



MUNICIPALITY OF CENTRAL MANITOULIN

COMPREHENSIVE ZONING BY-LAW



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COMPREHENSIVE ZONING BY-LAW

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SECTION 1: TITLE

This By-law shall be known as the “Zoning By-law for the Municipality of Central Manitoulin.”

SECTION 2: DEFINED AREA

This By-law applies to the land included on **Schedules** to this By-law within the boundaries of the Municipality of Central Manitoulin, *herein* after known as the “**Municipality**” and to the adjoining shores of various lakes and rivers including land covered by water wherever there is or may be erected any jetty, **boathouse**, pier or other **building or structure**.

SECTION 3: INTERPRETATION

3.1 GENERAL

In their interpretation and application, the provisions of this By-law shall be held to be the minimum requirement adopted for the promotion of the public health, safety, convenience or general welfare. Whenever the requirements of this By-law are at variance with the requirements of any other By-law, the most restrictive, or the By-law imposing the higher standards, shall govern and apply. Nothing in this By-law shall be construed to exempt any person from complying with the requirements of any other By-law of the **Municipality** or from any law of the Province of Ontario or of Canada.

3.2 ZONING SCHEDULES

Schedule **A** attached hereto, together with the notations and references shown thereon, is hereby declared to form part of this By-law.

3.3 ZONE BOUNDARIES

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

- a) A **boundary** indicated as following a highway, **street** or **lane** shall be the centre line of such highway, **street** or **lane**;
- b) A **boundary** indicated as following a **watercourse, creek, stream** or **the right-of-way** of a railway or an electrical, gas or oil transmission line shall be the centre line of such watercourse, creek, stream or right-of-way;
- c) A **boundary** indicated as following a shoreline, either the shoreline of the mainland or the shoreline of an island, shall follow such shoreline, except as noted in sub-section g) and in the event of change in the shoreline, the **boundary** shall be construed as moving with the actual shoreline;
- d) A **boundary** indicated as approximately following lot lines shown on a registered plan of subdivision or Municipality **lot**, shall follow such **lot lines**;
- e) A **boundary** indicated as approximately parallel to a **street line** or other feature indicated clauses a), b) or c) of this sub-section, and the distance from such **street line** or other feature is not indicated, and clause d) above is not applicable, such **boundary** shall be construed as being parallel to such **street line** or other feature;
- f) A **boundary** indicated as following the limits of the **Municipality** shall follow such limits; and

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- g) Where any **zone** on the Schedules abuts a lakeshore, such zone shall be deemed to extend into the lake and apply to any water lots or to any land created by changing lake levels, landfill operations or by any other means.

3.4 CLOSINGS

In the event a dedicated **street** or **lane** shown on Schedules of this By-law is closed, the property formerly in such **street** or **lane** shall be included within the **zone** of the adjoining property on either side of such closed **street**, or **lane**. If a closed **street** or **lane** is the **boundary** between two or more different **zones**, the new **zone** boundaries shall be the former **centre line** of the closed **street** or **lane**.

3.5 CERTAIN WORDS

In this By-law, words used in the present tense include future; words in the singular number include the plural; words in the plural include the singular number; and the word “used” includes “arranged, designed or intended to be used”; the word “shall” is mandatory and not discretionary.

Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunction “and”, “or” or “either-or”, the conjunction shall be interpreted as follows:

- a) “and” indicates that all connected items, conditions, provisions or events shall apply in any combination;
- b) “or” indicates that the connected items, conditions, provisions or events may apply single or in combination; and
- c) “either-or” indicates that the connected items, conditions, provisions or events shall apply single but not in combination.

3.6 INTERPRETATION OF SIMILAR PERMITTED USES

Uses other than those hereinafter specifically mentioned as uses in each of the **zones**, may be permitted therein, provided such uses are similar to those specifically mentioned and are, in the opinion of **Council**, or a designate of **Council**, not more **obnoxious** or detrimental to the welfare of the community, than the permitted **uses** specifically mentioned in the respective **zone**.

3.7 MULTIPLE USES ON ONE LOT

Notwithstanding any other provisions of this By-law, where any land, **building** or **structure** is **used** for more than one permitted **use**, all provisions of this By-law shall be complied with for each **use**, except in the case of **lot area**, **lot frontage**, **coverage** and **minimum yard requirements** in which case the most restrictive or stringent requirement shall apply.

3.8 PROPERTIES WITH MORE THAN ONE ZONE

Where a **lot** is divided into more than one (1) **zone**, each such portion of said **lot** shall be considered separately for the purposes of determining **zone** provisions such as **lot area**, **lot frontage**, **required front yard**, **required side and rear yards** and each such portion shall conform to the provisions of the appropriate **zone**, but no **lot** shall have more than one (1) **dwelling unit** on the whole except as specifically provided in this By-law.

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3.9 UNITS OF MEASURE

Metric units contained in this By-law are enforceable. Where imperial units appear, such units do not form part of this By-law; they are to be considered as ancillary information only and are provided only for the convenience of the reader.

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SECTION 4: ADMINISTRATION

4.1 SCOPE

No **building, structure** or land shall be used, and no **building** or **structure** shall be *hereafter erected* with in that portion of the **Municipality** as now or henceforth legally constituted to which this By-law applies except in conformity with the provisions of the is By-law.

No lands shall be severed from any existing lot is the effect of such action is to cause the original, adjoining, remaining, or new building, structure, or lot to be in contravention of this By-law.

4.2 ADMINISTRATION AND ENFORCEMENT

This By-law shall be administered by the **Chief Building Official** or such other person as **council** shall designate, and no permit for the **use** of land or for the erection of any **building** or **structure** or approval of any municipal license within the area to which this By-law applies, shall be issued where the proposed use, **building** or **structure** would be in violation of any provision of the By-law.

4.3 APPLICATION AND PLANS

In addition to the requirements of this Zoning By-law, every application for a **building** permit shall be accompanied by plans, in duplicate drawn to an appropriate scale and based upon an actual survey and showing:

- a) The true shape and dimensions of the **lot** to be used or upon which it is proposed to **erect** any **building** or **structure**;
- b) The proposed location, height and dimensions of the **building, structure** or work in respect of which the permit is applied for;
- c) The location of every **building** or **structure** already **erected** on or partly **erected** on such **lot**, and the location of every **use, building** or **structure** upon adjacent **lots**;
- d) The proposed location of **parking spaces, loading spaces, driveways, landscaping areas** or **planting strips** as may be required; and
- e) Other such information as may be necessary to determine whether or not every such **building, structure** and work conforms to the requirements of this By-law.

Every such application shall be signed by the owner of the **lot** or the owner's agent duly authorized thereunto in writing and by the **Chief Building Official** and such application shall set forth in detail the current and proposed use of the **lot** and any **building** or **structure** thereon, together with all information necessary to determine whether or not every such proposed use of land, **building** or **structure** conforms with the requirements of this By-law.

4.4 CONFORMITY

No land to which this By-law applies shall *hereafter* be **used** and no **building** or **structure** shall *hereafter* be **erected** or **used** except in accordance with the general and special provisions of this By-law, but nothing in this By-law prevents the use of any land, **building** or **structure** for any **use** prohibited by this By-law if such land, **building** or **structure** was lawfully used for such purpose on the day this By-law comes into effect.

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4.5 INSPECTION

The authority having jurisdiction to enforce this By-law from time to time is hereby authorized, after reasonable notice to the owner or assessed owner, occupant or apparent occupant of the property in question, to enter at all reasonable hours for the purpose of inspection.

4.6 VIOLATION AND PENALTY

Any person who uses any land or **erects** or **uses** any **building** or **structure** in a manner contrary to any requirements of this By-law, or who causes or permits such **use** or **erection**, or who violates any provision of this By-law or causes or permits a violation, is guilty of an offence upon conviction. Therefore, shall be liable to a fine, exclusive of costs, which shall be recoverable under the [Provincial Offences Act, R.S.O. 1990, c.P33](#), as amended.

Each day of violation shall constitute an offence, and in the case of failure to correct the offence the fine can be charged on a per diem basis.

4.7 REPETITION OF OFFENCE

The conviction of an offender upon a breach of any of the provisions of this By-law, shall not prevent the prosecution against the same offender upon any subsequent breach of the same or other provision of this By-Law.

4.8 REMEDIES

Where any **building** or **structure** is or is proposed to be **erected**, reconstructed, extended or enlarged, or any **building** or **structure** or part thereof is or is proposed to be **used**, in contravention of any requirements of this By-law such contravention may be restrained by action at the instance of any ratepayer or of the **Municipality** pursuant to the provisions of [The Planning Act](#).

4.9 VALIDITY

Should any section, or part of a section, of this By-law including anything shown on the zoning schedules (hereunto attached as Schedules XXXX), for any reason be held to be invalid, it is the intention that all the remaining provisions shall remain in full force and effect.

4.10 Repeal of Existing By-laws

The following By-laws passed pursuant to Section 34 of the *Planning Act* (R.S.O. 1990, c.13 or predecessor thereof and amendments thereto) are hereby repealed and such repeal shall come into effect upon the date this By-law comes into force:

- By-law No. 2002-07 and amendments thereto.

Note that where amending by-law numbers are referenced in text, they are provided for reference only, and upon consolidation with this By-law are repealed.

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SECTION 5: DEFINITIONS

Illustrations found in this section of the by-law are for clarification and reference only and do not form part of this by-law, where measurements are concerned please see section of interest within this by-law. Defined terms in this By-law, unless the context otherwise requires will be found below. If the term you seek is not found below shall have the meanings that are commonly assigned to them in the context in which they are used, by taking into account the specialized use of terms by the various trades and professions to which the terminology applies.

ACCESSORY BUILDING shall mean a detached **building** located on the same **lot** as the **main building**, the **use** of which is incidental or secondary to that the **main building** and which is not used for human habitation, and may include a **private garage**, a **boathouse**, a tool shed, a storage building or a warehouse.

ACCESSORY USE shall mean a use that is normally incidental, subordinate and exclusively devoted to a principle use located on the same **lot** therewith.

ADULT ENTERTAINMENT BUSINESS shall mean any premises or part thereof including a retail store, entertainment parlour, or other business in which the principle trade provided, in pursuance of a trade, calling, business, occupation, goods, or services appeals to or is designated to appeal to erotic or sexual appetites or inclinations.

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

AGRICULTURAL USE shall mean the **use** of land, buildings, or structures for:

- The growing of crops, including cannabis, including all related activities such as soil preparation, manure or fertilizer spreading, planting, spraying, irrigating, harvesting, and also including the accessory storage and sale of crops;
- The raising, boarding, keeping and sale of all forms of livestock, except dogs, including all related activities such as breeding, training, feeding, and grazing, and including the raising of poultry and fish;
- The production of animal products such as milk, eggs, wool, fur, or honey, including related activities such as the collection, storage, and sale of the products;
- A greenhouse or nursery garden, including storage and sale of the products;
- The use and storage of all forms of equipment or machinery needed to accomplish the foregoing activities; and
- A farm dwelling and accessory buildings

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AGRICULTURAL-RELATED USE shall mean a farm-related commercial or farm-related industrial use that is directly related to farm operations in the area, supports agriculture, benefits from being in close proximity to farm operations, and provides direct products and/or services to farm operations as a primary activity.

AIRFIELD shall mean land **used** for the purpose of the landing, storing, taxiing and taking-off of private aircraft as the primary function or **accessory** to a **residential use**, but not an **airport** under the regulation of the Ministry of Transport.

AIRPORT shall mean any land, **lot** or **buildings used** for the purpose of landing, storing, taxiing, and taking-off of private or commercial aircraft, pursuant to the regulations of the Ministry of Transport.

AIR TREATMENT CONTROL shall mean the functional use of an industrial grade multi-stage carbon filtration system, or similar technology, to reduce and/or treat the emission of pollen, dust and odours expelled from a facility and sized accordingly in comparison to the facility it serves as designed by a qualified person(s).

ALTER shall mean any alteration in a bearing wall or partition, column, beam, girder or other supporting member of a **building** or **structure** or any increase in the area or volume of a **building** or, **structure**.

ANIMAL HOSPITAL shall mean the premises of a veterinary services where animals, birds or other livestock are treated or kept.

APARTMENT DWELLING see **DWELLING, APARTMENT**

AUTO BODY REPAIR SHOP shall mean a general industrial establishment for the repair of damage to a motor vehicle caused by collision, accident, corrosion or age, and, without limiting the generality of the foregoing, includes the reconstruction of motor vehicles, the painting or repainting of motor vehicles and the rebuilding or conversion of automotive engines or engine parts, but does not include a **motor vehicle repair shop**.

AUTOMOBILE SERVICE STATION shall mean a **building** or place where petroleum products and new supplies, parts and accessories are kept for sale to service motor vehicles, recreational vehicles, farm implements and machinery and where minor and/or emergency repairs are performed to motor vehicles, farm implements and machinery but no other activities of a public garage are conducted.

BASEMENT shall mean one or more storeys of a building located below the first storey.

BASEMENT, WALKOUT shall mean that portion of a **building** which is partly underground, but which has more than fifty percent (50%) of the **floor area** not greater than one-half (0.5) metres [or 1.64 ft] below grade, and which has an entrance and exit at grade level. This definition shall only apply in an area where the natural terrain permits construction of a **walkout basement**.

BED AND BREAKFAST ESTABLISHMENT shall mean a **dwelling unit** or portion thereof, in which the proprietor resides and supplies for hire or gain to other persons, particularly **tourists**, on a temporary or day to day basis, lodging with or without meals, but shall not include a **boarding house, hotel, motel, tourist cabin establishment** or **restaurant** accommodating the general public. Such an establishment shall provide for no more than three (3) guest rooms used or maintained for the accommodation of the public and shall be clearly secondary to the use of the **dwelling unit** as a private residence.

BOARDING HOUSE shall mean any house or **building** in which the proprietor resides and occupies **floor space** for the purposes of the **boarding house** as his/her residence, and supplies for hire or gain to more than six (6) persons, lodging with or without meals in rooms furnished by the proprietor with necessary furnishings and

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includes a rooming house, but does not include a **bed and breakfast establishment, hotel, motel or tourist cabin establishment.**

BOATHOUSE - shall mean a **building** or **structure** or part thereof located on land or water and not more than one **storey** in **height, used** for the storage of private boats and equipment **accessory** to their **use** and **accessory** to a **residential use**, part of may not include sleeping accommodations.

BUILDING shall mean any **structure**, whether temporary or permanent, **used** or **built** for the shelter, accommodation or enclosure of persons, animals, materials or equipment, other than a fence or wall.

BUILDING LINE shall mean a line lying in the interior of a **lot** drawn parallel to a **lot line** for the purpose of establishing the minimum distance that must exist between a **building** or **structure erected** upon the **land** and a **lot line**.

BUILDING, MAIN shall mean that **building** the nature of the **use** of which is determined by the **zone** of the **lot** upon which it is authorized to be constructed or upon which it is constructed.

BUILDING SETBACK shall mean the least horizontal distance permitted between a **lot line** of a **lot** and the nearest portions of any **building** envelope on such **lot**.

BUSINESS OR PROFESSIONAL OFFICE shall mean an **office** in which any business is carried on or any profession is practiced but does not include a **home occupation** or a **clinic**.

CAMPGROUND shall mean a parcel of land managed as a unit on a **commercial** basis for campers who provide their own sleeping facilities such as tents or **travel trailers**, but such campers are provided with sanitary and waste disposal facilities by the campground management.

CARPORT shall mean a covered parking area which is open on at least two sides

CANNABIS PROCESSING FACILITY shall mean a building or structure or part thereof equipped with Air Treatment Control that is used for growing, producing, processing, testing, destroying, packaging and/or shipping cannabis authorized by a federal license or registration.

CEMETERY shall mean a parcel of land set apart or **used** as a place for the internment of the dead or in which human bodies have been buried, as in the Cemeteries Act of Ontario.

CHIEF BUILDING OFFICIAL shall mean the person duly appointed by **council** as the **Chief Building Official** and charged with the duty of enforcing the provisions of The Building Code Act, S.O. 1992, Chapter 23, as amended, together with any regulations thereunder, and the Building By-Law.

CHILD CARE CENTRE shall mean an establishment providing care and maintenance of children separated from their parents or guardian during part of the day except a **school**.

CLINIC means a **building** or part thereof used solely for the purpose of consultations, diagnosis and treatment of patients, by qualified health practitioners and without limiting the generality of the foregoing, the building may include administrative offices, waiting rooms, laboratories, professionals (e.g. physicians, dentists, optometrists, chiropodists, chiropractors, veterinarians or drugless practitioners).

CLUB shall mean an association of persons, whether incorporated or not, united by some common interest, meeting periodically for cooperation or conviviality. **Club** shall also mean, where the context requires,

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premises owned or occupied by members of such associations within which the activities of the **club** are conducted.

COMMERCIAL means the **use** of land, **building** or **structure** for the purpose of buying and selling commodities and supplying of services as distinguished from such uses as manufacturing or assembling of goods, warehousing, transportation terminals, construction and other similar uses.

COMMUNITY CENTRE shall mean any tract of land, or **building** or **buildings** or any part of any **buildings used** for community activities whether **used** for **commercial** purposes or not, and the control of which is vested in the **Municipality**, a local board or agent thereof except that in the case of a community centre located within a **mobile home park**, the control of such use may be vested in the owners of the **mobile home park**.

COMPOSTING AND CLEAN BIODEGRADABLE HOUSEHOLD WASTE FACILITY shall mean an open windrow **waste** processing facility in which leaf and yard **waste** is processed into compost through an aerobic biological process, conducted under controlled, engineered conditions designed to produce stabilized humus.

COMMUNICATIONS FACILITY shall mean an installation which transmits, receives and/or relays communications such as microwave relay tower, telephone or telegraph line, cellular telephone tower, radio or television broadcast tower, or similar facility.

CONTAINER, see **SHIPPING CONTAINER**

CONVENIENCE RETAIL shall mean a retail **commercial** establishment, not exceeding one hundred and forty (140) square metres [or 1,507 ft²] or of **gross floor area** which deals primarily in goods required by the inhabitants of a residential area to meet their day-to-day needs, but shall not include a store catering primarily to the general **commercial** requirements of the residents of an area.

CONSERVATIONA USE: shall mean the preservation and protection of the components of the natural environment through management and maintenance for both the individual and society's uses, both in the present and in the future.

CONVERTED DWELLING see **DWELLING, CONVERTED**

CORNER LOT see **LOT, CORNER**

COUNCIL shall mean the Council of the Municipality of Central Manitoulin.

COURT shall mean an open, uncovered space on a **lot**, surrounded on all four sides by the principal **building** or **structure**.

COVERAGE shall mean the percentage of **lot area** covered by all **buildings**.

DAY LIGHTING TRIANGLE shall mean an area free of **buildings** or **structures**, which area is to be determined by measuring from the point of intersection of **street lines** on a **corner lot**, the distance required by this By-law along each such **street line** and joining such points with a straight line. The triangular shaped land between the intersecting **street lines** and the straight line joining the points the required distance along the **street lines** is the "**day lighting triangle**".

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DEVELOPMENT shall mean the construction, *erection* or placing of one or more *buildings* or *structures* on land in the making of an addition or alteration to a *building* or *structure* that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a *commercial parking lot*.

DRIVE-IN RESTAURANT see **RESTAURANT, DRIVE-IN**

DRY INDUSTRY shall mean an industry which by nature of its operation, process, or fabrication of raw materials or service rendered does not require a water supply other than that available from within the limits of the *lot* upon which the *use* is located, does not discharge effluent from the limits of the *lot* upon which the *use* is located and from which the only sewage effluent to be disposed of within the limits of the said *lot* will be that produced from normal sanitary and eating facilities required for the employees.

DUPLEX DWELLING see **DWELLING, DUPLEX**

DWELLING shall mean a *building*, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons.

DWELLING, ADDITIONAL shall mean a separate dwelling unit which is either located in a single detached dwelling, semi-detached dwelling, rowhouse or an accessory building or structure.

DWELLING, APARTMENT shall mean a *building* consisting of five (5) or more *dwelling units*, which units have a common entrance from the street level and the occupants of which have the right to use in common halls and/or stairs and/or elevators and yards.

DWELLING, CONDOMINIUM TOWNHOUSE shall mean a *townhouse dwelling unit*, as defined in this By-Law, constructed and maintained under the provisions of the Condominium Act.

DWELLING, CONVERTED shall mean a *building* altered to contain less than three (3) units, with each self-contained *dwelling unit* having a *floor space* of not less than 55 square metres [or 592 ft²].

DWELLING, DUPLEX shall mean a *building* of two (2) or more *storeys* that is divided horizontally into two (2) dwelling *units*, each of which has an independent entrance either directly or through a common vestibule.

DWELLING FLOOR AREA, see **FLOOR AREA, DWELLING**

DWELLING, MULTIPLE shall mean a *building* designed and intended to contain three or more *dwelling units* independent of each other but shall exclude an *apartment dwelling* or *townhouse dwelling*.

DWELLING, SEASONAL shall mean a *dwelling* constructed as a secondary place of residence for seasonal vacations and recreational purposes and not as a principal place of residence of the owner or occupant thereof.

DWELLING, SEMI-DETACHED shall mean a *building* that is divided vertically into two (2) *dwelling units* each of which has an independent entrance either directly or through a common vestibule.

DWELLING, SINGLE DETACHED shall mean a completely detached *dwelling unit*.

DWELLING, TINY HOUSE shall mean a small, private and self-contained dwelling unit between 17.5 sqm and 37 sqm. A tiny home shall be considered a single detached dwelling, unless it is on wheels, in which case it shall be considered a mobile home.

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DWELLING, TOWNHOUSE shall mean a **building** that is divided vertically into three (3) or more **dwelling units**, each of which has independent entrances, to a **front and rear yard** immediately abutting the front and rear walls of each **dwelling unit**.

DWELLING UNIT shall mean one room or a group of rooms in a **building** used or designed or intended to be **used** only as a single, independent and separate housekeeping establishment and,

- a) in which food preparation and sanitary facilities are provided for the exclusive use of the residents of the **dwelling unit**, and
- b) which has a private entrance from outside the building or from a common hallway or stairway inside the building, but
- c) does not mean or include a tent, or a room or suite of rooms in a **boarding or rooming house, in a hotel, motel, motor hotel, tourist cabin establishment, bed and breakfast establishment** or a **guest cabin**.

EATING ESTABLISHMENT shall mean a **building** or part of a **building** where food is offered for sale or sold to the public for immediate consumption therein and includes a **restaurant**, cafe, tea or lunchroom, dairy bar, coffee shop or refreshment room or stand but does not include a **boarding**, or **rooming house**, or a **bed and breakfast establishment**.

EMERGENCY VEHICLE DISPATCH CENTRE shall mean a **building** or place used for the storage, cleaning, incidental maintenance and dispatch of police, fire and ambulance vehicles and employees.

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

ESTABLISHED BUILDING LINE shall mean the average distance from the **street line** to **existing buildings** on one side of any block where more than half the **frontage** has been built upon at the date of final passage of this By-law.

ESTABLISHED GRADE shall mean with reference to a **building**, the average elevation of the finished surface of the ground where it meets the exterior of the front of such **building** and when used with reference to a **structure** shall mean the average elevation of the finished grade of the ground immediately surrounding such **structures**, exclusive in both cases of any artificial embankment or entrenchment and when used with reference to a **street, road** or highway means the elevation of the **street, road** or highway established by the **Municipality** or other designated authority.

EXISTING shall mean **existing** as of the date of the final passing of this By-law.

EXTERIOR YARD see **YARD, EXTERIOR**

FARM shall mean land used for the growing of trees, grain, vegetables, or fruit crops, the grazing or pasturing of livestock, or dairying, and includes a **farm dwelling** and **accessory buildings** and such **buildings** as a barn, a grain and feed storage facilities and silos.

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FARM, SPECIALIZED USE shall mean land on which the predominant use of land and/or **buildings** is for the raising of chickens, turkeys, or other fowl, fur-bearing animals, hogs, or aquaculture, or the growing of mushrooms, or sod, or the intensive feeding of cattle in a confined area and includes a **farm dwelling** and **accessory buildings**.

FLANKAGE LOT LINE see **LOT LINE, FLANKAGE**

FLOOD PLAIN shall mean the horizontal area below the **high water mark** of a watercourse (including a drainage canal) or lake that has been or may be covered by flood water during a regional flood or a one-in-one hundred year flood or as defined by The Ministry of Natural Resources.

