipment, or stockpiling shall be permitted within 60.0 metres of any public road or public road allowance.



## SECTION 15 – PARKS AND RECREATIONAL ZONE (O1) REGULATIONS

### 15.1 GENERAL PURPOSE

Within the Parks and Recreational Zone (O1) no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### 15.2 PERMITTED USES AS A MAIN USE

- 15.2.1 Outdoor recreation use
- 15.2.2 Passive outdoor recreation or education
- 15.2.3 Cemetery
- 15.2.4 Conservation
- 15.2.5 Park, public or private
- 15.2.6 Community garden
- 15.2.7 Stormwater management

### 15.3 PERMITTED ACCESSORY USES TO A PERMITTED MAIN USE

- 15.3.1 Renewable energy system, individual
- 15.3.2 Community garden
- 15.3.3 Park, private or public
- 15.3.4 Stormwater management

### 15.4 ZONE REGULATIONS

- 15.4.1 Zone regulations for permitted main uses.

	All other permitted main uses	Community garden, park, public or private
Minimum Lot Area	Nil	Nil
Minimum Lot Frontage	Nil	Nil
Maximum Lot Coverage	Nil	Nil



<b>Maximum Height</b>	14.0 metres	Nil
<b>Minimum Front Yard</b>	7.5 metres	Nil
<b>Minimum Side Yard</b>	7.5 metres	Nil
<b>Minimum Read Yard</b>	7.5 metres	Nil
<b>Maximum Number of Main Uses</b>	No maximum per lot, if located in the same main building	

15.4.2 Zone regulations for accessory buildings not attached to the main use.

	<b>Accessory building</b>
<b>Maximum Coverage of all Buildings and Roofed Structures</b>	100.0 square metres
<b>Maximum Height</b>	7.5 metres
<b>Minimum Front Yard</b>	7.5 metres
<b>Minimum Side Yard</b>	7.5 metres
<b>Minimum Read Yard</b>	7.5 metres
<b>Minimum Separation Distance</b>	2.0 metres to a main building on same lot



## SECTION 16 - WATERFRONT ZONE (O2) REGULATIONS

### 16.1 GENERAL PURPOSE

Within the Waterfront Zone (O2) no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### 16.2 PERMITTED USES AS A MAIN USE

- 16.2.1 Passive outdoor recreation or education
- 16.2.2 Conservation
- 16.2.3 Campground owned by the Municipality
- 16.2.4 Park, public or private
- 16.2.5 Community garden

### 16.3 PERMITTED ACCESSORY USES TO A PERMITTED MAIN USE

- 16.3.1 Renewable energy system, individual
- 16.3.2 Community garden
- 16.3.3 Park, private or public

### 16.4 ZONE REGULATIONS

- 16.4.1 Zone regulations for permitted main uses.

	All other permitted main uses	Community garden, park, public or private
<b>Minimum Lot Area</b>	Nil	Nil
<b>Minimum Lot Frontage</b>	Nil	Nil
<b>Maximum Lot Coverage</b>	10 percent	Nil
<b>Maximum Height</b>	14.0 metres	Nil



<b>Minimum Setback from Water</b>	30.0 metres	Nil
<b>Minimum Front Yard</b>	7.5 metres	Nil
<b>Minimum Side Yard</b>	7.5 metres	Nil
<b>Minimum Read Yard</b>	7.5 metres	Nil
<b>Maximum Number of Main Uses</b>	No maximum per lot, if located in the same main building	

16.4.2 Zone regulations for accessory buildings not attached to the main use.

	<b>Accessory building</b>
<b>Maximum Coverage of all Buildings and Roofed Structures</b>	100.0 square metres
<b>Maximum Height</b>	7.5 metres
<b>Minimum Setback from Water</b>	Shoreline structures: nil All other accessory buildings: 30.0 metres
<b>Minimum Front Yard</b>	7.5 metres
<b>Minimum Side Yard</b>	7.5 metres
<b>Minimum Read Yard</b>	7.5 metres
<b>Minimum Separation Distance</b>	2.0 metres to a main building on same lot