FLOOR AREA, DWELLING shall mean the total habitable **floor area** within a **building** which area is measured between the exterior faces of the exterior walls or from the centre line of a common or party wall, but excluding any **private garage**, breezeway, porch or veranda, balcony, sunroom, attic, **basement** or cellar, except that where the natural terrain permits a **walkout basement**, twenty-five percent (25%) of the **floor area** of the **walkout basement** shall be considered as habitable **floor area**.

FLOOR AREA, GROSS shall mean the **aggregate** of the **floor areas** of all the **storeys** of a **building** including twenty-five percent (25%) of the **floor area** of any **walkout basement** but not of any cellar, and which **floor areas** are measured between the exterior faces of the exterior walls of the **building** at each floor level but excluding car parking areas within the **building** and for the purposes of this clause, the walls of an inner **court** shall be deemed to be exterior walls.

FLOOR AREA, GROUND shall mean the **floor area** of the lowest **storey** of a **building** approximately at or first above the average finished grade level, excluding any **basement** or cellar, which area is measured between the exterior faces of the exterior walls at the floor level of such **storey**, but

- a) excludes car parking or loading areas within the **building**; and
- b) for the purpose of this paragraph the walls of an inner **court** are and shall be deemed to be exterior walls.

FLOOR AREA, RETAIL shall mean the **gross floor area** of a **commercial building** devoted to retail purposes.

FORESTRY USE means an area of land used for cultivating or harvesting trees, with or without the sawing, splitting or sale of timber originating solely on the same **lot** therewith as **uses** accessory thereto.

FRONT LOT LINE, see **LOT LINE, FRONT**

FRONT YARD, see **YARD, FRONT**

GARAGE, ATTACHED shall mean a **private garage**, **accessory** to a **dwelling unit** on the same **lot** and attached by a common wall and/or common roof structure; provided however, for the purpose of determining lines of **setback** and **side yard**, an **attached garage** shall be considered part of the **main building**. Also, for the purposes of this definition, a wall between a house and an **attached garage** may be considered "common" as long as at least forty percent (40%) of the length of the **attached garage** wall is common with the **dwelling** wall.

GARAGE, DETACHED shall mean an **accessory building** or portion of a **building** which is designed or used for the sheltering of private **motor vehicles** and the storage of household equipment incidental to residential occupancy and in which there are no facilities for repairing or servicing of such vehicles for remuneration or **commercial use**.

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GARAGE, PORTABLE / TEMPORARY shall mean a prefabricated **structure** usually constructed with a metal, wood, or plastic frame and covered with a tarpaulin or other similar type of fabric or plastic cover, used primarily for the storage of a vehicle and other items.

GARDEN SUITE shall mean a temporary, one-unit, self-contained, and portable detached residential structure that is clearly ancillary to and on the same lot as a single or semi-detached dwelling, and excludes a trailer as defined herein.

GOLF COURSE shall mean a public or private area operated for the purpose of playing golf and includes a par 3 or larger golf course but does not include driving ranges, miniature golf courses and similar uses.

GROUP HOME shall mean a residence that is licensed or funded under an Act of the Parliament of Canada or the Province of Ontario for the accommodation of three (3) to ten (10) persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional mental, social, or physical condition or legal status, require a group living arrangement for their well being.

GUEST CABIN shall mean a non-commercial **building** for sleeping accommodation **accessory** to a **seasonal dwelling** in the **Shoreline Residential Zone**.

GREENHOUSE, COMMERCIAL shall mean a **building** for the growing of flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same **lot** containing such greenhouse but are sold directly from such **lot** at wholesale or retail.

GREENHOUSE, FARM shall mean a **building** for the growing of plants, shrubs, trees and similar vegetation which are necessarily transplanted outdoors on the same **lot** containing such greenhouse.

GROSS FLOOR AREA see **FLOOR AREA, GROSS**

GROUND FLOOR AREA see **FLOOR AREA, GROUND**

HABITABLE ROOM shall mean a room which:

- a) is located within a **dwelling unit**;
- b) is designed for living, sleeping or eating, or contains sanitary or food preparation facilities; and
- c) that can be used at all times throughout the year;

but, does not include any room specifically defined **herein** as a non-**habitable room**.

HEAVY SERVICE SHOP, see **SERVICE SHOP, HEAVY**

HEIGHT shall mean, with reference to a **building**, the vertical distance measured from the finished **established grade** level at the front elevation of such **building** to:

- a) the highest point of the roof surface or the parapet, whichever is the greater, of a flat roof;
- b) the deck-line of a mansard roof; or
- c) the mean level between eaves and ridge of a gabled, hip, gambrel roof or other type of pitched roof.

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In calculating the **height** of a **building**, any construction used as an ornament or for the mechanical operation of the **building** such as a chimney, tower, cupola or steeple shall not be included.

HIGH-WATER MARK shall mean the normal original water mark of any body of water as measured by an Ontario Land Surveyor unless such high-water mark has been altered by the construction of a public dam or dams, in which case the measurement shall be from the high water mark as controlled by such dam or dams.

HEREAFTER shall mean after the date of passing of this By-law.

HEREIN shall mean anywhere in this By-law.

HOBBY FARM shall mean a residence and barns, sheds, pens, and accessory buildings which are used for the persons residing at the residence and not for commercial agricultural purposes.

HOME INDUSTRY shall mean a gainful occupation including an electrical, woodworking, welding, plumbing, machine shop or blacksmith, conducted in whole or in part in an **accessory building** to a **single detached dwelling**, provided that:

- a) there is no external advertising other than a **sign** erected in accordance with any by-laws of the **Municipality** regulating **signs**;
- b) there is no external storage of goods, materials or equipment;
- c) such **home industry** is not an **obnoxious** trade, business or manufacture;
- d) such **home industry** is clearly secondary to the main residential use and does not change the residential character of the **dwelling units** or creates or becomes a public nuisance, particularly in regard to noise, noxious odours or emission of smoke, traffic or parking;
- e) not more than two (2) persons, other than the owner, are employed therein on a full-time basis; and

HOME OCCUPATION shall mean any occupation that is carried on as an **accessory use** and only by the residents of the **dwelling** or **dwelling unit** provided that:

- a) no person, other than a resident of the **dwelling unit** is engaged in canvassing, delivering or as a go-between in distributing merchandise to customers;
- b) there is no display, other than an unilluminated **sign** not greater than 1 square metre [or 10.76 ft²] in size, to indicate to persons outside that any part of the **dwelling, dwelling units** or **lot** is being **used** for a purpose other than a **dwelling or dwelling unit**;
- c) such **home occupation** is clearly secondary to the main residential **use** and does not change the residential character of the **dwelling or dwelling unit** nor create or become a public nuisance, particularly regarding noise, noxious odours or emission of smoke, traffic or parking;
- d) such **home occupation** does not interfere with television or radio reception;
- e) there is no outside storage of goods or materials;
- f) not more than twenty-five percent (25%) of the **gross floor area** of the **dwelling unit** is used for the purposes of **home occupation** uses; and
- g) such **home occupation** uses may be carried out in an **accessory building** and are limited to a service or repair shop, a personal service shop or an office.

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HOSPITAL shall mean any institution, building or other premises or place established for the maintenance, observation, medical and dental care and supervision and skilled nursing care of persons afflicted with or suffering from sickness, disease or injury or for the convalescent or chronically ill persons.

HOTEL/MOTEL/HOSTEL shall mean a **building** or part of a **building** or a group of **buildings** used primarily for the purpose of providing overnight guest room accommodation to the travelling public, with or without **accessory** restaurants, dining rooms or refreshment rooms, and includes any establishment containing guest rooms which is defined as a **hotel or motel** in [the Hotel Registration of Guests Act, R.S.O. 1990, Chapter H.17](#), but does not include any residential use.

HUNT CAMP shall mean a **building** used for sleeping accommodation, the preparation and serving of food and/or sports or recreation facilities and intended for use as a base camp for hunting. The **hunt camp** is to be used on a temporary or seasonal basis and is not a **commercial** facility.

INTERIOR LOT, see **LOT, INTERIOR**

INTERIOR YARD, see **YARD, INTERIOR**

INDUSTRIAL USE shall mean the **use** of land, **buildings** or **structures** for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage of goods and related **accessory uses**. For clarity, this definition shall include cannabis processing facilities.

INDUSTRIAL USE, LIGHT shall mean an industrial use engaged in, or **used** for:

- a) Producing apparel and finished textile products, other than the production of synthetic fibers,
- b) Warehousing or storing of goods or materials indoors
- c) Printing, duplicating or bookbinding
- d) Manufacturing finished paper and allied products other than processing wood pulp,
- e) Producing cosmetics, drugs and other pharmaceuticals supplies,
- f) Manufacturing finished lumber products, light metal products, light machinery, computer software, electronic products, finished plastic-ware, porcelain, earthenware, glassware or similar articles including, without limiting the generality of the foregoing, furniture, housewares, monument, toys, musical instruments, jewellery, watches, precision instruments, filters, radios and electronic components, but does not include a tannery or any industrial use accessory to an extractive use, or
- g) Research laboratories and medical offices for engineers, architects and surveyors

KENNEL shall mean a **building** or **structure** where animals, birds or other livestock intended or **used** as domestic household pets are kept or boarded.

LANDFILL SITE shall mean any land approved by the Ministry of the Environment upon, into or in which **waste** may be deposited or processed.

LANDFILLING shall mean the disposal of **waste** by deposit, under controlled conditions, on land and included compaction of **waste** into a cell and covering the **waste** with cover material at regular intervals.

LANDSCAPING shall mean:

- a) any combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property and/or to provide a screen to mitigate any objectionable adjacent land use; and

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- b) does not include ***parking areas***, patios, walkways, driveways or ramps.

LANE shall mean a public or private thoroughfare that affords either a primary or a secondary means of vehicular access to abutting ***lots*** and which is not intended for general traffic circulation.

LAUNDROMAT shall mean a ***building*** or ***structure*** where the services of coin-operated laundry machines, using only water, detergents and additives that are made available to the public for the purpose of laundry cleaning.

LIGHT INDUSTRIAL USE, see **INDUSTRIAL USE, LIGHT**

LOADING SPACE shall mean an unencumbered area of land which is provided and maintained upon the same ***lot*** or ***lots*** upon which the principal ***use*** is located and which area:

- a) is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle, and such parking shall not be for the purpose of sale or display;
- b) is suitable for the temporary parking of one commercial motor vehicle;
- c) is not upon or partly upon any ***street*** or ***lane***; and
- d) has adequate access to permit ***ingress*** and ***egress*** of a commercial motor vehicle from a ***street*** by means of driveways, aisles, manoeuvring areas or similar areas, no part of which shall be used for the temporary parking or storage of one or more motor vehicles.

LONG-TERM CARE HOME: shall mean a “long term care home” as defined in the Long-Term Care Homes Act, 2007, and its successors.

LOT shall mean a parcel of land, whether such parcel is described in a registered deed or is shown on a registered plan of subdivision including any of its parts which are subject to right-of-way or easement that is capable of being legally conveyed.

LOT AREA shall mean the total horizontal area within the ***lot lines*** of a ***lot*** and, in the case of a ***corner lot*** having street lines rounding at the corner with a radius of six (6) metres [or 19.69 feet] or less, the ***lot area*** of such ***lot*** shall be calculated as if the ***lot lines*** were projected to their point of intersection.

LOT, CORNER shall mean a ***lot*** situated at the intersection of and abutting on two (2) or more ***streets*** provided that the angle of intersection of such ***streets*** is not more than 135 degrees.

LOT COVERAGE shall mean that percentage of the ***lot area***, covered by all ***buildings*** above ground level, and shall not include that portion of such ***lot area*** which is occupied by a ***building*** or portion thereof which is completely below ground level, and for the purpose of this definition the ***lot coverage*** in each ***zone*** shall be deemed to apply only to that portion of such ***lot*** which is located within said ***zone***.

LOT DEPTH shall mean the horizontal distance between the ***front and rear lot lines***. Where these ***lot lines*** are not parallel, the lot depth shall be the length of a line joining the midpoints of the ***front and rear lot lines***.

LOT FRONTAGE shall mean the horizontal distance between the side ***lot lines*** measured at right angles. Where the front ***lot line*** is not a straight line, or where the side ***lot lines*** are not parallel, the ***lot frontage*** shall be measured by a line seven and one-half (7.5) metres [or 24.6 feet] back from and parallel to the chord of the ***lot***

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frontage. For the purpose of this By-law the chord of the **lot frontage** is a straight line joining the two points where the side **lot lines** intersect the front **lot lines**.

LOT, INTERIOR shall mean a **lot** situated between adjacent **lots** and having access to one street.

LOT LINE shall mean any boundary of a **lot**.

LOT LINE, FLANKAGE shall mean a side **lot line** which abuts the **street** on a corner **lot**.

LOT LINE, FRONT shall mean the **lot line** that divides the lot from the **street**, but:

- a) in the case of a corner **lot** with two **street** lines of equal lengths, the **lot line** that abuts the wider street or abuts a Provincial Highway shall be deemed to be the **front lot line**, and in the case of both streets being under the same jurisdiction, or of the same width, the **Municipality** may designate either **street** line as the **front lot line**;
- b) in the case of a corner lot abutting a 0.3 metre [one foot] reserve the lot so abutting the 0.3 metre [one foot] reserve shall be deemed an exterior side **lot line** and the other line abutting the **street** shall be deemed the **front lot line**;
- c) in the case of a through **lot**, the longer boundary dividing the lot from the street shall be deemed to be the **front lot line** and the opposite shorter boundary shall be deemed to be the **rear lot line**. In case each of such **lot lines** should be of equal length, the **Municipality** may designate either **street** line as the **front lot line**;
- d) in the case of a **lot** with **frontage** on a navigable stream, river or lake, or marine road allowance the front lot line shall be either the line of the established **high-water mark** of such stream, river or lake, or the line of the inner limit of the original marine road allowance along the shore of such stream, river or lake; and
- e) in the case of a **lot** with **frontage** on a navigable stream, river or lake, or marine road allowance and an open and maintained road allowance, the front lot line shall be either the line of the **high-water mark** of such stream, river or lake, or the inner line of the original marine road allowance along such stream, river or lake or the **lot** line adjacent to the open and maintained municipal road allowance.

LOT LINE, REAR shall mean the **lot line** opposite the **front lot line**.

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

LOT OF RECORD shall mean a **lot** or parcel of land that can legally be conveyed and which includes **lots** on a registered plan of subdivision, parcels created by consent in accordance with the Planning Act or other distinct and separate holding, the deed/transfer to which is registered in the Land Registration office and which **lot** or parcel of land was legally created prior to the date of passing of this By-law. For the purposes of this definition, **lots of record** shall not include those **lots** on a registered plan of subdivision which has been deemed not to be a registered plan of subdivision for the purposes of Section 50 (4) of the Planning Act R.S.O. 1990, as amended.

LOT, THROUGH shall mean a **lot** bounded on two opposite sides by streets, provided however, that if any **lot** qualifies as being both a "**lot, corner**" and a "**lot, through**" as hereinbefore defined, such lot shall be deemed a "**lot, corner**" for the purpose of this By-law.

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MAIN BUILDING shall mean the **building** in which is carried on the principal purpose for which the **building lot** is used.

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 or partially enclosed space or roof, where such members are nearer to a **lot line** than the said exterior wall.

MANUFACTURING shall mean an establishment primarily engaged in the fabricating, processing, finishing, refinishing, assembly, or similar production of various articles and commodities, and includes custom workshops, factories, mills, industrial shops, and similar production facilities. This definition shall include cannabis processing facilities.

MARINA shall mean a **commercial establishment** where a **boathouse**, boat storage, boat repair facilities, boat rental, pier, dock or jetty facilities or any combination of the foregoing are available for all types of marine - pleasure craft and may include a gasoline pump for the fuelling of marine craft and a **building or structure** for the sale of marine craft, accessories and/or refreshments.

MATERIAL RECOVERY FACILITY OR AREA shall mean a **waste** processing facility or area in which source separated material is processed into recyclable or reusable material. Processing may include such activities as sorting, baling, treatment and other forms of material recovery and short-term storage of processed material.

MICROBREWERY OPERATION shall mean a facility at which manufacturing of handcrafted ales and lagers beer from raw materials (malt, hops, water and yeast) are produced on the premises with a **commercial** and certified brewing system. Operations will further include the cold storage of beer products manufactured on site, and retail and distribution sales of those beer products. The facility may include a hospitality and tasting area, but shall not include a **restaurant, an eating establishment**, tavern, bar, night **club**, or takeout food service.

MOBILE HOME shall mean any **dwelling** that is designed to be made mobile, and constructed or manufactured in a factory to provide a permanent residence for one or more persons, unit complies with all applicable standards of the Canadian Standards Association for **mobile homes**, but does not include a **travel trailer** or tent trailer or trailer otherwise designed; and has a minimum width of four and one-half (4.5) metres [or 14.8 feet].

MOBILE HOME PARK Shall mean an area set aside for the **use of mobile homes** in which sewage disposal, water and hydro resources are provided and in which community laundry, social, local commercial **and** recreation facilities may be located, and which is licensed for this purpose by the **Municipality**. The area allotted for each **mobile home park** shall be not less than 930 square metres [or 10,010 ft²]. The **mobile home park** shall be created in accordance with the [Ontario Rules for Non-municipal drinking water systems](#).

MODULAR HOME shall mean a **single detached dwelling** which has been manufactured in a factory remote from the site where it is intended to be used and transported to the site for installation on a prepared foundation and which unit complies with all applicable standards of the Canadian Standards Association and for the purpose of this By-Law shall be considered as a **single detached dwelling**.

MOTEL, see **HOTEL/MOTEL/HOSTEL**

MOTOR VEHICLE REPAIR SHOP shall mean a service commercial or general industrial establishment for the repair or replacement of parts in a motor vehicle or recreational vehicle and without limiting the generality of the foregoing, absorbers, transmissions, gears, brakes, clutch assemblies, steering assemblies, radiators, heating

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and cooling systems, ignition systems, mechanical or electrical parts or systems, but does not include an **auto body repair shop**.

MOTOR VEHICLE SALES AREA shall mean a place comprised of **land** or a **building** or both, the purpose of which is for the display or sale, or both, of new and/or used motor vehicles and/or recreational vehicles; but does not include an automobile wrecking or salvage **yard** or a scrap **yard**.

MULTIPLE DWELLING, see **DWELLING, MULTIPLE**

NATURAL YARD, see **YARD, NATURAL**

NON-COMPLYING shall mean an **existing lot** or **building** or **buildings** which does not comply with one or more of the zone provisions or standards for the **zone** within which said **lot** or **buildings** are located.

NON-CONFORMING shall mean a use that is not permitted in the **zone** in which it is located.

NON-HABITABLE ROOM shall mean any room in a **dwelling** other than a **habitable room** including, but not so as to limit the generality of the foregoing, a laundry room, a pantry, a lobby, a communicating corridor, a stairway, a closet, a sunroom, a veranda, a porch, a balcony, a private garage, an unfinished attic, a boiler room and any space used for the service and maintenance of such **dwelling** or for vertical travel between **storeys**.

NURSING HOME shall mean a **building** in which the proprietor supplies for hire or gain, lodging with or without meals and, in addition provides nursing, medical, or similar care and treatment, if required and includes a rest home or convalescent home, long term care home, and any other establishment required to operate under the appropriate statute.

NURSERY shall mean a building, structure, or lot used for the growing of sod, flowers, bushes, trees, or other gardening, landscaping, or orchard stock for wholesome or retail sale.

OBNOXIOUS USE shall mean an offensive use or trade within the meaning of The Public Health Act or any use which is included herein or found to be highly offensive; a nuisance by reason of emission, or the creation of odours, gases, dirt, smoke, noise, vibration, fumes, cinders, soot, waste, or the depositing or leaving of unsightly objects or chattels on land.

OFFICE shall mean a room or rooms where business may be transacted, a service performed, or consultation given but shall not include the manufacturing of any product.

OPEN SPACE shall mean an unoccupied space open to the sky except such land as is used or required for parking purposes by this By-law, and may include any facility park or recreation area, owned, operated or maintained in whole or in part by any public authority for **public use**, and shall include neighbourhood, community, regional and special **parks** or areas.

OPEN STORAGE shall mean the storage of goods, merchandise, or equipment outside of a building or structure on a lot or portion thereof, including such uses as automobile and trailer sales lots, building materials supply yards, but does not include the outdoor display of a limited number of samples of the goods, merchandise or equipment for the purpose of sales and advertisement, or the storage of vehicles or equipment for sale or repair. This definition shall not include the open storage of goods or equipment incidental to the residential occupancy of a lot.

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PARK shall mean an area of land designed for the purposes of passive or active leisure activities and may include thereon one or more athletic fields, field houses, **community centres**, bleachers, **swimming pools**, wading pools, skateboarding areas, bandstands, skating rinks, refreshment rooms, or arenas.

PARKING AREA shall mean an area of land which is provided and maintained upon the same **lot** or **lots** upon which the principal **use** is located and which area:

- a) comprises all parking spaces of at least the minimum number required according to the provisions of this By-law, and all driveways, aisles, manoeuvring areas, entrances, exits, and similar areas used for the purpose of gaining access to and **egress** from the said **parking spaces**; and
- b) is provided and maintained in accordance with all applicable provisions of this By-law.

PARKING LOT shall mean a **parking area** forming the principle use of a **lot**.

PARKING SPACE shall mean an area of land which:

- a) is provided for the temporary parking or storage of one motor vehicle for other than the purpose of sale or display; and
- b) is not less than eighteen (18) square metres [or 194 ft²] exclusive of any aisles or **ingress** or **egress** lanes; and
- c) has adequate access to permit ingress and egress of a **motor vehicle** from the **street** by way of a driveway systems in accordance with the regulations of this By-law.

PERSON shall mean an individual, association, firm, partnership, corporation, trust, incorporated company, corporation created under The Condominium Act, organization, trustee or agent, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

PERSONAL SERVICE SHOP shall mean a **building** or part of a **building** in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, such as a barber's shop, a lady's hairdressing establishment, a shoe-shine shop and other similar services.

PLACE OF ENTERTAINMENT shall mean a motion picture or other theatre, arena, auditorium, public hall, billiard or pool room, bowling alley, ice or roller skating rink, dance hall, music hall, bingo halls, amusement arcades, but does not include any place of entertainment or amusement otherwise defined or classified herein.

PLACE OF WORSHIP means a **building** maintained and controlled by a religious body organized to sustain public worship and dedicated to religious worship and may include a synagogue, a church hall, church auditorium, Sunday school, convent, monastery or parish hall or similar facility.

PORTABLE STORAGE CONTAINER, see **SHIPPING CONTAINER**

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

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PRINCIPAL USE shall mean the primary purpose for which a **lot, building or structure** is **used** or intended to be **used**.

PRIVATE ROAD shall mean a private right-of-way over private property that affords access to abutting **lots** and is not maintained by a public body.

PUBLIC AUTHORITY shall mean the **Council** and any School Board or other board or commission or committee of the **Municipality** established or exercising any power or authority under any general or special statutes of Ontario with respect to any of the affairs or purposes of the **Municipality** or a portion thereof, and includes any committee or local authority established by By-law of the **Municipality**.

PUBLIC BUILDING shall mean any **building or structure** owned or leased by a municipal corporation, the Province of Ontario or The Government of Canada and in which government activities are carried out.

PUBLIC PARK shall mean a park owned or controlled by the **Municipality**, by any Board, Commission or other Authority established under any statute of the Province of Ontario and may include a public beach and other park designations as defined under **park** in this section.

PUBLIC PLAYGROUND shall mean a playground owned or controlled by the **Municipality**, by any Board, Commission or other Authority established under any statute of the Province of Ontario and may include tennis courts, basketball court, and other activity related uses on municipal lands.

PUBLIC USE shall mean a **lot, building or structure** that is broadly used for public benefit.

PUBLIC UTILITY shall mean a premise used for public utility services by the **Municipality**, any Boards or Commissions thereof, any Ministry or Commission of the Governments on Ontario or Canada, and shall include utilities that provide electricity, street lighting systems, natural or artificial gas works, steam, water, telephone, **renewable energy generating facility**, internet or telecommunication services, cable television, transportation, drainage or sewage or refuse collection and disposal services, including a communications facility, and includes any lands, **buildings** or equipment required for the administration or operation of any such system.

REAR LOT LINE, see **LOT LINE, REAR**

REAR YARD, see **YARD, REAR**

RECYCLING CENTRE shall mean a **building** or an area where used material is separated prior to shipment to others who will use those materials to manufacture new products.

REGISTERED PLAN means the original official plan including the surveyed boundaries and dimensions of property to which guides the **Municipality** in identifying certain circumstances with the different types of land use and their granted authority to occur and identifies the specific zones. If the proposal to develop the land does not conform with the Registered Plan and the policies granted as they apply to those lands, then an Official Plan Amendment will need to be made.

RENEWABLE ENERGY GENERATING FACILITY means a facility or a system that generates electricity from a renewable energy source, inclusive of a dam, powerhouse, solar power collectors or installations, transmission lines, and all associated lands, improvements and infrastructure required for its operation, for the generation and transmission of electricity therefrom.

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RESIDENTIAL USE shall mean the use of any **building or structure** on a **lot** for purposes of human habitation and shall have a minimum required area of 37.16m² [400ft²]

RESTAURANT shall mean a **building or structure** or part thereof where food is prepared and offered for sale to the public for consumption within the **building or structure** or off the site but does not include a **drive-in restaurant**.

RESTAURANT CART means a **building or trailer**, even if it is stationary, used on a seasonal basis for the preparation and cooking of a limited selection of meals and the sale of such food and refreshments to the public for consumption on an attached patio or for consumption of the premises. The patio must be used in conjunction with the restaurant cart and means an outdoor area located on the same lot as the restaurant cart, however, the patio area must be more commonly known as the chip stand or hot dog cart.

RESTAURANT, DRIVE-IN shall mean premises consisting of a **building or structure**, together with a **parking area**, from which food, refreshments, dairy products or beverages are offered for sale or sold to the public for consumption either in automobiles parked on the parking area or for consumption elsewhere on the premises, but not necessarily within such **building or structure**, and does not include a **building or structure** where food, refreshments, dairy products or beverages are offered for sale or sold to the public only for consumption within the **building or structure** or off the premises.

RETAIL FLOOR AREA, see **FLOOR AREA, RETAIL**

RETAIL STORE shall mean a **building** or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public at retail prices. A retail store shall include a cannabis retail store.

RIGHT-OF-WAY shall mean an area of land that is legally described in a registered deed for the provision of private access to abutting **lots** and does not include a public **road, street** or highway.

ROOMING HOUSE means a **building** or portion thereof in which the proprietor resides and supplies for hire or gain to more than two (2) persons, lodging and/or meals, but shall not include a **hotel, hospital** or nursing home.

SCHOOL shall mean an elementary school, a high school, a continuation school, a technical school, a college or university or any other school.

SCRAP OR SALVAGE YARD shall mean a **lot** and/or land for the storage and/or handling of scrap material, which without limiting the generality of the foregoing, shall include wastepaper, electronic waste, rags, bottles, and used bicycles, vehicles, tires, metal and/or other scrap material and salvage.

SEA CONTAINER, see **SHIPPING CONTAINER**

SEASONAL DWELLING, see **DWELLING, SEASONAL**

SECONDARY USE shall mean the **use or uses** that are not the original intended or **primary use** for any **building or structure** where the minimum required area shall be 37.16m² [400ft²].

SEMI-DETACHED DWELLING, see **DWELLING, SEMI-DETACHED**

SERVICE INDUSTRY shall mean a garage including engine and auto body repair shop, a printing establishment, a cleaning establishment, a paint shop, plumbing shop, sheet metal shop and similar **uses**.

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SERVICE OR REPAIR SHOP shall mean a **building** or part of a **building** not otherwise classified or defined in this By-law and whether conducted in conjunction with a retail establishment or not, for the servicing, repairing or renting, of articles, goods, materials, but does not include the manufacture or assembly of articles, goods or materials, bicycles, wheel chairs, orthopaedic and prosthetic appliances and articles for fabric mending, window glazing, metal re-plating, painting and refinishing furniture and other household goods and includes a key shop, a custom picture framing shop, the business of renting small tools and appliances, costumes, chairs, tables, musical instruments and public address systems and other like articles and equipment, but shall not include the renting of automobiles, trucks, construction equipment or other similar articles.

SERVICE SHOP, HEAVY shall mean a shop not otherwise classified or defined in this By-Law and whether conducted in conjunction with a retail store or not, for servicing or repairing tires including vulcanizing or retreading, batteries, brakes or radiators, automotive ignition, exhaust or electrical systems, furnace and oil burners, water and air coolers and domestic water heaters, fixtures and equipment and any other like articles, the business of renting automobiles or trucks, light construction or lawn care equipment, and includes the regular place of business of a master electrician or plumber.

SETBACK shall mean the distance between the **lot line** and the nearest main wall of any **building** or **structure** and extending the full width or length of the **lot**.

SEWAGE DISPOSAL FACILITIES shall mean a system of underground pipes or conduits and related pumping and treatment appurtenances operated by the **Municipality** and under license of the Ministry of the Environment for **public use** and works within the meaning of Section 1 of the Ontario Water Resources Act and Ontario Reg. 332/12, under the building code act 1992.

SHIPPING CONTAINER shall mean a reusable enclosed metal structure manufactured to be utilized in the transporting, shipping, and storing of goods and having the original intended benefit to be transferred from one mode of transport to another without the requirement of being unloaded. This shall include intermodal shipping containers, sea containers, storage containers, transport truck trailers, and straight truck trailer boxes, but does not include any vehicle defined herein. This shall also include those containers where the original doors and/or door closures have been removed, leaving the container not fully enclosed.

SHORT TERM RENTAL shall mean all or part of a dwelling unit or accessory structure related to a dwelling unit used to provide sleeping accommodations, and may or may not include cooking facilities, for any rental period that is less than 30 consecutive days in exchange for payment. This excludes bed and breakfasts, hotels, and motels.

SIDE LOT LINE, see **LOT LINE, SIDE**

SIDE YARD, see **YARD, SIDE**

SINGLE DETACHED DWELLING, see **DWELLING, SINGLE DETACHED**

SIGN, LEGAL shall mean a name, identification, description, device, display, or illustration which is affixed to or represented directly or indirectly upon a building, structure, or lot which directs attention to an object, product, place, activity, person, institute, organization, or business and which does not contravene any By-law of the Municipality or any regulation of the Government of Ontario or Canada.

SITE PLAN shall mean a scaled drawing showing the relationship between the **lot lines** and the **uses, buildings or structures existing** or proposed on a **lot**, including such details as **parking areas**, driveways, walkways, **landscaped areas, building areas, minimum yards, building heights, floor areas**, densities and areas for special uses.

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SOLAR COLLECTOR shall mean a Class 1 or 2 ground mounted or rooftop mounted or wall mounted device under the Green Energy and Green Economy Act, 2009 with a name plate capacity of less than or equal to 10 kW consisting of photovoltaic panels that collect solar power from the sun. Solar Collector, Commercial Means a Class 3 ground mounted device under the Green Energy and Green Economy Act, 2009 with a name plate capacity of less than or equal to 10 kW consisting of photovoltaic panels that collect solar power from the sun.

SPECIALIZED USE FARM, see **FARM, SPECIALIZED USE**

STOREY shall mean that portion of a **building** between any floor and the floor, ceiling or roof next above, provided that any portion of a **building** partly below grade level shall not be deemed a storey unless its ceiling is at least one and eight-tenths (1.8) metres [or 5.9 feet] above average grade and provided also that any portion of a storey exceeding four (4) metres [or 13.1 feet] in **height** shall be deemed an additional storey for each four (4) metres [or 13.1 feet] or fraction thereof of such excess.

STOREY, ONE HALF shall mean the portion of a **building** located wholly or partly within a sloping roof having a **floor area** of not less than one-third or more than two-thirds of the **floor area** of the storey next below, sidewalls not less than one and two tenths (1.2) metres [or 3.94 feet] in **height** and a ceiling with a minimum **height** of two and three tenths (2.3) metres [or 7.55 feet] over an area equal to at least fifty percent (50%) of its **floor area**.

STRAIGHT TRUCK TRAILER, see **SHIPPING CONTAINER**

STREET OR ROAD shall mean a public highway as defined by The Municipal Act and The Highway Traffic Act and shall exclude a lane or right-of-way or unopened road allowance, or any street which is shown on a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under Section 50(4) of The Planning Act, R.S.O. 1990, as amended, or which has not been assumed by the **Municipality**.

STREET LINE shall mean the boundary line of a **street**.

STRUCTURE shall mean anything that is **erected**, built or constructed of parts joined together or any such erection fixed to or supported by the soil and/or any other **structure**. For the purposes of this By-law, a fence not exceeding one and eight-tenths (1.8) metres [or 5.91 feet] shall not be deemed to be a **structure**.

SWIMMING POOL shall mean an artificial body of water, either in ground or above ground, intended and used primarily for bathing, swimming and diving but shall not include a natural dug or dammed pond which is intended primarily for aesthetic or agricultural purposes. Must be in accordance with the municipal Pool By-law in effect.

TOURIST CABIN ESTABLISHMENT shall mean an establishment comprising land and **buildings** under single ownership where individual cabins are offered for rent to tourists on a short-term basis. Such cabins may include food preparation facilities. In addition, a permanent residence for the owner or proprietor may be located on the site.

TOWNHOUSE DWELLING, see **DWELLING, TOWNHOUSE**

MUNICIPALITY shall mean the Municipality of Central Manitoulin.

TRAILER shall mean any vehicle so constructed that it is suitable for being attached to a **motor vehicle**, the transport of a boat, tent or materials, notwithstanding that such vehicle is jacked up or, that its running gear is removed.

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TOURIST TRAILER PARK shall mean an establishment comprising land or premises under single ownership, licensed by the *Municipality* and used for the parking of tourist or *travel trailers* on a temporary or seasonal basis and where community laundry, social, local commercial *and* recreational facilities for the exclusive use of the trailer park occupants may be located.

TRAVEL TRAILER shall mean an object designed for accommodation intended and used exclusively for travel, recreation and vacation and which is capable of being drawn or propelled by a motor vehicle or is self-propelled and includes tent trailers, motor homes, campers, recreational vehicles or similar transportable accommodation but does not include a *mobile home*.

TRAVEL TRAILER OCCUPANCY AGREEMENT shall mean the contract signed by the landowner agreeing to hold temporary occupancy in a *travel trailer* on a *lot* for which there is no primary *building or structure* and where there is no active building permit. The said agreement will be *lot* specific, bound to the landowner at the time of authorization only and timeline and fees based on fees schedule currently in effect.

USE shall mean the purpose for which any land, *building, structure* or premises, or part thereof, is arranged, designed or intended to be used, or is or may be occupied or maintained and the word '*used*' has a corresponding meaning.

UTILITY shall mean "a Public utility" as defined by the Public Utilities Corporation Act and amendments thereto.

WASTE shall mean ashes, garbage, refuse, domestic waste, industrial waste, or municipal refuse and such other materials as are designated in regulations under the Environmental Protection Act, R.S.O. 1990, as amended.

WASTE PROCESSING FACILITY OR AREA shall mean *land, buildings* or *structures* in or upon which *waste* is shredded, baled, pulverized, composted, separated or otherwise treated or altered to facilitate its further transfer, processing, utilization or disposal.

WATERCOURSE shall mean a natural channel for a stream and, for the purpose of this By-law, includes a natural channel for an intermittent stream and all watercourses, whether or not shown on Schedules.

WATER SUPPLY shall mean a distribution system of underground piping and related storage, including pumping and purification appurtenances owned and operated by the *Municipality* and/or the Ontario Ministry of the Environment for *public use* and work within the meaning of Section 2 of the Safe Drinking Water Act.

WAYSIDE PIT shall mean a temporary pit opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

YARD shall mean an open, uncovered space on a *lot* adjacent to a *main building*, except a *court*, and unoccupied by *buildings* or *structures* except as specifically permitted elsewhere in this By-law. In determining *yard* measurements, the minimum horizontal distance from the respective *lot lines* shall be used.

YARD, EXTERIOR shall mean the side yard of a *corner lot* which *side yard* extends from the *front lot line* and the nearest main wall of any *building* or *structure*.

YARD, FRONT shall mean a yard extending across the full width of a *lot* between the *front lot line* and the nearest wall of any *building* or *structure* on the *lot* and the "*minimum*" front *yard* means the minimum depth of a front yard on a *lot* between the *front lot line* and the nearest main wall of any *main building* or *structure* on the *lot*.

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YARD, NATURAL shall mean a **yard** extending across the full width of a **lot** between a **lot line** abutting a navigable stream, river or lake and the nearest wall of any **building** or **structure** on the **lot** and which yard contains the natural and undisturbed vegetation of the shoreline.

YARD, REAR shall mean a **yard** extending across the full width of a **lot** between the **rear lot line** and the nearest wall of any **main building** or **structure** on the **lot** and the "minimum" rear yard means the minimum depth of a rear yard on a **lot** between the **rear lot line** and the nearest main wall of any **main building** or **structure** on the **lot**.

YARD, SIDE shall mean a **yard** extending from the **front yard** to the **rear yard** of a **lot** between a **side lot line** and the nearest wall of any **building** or structure on the lot and the "minimum" side yard means the minimum width of a side yard on a **lot** between a **side lot line** and the nearest main wall of any **main building** or **structure** on the **lot**.

YURT shall mean a shelter made of canvas, nylon or other such material, including associated poles, pegs and ropes, that may be disassembled and easily moved, and that is not permanently affixed to the site but shall not include a recreational vehicle or any other structure otherwise defined or classified in this By-law. A yurt shall not be considered a dwelling unless it meets the Ontario Building Code, but may be provided in a campground or used as a short-term rental, subject to meeting health and safety requirements, and any other Municipal requirements.

ZONE shall mean a designated area of land use shown on any Schedule within this By-law.

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SECTION 6: GENERAL PROVISIONS – ALL ZONES

6.1 ZONES

For the purposes of this By-law, the following **Zones** are established and are shown on the various Schedules to this By-law:

<u>SECTION</u>	<u>ZONE</u>	<u>SYMBOL</u>
7.1	Agricultural	(A)
7.2	Rural	(R)
7.3	Residential	(R1)
7.4	Multiple Residential	(R2)
7.5	Shoreline Residential	(SR)
7.6	Commercial	(C)
7.7	Commercial Recreational	(CR)
7.8	Pit and Quarry	(Q)
7.9	Institutional	(I)
7.10	Recreational	(O1)
7.11	Conservation	(O2)
7.12	Waste Disposal	(WD)
7.13	Future Development	(FD)
7.14	Industrial	(M)

and no person shall use land or **erect** or use a **building** or **structure** except in accordance with the general and special provisions of this By-law applying to the **zone** in which the land, **building** or **structure** is, or is to be, situated.

6.2 APPLICATION OF BY-LAW

See Section 3.3 and 4.1

6.3 ACCESSORY USES

Where this By-law provides that land may be **used** or a **building** or **structure** may be **erected** or **used** for a purpose, that purpose shall include any **accessory building** or **accessory use** incidental thereto, except that:

- An **accessory building** shall not be **erected** prior to the erection of a **dwelling** on the same **lot** except where it is necessary for the storage of tools and materials for use in connection with the construction of such **dwelling** and no **accessory building** shall be used prior to the erection of such **dwelling** for any other purpose other than **storage**.
- Except as may be provided **herein** any **accessory building** shall be **erected** with a **front line setback** not less than twenty (20) meters [or 65.6 feet] or to the rear of the **established building line** of the **main building**, which ever is less, and shall comply with the other **yard** requirements of the **zone** in which such **building** is situated and such **accessory uses** shall not occupy more than fifteen per cent (15%) of the **lot area**.
- Notwithstanding Sub-paragraph (b) above, a **boathouse**, dock or wharf may be located in the **front yard**, **side yard** or **rear yard** where a **lot** abuts a navigable waterway, provided that the approval of any other government authority having jurisdiction has been obtained and provided that the **boathouse**, dock or wharf is located not closer than six (6) metres [19.7 feet] to the **side lot line** or does not encroach on adjacent frontage when the **lot**

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boundaries are extended into the water. **Boathouses** shall only be permitted in areas with un-opened lake shore road allowance and where a Letter of Comfort Agreement has been registered on the adjacent land's title.

- d) Where an **accessory building** is used for a **home industry**, as defined in this By-law, such **building** or **buildings** shall be located on a **lot** at a **setback** from any abutting **road** or **street** which is fifteen (15) metres [or 49.2 feet] greater than the **setback** required by this By-law for the **main building** on the **lot**.
- e) The use of any **accessory building** or structure, other than a **Guest Cabin**, for human habitation is not permitted, except where a **dwelling** is a permitted **accessory use**. The **use** of any **accessory building** or **structure** for the keeping of animals, other than domestic pets, is only permitted in the Rural and Agricultural **Zones**.
- f) No **accessory building** shall exceed eighty-nine (89) square metres [or 958 ft²] and six and one half (10) metres [or 32.81 ft] in height in a residential **zone**.
- g) No **accessory building** shall be built within two (2) metres [or 6.6 feet] of the **main building** in all **zones**.
- h) Despite section (f), one **guest cabin** having a **gross floor area** with a minimum of 37.16 square metres [or 400 ft²] may be **erected** and **used** on the same **lot** as a **seasonal dwelling**.
- i) **Travel trailers** may only be **used** in accordance with this section in **zones** that permit residential **use**, must be clearly secondary to the residential **use** and be permitted by the **Trailer Licensing By-Law**.

6.4 AUTOMOBILE SERVICE STATIONS

Where automobile service stations are permitted in this By-law, the following provisions shall apply:

- | | <u>Interior Lot</u> | <u>Corner Lot</u> |
|--------------------------------|----------------------|---------------------|
| a) Minimum lot frontage | 60 Metres [196.9ft] | 60 metres [196.9ft] |
| b) Minimum lot depth | 45 metres [147.64ft] | 60 metres [196.9ft] |
- c) No portion of any pump island on an **automobile service station** lot shall be located closer than six (6) metres [19.7 feet] from the **street line** of any **street**;
 - d) The minimum distance from the intersection of two (2) **street lines** to the nearest **ingress** or **egress** ramp shall be not less than nine (9) metres [or 29.5 feet];
 - e) The maximum width of a curb ramp at the **street line** shall be not more than nine (9) metres [or 29.5 feet] and the minimum width not less than eight (8) metres [or 26.25 feet].
 - f) The minimum distance between ramps shall not be less than nine (9) metres [or 29.5 feet];
 - g) The minimum distance between the **lot line** of the **lot** at the **street line** and the nearest ramp shall be three (3) metres [or 9.84 feet];
 - h) The area included between ramps or between ramps and a **street line** or **lot line** as required by this By-law shall not be used for any purpose other than **landscaping**; and
 - i) The following minimum provisions shall apply to **buildings** and pumps associated with this **use**:
 - a. **Front yard** 18.0 metres [or 59 feet]
 - b. **Side yard** 4.5 metres [or 14.76 feet]
 - c. **Rear yard** 7.4 metres [or 24.28 feet]

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6.5 BOATHOUSES

- a) a **boathouse** shall be subject to the provisions of Section 6.3 of this by-law and **zone** provisions applicable to **accessory buildings**.
- b) a **boathouse** may only be **erected** where approvals for the **structure** have been obtained, where required, from any authority having jurisdiction.
- c) the maximum number of **boathouses** shall be one on any **lot** with 'SR' zoning or used for residential purposes.
- d) the **height** of a **boathouse** shall be no more than one and one half (1.5) **storeys**, as defined in this by-law or six (6) metres [or 19.69 feet], measured from the **high-water mark** to the highest point of the roof, whichever is greater.
- e) The **height** of the side walls of a **boathouse** shall be no greater than four (4) metres [or 13 feet] measured from the **high-water mark**, or three (3) metres [or 9.84 feet] measured from the top of an attached deck or dock that is not more than one (1) metre [or 3.28 feet] above the water level, whichever is greater.
- f) the width of a **boathouse** shall be no wider than that required to accommodate up to two (2) boat slips, plus internal access to the slips, plus the exterior walls of the **boathouse**.

in addition, a **boathouse** shall be subject to the provisions of Section 6.3 (c) of this by-law.

6.6 BUILDING ON A SHORELINE

6.6.1 LAKE HURON SHORELINE

Notwithstanding any other provisions of this By-law, no person shall **erect** any habitable **building** or **structure** in any **zone** abutting the shoreline below 178.3 metres Canadian Geodetic Datum unless:

- a) the **building** or **structure** is located at least sixty-one (61) metres from the **High-Water Mark**, and
- b) the **building** or **structure** is flood-proofed to 179.6 metres Canadian Geodetic Datum.

6.6.2 LAKE SHORELINE

Notwithstanding the provisions of Schedule "A" – Zone Requirements, no building other than a marina or boathouse shall be constructed within thirty (30) metres [98.43 ft] of a lake unless a natural yard extending back from the shore a distance of twenty (20) metres [65.62ft] is left in its natural state, in which case the building setback may be reduced to twenty (20) metres [65.62ft].

6.7 BUILDING REPAIR & RECONSTRUCTION

- a) Nothing in this section prevents the reconstruction of any **building** or **structure** that is damaged or destroyed by causes beyond the control of the owner, provided that the minimum frontage or area, or the minimum **front, side or rear yards** required by this section are not further reduced or its original **use** altered.
- b) Nothing in this section prevents the strengthening or restoration to a safe condition of any **building** or **structure** or part of any such **building** or **structure**.
- c) Such repair or reconstruction does not further contravene the provisions of this By-law, because of a change in the height, size or volume, or by changing the use of such **building** or **structure**; and;
- d) If the **building** is a dwelling house in other than a residential zone, it shall comply with all of the requirements set out in Schedule A for a **Residential use** in a residential R2 **zone**.
- e) Nothing in this section permits the reconstruction or repair of an unsafe **building** that has been derelict for a period exceeding 5 years.

6.8 BUILDINGS TO BE MOVED

In all **zones**, no **building**, residential or otherwise normally requiring a **building** permit for construction shall be moved within the area covered by this By-law or shall be moved into the limits of the area covered by this By-law without a permit from the **Chief Building Official**.

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6.9 CHANGE OF USE

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

6.10 CONTINUATION OF FARM USE

Nothing contained within this By-law shall prevent the continued use of any land, **building** or **structure** for **farming** purposes as defined under the term **Farm** in [Section 5](#).

6.11 CORNER LOTS IN RESIDENTIAL ZONES

Notwithstanding any other provision of this By-law, on a corner **lot** in the area covered by Schedules, no part of any **building** or **accessory building** shall be **erected** closer to the **lot line** of the **flanking** street than the minimum **setback** required on the **flanking** street.

6.12 DAY LIGHTING TRIANGLES

On a corner **lot**, a fence, **sign**, hedge, shrub, bush or tree, or any other **structure** or vegetation shall not be erected or permitted to grow to a **height** greater than one (1) metre [or 3.3 feet] above the grade of the streets that abut the **lot** within the triangular area included within the **street line** for a distance of six (6) metres [or 19.7 feet] from their point of intersection.

6.13 DWELLING UNIT IN NON-RESIDENTIAL

No person shall **use** any **lot**, or **erect**, **alter** or **use** any **building** or **structure** for the purpose of a separate **Dwelling Unit** on a **lot** zoned other than for residential uses, or within a portion of a non-residential **building** except in accordance with the following regulations:

- a) One single **dwelling unit** per **building** for use by the owner or operator shall be permitted with a private water supply and sewage system where such have been approved by the Ministry of the Environment, health unit or other responsible authority;
- b) The **dwelling unit** shall have a separate washroom or bathroom and kitchen facilities from those of the non-residential use;
- c) The **dwelling unit** shall have a separate **parking space** as provided by sub-Section 6.22 hereto;
- d) The **dwelling unit** shall have a separate **building** entrance to that of which is provided for non-residential use; and
- e) The **gross floor area** of the residential portion of a non-residential **building** in a Commercial Zone shall not exceed sixty per cent (60%) of the **lot area**
- f) The **dwelling unit** shall have a minimum **floor area** of 37.16m² [or 400ft²].
- g) Notwithstanding the provisions of this By-law, no **dwelling unit** shall be located in a non-residential **building** that is used for an **automobile service station** as defined within Section 5.