## SECTION 17 – ENVIRONMENTAL PROTECTION ZONE (EP) REGULATIONS

### 17.1 GENERAL PURPOSE

Within the Environmental Protection Zone (EP) no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### 17.2 PERMITTED USES AS A MAIN USE

- 17.2.1 Conservation
- 17.2.2 Existing agricultural use, excluding any buildings or structures
- 17.2.3 Forestry use, excluding any buildings or structures
- 17.2.4 Park, public or private, excluding any buildings or structures
- 17.2.5 Community garden, excluding any buildings or structures
- 17.2.6 Passive outdoor recreation or education
- 17.2.7 Floodplain and shoreline protection work

### 17.3 PERMITTED ACCESSORY USES TO A PERMITTED MAIN USE

- 17.3.1 Renewable energy system, individual
- 17.3.2 Community garden
- 17.3.3 Park, private or public

### 17.4 ZONE REGULATIONS

- 17.4.1 Zone regulations for permitted main uses.

	Permitted main uses
Minimum Lot Area	Nil
Minimum Lot Frontage	Nil
Maximum Lot Coverage	Nil
Maximum Height	Nil





<b>Minimum Setback from Water</b>	All main uses with buildings: 30.0 metres
<b>Minimum Front Yard</b>	Nil
<b>Minimum Side Yard</b>	Nil
<b>Minimum Read Yard</b>	Nil
<b>Maximum Number of Main Uses</b>	Nil

17.4.2 Zone regulations for accessory buildings not attached to the main use.

	<b>Accessory building</b>
<b>Maximum Coverage of all Buildings and Roofed Structures</b>	100.0 square metres
<b>Maximum Height</b>	7.5 metres
<b>Minimum Setback from Water</b>	Shoreline structures: nil All other accessory buildings: 30.0 metres
<b>Minimum Front Yard</b>	7.5 metres
<b>Minimum Side Yard</b>	7.5 metres
<b>Minimum Read Yard</b>	7.5 metres
<b>Minimum Separation Distance</b>	2.0 metres to a main building on same lot



## SECTION 18 – HAZARD LAND ZONE (HL) REGULATIONS

### 18.1 GENERAL PURPOSE

Within the Hazard Land Zone (HL) no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### 18.2 PERMITTED USES AS A MAIN USE

- 18.2.1 Conservation
- 18.2.2 Forestry
- 18.2.3 Passive outdoor recreation and education
- 18.2.4 Floodplain and shoreline protection work

### 18.3 PERMITTED ACCESSORY USES TO A PERMITTED MAIN USE

- 18.3.1 Renewable energy system, individual

### 18.4 ZONE REGULATIONS

- 18.4.1 Zone regulations for permitted main uses.

	Permitted main uses
Minimum Lot Area	Nil
Minimum Lot Frontage	Nil
Maximum Lot Coverage	Nil
Maximum Height	Nil
Minimum Setback from Water	All main uses with buildings: 30.0 metres
Minimum Front Yard	Nil
Minimum Side Yard	Nil
Minimum Read Yard	Nil



**Maximum Number of  
Main Uses**

Nil

18.4.2 Zone regulations for accessory buildings not attached to the main use.

	<b>Accessory building</b>
<b>Maximum Coverage of all Buildings and Roofed Structures</b>	100.0 square metres
<b>Maximum Height</b>	7.5 metres
<b>Minimum Setback from Water</b>	Shoreline structures: nil All other accessory buildings: 30.0 metres
<b>Minimum Front Yard</b>	7.5 metres
<b>Minimum Side Yard</b>	7.5 metres
<b>Minimum Read Yard</b>	7.5 metres
<b>Minimum Separation Distance</b>	2.0 metres to a main building on same lot

THE END