6.14 NON-COMPLYING/NON-CONFORMING LOTS, BUILDINGS, AND USES

a) Continuation of Existing Uses

The provisions of this By-law shall not apply to prevent the use of any **land**, **building** or **structure** for any purpose prohibited by this By-law if such **land**, **building** or **structure** was lawfully used for such purpose on the date of the passing of this By-law so long as it continues to be used for that purpose or to prevent the **erection** or **use** for a purpose prohibited by this By-law of any **building** or **structure** the plans for which have, prior to the date of the passing of this By-law, been approved by the **Chief Building Official**, so long as the **building** or

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structure when **erected** is used and continues to be used for the purpose for which it was **erected** and provided the **erection** of any such **building** or **structure** is commenced within 2 years after the date of the passing By-law and such **building** or **structure** is completed within a reasonable time after the **erection** thereof is commenced.

b) Existing Buildings

Where a **building** has been **erected** prior to the date of the passing of this By-law on a lot having less than the minimum **frontage** and/or area, or having less than the minimum **setback** and/or **side yard** and/or **rear yard** required by this By-law, the said **building** may be enlarged, reconstructed, repaired or renovated provided that:

- (i) The enlargement, reconstruction, repair or renovation does not further reduce a **front yard** and/or **side yard** and/or **rear yard** having less than the minimum required by this By-law; and
- (ii) All other applicable provisions of this By-law are complied with.

c) Existing Lots

A **lot** held as a single lot prior to the passing of this By-law may be built upon, even though said **lot** is of such size that it cannot comply with the minimum **frontage** and/or depth and/or area required by this By-law, provided that in the case of a **lot** in the Agricultural (A) Zone, Rural (R) Zone or the area covered by Schedules, such lot has not less than 15 metres [or 49.21 feet] of frontage and not less than 900 square metres [or 9,687.52 ft²] of area. Such lot shall require the approval of the Ministry of the Environment or the local Health Unit prior to the issuance of a building permit and the proposed use must comply with all other applicable provisions of this Bylaw.

d) Residential Use in a Commercial Zone

Nothing in this By-law shall apply to prevent the alteration or replacement of a residential building existing at the date of passing of this By-law in a Commercial **Zone**, provided that such alteration or replacement does not contravene any of the provisions of this By-law for such **use** in **Residential** Zone.

Whereas the ground **floor area** is less than required;

Nothing in this By-law shall prevent an alteration being made to a permitted **dwelling**, which **dwelling** existed at the time of the passing of this By-law but which has a ground **floor area** or **dwelling unit** area less than that required by this By-law, provided such alteration does not contravene any other provisions of this By-law.

6.15 FRONTAGE ON PUBLIC ROAD OR STREET

No person shall **erect** any **dwelling** in any **zone** unless the **lot** upon which such **dwelling** is to be **erected** fronts upon a public **street** or **road** allowance or abuts a legal **right of way** which is registered on title, that provides access to a **road** that is opened and maintained year-round by a public road authority. No person shall **erect** any other **building** or **structure** in any other **zone** unless the **lot** upon which such **building** or **structure** is to be **erected** fronts upon public **street** or **road** allowance. Notwithstanding the foregoing, a **dwelling** may be **erected** on any **lot** having water access only provided that there is a developed public access point.

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6.16 GREATER RESTRICTIONS

This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions.

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6.17 HEIGHT EXCEPTIONS

Notwithstanding the **height** provisions, nothing in this By-law shall apply to prevent the **erection** of a **church** spire, belfry, clock tower, chimney, **farm building** or **structure**, silo, water tank, windmill, radio, radar, or television tower or antenna, or drive-in theatre screen, ventilators, skylight or solar collectors.

6.18 LICENSES, PERMITS AND OTHER BY-LAWS

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

6.19 LOADING SPACE REGULATIONS

Loading Space Requirements

The owner or occupant of any **lot**, **building** or **structure erected** or **used** for any purpose involving the receiving, shipping, loading or unloading of persons, animals, goods, wares and merchandise and raw materials, shall provide and maintain at the premises on the **lot** occupied by the **building** or **structure** and not forming part of a street or lane, within the **zone** in which such use is located, one **loading or unloading space** ten (10) metres [or 32.8 feet] long, four (4) metres [or 13.12 feet] wide and having a vertical clearance of at least four and one half (4.5) metres [or 14.76 feet] for each five hundred (500) square metres [or 5,381.96 ft²] of **floor area** of the **building** or **structure**.

a) Access

Access to **loading or unloading spaces** shall be by means of a driveway at least six (6) metres [or 64.59 feet] wide.

b) Loading Space Surface

The driveways, **loading and unloading spaces** shall be constructed and maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles and with provisions for drainage facilities.

c) Location

The **loading space or spaces** required shall be located in the interior **side or rear yard** unless **setback** from the **street line** a minimum distance of twenty-five (25) metres [or 82.02 feet].

d) Addition of Existing Use

When a **building** or **structure** has insufficient **loading space** at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that the deficiency be made up prior to the construction of any addition. No addition may be built, however, and not change of use may occur, the effect of which would be an increase in that deficiency.

6.20 MINIMUM DISTANCE SEPARATION (MDS)

Notwithstanding any other yard or setback provision in this By-law to the contrary, no building housing livestock or manure handling facility shall be erected or expanded and no new lot shall be created unless it complies with the Minimum Distance Formulae as developed by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA), as amended.

6.20 NUMBER OF DWELLING UNITS ON ONE LOT

No more than one (1) **single detached dwelling** shall be **erected** on one **lot** except in the Multi Residential Zone.

6.21 OCCUPATION OF UNCOMPLETED BUILDING

No **building**, or part of any **building**, shall be occupied except under the requirements of the Ontario Building Code.

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6.22 PARKING AREA REGULATIONS

Parking spaces and area are required under this By-law in accordance with the following provisions:

a) Parking Space Requirements

The owner of every **building** or **structure erected** or **used** for any of the purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant or other persons entering upon or making use of the said premises from time to time, **parking spaces** and areas as follows:

TYPE OF BUILDING	MINIMUM PARKING REQUIRED
Residential dwelling unit in a non-residential building	1.0 parking spaces per dwelling unit
Apartment dwelling , condominium townhouse and maisonette dwelling	1.5 parking spaces per dwelling unit of which ten percent (10%) shall be designated for guest parking areas
All other residential units	2.0 parking spaces per dwelling unit
Bed & Breakfast	1.0 parking spaces per guest room
Medical, Dental or Drugless Practitioners Office or Clinic	5.0 Parking spaces for each practitioner
Church , Funeral Home, Auditorium, Restaurant , Theatre, Arena, Hall Private club or other Places of Assembly.	Where there are fixed seats, 1 parking space for every five (5) seats or three (3) metres of bench space, where there are no fixed seats, one (1) parking space for each 9.0 sq. metres [or 96.88 ft ²] of floor area devoted to public use.
Hospitals or Institution , including a Nursing Home	One (1) parking space for every two (2) beds or forty (40) square metres [or 430.56ft ²] of floor area which ever is greater <u>Plus</u> One (1) additional space for each resident doctor or resident employee.
Hotel , Motel and Tourist Cabins	One (1) parking space per suite or guestroom, <u>and</u> One (1) additional parking space for each nine (9.5) square metres [102.26ft ²] of floor area devoted to public use .
Office , Including a Home Occupation	One (1) Parking space per twenty-eight (28) square metres [or 301.39 ft ²] of office floor area .
Other Commercial Uses	One (1) parking space for every nineteen (19) square metres [or 204.51ft ²] of total floor area .
Schools	One and one half (1.5) parking spaces for each teaching area <u>plus</u> one (1) separate bus loading area per two (2) teaching areas.
Industrial including Home Industry	At least one (1) parking space for every 42m ² [or 452 ft ²] of total area up to 1858 square metres [or 19,999ft ²], <u>plus</u> 1 additional space for every 450 sq metres [or 4,843.76ft ²] of total floor area over the 1858 sq metres [or 19,999ft ²] including any basement area if used for industrial use .

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Marina	One (1) parking space for each twenty (20) square metres [215.28ft ²] of total retail floor area , <u>plus</u> one (1) parking space for each boat slip provided.
Bowling Alleys, Curling Rinks and Arena	One (1) parking space each two (2) persons in the designed capacity of the establishment (designed capacity shall mean six (6) persons per bowling lane and eight (8) persons per curling sheet).
Barrier Free Parking	In buildings requiring barrier free parking access 20% of the parking space shall be designated as barrier free parking only. Accessible parking spaces shall meet the Ontario Integrated Accessibility Standards Regulation 191/11 or its successors.

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

b) Parking Area Requirements

Parking areas shall conform to the following requirements:

- (i) the **parking area** shall be located on the same **lot** as the use it is intended to serve except in the case of a water access **lot** where the **parking area** shall be located in a **zone** where such use is permitted by this By-law; or in the case of the Commercial **Zone** (C), where the **parking area** may be allocated in an off-street **parking lot**.
- (ii) each parking space shall be at least three (3) metres [or 9.85ft] by six (6) metres [or 19.69ft] and shall be provided with unobstructed access to a **street** by a driveway, aisle, lane or private road;
- (iii) any parking area designed to serve water access **lots** shall have a minimum area of fifty (50) square metres [or 538.2ft²] for each lot to be served and no parking shall be permitted within eight (8) metres [or 26.25ft] of the **high water mark** or within three (3) metres [or 9.85ft] of any **lot line** abutting a **lot** in a Residential **Zone**;
- (iv) for any parking area in a Commercial or Industrial **Zone** which is required to be used in winter, an additional area equal to twenty per cent (20%) of the required area shall be provided for snow storage.
- (v) the requirement for parking designated for vehicles of handicapped persons shall be at least one percent of the parking spaces required on any lot providing greater than ten (10) parking spaces and shall:
 - i.i. have a minimum rectangular dimension of four and one-half (4.5) metres [14.76 ft] by six (6) metres [or 19.69 ft]; and
 - i.ii. be located on level ground readily accessible to an entrance to such building; and
 - i.iii. be clearly identified and reserved for the exclusive use of physically disabled persons

c) Parking Area Surface

In a Commercial or Industrial **zone**, a **parking area** and driveway connecting the **parking area** with a **street** shall be

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maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles. They shall, before being used, be constructed of crushed stone, slag, gravel, crushed brick (or tile), cinders, asphalt, concrete, Portland cement fender or like material and with provisions for drainage facilities.

d) Ingress and Egress

- (i) Ingress and egress, to and from the required **parking spaces** and areas shall be provided by means of unobstructed driveway aisles or passageways at least four (4) metres [or 13.12ft] but not more than nine (9) metres [or 29.53ft] in perpendicular width.
- (ii) The maximum width of any joint ingress and egress driveway ramp measured along the **street line** shall be nine (9) metres [or 29.53ft].
- (iii) The minimum distance between a driveway and an intersection of **street lines** measured along the **street line** intersected by such driveway shall be eight (8) metres [or 26.25ft].
- (iv) The minimum angle of intersection between a driveway and a **street line** shall be sixty (60) degrees.
- (v) Every **lot** shall be limited to the following number of driveways:
 - a. up to the first thirty (30) metres [or 98.43ft] of **frontage** not more than two (2) driveways; and
 - b. for each additional thirty (30) metres [or 98.43ft] of **frontage** not more than one (1) additional driveway.

e) Illumination

Where **parking areas** are illuminated, lighting fixtures shall be so arranged that no part of any fixture shall be more than nine (9) metres [or 29.53ft] above the finished grade of the **parking area**. Fixtures shall be so designed and installed that the light is directed downward with a shield and deflected away from adjacent **lots, roads** and **streets** in accordance with the Municipality's [Dark Sky Policy](#).

e) Addition to Building or Structure

When a **building** or **structure** has insufficient parking area at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that the deficiency be made up prior to the construction of any addition. No addition may be built, however, and no change of use may occur. The effect of which would be an increase in that deficiency.

f) Use of Parking Spaces and Areas

Any area where off-street parking is permitted under this By-law shall be used for no other parking purpose than for the parking of operative passenger vehicles and commercial vehicles used in operations incidental to the permitted uses on the **lot**, all bearing currently valid licence plates.

For the purposes of this subsection "motor vehicle" shall mean any commercial vehicles as defined in the [Highway Traffic Act](#).

g) More Than One Use on a Lot

When a **building** or **structure** accommodates more than one (1) type of **use**, as defined in this By-law, the **parking space** requirement for the whole **building** shall be the sum of the requirements for the separate parts of the

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building occupied by the separate types of **use**.

h) Buffer Area

- (i) Where a **parking area** is situated in a Residential **Zone** and is designed to accommodate more than six (6) automobiles, a strip of land not less than three (3) metres [or 9.84 feet] wide, around the periphery of the said **parking area** and within the **lot** in which said **parking area** is located shall not be used for any purpose other than **landscaping** but this shall not prevent the provision of entrances nor exits to said **parking area** across the strip.
- (ii) Where a parking area is situated on the boundary between a **commercial use** and a **residential use** or recreational zone, a strip of land, not less than three (3) metres [or 9.84 feet] wide and lying in the **commercial use lot** along the said boundary shall not be used for any purpose other than **landscaping** but this shall not prevent the provision of entrances nor exits to said parking area across the strip.

(iii) Parking Area Location on Lot

Notwithstanding the **yard** and **setback** provisions of this By-law to the contrary uncovered surface **parking areas**, in other than **residential use** areas, shall be permitted in any required **yard** or in the area between the **road** or **street line** and the required **setback** provided no part of any **parking area**, other than a driveway, is located closer than one (1) metre [or 3.3 feet] to any **road** or **street line**. On a **residential lot** no parking shall be permitted in the required front **yard** of such **lot** except on a driveway of six (6) metres [or 19.69 feet] maximum width.

6.23 PLANTING STRIPS

Where a **lot** is used for a **commercial** or **Industrial** purpose and the interior **side** or **rear lot line** abuts a **residential lot** then a strip adjoining such abutting **lot line** shall be used for no purpose other than a **planting strip** in accordance with the following provisions:

a) Width of Planting Strip:

Minimum three (3) metres [or 9.84 ft].

b) Use:

A **planting strip** shall be used for no other purpose than a continuous fence or hedge row of evergreens or shrubs, not less than one and one-half (1.5) metres [or 4.92 ft] high immediately adjoining the **lot line** or portion thereof along which such **planting strip** is required herein, provided that no fence or hedgerow shall be required or permitted to a **height** in excess of one (1) metre [or 3.3 ft] closer to a **street line** than the required **yard** depth.

c) Driveways or Walks:

In all cases where **ingress** and **egress** driveways or walks extend through a **planting strip**, it shall be permissible to interrupt the strip within three (3) metres [or 9.84 ft] of the edge of such driveway or within one and one-half (1.5) metres [or 4.92 ft] of the edge of such walk.

d) Landscaped Open Space:

A **planting strip** referred to in this subsection may form part of any **landscaped** open space required by this By-law.

e) Fences in a Residential Zone:

Any fence erected hereafter within the municipality shall conform to the provisions of any Fence By-law as may from time-to-time be enacted under the Municipal Act or any provisions for fences as hereinafter set out in this By-law. All permitted fences may be built on or at the property line.

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6.24 PUBLIC USES PERMITTED

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 utility or service by the Municipality of Central Manitoulin and/or any Public Authority, or Ministry of the Government of Ontario or Canada, including the Hydro One and Ontario Power Generation, or any telephone, telegraph, broadband or cellular communications, or gas company, provided that where such **land, building** or **structure** is located in any **zone**:

- a) no goods, material or equipment shall be stored in the open except as permitted in such **zone**;
- b) the **lot coverage** and **yard** requirements described for such **zones** shall be complied with;
- c) parking and loading requirements as contained in this By-law shall be complied with.

Nothing in this By-law shall prevent, in any zone, the installation of a watermain, sanitary sewer, storm sewer, gas main, pipeline or overhead or underground hydro and telephone line provided that the location of such pipe or line has been approved by the **Municipality**.

6.25 REDUCTION REQUIREMENTS

No person shall change the purpose for which any land or **building** is **used** or **erect** any new **building** or addition to any **existing building** or sever any lands from an **existing** parcel if the effect of such action is to cause the original adjoining or remaining **buildings** or lands to be in contravention of this By-law.

6.26 SIGNS

The provisions of this by-law shall not apply to prevent the **erection, alteration** or **use** of any **sign** provided such **sign** complies with the By-laws of the **Municipality** regulating **signs**.

6.27 SPECIAL USES PERMITTED

The following uses are permitted in all **Zones** within the **Municipality**:

- a) Temporary camps used in the construction of public works but only for so long as it is necessary for such works as may be constructed adjacent to the camp and only until such time as the work is completed, or abandoned, or
- b) A temporary tool shed, scaffold or other **building** or **structure** incidental to construction on the premises where it is situated and only for so long as it is necessary for the work in progress and until the work is completed or abandoned.

"Abandoned" in this Section shall mean the failure to proceed expeditiously with the construction of a work, specifically abeyance of construction for six (6) months.

6.28 SWIMMING POOLS

a) Permitted in the Side Yard

A private **swimming pool erected** in any **zone** shall be permitted in the **rear or side yard** of any **lot** provided that:

- (i) No part of such **pool** shall be located closer to any **lot line or street line** than the minimum distance required for the principal **building** located on such **lot**;
- (ii) The maximum **height** of such **swimming pool** shall be one and one-half (1.5) metres [or 4.92 feet] above the average finished grade level of the ground both adjoining and within four and one-half (4.5) metres [or 14.76 feet] of such **pool**; and

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- (iii) Any **building** or **structure**, other than the **main building**, required for changing clothing or for pumping or filtering facilities, or other similar **accessory uses**, shall be in accordance with the provisions applicable to **accessory buildings** on such **lot**.

b) Permitted in Rear Yard

A **swimming pool** as an **accessory use** to a permitted residential in any **zone** shall be permitted in the **rear yard** of any **lot** provided that no part of such pool shall be located closer to any **lot line** or **street line** than the minimum distance required for an **accessory building** located on such **lot**. Any **building** or **structure**, other than the **main building**, required for changing clothing or for pumping or filtering facilities, or other similar **accessory uses**, shall be in accordance with the provisions applicable to **accessory buildings** on such **lot**.

Any **swimming pool** having a depth of .5 meters [or 1.64 ft] or greater shall be enclosed by a fence that measures a minimum of 1.5 meters [or 4.92 feet] from the ground, including gates.

6.29 THROUGH LOT

Where a **lot** which is not a **corner lot** has a **frontage** on more than one **street**, the **setback** and **front yard** requirements contained **herein** shall apply on each **street** in accordance with the provisions of the **zone** or **zones** in which such **lot** is situated.

6.30 TRUCK, BUS AND COACH BODIES

No car, van, railway car, streetcar body, truck, bus, coach, or **structure** of any kind other than a **dwelling unit** be placed, **erected** and **used** in accordance with this and all other By-laws of the **Municipality** shall be used for human habitation whether or not the same is mounted on wheels.

6.31 USE FOR HAZARDOUS PURPOSE

No land, **building** or **structure** shall be used for such **commercial** or **industrial** purpose as is likely to create a public nuisance or danger to health or danger from fire or explosion, except in accordance with the provisions of or regulations under [The Gasoline Handling Act](#).

6.32 USES PROHIBITED

Notwithstanding any other provisions contained in this By-law, the following **uses** are prohibited in the Municipality of Central Manitoulin

- a) No **use** shall be permitted which from its nature or the materials used therein is declared by the Local Board of Health, Ministry of the Environment or **council** of the **Municipality** to be a noxious trade, business or manufacture under [The Public Health Act](#) or regulations thereunder
- b) The **use** of any land or **lot** for the purpose of a **tourist trailer park** or the **use** of a **tourist trailer**, or **mobile home** for human habitation except as specifically provided by this By-law.
- c) The **use** of any land or **lot** for the purpose of a **scrap** or **salvage yard** except as may be approved by the **Municipality** in conformity with the Official Plan.
- d) The **use** of **any** land or **lot** for the purpose of a **waste disposal area**, **landfill site**, or dump except for public landfill sites owned and/or operated by the **Municipality**, or upon lands approved by the **Municipality**.
- e) The **use** of any land or **lot** for the purposes of a track for the commercial racing of animals, motor vehicles or motorcycles or go-carts or snowmobiles except by a **club** or organization which is licensed by the **Municipality** for such **uses**.

Notwithstanding any other provision contained in this By-law, the following uses are prohibited within six hundred (600) metres of the urban area.

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- i. The manufacture or storage of fertilizers from human or animal wastes.
- ii. The slaughtering of animals.

6.33 VACANT LOT STORAGE

Notwithstanding any other provision of this By-law a vacant **lot** in any **Zone** may be used for the storage or parking of a motor vehicle, boat, **tourist trailer** or other similar vehicle

6.34 SHIPPING CONTAINERS

Storage Containers in a Residential Zone. No person shall place a storage container in any residential zone except in accordance with the following:

1. **Shipping containers** shall require a building permit and will only be permitted as an accessory use on a lot where a principal use already exists.
2. One (1) only storage container shall be permitted based on lot area at a rate of one (1) **shipping container** or part thereof per 0.4ha (1ac) to a maximum of three (3). In no case is a shipping container permitted on a lot comprising of less than 0.4ha (1ac).
3. The dimensions of the storage container shall not exceed 6 m in length, 2.4 m in width or 3 m in height.
4. No stacking of storage containers shall be permitted.
5. No storage container shall be used for human habitation, home industry or any occupation or business.
6. The storage container shall be located in the rear yard only and shall not be located any closer than 30m (98ft) to any **street line**.
7. The minimum separation distance from any other building shall be 4 m.
8. The storage container shall comply with all other yard setbacks in the zone in which the storage container is located.
9. A storage container shall not be used for the purpose of display or advertising or as a component of a fence.
10. Any change in use or exterior finishes for **shipping container** shall require a new and separate **building permit** and a site plan control agreement under Section 41 of the Planning Act
11. A storage container shall be permitted in a driveway on a residential property for a period not to exceed five (5) days and only for the purpose of loading or unloading household items during the process of moving, but in no case shall encroach upon a public sidewalk or create a site line obstruction to traffic.
12. A storage container shall not be used for the storage of fuels or hazardous materials.

Any storage container shall meet the requirements of the Ontario Building Code Storage Containers in a Non-Residential or Rural Zone

1. **Shipping containers** shall require a building permit and will only be permitted as an accessory use on a lot where a principal use already exists.
2. Up to three (3) storage containers shall be permitted in a non-residential zone or rural zone.
3. The dimensions of the storage container shall not exceed 13.7 m in length, 2.4 m in width or 3 m in height.
4. No stacking of storage containers shall be permitted.
5. No storage container shall be used for human habitation.
6. The storage container shall be located in an interior side yard or the rear yard only.
7. No storage container shall be located on a designated parking space, aisle or access driveway.
8. The minimum separation distance from any other building other than another storage container shall be 4 m.
9. The storage container shall comply with all other yard setbacks in the zone in which the storage container is located.
10. A storage container shall not be used for the purpose of display or advertising or as a component of a fence.
11. A storage container shall not be used for the storage of fuel or hazardous substances.
12. Any storage container shall meet the requirements of the Ontario Building Code.
13. A **shipping container** shall not be used for the Purpose of a commercial storage facility.

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6.35 YARD EXCEPTION, TERRAIN UNSUITABILITY

Where in this By-law, a **front, side or rear yard** is required, and part of the area of the **lot** is usually covered by water or marsh or swale or is beyond the rim of a river bank or water course or between the top and toe of a cliff or embankment having a slope of thirty (30) degrees or more from the horizontal, then the required **yard** shall be measured from the nearest main wall of the **main building or structure** on the **lot** to the edge of the wall of the **main building or structure** on the **lot** to the edge of said area covered by water or marsh, or to the rim of said river bank or watercourse, or to the top of the said cliff or embankment if such area is closer than the **lot line**.

6.36 YARD AND SETBACK ENCROACHMENTS PERMITTED

Notwithstanding the provisions of this By-law to the contrary, where a **single family dwelling** or **accessory use** thereto is to be **erected** in a built-up area where there is an **established building line**, such **dwelling** or **accessory use** may be **erected** closer to the **street line** or the **centre line** of the **road** or **street**, as the case may be, than required by this By-law provided such **dwelling** or **accessory use** is not **erected** closer to the **street line** or to the **centre line** of the **road** or **street**, as the case may be, than the **established building line** on the date of passing of this By-law and further provided that in no case shall any **building** be **erected** closer than three (3) metres [or 9.84ft] from the **front lot line** and need be no greater than **setback** regulations prescribed in the **zone** in which it is situated.

For the purposes of this subsection “the **established building line**” means the average **setback** of the **existing building**. A **building line** is considered to be established when at least three (3) **buildings** have been erected on any one side of a continuous three hundred (300) metres of land with street **frontage**.

a) Notwithstanding the **yard** and **setback** provisions of this By-Law, chimneys, overhangs, un-enclosed porches, balconies, steps, and decks may project into any required yard setback a maximum distance of 1.5 metres [or 4.92ft].

6.37 BUILDINGS ON LAKE HURON SHORELINE

No person shall **erect** any habitable **building** in any **zone** abutting the Lake Huron shoreline below 178.3 meters Canadian Geodetic Datum, unless the **building** or **structure** is located at least 61 meters [or 200.13ft] from the **high-water mark** and the **building** or **structure** is flood proofed to 179.6 meters Canadian Geodetic Datum.

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6.38 MINIMUM FLOOR AREAS

6.39 RECREATIONAL VEHICLE/TOURIST TRAVEL TRAILER STORAGE

Notwithstanding the foregoing, no person shall within any residential **zone**, **use** any part of any **front yard** except the driveway for the **parking** or temporary storage of tent trailers, **motor homes**, land cruisers, truck campers, boats or motorized snow vehicles and no person shall **use** any part of a **front yard** in a Residential **Zone** for the parking or storage of a **travel trailer**.

No person shall, in any **zone**, except in approved **tourist trailer park**, use any tourist or **travel trailer** for the purpose of providing temporary or permanent living or eating accommodation. A **travel trailer** may be permitted in a Shoreline Residential Zone (SR) or a Rural Zone (R) with the securing of an approved **Travel Trailer Occupancy Agreement** from the **Municipality**.

6.40 USE OF ZONE SYMBOLS

The symbols listed in [Section 6.1](#) may be used to refer to any of the uses of land, buildings or structures permitted by this By-law (including the zoning schedules) in the said zones, and the intent of the By-law is that the associated zone regulations apply.

6.41 HOLDING ZONE “H” DESIGNATION

Any zone classification may be placed in a Holding Zone by adding to the zone symbol the letter “h”. No development is permitted on lands where the “h” symbol appears until the applicable conditions have been met and the “h” is lifted by an amendment to this By-law under Section 36 of the Planning Act.

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SECTION 7: SPECIFIC ZONES

7.1 AGRICULTURAL ZONE (A)

7.1.1 PERMITTED USES

No person shall, within any Agricultural (A) Zone, use any **lot**, or **erect, alter** or use any **building** or **structure** for any purpose except one or more of the following uses:

7.1.1.1 AGRICULTURAL USES

- a **farm**
- a **specialized use farm**
- a **farm** produce storage facility
- a nursery or a **farm greenhouse**
- any other **agricultural use**
- a **private airfield**
- a **home industry**
- a **home occupation use**
- a **single detached dwelling** (provided the conditions of [Section 6.15 Frontage on a Public Road or Street](#) apply)
- a bed and breakfast
- a **commercial agricultural sales use**
- wayside pits and wayside quarries

7.1.1.1 RECREATIONAL USES

- A **hunt camp**

7.1.2 ZONE REQUIREMENTS (A)

No person shall, within any Agricultural (A) **zone use** any **lot**, or **erect, alter** or use any **building** or **structure** for any purpose except in accordance with the applicable provisions of [7.14 Special Exception in Zone \(A\)](#), [Section 6 - General Provisions - all zones](#) and [Section 8 - Special Provisions](#) and the following.

An agricultural building or lot:

a)	Minimum lot frontage	90m	
b)	Minimum lot area	40ha	
c)	Maximum lot coverage	n/a	
d)	Minimum front yard	9 m	[or 29.5ft]
e)	Minimum interior side yard	3 m	[or 9.84ft]
f)	Minimum exterior side yard	9 m	[or 29.5ft]
g)	Minimum rear yard	3 m	[or 9.84ft]

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A single detached dwelling permitted under Section 7.1.1.1

a) Minimum lot frontage	30.5m	[or 100ft]
b) Minimum lot area	1858 m ²	[or 20,000ft ²]
c) Maximum lot coverage	30 %	
d) Minimum front yard	9 m	[or 29.5ft]
e) Minimum interior side yard	3 m	[or 9.84ft]
f) Minimum exterior side yard	9 m	[or 29.5ft]
g) Minimum rear yard	3 m	[or 9.84ft]
h) Minimum floor area per Dwelling Unit :1 Storey	37.2 m ²	[or 400ft ²]
i) Minimum floor area per Dwelling Unit :1.5 Storey	55.8 m ²	[or 600ft ²]
j) Minimum floor area per Dwelling Unit :2 Storey	74.4 m ²	[or 800ft ²]
k) Maximum gross floor area as % of lot Area	30%	
l) Maximum building height	10m	[or 32.81ft]
m) Minimum distance to a lot line for an accessory building	3 m	[or 9.84ft]

7.1.3 PRIVATE AIRFIELD

Notwithstanding any other provisions of this By-law no person shall **use** any **land** or **erect, alter** or **use** any **building** or **structure** for the purpose of a **private airfield** as defined in this By-law except in accordance with the following provisions:

- a) No lot having less than ten (10) hectares shall be used for a **private airfield**.
- b) No person shall maintain or store more than six (6) aircraft at any **private airfield**.
- c) One **accessory building** for the purpose of parking or storing an aircraft shall be permitted on a **lot**, but shall be separate from, and located not less than fifteen (15) metres [or 49.21ft] from, any non-residential **building**, and thirty (30) metres [or 98.43ft] from any **building** used or residential purposes.
- d) No **land** used for the purpose of a **private airfield** shall be located closer than one hundred (200) metres [or 656.17ft] of a residential **dwelling unit** located on an adjacent property held in separate ownership.

7.1.4 WAYSIDE PITS AND WAYSIDE QUARRIES (IF PERMITTED)

The making or establishment of **wayside pits** and **wayside quarries** is permitted in the Agricultural **Zones**, provided that the edge of the excavation shall be no less than 61.0 metres [or 200ft] from the limit of any **public road**, and from any adjoining **lot line**. Where two pits are located on abutting properties, the pits may be excavated to the abutting **lot line**.

7.1.5 SPECIAL EXCEPTIONS IN ZONE (A)

Notwithstanding the provisions of 7.1.2 the minimum lot frontage for the lot created by Application for Consent File No. B20-95 Part 1 Plan 31R-2651 Lot 2 Concession 5 Carnarvon shall be 282.01 feet.

Notwithstanding any other provision of this By-law, a bed and breakfast shall be a permitted use on those lands known as Lot 25 Concession 3 Carnarvon.

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Notwithstanding the provisions of 7.1.1 of this By-law, two dwellings are permitted on Pt. Lot 26 Concession 8 Sandfield as created by Manitoulin Planning Board Application B22-87 and further that a non-farm related dwelling is permitted.

Notwithstanding the provisions of 7.1.1 of this By-law, a non-farm related dwelling is permitted on Part Lot 6 Concession 1 Sandfield as created by Manitoulin Planning Board Application B39-88.

Notwithstanding the provision of 7.1.1 of this By-law, a non-farm related dwelling is permitted Part Lot 13 Concession 14 Sandfield as created by Manitoulin Planning Board Application B90-89.

Notwithstanding the provisions of 7.1.1 of this By-law, a non-farm related seasonal residential dwelling is permitted on Part Lot 17 Concession 1 Sandfield as created by Manitoulin Planning Board Application B118-89.

Notwithstanding the provision of 7.1.1 of this By-law, a second residential unit will be permitted in a building housing a single car garage, constructed as an accessory building to the principal residence, with a floor space which shall not exceed 16x28, on Lot 26, Conc. 8 RP 31R-1126, Part 3, Sandfield. (Sandfield 95-01)

Notwithstanding the provision of 7.1.1 of this By-law, a seasonal non-farm related rural dwelling unit and accessory buildings be permitted on lands within Lot 5, Conc. II, Township of Sandfield, more specifically described as Part 1, Plan 31R-2718 and Part 2, Plan 31R-2718. (Sandfield 96-04)

Notwithstanding the provision of 7.1.1 of this By-law, the minimum dimensions for the lot created by Application for Consent File No. B64-99 shall be in accordance with Part 3, Plan 31R-2556 and a single dwelling and accessory building be permitted use on part of Lot 6, Concession 3 being Part 3, Plan 31R-2556, Sandfield. (C.M. 2000-010)

Notwithstanding the provision of 7.1.1 of this By-law, Lot 27 Concession 8 Campbell, may be used for the purposes of non-commercial hunting and fishing provided that not more than two buildings accessory to the hunting and fishing use may be located on the said land, and further, the accessory buildings may be used for human habitation and the following requirements apply to the accessory buildings: (51Z-071-81)

- | | |
|--------------------------------------------------------|---------------|
| 1. Minimum distance of the buildings from any lot line | 15 metres |
| 2. Maximum height of the buildings | 5 metres |
| 3. Minimum distance between the buildings | 15 metres |
| 4. Maximum ground floor area of each building | 23 sq. metres |

Notwithstanding the provision of 7.1.1, Part of Lot 6 in Concession 14 Campbell designated as Part 1 Plan R-1170 may be used for the erection and use thereon of a single-family dwelling and buildings and structures accessory thereto. (51Z-82/032)

Notwithstanding the provision of 7.1.1, a seasonal dwelling and buildings and structures accessory thereto may be erected and used on Lot 9 Concession 7, Campbell provided the following requirements are met: (51Z/82/031)

Maximum lot coverage	15 per cent
Minimum front yard	15 metres
Minimum side yards	15 metres
Minimum rear yards	15 metres
Maximum height of seasonal dwelling	9 metres

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Minimum ground floor area of

Seasonal dwelling

36 square metres

Notwithstanding the provision of 7.1.1, one automobile wrecking yard, together with buildings and structures accessory thereto, may be erected on all of Lot 4 in Concession 10 Campbell provided the following requirements are met: (51ZO-00487-27)

Maximum lot coverage	15 per cent
Minimum lot frontage	360 metres
Minimum lot area	40 hectares
Minimum side and rear yards	15 metres
Minimum front yard	370 metres

Notwithstanding the provision of 7.1.1, a mobile unit is permitted if it is constructed and used as an extension of the single-family dwelling Lot 26 in Concession 9 Campbell. (51ZO-00487-27)

Notwithstanding the provision of 7.1.1, one gift shop and one take-out restaurant may be established as commercial uses on Part of Lot 1 in Concession 13 Campbell, provided the following requirements are met: (51ZO-00487-23)

Maximum ground floor area of gift shop	80 square metres
Maximum ground floor area of take-out restaurant	15 square metres
Maximum lot coverage	15 per cent
Minimum front yard	13.72 metres
Minimum side yards	1.9 metres
Minimum rear yard	15 metres

Notwithstanding the provision of 7.1.1, one seasonal recreational dwelling together with buildings and structures accessory thereto may be erected and used on Part of Lot 29 Concession 10 designated as Part 1 Plan 31R-1876 Campbell. (51ZO-0048-16)

Notwithstanding the provision of 7.1.1, one private non-commercial hunting camp together with buildings and structures accessory thereto may be erected and used on Lot 26 in Concession 6 Campbell, provided the following requirements are met: (51ZO-00489-01)

Minimum lot frontage	134 metres
Minimum lot area	10 hectares
Minimum distance of any building or	

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structure from any lot line	15 metres
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Maximum lot coverage	5 per cent
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Minimum ground floor area for single-family dwelling	55 square metres
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Notwithstanding the provision of 7.1.1, a single-family dwelling together with buildings and structures accessory thereto may be erected and used on Part of Lot 25 in Concession 3, Campbell provided the following requirements are met: (51ZO-00489-09)

Maximum lot coverage	15 per cent
Minimum front yard	15 metres
Minimum rear yard	15 metres
Minimum side yards	3 metres
Maximum height	9 metres

Notwithstanding the provision of 7.1.1, a retail store and accessory structures may be erected and used on the south-east corner of Lot 1, Concession 10 Campbell, if the maximum ground floor area of the retail store does not exceed 148 square metres. (51ZO-00490-20)

Notwithstanding the provision of 7.1.1, a single dwelling and accessory buildings and structures to it may be erected and used on Lot 19, Concession 8 Campbell. (51ZO-00490-07)

Notwithstanding the provision of 7.1.1, one seasonal dwelling together with buildings and structures accessory to it may be erected and used on Lot 4, Concession 9 Campbell. (51ZO-00490-08)

Notwithstanding the provision of 7.1.1, an accessory building or structure may be erected and used on part of Lot 21 Concession 9 Campbell, Part 1 on Reference Plan 31R-263 and be at least 2 metres from the front lot line. (51ZO-00490-19)

Notwithstanding the provision of 7.1.1, one single dwelling together with buildings and structures accessory to it may be erected, located and used on part of Lot 30, Concession 10, designated as Part 1 on Reference Plan 31R-2460 Campbell. (51ZO-00492-14)

Notwithstanding the provision of 7.1.1, one dwelling together with accessory buildings and structures are permitted on Lot 17 in Concession 12, designated as Part 1 on Plan 31R-2520 Campbell, provided the following requirements are met: (51ZO-00493-004)

Minimum lot frontage	30 metres
Minimum lot area	1,858 square metres
Maximum lot coverage	15 per cent
Minimum front yard setback	15 metres

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Minimum rear yard setback	7.5 metres
Minimum east side yard setback	9.1 metres
Minimum west side yard setback	15 metres
Maximum height	9 metres

Notwithstanding the provision of 7.1.1, a restaurant and accessory residential unit, may be erected and used on the southeast corner of Lot 1 Concession 10, Campbell, provided the following requirements are met: (51ZO-00493-009)

Minimum lot frontage	60 metres
Minimum lot area	0.3 hectares
Minimum distance of any building or structure from:	
Front lot line	10 metres
Side lot line	17 metres
Rear lot line	18 metres
Maximum lot coverage	15 per cent

Notwithstanding the provision of 7.1.1, a season residential building with a maximum floor area of 55 square metres shall be a permitted use on Lot 3 Concession 9, Campbell. (51ZO-00494-004)

Notwithstanding the provision of 7.1.1, a commercial custom meat establishment is permitted on Part 3, Plan 31R-2122 Lot 1 Concession 8 Campbell. (96ZBL-97-001)

Notwithstanding the provision of 7.1.1, the conversion to a seasonal dwelling is permitted on Lot 9 Concession 7, Campbell. (96ZBL-97-009)

Notwithstanding the provision of 7.1.1, a non-farm related dwelling is permitted on Part 1 Plan 31R-2839 Lot 8 Concession 10 Campbell. (96ZBL-97-011)

Notwithstanding the provision of 7.1.1, a residential unit shall be permitted in the existing building and a commercial greenhouse operation shall be a permitted use on Part Lot 21 Concession 11, Campbell (By-Law 2002-21)

Notwithstanding the provision of 7.1.1, a Commercial Brew on Premise shall be a permitted use on part of Lot 22, Concession 7, Sandfield, being Part 3, Plan 31R-3131. Further this operation shall be confined with the existing 384 square foot building constructed under Building permit 2001-019. (By-Law 2004-08)

Notwithstanding the provision of 7.1.1, that the construction and use of a boarding kennel shall be permitted on Part of Lot 13, Concession 7, Carnarvon, being Part 1, Plan 31R-1400. Further, that the building be situated on the east side of the property approximately 250 feet south of the front property line and that it shall be approximately 500 square feet. That maximum number of animals to be boarded at any one time shall be 8, And that the hours

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of operation are from 8:00am to 10:00 pm with animals being housed within the building at all other times. By-Law 2004-20)

Notwithstanding the provision of 7.1.1, That the construction of and operation of 14 (maximum) wind turbine Wind Farm be a permitted use on lots 3 & 4, Concession 10, Lots 4 & 5, Concession 11 and Lots 4 & 5, Concession 12, Campbell. (By-Law 2005-16)

a) Construction of wind turbines with a total generation capacity of up to 15 MW.

b) The noise limits will be in accordance with the Ontario Ministry of the Environment's document titled "Interpretation for applying MOE NPC Technical Publications to Wind turbine Generators".

c) Minimum setback from the site boundary (lot line): 50 metres

Where lots are contiguous and controlled by one wind farm development, the continuous wind farm zone boundary shall be deemed to be the lot line for the purpose of measuring yard, land use zone setbacks.

d) Minimum setback from the tower to an on-site residential use: 1.25 metres X
the height of the wind turbine or 250 metres, whichever is greater

e) Minimum setback from the tower to an off-site residential dwelling or institutional building: 300 metres

f) Maximum Lot Coverage

The use of a lot for wind turbine structures, accessory buildings including an information centre and structures, road access, storage areas and any area removed from agricultural production shall not exceed 5% of the lot area.

Notwithstanding the provision of 7.1.1, that residential uses are prohibited on Part Lot 5, Concession 9, Carnarvon excepting Part 1, Plan 31R-3398. (By-Law 2005-22)

Notwithstanding the provision of 7.1.1, to site specifically allow for a Business Office to be developed and used within the existing residential structure on Part Lot 17, Concession 4, Carnarvon, without residential use occurring. (By-Law 2010-10)

Notwithstanding the provision of 7.1.1, to site specifically allow for an Art Gallery and Gift Shop to be developed and operated in the existing building located at 29 White Church Rd., Part Lot 25, Concession 10, Registered Plan 31R-1898 part 1 & 2, Campbell. (By-Law 2011-14)

Notwithstanding the provision of 7.1.1, to site specifically allow for the construction and use of a storage building, (max 2500 sq. ft.) for materials, tools, and equipment pertinent to the operation of a building construction related business only, on an otherwise vacant agricultural lot, described as Part Lot 29 & 30, Concession 5 RP-31R-826 Parts 1, 2, 3, & 4, Carnarvon. (By-Law 2011-15)

Notwithstanding the provision of 7.1.1, residential uses are prohibited within lands described as Part of Lot 5, Concession 13, Part 1, Plan 31R-3944, Campbell. (By-Law 2013-24)

Notwithstanding the provision of 7.1.1, a 'Bed and Breakfast' is permitted within lands described as Part Lot 22, Concession 3, Part 1, Plan 31R-4020, Carnarvon. (By-Law 2016-18)

Notwithstanding the provision of 7.1.1, to prohibit residential uses within land described as Lot 1, Concession 15, excepting Part 1, Plan 31R-4095 (#4731 Hwy 551) and excepting a ±0.4-hectare lot described by PIN 47113-0395 (#4751 Hwy 551), Campbell. (By-Law 2017-13)

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Notwithstanding the provision of 7.1.1, to prohibit residential uses and to prohibit any structures to be used for livestock within the ±76-hectare parcel of land within a Prime Agriculture Area on land described as being Part of Lots 13, Concession 7, excepting Part 1, Plan 31R-1400 and the south ± half of Lots 14 & 15, Concession 7, excepting two existing lots located at #155 and #187 Cress Road, Carnarvon. (By-Law 2021-09)

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7.2 RURAL ZONE (R)

7.2.1 PERMITTED USES

No person shall, within any Rural Zone (R), use any **lot**, or **erect, alter** or use any **building** or **structure** for any purpose except one or more of the following uses:

7.2.1.1 RURAL USES

- a **farm**
- a **specialized use farm**
- a **farm** produce storage facility
- an **animal hospital, kennel** or riding stable
- a nursery or **commercial greenhouse**
- a **farm greenhouse**
- any other **agricultural use**
- an agricultural-related use
- a **private airfield** (subject to the provisions of [7.1.3.](#))
- a **home industry**
- **forestry uses**
- a **wayside or borrow pit**

7.2.1.2 RURAL RESIDENTIAL

- a **home industry**
- a **single detached dwelling** (provided the conditions of [Section 6.15 Frontage on a Public Road or Street](#) apply)
- a **home occupation use**
- a **seasonal dwelling**

7.2.1.3 INSTITUTIONAL USES

- a **cemetery**
- a **church**
- a **school**
- a **community centre**

7.2.1.4 RECREATIONAL USES

- a conservation area
- a **golf course**

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- a **public park**
- a **public playground**
- a **hunt camp**
- a cross country ski area, a hiking trail, snow mobile trails
- a racetrack (horse)

7.2.2 ZONE REQUIREMENTS (R)

No person shall, within any Rural **Zone (R)** *use* any **lot**, or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the applicable provisions of [7.2.4 – Special Exceptions in Zone \(R\)](#), [Section 6 - General Provisions for all zones](#) and [Section 8 - Special Provisions](#) and the following.

A. As rural use or lot:

a)	Minimum lot frontage	134 m	
b)	Minimum lot area	10 ha	
c)	Maximum lot coverage	n/a	
d)	Minimum front yard	9 m	[or 29.52ft]
e)	Minimum interior side yard	3 m	[or 9.84ft]
f)	Minimum exterior side yard	9 m	[or 29.52ft]
g)	Minimum rear yard	3 m	[or 9.84ft]
h)	Minimum floor area per Dwelling Unit :1 Storey	37.2 m ²	[or 400ft ²]
i)	Minimum floor area per Dwelling Unit :1.5 Storey	55.8 m ²	[or 600ft ²]
j)	Minimum floor area per Dwelling Unit :2 Storey	74.4 m ²	[or 800ft ²]
k)	Maximum gross floor area as % of lot Area	n/a	
l)	Maximum building height	10 m	[32.81ft]
m)	Minimum distance to a lot line for an accessory building	3 m	[or 9.84ft]
n)	Maximum accessory building height	10 m	[32.81ft]

B. A single detached dwelling permitted under Section 7.2.1.2

a)	Minimum lot frontage	30.5m	[or 100ft]
b)	Minimum lot area	1858 m ² *	[or 20,000ft ²]
c)	Maximum lot coverage		30 %
d)	Minimum front yard	9 m	[or 29.52ft]
e)	Minimum rear yard	3 m	[or 9.84ft]
f)	Minimum interior side yard	3 m	[or 9.84ft]
g)	Minimum exterior side yard	9 m	[or 29.52ft]
h)	Minimum floor area per Dwelling Unit :1 Storey	37.2 m ²	[or 400ft ²]
i)	Minimum floor area per Dwelling Unit :1.5 Storey	55.8 m ²	[or 600ft ²]
j)	Minimum floor area per Dwelling Unit :2 Storey	74.4 m ²	[or 800ft ²]
k)	Maximum gross floor area as % of lot Area	30%	
l)	Maximum building height	10 m	[or 32.81ft]
m)	Minimum distance to a lot line for an accessory building	3 m	[or 9.84ft]
n)	Maximum accessory building height	10 m	[or 32.81ft]

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*** Notwithstanding any provisions of this by-law, the minimum lot area for a rural residential lot created within 305 metres [or 1000.66 ft] of a shoreline shall be 4046 square metres [or 1 acre].**

C. An institutional use as permitted under Section 7.2.1.3

a)	Minimum lot frontage	30.5m	[or 100ft]
b)	Minimum lot area	1858 m ²	[or 20,000ft ²]
c)	Maximum lot coverage		30 %
d)	Minimum front yard	9 m	[or 29.52ft]
e)	Minimum rear yard	3 m	[or 9.84ft]
f)	Minimum interior side yard	3 m	[or 9.84ft]
g)	Minimum exterior side yard	9 m	[or 29.52ft]
h)	Maximum gross floor area as % of lot Area	20%	
i)	Maximum building height	9 m	[or 29.52ft]
j)	Minimum distance to a lot line	3 m	[or 9.84ft]
	for an accessory building		
k)	Maximum accessory building height	10 m	[or 32.81 ft]

D. A recreational use as permitted under Section 7.2.1.4

a)	Minimum lot frontage	30.5m	[or 100ft]
b)	Minimum lot area	1858 m ²	[or 20,000ft ²]
c)	Maximum lot coverage	n/a	
d)	Minimum front yard	9 m	[or 29.52ft]
e)	Minimum rear yard	3 m	[or 9.84ft]
f)	Minimum interior side yard	3 m	[or 9.84ft]
g)	Minimum exterior side yard	9 m	[or 29.52ft]

7.2.3 WAYSIDE PITS AND BORROW QUARRIES

The making of establishment of **wayside pits** and **wayside quarries** is permitted in the Rural **Zones**, provided that the edge of the excavation shall be no less than 61.0 metres [or 200ft] from the limit of any public road and from any adjoining **lot line**. Where two pits are located on abutting properties, the pits may be excavated up to the abutting **lot line**.

7.2.4 SPECIAL EXCEPTIONS IN ZONE (RS) RURAL SPECIAL

Notwithstanding the provisions of Section 7.2.1 (R) Rural Zone, the lands shown on Schedule as (RS) Rural Special shall only be used for hunt camps, seasonal residential uses and forestry operations. The minimum lot size is 38.5 hectares, (95 acres) and a maximum of 33 lots permitted.

7.2.5 SPECIAL EXCEPTIONS IN ZONE (R)

Notwithstanding clause 6.3(f) and Subsection 7.2.1, a camp used seasonally for church purposes and buildings and structures accessory thereto is a permitted use on Lot 10, Concession 9 in the geographic Township of Campbell but the camp shall not contain more than 37 cabins for the accommodation of persons attending the camp and the cabins shall not contain kitchen or sanitary facilities.(51ZO-00488-013)

Notwithstanding the uses permitted in the Rural (R) Zone set out in Section 7.2.1.2 of this by-law, a mobile home for human habitation is permitted on a portion of Lot 23 Range "A" Carnarvon. (Carnarvon 83-11)

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Notwithstanding the uses permitted in the Rural "R" Zone set out in Section 7.2.1.2 of this By-law a mobile home for human habitation is permitted on Lot 20 Concession 10 Carnarvon. (Carnarvon 84-06)

Notwithstanding the uses permitted in the Rural "R" Zone set out in section 7.2.1.2 of this by-law, a mobile home for human habitation is permitted on Lot 9 Concession 12. (Carnarvon 85-11)

Notwithstanding the provisions of Section 7.2.1.1 storage of material, equipment storage and maintenance and a contractor's office shall be a permitted use on Part 1, Plan 3 1R2579, Lot 25, Concession 3 Carnarvon. (Carnarvon 94-10)

Notwithstanding the provisions of Section 7.2.1.2 and 7.2.2 the minimum dimensions for the lot created by Application for Consent File No. 77-95 shall be as shown on Part 1 Plan 31R-2728 Lot 2 Concession 9 Carnarvon. (Carnarvon 96-08)

Notwithstanding section 7.2.1, a single-family dwelling and buildings and structures accessory thereto may be erected and used on Lot 25 Concession 2 Campbell, more particularly described as Part I on Plan 31R-1331, provided the following requirements are met: (51ZO-0048-04)

Maximum lot coverage	15 per cent
Minimum front and side yards	15 metres
Minimum rear yard	7.5 metres
Maximum height of any building or Structure	9 metres

Notwithstanding any other provision of this by-law the building in existence on the 25th day of January 1985 on Lot 27 in Concession 8 Campbell, may be converted to and used as a single-family dwelling, and buildings and structures accessory thereto may be erected and used on the land. (51ZO-00482-04)

Notwithstanding any other provision of bylaw, a hunting camp and buildings and structures accessory thereto may continue to be used on Lot 24 in Concession 3 Campbell. (51ZO-00485-02)

Notwithstanding section 7.2.1, a seasonal dwelling and buildings and structures accessory thereto may be erected and used on Lot 25 in Concession 3 Campbell provided the following requirements are met: (51ZO-00485-03)

Maximum lot coverage	15 per cent
Minimum front yard	15 metres
Minimum side yards	15 metres
Minimum rear yard	7.5 metres
Maximum height of seasonal dwelling	9 metres
Minimum ground floor area of Seasonal dwellings	55 metres

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Notwithstanding section 7.2.1, one seasonal dwelling together with buildings and structures accessory thereto may be erected on the westerly 330 feet of Lot 21, Concession 2, designated as Part 1 on a Plan 31R-1695 Campbell provided the following requirements are met: (51ZO-00487-19)

Maximum lot coverage	15 per cent
Minimum lot frontage	100 metres
Minimum lot area	3.9 hectares
Minimum front, side and rear yards	7.5 metres
Minimum ground floor area of dwelling	83 square metres

Notwithstanding section 7.2.1, one seasonal dwelling together with buildings and structures accessory thereto may be erected Lot 27 Concession 13 being Parts 1, 2 and 3 Plan 31R-1820 Campbell provided the following requirements are met: (51ZO-00487-22)

Maximum lot coverage	15 per cent
Minimum lot frontage	60 metres
Maximum lot area	1.2 hectares
Minimum front, side and rear yards	7.5 metres
Minimum ground floor area for Seasonal dwelling	55 square metres

Notwithstanding section 7.2.1, one dwelling unit together with buildings and structures accessory thereto may be erected and used on Part of Lot 26 in Concession 2 Campbell, described as Part 1 on a Plan Number 31R-1848. If the following requirements are met: (51ZO-00488-05)

Maximum lot area	20 hectares
Maximum lot coverage	15 per cent
Minimum front, side and rear yards	15 metres
Minimum ground floor area for single- family dwelling	55 square metres

Notwithstanding section 7.2.1, one seasonal dwelling and buildings and structures accessory thereto may be erected and used on Lot 11 Concession 15 Campbell, provided the following requirements are met: (51ZO-00488-09)

Maximum lot coverage	15 per cent
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Minimum lot area	36 hectares
Minimum front, side and rear yards	15 metres
Minimum ground floor area	55 square metres

Notwithstanding section 7.2.1, one seasonal dwelling together with buildings and structures accessory to it may be erected or located and used on Lot 16, Concession I Campbell. (51ZO-00488-10)

Notwithstanding section 7.2.1, one single-family dwelling and buildings and structures accessory thereto may be erected and used on part of lot 14 in Concession 10 Campbell, designated as parts 1 and 2 on Reference Plan 31R-1807 provided the following requirements are met: (51ZO-00488-11)

Minimum lot frontage	100 metres
Minimum lot area	9500 square metres

Notwithstanding section 7.2.1, Lot 23 in Concession 13 and Lot 23 in Concession 14 Campbell are deemed to be in a Shoreline Residential Zone. (51ZO-00489-22)

Notwithstanding Section 7.2.1, single detached dwelling is permitted on Part of Lot 1 Concession 8 Campbell being parts 1, 2, & 3 Plan 31R-2122. (51ZO-00490-05)

Notwithstanding the provisions of Section 7.2.1 a seasonal dwelling is a permitted use on Lot 18 Concession 14 Campbell. (96ZBL-96-001)

Notwithstanding the provisions of Section 7.2.1 a general contractor's garage, storage yard, a single dwelling and a office combined is a permitted use on Part Lot 10 Concession 10 being Part 1 Plan 31R2544 Campbell. (96ZBL-96-002)

Notwithstanding the provisions of Section 7.2.1 a commercial tourist trailer park, shall be a permitted use on all of Lot 18 Concession 14, Campbell, consisting of a maximum of 57 sites, an office, a storage building, a foul weather building and a washroom facility building: (96ZBL-97-012)

1. Each site shall contain a minimum area of 186 square metres.
2. Each site shall contain an open graded parking space sufficient to permit a minimum clearance of 4.5 meters between sides and 3 meters between ends of adjacent trailers:
3. A parking area adjacent to the administration building will contain parking spaces for 10 cars at any one time. Each space shall have a minimum length of 10 meters and a minimum width of 4 meters inclusive of area driveways, entrances and exits.

The operation of the park shall be:

1. Approved and licensed by the Ministry of Culture, Tourism and Recreation and governed by the Regulations made under the Tourism Act and Ontario Regulation 238/79; and

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2. The haulage and disposal of waste shall be permitted only upon the owner obtaining permits from the Ministry of the Environment and Energy for a Waste Management System and any other approvals required including waste haulage.

Notwithstanding the provisions of Section 7.2.1, an addition of 60 sites to an existing trailer park presently consisting of 57 sites shall be permitted, subject to the following requirements: (96ZBL-98-001)

1. Each site shall contain a minimum area of 186 square metres;
2. Each site shall contain an open and graded parking space sufficient to permit a minimum clearance of 4.5 metres between sides and 3 metres between ends of adjacent tourist trailers.
3. A parking area adjacent to the administrative building will contain parking spaces for twenty cars at any one time. Each space shall have a minimum length of 10 metres and a minimum width of 4 metres inclusive of area for driveways, entrances and exits.

The beginning of operation of the additional 60 sites shall be subject to the following conditions being fulfilled:

1. Approved and licensed by the Ministry of Culture, Tourism and Recreation and governed by the Regulations made under the Tourism Act and Ontario Regulation 238/79;
2. The haulage and disposal of waste shall be permitted only upon the owner obtaining permits from the Ministry of the Environment and Energy for a Waste Management System and any other approvals required including waste haulage; and
3. The Ministry of Environment and Energy approval has been issued for the sewage system (design, construction and use) as well as the water supply system in the form of Certificates of Approval.

Notwithstanding the provisions of Section 7.2.1, the construction of 4 rental cottages (48.3 square meters) shall be a permitted in the commercial tourist trailer park on all of Lot 18 Concession 14, Campbell. (C.M. 98-31)

Notwithstanding the provisions of Section 7.2.1, a total 10 rental cottages may be erected on Lot 18 Concession 14 in the geographical Township of Campbell. (C.M. 2001-08)

Notwithstanding any other provision of this By-law, a bed and breakfast shall be a permitted use on those lands known as Part 1 RP31R-1085 Lot 1 Concession 7 Carnarvon.

Notwithstanding the provisions of Section 7.2.1, that the minimum dimensions for Lot 15, Concession 8 created by Application for Consent File No. B43-02 shall be in accordance with Part 1, Plan 31R-3204, Carnarvon. (By-Law 2003-22)

Notwithstanding the provisions of Section 7.2.1, That the construction and use of 6 rental cottages shall be permitted use on Lots 27 and 28, Concession B, being Parts 2, 6 and 10, Plan 31R-1637, Carnarvon. Further that the cottages shall be no larger than 570 square feet in size. (By-Law 2004-07)

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Notwithstanding the provisions of Section 7.2.1, the minimum lot frontages and areas, for Lots created by Application for Consent Files No. B75-03, B76-03, B77-03 shall be as surveyed, namely Parts 1, 2, & 3, Plan 31R-3285; Parts 4, 5, & 6, Plan 31R-3285; Parts 7, 8, & 9, Plan 31R-3285: and Part 10 Plan 31R-3285, Campbell. (By-Law 2004-28)

Notwithstanding the provisions of Section 7.2.1, that the existing building located on Lots 27, 28, and 29, Range B, being Part 2 of Registered Plan 31R-1637, in the geographical Township of Carnarvon be used as an office for an extended period not to exceed 3 years as permitted under section 39 of the Planning Act. (By-Law 2005-04)

Notwithstanding the provisions of Section 7.2.1, the minimum front yard requirements shall be 10 metres, for the lots created by Applications for Consent, File No's. B11-06, B12-06, B13-06, B41-06 and B42-06 shall be as surveyed, namely as i) Parts 2, 11, 12, 13, Plan 31R-3548; ii) Parts 3, 4, 5, 14, 15, 16, 17, 18, Plan 31R-3548; iii) Parts 6, 7, 8, 19, 20, 21, Plan 31R-3548; iv) Parts 9, 22, 23, 24, Plan 31R-3548; v) Parts 10, 25, Plan 31R-3548, Lot 6 and Pt Lot 7, Concession 8, Sandfield. (By-Law 2007-07)

Notwithstanding the provisions of Section 7.2.1, a 'Bed and Breakfast' with a maximum of four rooms shall be a permitted use on Kakawaie Island, Campbell. (By-Law 2007-22)

Notwithstanding the provisions of Section 7.2.1, that the existing building located on Lots 27, 28, and 29, Range B, being Part 2 of Registered Plan 31R-1637, in the geographical Township of Carnarvon be used as an office for an extended period not to exceed 3 years as permitted under section 39 of the Planning Act. (By-Law 2008-17)

Notwithstanding the provisions of Section 7.2.1, to permit the use of an existing structure as a sales/rental office and to allow for the Development of a "Tourist Cabin Establishment" with a maximum of six rental cabins on Part Lots 28 and 29, Range B, Registered Plan 31R-1637, being part of sub-lot 2, Carnarvon. (By-Law 2009-06)

Notwithstanding the provisions of Section 7.2.1, to site specifically allow for a self storage unit (max. sq. ft. 1800) to be built and operated on lands described as Pt Lot 20, Concession 5, Plan 31R-3615, Part 2, Carnarvon. (By-Law 2009-15)

Notwithstanding the provisions of Section 7.2.1, the minimum dimensions for the lots created by Applications for Consent, File No's. B54-08, B55-08 and B56-08 shall be shown on Registered Survey 31R-3732, Parts 1, 2 & 3, on lands located within Lot 17, Concession 7, Sandfield. (By-Law 2009-20)

Notwithstanding the provisions of Section 7.2.1, to site specifically allow for an existing Dirt Bike track to lawfully exist and be used on Part Lot 17, Concession 4, Campbell. (By-Law 2010-15)

Notwithstanding the provisions of Section 7.2.1, to site specifically allow for the construction and use of a storage building, (max. 1590. sq. ft.) for materials, tools and equipment pertinent to the operation of a building construction related business only, on an otherwise vacant Rural lot, described as Part Lots 22 and 23, Concession 2, Registered Plan 31R-1592 Parts 2&3, Carnarvon. (By-Law 2011-05)

Notwithstanding the provisions of Section 7.2.1, to site specifically allow for the construction and operation of a building supply store on Part Lot 24, Concession 5, bring that part currently the subject of Manitoulin Planning Board File #B20-11 and described as an area located in the Northwest corner of the aforementioned lot, having a frontage of 250 ft. adjacent to Hwy 542 and a depth of 600 ft., Carnarvon. (By-Law 2011-09)

Notwithstanding the provisions of Section 7.2.1, the use of two (2) portable storage containers shall be permitted to be located seventy-three (73) metres south of the north lot line and forty-eight (48) metres west of the east lot line, accessory to the residential use, within lands described as being the West Half of Lot 4, Concession 5, (#323 Tracy Road), Carnarvon. (By-Law 2017-11)

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Notwithstanding the provisions of Section 7.2.1, to prohibit residential uses, within sixty (60) metres west of the easterly lot line of the severed land, within land described as Part Lot 26, Concession 2, surveyed as Part 2, Plan 31R-4099, Carnarvon. (By-Law 2017-19)

Notwithstanding the provisions of Section 7.2.1, the use of one (1) portable storage container shall be permitted to be located twenty-one (21) metres north of the south lot line and thirty-four (34) metres west of the east lot line, on land described as being Lot 18, Concession 8, (located at #640 Evergreen Drive), Campbell. (By-Law 2020-17)

Notwithstanding the provisions of Section 7.2.1, and despite Subsection 6.3 a) and f), permits a large storage building having a maximum size of 372 Sq. M. which is not accessory to a dwelling on a Site Specific bases to be located and used on land described as being Lot 27, Concession 2, excepting Parts 1 and 2, Plan 31R-1323, Carnarvon. (By-Law 2021-15)

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7.3 RESIDENTIAL ZONE (R1)

7.3.1. PERMITTED USES

No person shall within any Residential Zone (01) **use** any **land**, or **erect**, **alter** or **use** any **building** or **structure** for any purpose except one or more of the following uses:

7.3.1.1 RESIDENTIAL USES

- a **single detached dwelling** (provided the conditions of [Section 6.15 Frontage on a Public Road or Street](#) apply)
- a **home occupation**
- a **semi-detached dwelling**
- a **duplex dwelling**
- a **group home**
- a **secondary unit**
- a **bed and breakfast**

7.3.1.2 RECREATIONAL USES

- a **public park**
- a **public playground**

7.3.2 ZONE REQUIREMENTS (R1)

No person shall, within any Residential Zone (R1) **use** any **lot**, or **erect**, **alter** or use any **building** or **structure** for any purpose except in accordance with the applicable provisions of [7.3.3 – Special Exceptions in Zone \(R1\)](#), [Section 6 - General Provisions for all zones](#) and [Section 8 - Special Provisions](#) and the following:

A. Lands serviced by municipal sewer and water services:

a)	Minimum lot frontage (Single)	20 m	[or 65.61ft]
b)	Minimum lot frontage (Semi-detached)	17 m	[or 55.77ft]
c)	Minimum lot area	800 m ²	[or 8,602.15ft ²]
d)	Maximum lot coverage	35%	
e)	Minimum front yard	9 m	[or 29.52ft]
f)	Minimum rear yard	3 m	[or 9.84ft]
g)	Minimum interior side yard	3 m	[or 9.84ft]
h)	Minimum exterior side yard	9 m	[or 29.52ft]
i)	Minimum floor area per Dwelling Unit :1 Storey	37.2 m ²	[or 400ft ²]
j)	Minimum floor area per Dwelling Unit :1.5 Storey	55.8 m ²	[or 600ft ²]
k)	Minimum floor area per Dwelling Unit :2 Storey	74.4 m ²	[or 800ft ²]
l)	Maximum gross floor area as % of lot Area	35%	
m)	Maximum building height	10 m	[or 32.81ft]
n)	Minimum distance to a lot line for an accessory building	3 m	[or 9.84ft]
o)	Maximum accessory building height	10 m	[or 32.81ft]

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B. Lands not serviced by municipal sewer and water services:

a)	Minimum lot frontage (Single)	30.5 m	[or 100ft]
b)	Minimum lot frontage (Semi-detached)	27.5 m	[or 90.22ft]
c)	Minimum lot area	1858 m ²	[or 20,000ft ²]
d)	Maximum lot coverage	30%	
e)	Minimum front yard	9 m	[or 29.52ft]
f)	Minimum rear yard	3 m	[or 9.84ft]
g)	Minimum interior side yard	3 m	[or 9.84ft]
h)	Minimum exterior side yard	9 m	[or 29.52ft]
i)	Minimum floor area per Dwelling Unit :1 Storey	37.2 m ²	[or 400ft ²]
j)	Minimum floor area per Dwelling Unit :1.5 Storey	55.8 m ²	[or 600ft ²]
k)	Minimum floor area per Dwelling Unit :2 Storey	74.4 m ²	[or 800ft ²]
l)	Maximum gross floor area as % of lot Area	30%	
m)	Maximum building height	10 m	[or 32.81ft]
n)	Minimum distance to a lot line for an accessory building	3 m	[or 9.84ft]
o)	Maximum accessory building height	10 m	[or 32.81ft]

C. Lands used for recreational purposes:

a)	Minimum lot frontage	30.5 m	[or 100ft]
b)	Minimum lot area	1858 m ²	[or 20,000ft ²]
c)	Maximum lot coverage	30%	
d)	Minimum front yard	9 m	[or 29.52ft]
e)	Minimum rear yard	3 m	[or 9.84ft]
f)	Minimum interior side yard	3 m	[or 9.84ft]

7.3.3 SPECIAL EXCEPTIONS IN ZONE (R1)

Notwithstanding the provisions of Section 7.3.1 Notwithstanding the provisions of Section 7.3.1, part of Lot 11 in Concession 10 Part 1 on a Plan Number 31R-1279 Campbell, may not be used for the erection and use thereon of a building or structure that is a public utility unless the following requirements are met: (51ZO-82-672)

Maximum lot coverage	30 per cent
Minimum front and rear yards	7.5 metres
Minimum side yards	3 metres
Maximum height of building	9 metres

Notwithstanding the provisions of Section 7.3.1, The minimum rear yard be 3.0 metres for Lot 11, Concession 11 Campbell. (51ZO-00284-01)

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Notwithstanding any other provision of this By-law, a bed and breakfast shall be a permitted use on those lands known as Lot 10, Concession 10 (9310 Hwy 542) Campbell.

Notwithstanding any other provisions of this By-law, for a group dwelling 1 parking space shall be provided for every three beds and when a building or structure is converted to a group dwelling, the whole building or structure shall be converted. However, a separate dwelling unit may be retained for the exclusive use of the group dwelling custodian or caretaker.

Notwithstanding any other provision of this By-law, on those lands known as Part of Lot 21, Concession 5 Carnarvon, T7252 an office use, secondary to the main residential use is also permitted. (Carnarvon 92-09)

Notwithstanding the provisions of Section 7.3.1 a veterinary Clinic and rental residential unit shall be a permitted use within the single detached dwelling located on Part Lot 22, Concession 5 Carnarvon (being 5993 Hwy 542). (Carnarvon 93-03)

Notwithstanding the provisions of Section 7.3.1 of By-law 80-13, a commercial silk-screening shop shall be the only permitted use on Part of Lot 1, Concession 10 being Part 2 Plan 3 IR-2662 Carnarvon. (Carnarvon 95-15)

Notwithstanding the uses permitted in Section 7.3.1 a museum be permitted on lands within Part of Lot 22, Concession 4 Carnarvon, specifically described as Part I, Plan 3 IRP-2682. (Carnarvon 95-17)

Notwithstanding the provisions of Section 7.3.1 an accounting Office shall be a permitted use within the single detached dwelling, located on Part Lot 22, Concession 5, Carnarvon. (Carnarvon 97-08)

Notwithstanding the provisions of Section 7.3.1 a 50 foot by 30 foot building be permitted to be constructed and used as a automotive, marine and small engine repair garage on Lot 1, Concession 10 in the geographical Township of Carnarvon subject to the following: (Carnarvon 2001-09)

That the requirements of a) to e) of a Home Industry as defined in By-law 80-13 are strictly complied with, and; that no more than 3 pieces of machinery and/or motor vehicles be parked/stored on the property outside the building at any one time.

Notwithstanding the provisions of Section 7.3.1, a 2,250 square foot building be permitted to be constructed and used as Funeral Visitation Centre on Part of Lot 18, Concession 5 being Part 1 RP31R1020, in the geographical Township of Carnarvon subject to the following: (Carnarvon 2001-12)

That the requirements of Section 6.20 Parking Area Regulations be strictly adhered to.

Notwithstanding the provisions of Section 7.3.1, a flower and gift shop be a permitted use on Part of Lot 21, Concession 5 Being Lot 26 RCP 197, in the geographical Township of Carnarvon subject to the following: (Carnarvon 2001-11)

That the required number of parking spaces be 5 and that they be located to the rear of the building, and that a fifteen-foot clear line of site be provided at the driveway entrance to ensure pedestrian safety.

Notwithstanding the provisions of Section 7.3.1, that an Automotive, marine and small engine repair garage be a permitted use on the lot created by Application for Consent File No. B14-02 located on Lot 1, Concession 10, in Carnarvon being part 1, Plan 31R-3172

AND FURTHER, the following conditions shall apply:

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- there is not external advertising other than a sign erected in accordance with any By-laws of the Corporation regulating signs;
- that no more than 3 pieces of machinery and/or motor vehicles be parked/stored on the property outside the building at any one time.
- not more than 4 persons, other than the owner, are employed therein on a full-time basis; and, that the following portion of Section 7.3.2 be rescinded:

That a 50 foot by 30 foot building be permitted to be constructed and used as an automotive, marine and small engine repair garage on Lot 1, Concession 10 in the geographical Township of Carnarvon, and subject to the following:

That the requirements of a) to e) of a Home Industry as defined in By-law No. 80-13 are strictly complied with, and; that no more than 3 pieces of machinery and/or motor vehicles be parked/stored on the property outside the building at any one time. (By-Law 2003-04)

Notwithstanding the provisions of Section 7.3.1, an 864 square foot workshop shall be permitted in the front yard on Part Lot 2, Concession 11, the front yard setback for the workshop only, shall be permitted to reduce the minimum front yard setback to 4.27 metres (14 feet). (By-Law 2003-06)

Notwithstanding the provisions of Section 7.3.1, that the construction and use of a second group home shall be permitted on Part of Lot 19, Concession 4, being Part 3 Plan 31R-382, Carnarvon. (By-Law 2004-11)

Notwithstanding the provisions of Section 7.3.1, that a 3-room bed & breakfast/bakery, in which the proprietor does not reside, shall be a permitted use on Lot 1, Concession 2, being Town Plot 6 Lot 4 west side McNevin Street, Providence Bay, Carnarvon. (By-Law 2004-27)

Notwithstanding the provisions of Section 7.3.1, that a 4-room bed and breakfast shall be a permitted use on Lot 1, Concession 11, being Town Plot 6 Lot 22 & 23 east side Mutchmor Street, Providence Bay, Carnarvon. (By-Law 2005-13)

Notwithstanding the provisions of Section 7.3.1, that a Hair Salon shall be a permitted use on Part Lot 21, Concession 5, Carnarvon, being Lot 24 RCP -197 shown as Part 2 Plan 31R-3351, 8 Yonge Street, Mindemoya. (By-Law 2005-21)

Notwithstanding the provisions of Section 7.3.1, that a 3-room bed and breakfast shall be a permitted use on Lot 1, Concession 10, Carnarvon, being Block 49 Plan M179, 40 Cranston Road, Providence Bay. (By-Law 2006-04)

Notwithstanding the provisions of Section 7.3.1, that the existing building, at the rear of the property, be used as an automotive and small engine repair garage, And Further that motor vehicle sales be permitted on the remaining lands, described as Part Lot 19 Concession 5 Carnarvon, Parts 1 & 2 Plan 31R-2485, 11 Nixon Street, Mindemoya. (By-Law 2006-12)

Notwithstanding the provisions of Section 7.3.1, that the minimum west side yard requirement be reduced to 5 feet to permit the construction of a garage on Part Lot 20, Concession 5, Carnarvon, being Lot 17 Plan 70, 145 Thorne Street, Mindemoya. (By-Law 2006-19)

Notwithstanding the provisions of Section 7.3.1, that a 2-room Bed and Breakfast shall be a permitted use on Lot 1, Concession 11, being Part 1 Plan 31R-2608, Carnarvon. (By-Law 2008-20)

Notwithstanding the provisions of Section 7.3.1, To permit the use of an existing structure as a retail clothing store on the aforementioned property Part Lot 20, Concession 5, Registered Plan 70, Lot 36, Carnarvon. (By-Law 2009-07)

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Notwithstanding the provisions of Section 7.3.1, to permit the use of a maximum of 50% of the floor space in an existing residential structure as a retail clothing store on Part Lot 20, Concession 4, Registered Plan 69 Part 2, Carnarvon. (By-Law 2009-22)

Notwithstanding the provisions of Section 7.3.1, to allow for an increase of allowable lot coverage on a Hamlet Residential lot, currently allowed a commercial use, to that allowed by a Commercial lot at Part Lots 19 & 20, Concession 5, Registered Plan 31R-2485 Parts 1 & 2, PCL 5530, Carnarvon. (By-Law 2009-27)

Notwithstanding the provisions of Section 7.3.1, that a maximum 3-bedroom Bed and Breakfast shall be permitted use on Lot 1, Concession 1, Town Plot 6, Lot 17, Registered Plan 31R-1915 Part 1, Carnarvon. (By-Law 2010-02)

Notwithstanding the provisions of Section 7.3.1, to site specifically allow an increase of allowable floor space in an accessory building located on a lot within a Residential Zone from 66 sq. metres. to 140 sq. metres. on Part Lot 20, Concession 5, Plan 53, Lots 12 & 13, Carnarvon. (By-Law 2010-14)

Notwithstanding the provisions of Section 7.3.1, to allow for a reduction in the required rear and side yard set-back from 3 metres to 1 metre, to allow for the construction of a 20X24 accessory building on Part Lot 1, Concession 11, Town Plot 6, Sub Lot 28, Carnarvon. (By-Law 2011-19)

Notwithstanding the provisions of Section 7.3.1, to permit one (1) business or professional office as well as the continued residential use for other than the owner or operator; and permit an accessory building having a maximum area of 168 square metres on Part Lot 21, Concession 4, surveyed as Part 1, Plan 31R-605, (#6084 Highway 542/King Street), Carnarvon. (By-Law 2012-21)

Notwithstanding the provisions of Section 7.3.1, the number of required parking spaces, within Lot 11, Concession 11, shall be reduced from 29 parking spaces to 14 parking spaces; and an area of 115 ft. X 100 ft., being the northwest corner of Lot 10, Concession 11, shall be used for +15 parking spaces. Applies to that parcel of land described as Part of Lots 10 and 11, Concession 11, (#9351 Hwy No. 542), Campbell. (By-Law 2013-19)

Notwithstanding the provisions of Section 7.3.1, two (2) business or professional offices shall be permitted on land described as Part Lot 20, Concession 5, being Lots 22 and 23, Plan 53, (#5 Duke Street), Carnarvon. (By-Law 2015-12)

Notwithstanding the provisions of Section 7.3.1, permits an expanded parking area of ±1,425 sq. metres within the northwest corner of lot to be used for parking spaces for the Spring Bay Pentecostal Church, within the Hamlet (H) Zone, Part Lot 10, Concession 11, Campbell. (By-Law 2016-16)

Notwithstanding the provisions of Section 7.3.1, to permit a 'Business or Professional Office' having a maximum ground floor area of 40.5 square metres within the existing dwelling unit, secondary to the residential use; and permit the business operator to have one (1) full time employee; and permit a reduced parking area for three (3) parking spaces on land described as Part of Lot 21, Concession 4, Being Lot 22, Plan RCP 193, (#2156 Hwy 551), Carnarvon. (By-Law 2016-17)

Notwithstanding the provisions of Section 7.3.1, to permit a minimum north side yard setback of 1.8 metres for a dwelling on land described as Part Lot 1, Concession 11, Being Part Lots 23 & 24, West Side McNevin Street, Surveyed as Parts 2 & 4, Plan 31R-4061, Carnarvon. (By-Law 2017-01)

Notwithstanding the provisions of Section 7.3.1, permits two (2) semi detached dwellings and a reduced westerly exterior side yard setback of three (3) metres on land described as being Part Lot 1, Concession 11, being Lots 11, 12 & 13, Town Plot 6, Providence Bay, Carnarvon. (By-Law 2017-10)

Notwithstanding the provisions of Section 7.3.1, permits one accessory structure having a total maximum area of eighty-eight (88) sq. metres located on Part Lot 10, Concession 11, described by T-5496 and Parts 1 & 2, Plan 31R-995, (#9315 Hwy 542), Campbell. (By-Law 2018-18)

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7.4 MULTIPLE RESIDENTIAL ZONE (R2)

7.4.1. PERMITTED USES

No person shall within any Multiple Residential (R2) Zone **use** any **land**, or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

7.4.1.1 RESIDENTIAL USES

Providing the conditions of [Section 6.15 Frontage on a Public Road or Street](#) apply;

- a residential use permitted in the R1 Zone, in accordance with the provisions thereof
- an **apartment dwelling**
- a **townhouse dwelling**
- a **multiple dwelling**
- a **secondary unit**
- a **group home**

7.4.1.2 COMMERCIAL USES

- a **convenience retail use** located within an **apartment dwelling**

7.4.2. ZONE REQUIREMENTS (R2)

No person shall, within any Multiple Residential Zone (R2) **use** any **lot**, or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the applicable provisions of [7.4.3 – Special Exceptions in Zone \(R2\)](#), [Section 6 - General Provisions for all zones](#) and [Section 8 - Special Provisions](#) and the following:

A. For all lands serviced by municipal sewer and water:

a)	Maximum lot coverage	35 %	
b)	Minimum front yard	9 m	[or 29.52ft]
c)	Minimum rear yard	3 m	[or 9.84ft]
d)	Minimum interior side yard	3 m	[or 9.84ft]
e)	Minimum exterior side yard	9 m	[or 29.52ft]
f)	Minimum floor area per Dwelling Unit :1 Storey	37.2 m ²	[or 400ft ²]
g)	Minimum floor area per Dwelling Unit :2 Storey	74.4 m ²	[or 800ft ²]
h)	Minimum distance to a lot line for an accessory building	3 m	[or 9.84ft]
i)	Maximum accessory building height	10 m	[or 32.81ft]

i. Furthermore, for lands containing an **apartment**:

a)	Minimum lot frontage	20m	[or 65.62ft]
b)	Minimum lot area	800 m ²	[or 8,602.15ft ²]
c)	Maximum gross floor area as % of lot Area	40%	
d)	Maximum building height	12 m	[or 39.37ft]

ii. Furthermore, for lands containing a **Maisonette Dwelling**:

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- | | | | |
|----|---------------------------------------------------------|--------------------|-------------------------------|
| a) | Minimum lot frontage | 20m | [or 65.62ft] |
| b) | Minimum lot area | 800 m ² | [or 8,602.15ft ²] |
| c) | Maximum gross floor area as % of lot Area | 40% | |
| d) | Maximum building height | 10 m | [or 32.80ft] |
- iii. **Furthermore, for lands containing a Townhouse or Row House:**
- | | | | |
|----|---------------------------------------------------------|--------------------|-------------------------------|
| a) | Minimum lot frontage* per unit | 6m | [or 19.68ft] |
| b) | Minimum lot area | 800 m ² | [or 8,602.15ft ²] |
| c) | Maximum gross floor area as % of lot Area | 40% | |
| d) | Maximum building height | 10 m | [or 32.80ft] |
- iv. **Furthermore, for all other uses:**
- | | | | |
|----|---------------------------------------------------------|--------------------|-------------------------------|
| e) | Minimum lot frontage | 20m | [or 65.62ft] |
| f) | Minimum lot area | 800 m ² | [or 8,602.15ft ²] |
| g) | Maximum gross floor area as % of lot Area | 40% | |
| h) | Maximum building height | 10 m | [or 32.80ft] |

7.4.3 SPECIAL EXCEPTIONS IN ZONE (R2)

Notwithstanding any other provisions of this By-law, for a group **dwelling** one (1) **parking space** shall be provided for every three (3) beds and when a **building** or **structure** is converted to a **group dwelling**, the whole **building** or **structure** shall be converted. However, a separate **dwelling unit** may be retained for the exclusive **use** of the **group dwelling** custodian or caretaker.

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7.5 SHORELINE RESIDENTIAL ZONE (SR)

7.5.1 PERMITTED USES

No person shall within any Shoreline Residential (SR) Zone **use** any **lot**, or **erect**, **alter** or use any **building** or **structure** for any purpose except one or more of the following **uses**:

7.5.1.1 RESIDENTIAL USES

- a **seasonal dwelling**
- a **single detached dwelling** (provided the conditions of [Section 6.15 Frontage on a Public Road or Street](#) apply)
- an **existing single detached dwelling**
- a **home occupation use**
- **Bed and Breakfast**

7.5.1.2 RECREATIONAL USES

- a **public park**
- a **public playground**

7.5.2 ZONE REQUIREMENTS (SR)

No person shall, within any Shoreline Residential (SR) zone **use** any **lot**, or **erect**, **alter** or use any **building** or **structure** for any purpose except in accordance with the applicable provisions of [7.5.4 – Special Exceptions in Zone \(SR\)](#), [Section 6 - General Provisions for all zones](#) and [Section 8 - Special Provisions](#) and the following:

A residential use or lot:

a)	Minimum lot frontage	45.5m*	[or 149.28ft]
b)	Minimum lot area	4046 m ² *	[or 1 acre]
c)	Maximum lot coverage	15 %	
d)	Minimum front yard	9 m	[or 29.52ft]
e)	Minimum rear yard	6 m	[or 19.68ft]
f)	Minimum interior side yard	3 m	[or 9.84ft]
a)	Minimum exterior side yard	9 m	[or 29.52ft]
b)	Minimum floor area per Dwelling Unit :1 Storey	37.2 m ² **	[or 400ft ²]
c)	Minimum floor area per Dwelling Unit :1.5 Storey	55.8 m ² **	[or 600ft ²]
d)	Minimum floor area per Dwelling Unit: 2 Storey	74.4 m ² **	[or 800ft ²]
e)	Maximum gross floor area as % of lot Area	15%	
g)	Maximum building height	10 m**	[or 32.80ft]
h)	Minimum distance to a lot line	3 m	[or 9.84ft]
for an accessory building			
i)	Maximum accessory building height	10 m	[or 32.80 ft]

* On **lots** serviced by communal water, minimum **lot** frontage shall be 30.5 metres and minimum **lot** area shall be 3038 square metres.

** Where more than one tier of **lots** are present, **buildings** on the waterfront **lots** shall be limited to one **storey**.

A recreational use or lot:

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a)	Minimum lot frontage	45.5m	[or 149.28ft]
b)	Minimum lot area	4046 m ²	[or 1 acre]
c)	Maximum lot coverage	15%	
d)	Minimum front yard	9 m	[or 29.52ft]
e)	Minimum rear yard	6 m	[or 19.68ft]
f)	Minimum interior side yard	3 m	[or 9.84ft]
g)	Minimum exterior side yard	9 m	[or 29.52ft]
h)	Maximum building height	10 m	[or 32.80 ft]
i)	Minimum distance to a lot line for an accessory building	3 m	[or 9.84ft]
j)	Maximum accessory building height	10 m	[or 32.80 ft]

7.5.3 HIGH WATER SETBACK (SR)

- No habitable **building** or structure or tile bed shall be located within 20 metres [or 65.62ft] of the high-water mark of a lake or river.
- When replacing an existing main building and tile fields, a 20 m setback should be maintained.
- Natural vegetation within the 20m setback shall be disturbed as little as possible, consistent with passage, safety, and provision of views and ventilation. A cutting area 10 m wide may be made to afford a view from the dwelling to the water and to afford a waterside activity area.
- The shoreline will not be altered, nor any fill added or removed within 20m of the highwater mark
- Site Plan Control may be required.

7.5.4 SPECIAL EXCEPTIONS IN ZONE (SR)

Notwithstanding any other provisions of this By-law the minimum lot frontage of lots created by Application for Consent File No. B41-85 Part of Lots 11 and 12, Concession 7 Carnarvon shall be 91.5 metres. (Carnarvon 86-12)

Notwithstanding the provisions of 7.5.1, Part 3, Plan 31R-2263 Lot 6 Concession 9 Sandfield shall have a minimum setback of 30 metres from the interior boundary of the shoreline road allowance and a 15 metre minimum side yard requirement and only non-habitable buildings or structures considered to be accessory to a commercial recreational use and not requiring a waste or sewage disposal system will be permitted when this parcel/lot is added to Part 1, Plan R.R. 51.

And further, that the proposed lot, directly south of the part surveyed as Part 5, Plan 31R-2263, and the subject of the Application for Consent File B91-92 is required to have a minimum front yard of 30 metres. (Sandfield 93-05)

Notwithstanding the provisions of 7.5.1, Lot 9 and 10, on Concession XI, Parts 1, 3 & 4, Plan 31R-2450 and Parts 1 & 2, Plan 31R-2534, Sandfield, the minimum lot frontage and minimum lot area of each lot namely Parts 1, 3 & 4, Plan 31R-2450 and Parts 1 & 2, Plan 31R-2534 shall be set out by Plan 31R-2450 and Plan 31R-2534. (Sandfield 93-07)

Notwithstanding the provisions of 7.5.1, no building or structures shall be constructed within ten (10) metres of the inland limit of the twenty (20) metre shore road allowance, southerly or the ridge top (whichever is greater) as shown on the Drainage Illustration for Part of Lot 16, Conc. 11, Sandfield Township, prepared by W.J. Keatley Ltd., O.L.S. and dated October 1, 1996, and more specifically described as Parts 1, 2, 3, and 4 Plan RP 31R-2872. (Sandfield 97-06)

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- a) any land filling that occurs on the subject lots is not to exceed the proposed spot elevations indicated on the Keatley Drainage Illustration dated October 1, 1996, and the fill on the lots is to be sloped to the south-east in accordance with the percent grades indicated on the drainage plan.
- b) no fill is to be placed on the north-west side of the ridge top as shown on the Drainage Plan attached.
- c) with the exception of a five (5) metre wide access corridor to the shore for each proposed lot, a no cut vegetation buffer is to be maintained on the north-west side of the ridge top to the lake shore.
- d) The road across that part of Lot 16, Concession 11, Sandfield to service Lots 1 through 4, RP 31R-2782, is to be constructed in such a manner that any drainage from the lots will flow to the south-east away from Lake Manitou as shown on the Keatley Drainage Plan attached.
- e) The installation of shore wells on the shore road allowance that do not dredge or disturb the lake bottom and/or the use of heat wrapped surface waterline that are laid on the lakebed and shore road allowance shall be permitted.

Notwithstanding the provisions of 7.5.1, the minimum east interior side yard shall be 1.0 meters on Part of Lot 24 Concession 9 being Part 1 Plan 31R-1238 and Part 1 Plan 31R-366, Sandfield. (Sandfield 98-32)

Notwithstanding the provisions of 7.5.1, part of Lot 7 in Concession 6 designated as Parts 2 and 3 on R-1185 Campbell, may be used for the erection and use thereon of a single-family dwelling and buildings and structures accessory thereto provided the requirements of section 7.7.2 are met. (51Z/82/031)

Notwithstanding the provisions of 7.5.1, one single-family dwelling having a minimum ground floor area of no less than 53.5 square metres may be erected on and used on Lot 1, Concession 17 Campbell, as Part 13, Plan 31R-1132. (51ZO-00486-08)

Notwithstanding the provisions of 7.5.1, two guest cabins may be erected and used on the west half of Lot 8, Concession 17, designated as Part 1 on Plan 31R-966 Campbell, provided that the combined ground floor area of both guest cabins does not exceed 32.7 square metres. (51ZO-00486-09)

Notwithstanding the provisions of 7.5.1, one permanent residential dwelling together with buildings and structures accessory thereto may be erected and used on part of Lots 29 & 30 Concession 18 designated as Lot 22 on Plan S-147 Campbell, provided that the following requirements are met: (51ZO-00493-008)

Minimum lot area	4,046 square metres
Minimum lot frontage	46 metres
Maximum lot coverage	15 per cent
Minimum front yard	7.5 metres
Minimum side yards	3 metres on one side 1.5 metres on the other side
Minimum rear yard	7.5 metres

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Maximum height

9 metres

Minimum ground floor area

55 square metres

Notwithstanding the provisions of 7.5.1, a travel trailer may be located and used on part of Lot 13, Concession 15 being parcel 2030, designated as Lot 19 on Registered Plan 31M-196 Campbell. (51ZO-00492-06)

Notwithstanding the provisions of 7.5.1, one single dwelling together with accessory buildings and structures may be erected, located and used on parts of lots 29 and 30 Concession 13 designated as Lot 17, on Plan S-147 Campbell. (51ZO-00493-008)

Notwithstanding the provisions of 7.5.1, a permanent dwelling is permitted on Lot 30 Concession 8, being Lot 21 Plan S-147 Campbell. (96ZBL-96-006)

Notwithstanding the provisions of 7.5.1, a travel trailer is permitted on Lot 14 Concession 15 being Lot 8 Plan 31M-196 Campbell. (96ZBL-96-008)

Notwithstanding the provisions of 7.5.1, a travel trailer park is a permitted use associated with Pentecostal Church Activities on Lot 9 Concession 6, being Part 1 Plan 31R-738 Campbell. (96ZBL-96-010)

Notwithstanding the provisions of 7.5.1, a permanent residential use is permitted on Lot 17 & 18 Concession 1 & 2, being Lots 8,14,15,16,18,19,21 & 24 Plan M-170, Campbell. (96ZBL-98-003)

Notwithstanding the provisions of 7.5.1, a permanent residential use is permitted on Lot 17 & 18 Concession 1 & 2 being Lot 20 Plan M-170, Campbell. (96ZBL-98-005)

Notwithstanding any other provision of this By-law, a bed and breakfast shall be a permitted use on those lands known as Part 2 RP31R-136 Lot 2 Concession 2 Carnarvon.

Notwithstanding any other provision of this By-law, a bed and breakfast shall be a permitted use on those lands known as Lot 6 Concession 4 (1672 Monument Rd.) Carnarvon.

Notwithstanding any other provision of this By-law, a bed and breakfast shall be a permitted use on those lands known as Lot 6 Concession 6 Carnarvon.

Notwithstanding any other provision of this By-law, a bed and breakfast shall be a permitted use on those lands known as Part 3 RP31R-1678 Lot 26 Concession 8 Sandfield.

Notwithstanding the permitted uses 7.5.1 the continued use of the three existing dwelling units located on Part 1, Plan 31R-2514, excepting Parts 1 & 2, Plan 31R-3123 and Part 4, Plan 31R-1524, being part of Lot 5, Concession 6, Township of Campbell, is permitted. (Carnarvon 2002-06)

Notwithstanding the provisions of 7.5.1, that the minimum dimensions for the lot created by Application for Consent File No.B20-02 shall be in accordance with Parts 8 & 11, Plan 31R-2929, Part Lot 13 & 14, Concession 4, Carnarvon. (By-Law 2002-19)

Notwithstanding the provisions of 7.5.1, a two (2) bedroom Bed and Breakfast shall be permitted in the existing building on Lot 17 and 18, Concession 3, being Lot 45, Plan T5773, Carnarvon. (By-Law 2003-05)

Notwithstanding the provisions of 7.5.1, a residence shall be permitted in the front yard on Part Lot 3, Concession 3, Sandfield, being on Part 1, Plan 31R-1336. The front yard setback shall be permitted to be reduced to 5.79 metres (19 Feet). (By-Law 2003-23)

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Notwithstanding the provisions of 7.5.1, that the use and expansion of an existing building as a horse barn shall be a permitted use on Lot 7, Concession 10, being Part 1, Plan 31R-3108 (#40 Maple Lane), Sandfield. (By-Law 2006-06)

Notwithstanding the provisions of 7.5.1, the minimum front yard requirements shall be 10 metres, for the lots created by Applications for Consent, File No's. B11-06, B12-06, B13-06, B41-06 and B42-06 shall be as surveyed, namely as i) Parts 2, 11, 12, 13, Plan 31R-3548; ii) Parts 3, 4, 5, 14, 15, 16, 17, 18, Plan 31R-3548; iii) Parts 6, 7, 8, 19, 20, 21, Plan 31R-3548; iv) Parts 9, 22, 23, 24, Plan 31R-3548; v) Parts 10, 25, Plan 31R-3548, Lot 6 and Pt Lot 7, Concession 8, Sandfield. (By-Law 2007-07)

Notwithstanding the provisions of 7.5.1, to allow for the increase in maximum allowable floor area in an accessory building from 66 m. sq. to 117m. sq. on Sub-lots 18 and 19, Plan 31R-216, Lots 7 and 8, Concession 6, Carnarvon. (By-Law 2007-14)

Notwithstanding the provisions of 7.5.1, that a 3-room Bed and Breakfast shall be a permitted use on Lot 5, Concession 3, being Part 2, Plan 31R-1120, Carnarvon. (By-Law 2007-25)

Notwithstanding the provisions of 7.5.1, to allow for the increase in maximum allowable floor area in an accessory building from 66 sq m to 119 sq m on Part lot 20 Concession 10, RP 31R-2131 Part 1, Sandfield. (By-Law 2008-19)

Notwithstanding the provisions of 7.5.1, to allow for the increase in maximum allowable floor area in an accessory building from 66 sq. m. to 140 sq. m. on Part Lot 14, Concession 15, RP 31M-196, Lot 3, Campbell. (By-Law 2008-26)

Notwithstanding the provisions of 7.5.1, to site specifically allow for an increase of allowable floor space in an accessory building located on a residential lot from 46 sq. m. to 96.25 sq. m. on Part Lot 24, Concession 2, Registered Plan 31R-3170, Part 2, Campbell. (By-Law 2009-13)

Notwithstanding the provisions of 7.5.1, that the lands legally described as Part Lots 17 & 18, Concession 3, being Lots 18 & 19, Plan T5773, Township of Carnarvon, Municipality of Central Manitoulin, District of Manitoulin are hereby deemed not to be lands described in accordance with a registered Plan of Subdivision for the purpose of Section 50(3) of the Planning Act, R.S.O. 1990. (By-Law 2009-14)

Notwithstanding the provisions of 7.5.1, to Site Specifically allow for a swimming pool to be erected in the front yard on Part Lots 17 and 18, Concession 3, Plan RP-T5773, Lot 30, Carnarvon. (By-Law 2009-19)

Notwithstanding the provisions of 7.5.1, that a one-bedroom Bed & Breakfast shall be a permitted use on Lot 15, Concession 15, Plan M-198, Lot 36, Campbell. (By-Law 2009-26)

Notwithstanding the provisions of 7.5.1, the minimum dimensions and area for the three lots conditionally approved by the Manitoulin Planning Board under applications for Consent, File No's B09-09 and B10-09, shall be surveyed and described as Parts 1, 2 & 3, Plan RP31R-3747 being Part of Lot 6, Concession 1, Carnarvon. (By-Law 2010-01)

Notwithstanding the provisions of 7.5.1, to Site Specifically allow an increase of allowable floor space in an accessory building located on a residential lot from 66 sq. metres to 174 sq. metres on Part Lot 18, Concession 2, Registered Plan M170, Lot 16 PCL 1404, Campbell. (By-Law 2010-03)

Notwithstanding the provisions of 7.5.1, to Site Specifically allow an increase of allowable floor space in an accessory building located on a lot within a Residential Zone from 66 sq. metres. to 149 sq. metres. on Part Lot 13, Concession 11, Plan 31R-2401, Parts 1 & 3, Plan 31R-2593, Parts 4, 5 & 7, Sandfield. (By-Law 2010-16)

Notwithstanding the provisions of 7.5.1, to allow for the lawful use of a Tourist Cabin Establishment and its associated uses, such as, but not limited to, in house laundry service, in house meal plans, truck stop, meeting facilities, spa, etc. for the purpose of supplying amenities and services to registered guests only, on Part Lots 1 and 2, Concession 17, being Part 2, Plan 31R-3797 and Part 4, Plan 31R-1132, Campbell. (By-Law 2010-17)

Notwithstanding the provisions of 7.5.1, to Site Specifically allow for a maximum 3.5 metre encroachment beyond the required waterfront lot line set-back to allow for the construction of an enclosed sunroom on Part Lot 3, Concession 17, (#237 Simcoe Road) INST #067110, Campbell. (By-Law 2010-19)

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Notwithstanding the provisions of 7.5.1, to Site Specifically allow for a maximum four (4) metre encroachment beyond the required waterfront lot line set-back to allow for the construction of a deck only and further that there shall be no further encroachment allowed and this deck shall never be covered or enclosed on Part Lot 8, Concession 6, RP 31R-216 Parts 1 & 17, Carnarvon. (By-Law 2010-20)

Notwithstanding the provisions of 7.5.1, to Site Specifically allow for an increase of allowable floor space in an accessory building located on a residential lot, from 66 sq. m. to 112 sq. m. on Part Lot 7, Concession 6, Registered Plan 31R-1185, Part 1, Campbell. (By-Law 2010-25)

Notwithstanding the provisions of 7.5.1, to Site Specifically allow for an increase of allowable floor space in an accessory building located on a residential lot, from 66 sq. metres. to 80.5 sq. metres. on Part Lot 21, Concession 14, Campbell. (By-Law 2011-11)

Notwithstanding the provisions of 7.5.1, to Site Specifically allow for an increase of allowable floor space in an accessory building on a Shoreline Residential lot from 66 sq. meters to 100.3 sq. meters on Part Lot 8, Concession 5, Registered Plan 31M-201 Part 2(#72 Deerfoot Trail), Carnarvon. (By-Law 2011-16)

Notwithstanding the provisions of 7.5.1, to Site Specifically allow for an existing 110 sq. metre building to be deemed a lawful accessory building, despite the fact that its area exceeds the maximum 66 sq. metres allowed by By-law, in order that a new seasonal residential structure may be built on Part Lot 7, Concession 10, Registered Plan M-158 Part 6, PCL 1237, Sandfield. (By-Law 2012-03)

Notwithstanding the provisions of 7.5.1, to Site Specifically allow to for an increase of allowable floor space in an accessory building on a Shoreline Residential lot, from 66 sq. metres to 84 sq. metres on Part Lot 26, Concession 9, Registered Plan 31R-1654 Part 2, Sandfield. (By-Law 2012-17)

Notwithstanding the provisions of 7.5.1, to permit an accessory garage, having a maximum area of 108 sq. metres and a front yard setback of 100m., in a Shoreline Residential (SR) Zone on Part of Lot 19, Concession 2, PIN 47112-0135, (#1520 Perivale Road West), Campbell. (By-Law 2013-13)

Notwithstanding the provisions of 7.5.1, to permit a Bicycle Repair, Sales and Service Shop in an existing accessory building, in a Shoreline Residential (SR) Zone on Part Lot 23, Concession 2, (#1644 Hwy 551) Carnarvon. (By-Law 2013-14)

Notwithstanding the provisions of 7.5.1, to permit a guest cabin to be located in the front yard, having a maximum ground floor area of 35 sq. metres, a minimum front yard setback of 5.7 metres, and a minimum south side yard setback of 0.76 metres on Part Lot 5, Concession 6, Registered Plan 31R-3980 Part 1, Campbell. (By-Law 2014-25)

Notwithstanding the provisions of 7.5.1, to permit one accessory storage structure, having a maximum area of 335 sq. metres, in a Shoreline Residential (SR) Zone on Part Lot 16, Concession 15, Registered Plan 31M-198 Lot 6, Campbell. (By-Law 2016-14)

Notwithstanding the provisions of 7.5.1, to permit a second dwelling unit having a maximum ground floor area of ±580 sq. ft. (±54 sq. m.), and a minimum front yard setback of ±32 ft. (±9.75 m.), and a minimum north yard setback of ±30ft. (±9 m.) on Part Lots 8 & 9, Concession 5, Plan RR 113 Part 5, Campbell. (By-Law 2016-15)

Notwithstanding the provisions of 7.5.1, to permit one accessory storage structure, having a maximum area of 187.6 Sq. M., to be used and located having a minimum frontage yard setback of 39.6 M., in a Shoreline Residential (SR) Zone on Part Lot 7, Concession 5, Registered Plan 31R-3108 Part 1, (#40 Maple Lane), Sandfield. (By-Law 2017-12)

Notwithstanding the provisions of 7.5.1, to permit one accessory structure having a maximum area of 106 sq. metres in a Shoreline Residential (SR) Zone on Part of Lot 18, Concession 3, being Part of Block A, Subdivision Plan T-5773, surveyed as Part 2, Plan 31R-2479, Carnarvon. (By-Law 2018-08)

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Notwithstanding the provisions of 7.5.1, to permit one accessory garage having a maximum area of 90 Sq. metres to be used and located having a minimum front yard setback of 58.7 metres in a Shoreline Residential (SR) Zone on Part Lot 7, Concession 9 & 10, being Lot 9, Plan M158, (#211 Maple Lane), Sandfield. (By-Law 2019-10)

Notwithstanding the provisions of 7.5.1, to permit one accessory structure having a maximum area of 92 sq. metres in a Shoreline Residential (SR) Zone on Lot 3, Concession 4, excepting Part 1, Plan 31R-3142, (#1631 Perivale Road East), Campbell. (By-Law 2019-12)

Notwithstanding the provisions of 7.5.1, permits a guest cabin being 24 sq. metres in size accessory to a dwelling, to be located in the front yard (in front of the existing dwelling) having a minimum front yard setback of 1.8 metres and a minimum westerly side yard setback of 5.5 metres; and permits a garage/carport accessory to a dwelling, having a maximum area of ± 127.5 sq. metres on Part Lot 13, Concession 15, being Lot 17, Plan 31M-196, (#467 Lake Huron Drive), Campbell. (By-Law 2020-15)

Notwithstanding the provisions of 7.5.1, to permit one accessory garage having a maximum area of 95 sq. metres to be used and located having a minimum front yard setback of 97.6 metres in a Shoreline Residential (SR) Zone on Part Lot 8, Concession 5, being Lot 1, Subdivision Plan 31M-201, (#70 Deer Foot Trail), Carnarvon. (By-Law 2021-12)

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7.6 COMMERCIAL ZONE (C)

7.6.1 PERMITTED USES

No person shall within any Commercial Zone (C) *use* any *lot*, or *erect, alter* or *use* any *building* or *structure* for any purpose except one or more of the following *uses*:

7.6.1.1 RESIDENTIAL USES

- a ***dwelling unit or units in accordance with the provisions of [Section 6.15 Frontage on a Public Road or Street of this By-law](#)***
- A group home
- A bed and breakfast

7.6.1.2 COMMERCIAL USES

- an office ***building***
- a post office
- a bowling alley
- a laundromat
- a personal service shop
- a restaurant
- a restaurant cart
- a ***hotel, motel***
- a retail store
- an ***eating establishment***
- a tavern
- a take-out restaurant
- a farm implement dealer
- a service or repair shop
- a recreational vehicle sales area
- a ***business or professional office***
- a motor vehicle sales area
- a theatre
- an automobile washing establishment
- a bank or financial institution
- a public garage (auto body)
- a drive-in restaurant
- a public garage (mechanical)
- an ***AUTOMOBILE SERVICE STATION*** (see Section 6.4)
- a car wash
- a marina
- a veterinary office

***a mini putt or miniature golf – See By-Law #1988-13

7.6.1.3 INSTITUTIONAL USES

- a ***church***
- a legion hall
- an auditorium
- a ***community centre***
- a ***public building***

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7.6.1.4 RECREATIONAL USES

- a **public park**
- a **public playground**
- a **community centre**

7.6.2 ZONE REQUIREMENTS (C)

No person shall, within any Commercial Zone (C) **use** any **lot**, or **erect** or **use** any **building** or **structure** for any purpose except in accordance with the applicable provisions of [7.6.3 – Special Exceptions in Zone \(C\)](#), [Section 6 - General Provisions for all zones](#) and [Section 8 - Special Provisions](#) and the following:

A. Lands serviced by municipal sewer and water services:

a)	Minimum lot frontage	20 m	[or 65.61ft]
b)	Minimum lot area	800 m ²	[or 8,602.15ft ²]
c)	Maximum lot coverage	50%	
d)	Minimum front yard	9 m	[or 29.52ft]
e)	Minimum rear yard	3 m	[or 9.84ft]
f)	Minimum interior side yard	3 m	[or 9.84ft]
g)	Minimum exterior side yard	9 m	[or 29.52ft]
h)	Maximum building height	10 m	[or 32.80 ft]

B. Lands not serviced by municipal sewer and water services:

a)	Minimum lot frontage	30.5m	[or 100ft]
b)	Minimum lot area	1858 m ²	[or 20,000ft ²]
c)	Maximum lot coverage	50 %	
d)	Minimum front yard	9 m	[or 29.52ft]
e)	Minimum rear yard	3 m	[or 9.84ft]
f)	Minimum interior side yard	3 m	[or 9.84ft]
g)	Minimum exterior side yard	9 m	[or 29.52ft]
h)	Maximum building height	10 m	[or 32.80 ft]

7.6.3 SPECIAL EXCEPTIONS IN ZONE (C)

Notwithstanding the provisions of 7.6.1, to allow for the legal establishment of a two-bay car washing facility and enclosed public storage buildings on Lot 22, Concession 4, Part 1, Registered Plan 31R-3590 Part 1, Carnarvon. (By-Law 2007-15)

Notwithstanding the provisions of 7.6.1, to Site Specifically allow the required interior side yard setback on the West Side of this Core Commercial lot, to be reduced from 7.5 metres to 1 metre, to allow for the construction and use of a small seasonal retail building (max 250 sq. ft.) without water supply on Part Lot 1, Concession 11, Town Plot 6, E ½ of Lot 20, Carnarvon. (By-Law 2012-09)

Notwithstanding the provisions of 7.6.1, that the dwelling unit may be used by other than the owner or operator of the commercial use on Part Lot 20, Concession 4, Registered Plan 31R-2727 Part 3, Carnarvon. (By-Law 2012-20)

Notwithstanding the provisions of 7.6.1, to permit a 'hotel' having four (4) bedrooms, located on the 2nd floor of the existing Commercial building; and to permit a parking area for ten (10) parking spaces within Part of Lot 18

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and Lots 19 & 20, East Side Munro Street, and Lots 19 & 20, West Side Mutchmor Street, including Parts 2 and 3, Registered Plan 31R-3540, (#5263 Hwy 551), Town Plot 6 of Providence Bay, Carnarvon. (By-Law 2017-10)

Notwithstanding the provisions of 7.6.1, permit a 2nd dwelling unit on the lower level of a non-residential building in a Core Commercial (C1) Zone on Part of Lot 21, Concession 5, including Lot 8, Plan RCP 197, (#6089 Hwy 542), Carnarvon. (By-Law 209-07)

Notwithstanding the provisions of 7.6.1, to permit one separate dwelling unit to be used for residential uses only by the owner or operator of the commercial uses, in a Core Commercial (C1) Zone on Part of Lot 18 and Lots 19 & 20, East Side Munro Street, and Lots 19 & 20, West Side Mutchmor Street, including Parts 2 and 3, Registered Plan 31R-3540, (#5263 Hwy 551), Town Plot 6 of Providence Bay, Carnarvon. (By-Law 2019-13)

Notwithstanding the provisions of 7.6.1, permits a building accessory to the main commercial auto body garage/mechanical garage, having a maximum area of ± 95 sq. metres; and the commercial uses shall include ancillary and/or accessory uses to support those commercial uses including but not limited to a towing business on Part of Lot 18, Concession 5 surveyed as Part 1, Registered Plan 31R-2183, (#6323 Hwy 542), Carnarvon. (By-Law 2020-16)

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7.7 COMMERCIAL RECREATION ZONE (CR)

7.7.1 PERMITTED USES

No person shall within any Commercial Recreation Zone (CR) **use** any **lot**, or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

7.7.1.1 RESIDENTIAL USES

- a **dwelling unit or units** in accordance with the provisions of [Section 6.15 Frontage on a Public Road or Street of this By-law](#).

7.7.1.2 COMMERCIAL USES

- a **hotel, motel**
- a **marina**
- a **commercial campground**
- a **tourist trailer park**
- a **tourist cabin establishment**
- a **restaurant**
- a **convenience retail** store for the sale of goods and personal services
- a mini putt
- a golf course

7.7.2 ZONE REQUIREMENTS (CR)

No person shall, within any Commercial Recreation (CR) zone **use** any **lot**, or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the applicable provisions [7.7.3 – Special Exceptions in Zone \(SR\)](#), [Section 6 - General Provisions for all zones](#) and [Section 8 - Special Provisions](#) and the following:

As commercial use or lot:

a)	Minimum lot frontage	76 m*	[or 249.34ft]
b)	Minimum lot area	2325 m ²	[or 25,026ft ²]
c)	Maximum lot coverage	30 %	
d)	Minimum front yard	9 m	[or 29.5ft]
e)	Minimum rear yard	7.5 m	[or 14.76ft]
f)	Minimum interior side yard	3 m	[or 9.84ft]
g)	Minimum exterior side yard	9 m	[or 29.5ft]
h)	Maximum building height	10 m	[or 32.80 ft]

* Where a Commercial Recreational (CR) use is not on a waterfront, minimum lot frontage shall be 60m [196.85ft] and the provisions of Section 7.7.3 shall apply.

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7.7.3 ADDITIONAL (CR) ZONE PROVISIONS

Where a **lot** zoned CR has waterfrontage, the following additional provisions shall apply:

- No primary **building** or structure or tile field shall be located within 20 metres [or 65.62ft] of the high-water mark of a lake or river.
- When replacing an existing main building and tile fields, a 20 m setback should be maintained.
- Natural vegetation within the 20 m setback shall be disturbed as little as possible, consistent with passage, safety, and provision of views and ventilation. A cutting area 10 m wide may be made to afford a view from the dwelling to the water and to afford a waterside activity area.
- The shoreline will not be altered, nor any fill added or removed within 20 m of the high water mark.
- Site Plan Control may be required.

7.7.4 SPECIAL EXCEPTIONS IN ZONE (CR)

Notwithstanding the provisions of 7.7.1, that a one-bedroom Bed and Breakfast and a Fishing Charter Office shall be permitted uses in the (CR) Commercial Recreational Zone on Lot 2, Concession 12, being Part 2, Registered Plan 31R-2102, Carnarvon. (By-Law 2007-13)

Notwithstanding the provisions of 7.7.1, the additional use of one (1) portable storage container, being 2.0 metres X 12.0 metres in size, shall be permitted to be located on a Site Specific basis, being 13 metres south of the northerly lot line and 16.7 metres east of the front lot line along Monument Road, as accessory to the commercial campground/trailer park use, known as Stanley Park Campgrounds Inc. on Part of Lot 6, Concession 4 and Part of Lot 7, Concession 4, surveyed as Part 1, Registered Plan 31R-2831, (#1702 Monument Road), Carnarvon. (By-Law 2021-17)

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7.8 PIT AND QUARRY ZONE (Q)

7.8.1 PERMITTED USES

No person shall within any Pit and Quarry (Q) Zone **use** any **lot**, or **erect, alter** or use any **building** or **structure** for any purpose except one or more of the following **uses**:

- an asphalt plant;
- a concrete batching plant;
- a quarrying and sand and gravel pit operations;
- a washing, screening, crushing and storage of sand, gravel, ballast, stone, aggregates, clays, brick, peat, and other surface and subsurface resource materials.
- an **accessory** and associated operations

7.8.2 ZONE REQUIREMENTS (Q)

No person shall, within any Pit and Quarry (Q) zone **use** any **lot**, or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the applicable provisions [7.8.3 – Special Exceptions in Zone \(Q\)](#), [Section 6 - General Provisions for all zones](#) and [Section 8 - Special Provisions](#) and the following:

a)	Minimum front yard	30 m	[or 98.43ft]
b)	Minimum rear yard	30 m	[or 98.43ft]
c)	Minimum interior side yard	30 m	[or 98.43ft]
d)	Minimum exterior side yard	30 m	[or 98.43ft]

7.8.3 ADDITIONAL PROVISIONS

No pit or quarry shall be excavated so that its edge is at a point less than thirty (30) metres [or 98.43ft] from the limit of any road right-of-way and thirty (30) metres [or 98.43ft] from any adjoining **lot line**. However, this lot line restriction will be waived where two extractive operations abut and are being mined at the same time thus permitting a more efficient use of the available aggregate.

No **use** permitted shall be carried on within 65 meters [or 213.25ft] of any **residential use** on another **lot** and 50 meters [or 164ft] of any **street** or **road**.

No person shall make or establish a pit or quarry within 65 meters [or 213.25ft] of any **residential use** on another **lot** and 50 meters [or 164ft] of any **street** or **road**.

The requirements set out in this Section 7.8.2 do not apply to conveyor and loading facilities accessory to a **pit** or quarry operation.

7.8.4 SPECIAL EXCEPTIONS IN ZONE (Q)

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7.9 INSTITUTIONAL ZONE (I)

7.9.1 PERMITTED USES

No person shall within any Institutional Zone (I) **use** any **land**, or **erect, alter** or use any **building** or **structure** for any purpose except one or more of the following **uses**:

7.9.1.1 RESIDENTIAL USES

- a **dwelling unit** in accordance with the provision of [Section 6.15 Frontage on a Public Road or Street](#) of this By-law
- a group home

7.9.1.2 INSTITUTIONAL USES

- an auditorium
- a medical **clinic**
- a municipal office
- a **hospital**
- a nursing home
- a police station
- a **church**
- a fire hall
- a public building
- a **school**
- a post office

7.9.1.3 RECREATIONAL USES

- a **public park**
- a **public playground**

7.9.2 ZONE REQUIREMENTS (I)

No person shall, within any Institutional Zone (I) **use** any **lot**, or **erect, alter** or use any **building** or **structure** for any purpose except in accordance with the applicable provisions of [7.9.3 – Special Exceptions in Zone \(I\)](#), [Section 6 - General Provisions for all zones](#) and [Section 8 - Special Provisions](#) and the following:

Institutional uses;

a)	Minimum lot frontage	60m	[or 196.85ft]
b)	Minimum lot area	4046 m ²	[or 1 acre]
c)	Maximum lot coverage	50 %*	
d)	Minimum front yard	15 m	[or 49.21ft]
e)	Minimum rear yard	10 m	[or 32.81ft]
f)	Minimum interior side yard	10 m	[or 32.81ft]
g)	Minimum exterior side yard	15 m	[or 49.21t]
h)	Maximum gross floor area as % of lot Area	50%	
i)	Maximum building height	12 m	[or 39.37ft]
j)	Minimum distance to a lot line for an accessory building	6 m	[or 19.69ft]
k)	Maximum accessory building height	6 m	[or 19.69ft]

*This coverage factor does not restrict open storage areas.

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Residential uses within the townsite limits serviced by water and sewer:

a)	Minimum lot frontage	30.5 m	[or 100ft]
b)	Minimum lot area	1858 m ²	[or 20,000ft ²]
c)	Maximum lot coverage	30%	
d)	Minimum front yard	9 m	[or 29.52ft]
e)	Minimum rear yard	3 m	[or 9.84ft]
f)	Minimum interior side yard	3 m	[or 9.84ft]
g)	Minimum exterior side yard	9 m	[or 29.52ft]
h)	Minimum floor area per Dwelling Unit :1 Storey	37.2 m ²	[or 400ft ²]
i)	Minimum floor area per Dwelling Unit :1.5 Storey	55.8 m ²	[or 600ft ²]
j)	Minimum floor area per Dwelling Unit :2 Storey	74.4 m ²	[or 800ft ²]
k)	Maximum gross floor area as % of lot Area	30%	
l)	Maximum building height	10 m	[or 32.81ft]
m)	Minimum distance to a lot line for an accessory building	3 m	[or 9.84ft]
n)	Maximum accessory building height	10 m	[or 32.81ft]

7.9.3 SPECIAL EXCEPTIONS IN ZONE (I)

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7.10 RECREATIONAL ZONE (01)

7.10.1 PERMITTED USES

No person shall within any Recreation Zone (01) *use* any *lot*, or *erect, alter* or use any *building* or *structure* for any purpose except one or more of the following *uses*:

7.10.1.1 RESIDENTIAL USES

7.10.1.2 INSTITUTIONAL USES

- a **church** a post office a municipal office
- a **fire hall** a **school**

7.10.1.3 OPEN SPACE AND RECREATION USES

- a bowling green a **hiking trail**
- a curling **club** a **community centre**
- a **public park / playground** a playing field
- a tennis **court** a skating rink or arena
- a **golf course** a ski hill
- an area where the primary land use is for public or private recreation

7.10.2 ZONE REQUIREMENTS (01)

No person shall, within any Recreational Zone (01) *use* any *lot*, or *erect, alter* or use any *building* or *structure* for any purpose except in accordance with the applicable provisions of [7.10.3 – Special Exceptions in Zone \(01\)](#), [Section 6 - General Provisions for all zones](#) and [Section 8 - Special Provisions](#) and the following:

An Institutional use or lot:

a)	Minimum lot frontage	30.5 m	[or 100ft]
b)	Minimum lot area	1858 m ²	[or 20,000ft ²]
c)	Maximum lot coverage	20 %	
d)	Minimum front yard	9 m	[or 29.5ft]
e)	Minimum rear yard	7.5 m	[or 24.61ft]
f)	Minimum interior side yard	7.5 m	[or 24.61ft]
g)	Minimum exterior side yard	9 m	[or 29.5ft]
h)	Maximum building height	10 m	[or 32.81ft]
i)	Minimum distance to a lot line for an accessory building	3 m	[or 9.84ft]
j)	Maximum accessory building height	10 m	[or 32.81ft]

7.10.3 SPECIAL EXCEPTIONS IN ZONE (01)

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7.11 CONSERVATION ZONE (02)

7.11.1 PERMITTED USES

No person shall within any Conservation **Zone** (02) **use** any **lot**, or **erect, alter** or use any **building** or **structure** for any purpose except one or more of the following **uses**:

7.11.1.1 RURAL USES

- a **farm** but not a **specialized use farm** as defined in [Section 5](#) of this By-law.
- a **nursery garden**
- no **dwelling unit** or **accessory building(s)** shall be permitted

7.11.1.2 OPEN SPACE USES

- a **golf course**
- an area for the protection of an environmental hazard such as swamps or marshes, **flood plain** or land liable to flood or land subject to wind or water erosion.
- An area primarily for the location of flood control, bank stabilization or erosion protection structures or projects.
- A conservation use

7.11.2 ZONE REQUIREMENTS (02)

No person shall, within any Conservation Zone (02) **use** any **lot**, or **erect, alter** or use any **building** or **structure** for any purpose except in accordance with the applicable provisions of [7.11.3 – Special Exceptions in Zone \(02\)](#), [Section 6 - General Provisions for all zones](#) and [Section 8 - Special Provisions](#) and the following:

As open space use or lot:

a)	Minimum front yard	20 m	[or 65.62ft]
b)	Minimum rear yard	20 m	[or 65.62ft]
c)	Minimum interior side yard	20 m	[or 65.62ft]
d)	Minimum exterior side yard	20 m	[or 65.62ft]

7.11.3 SPECIAL EXCEPTIONS IN ZONE (02)

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7.12 WASTE DISPOSAL SITE ZONE (WD)

7.12.1 PERMITTED USES

No person shall within any Waste Disposal Site Zone (WD) use any **lot**, or **erect, alter** or use any **building** or **structure** for any purpose except one or more of the following **uses**:

- a) a dumpsite for used building material
- b) a land fill site for garbage including organic **waste** but excluding chemicals wastes

7.12.2 ZONE REQUIREMENTS (WD)

No person shall, within any Waste Disposal Site Zone (WD) **use** any **lot**, or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the applicable provisions of [7.12.4 – Special Exceptions in Zone \(WD\)](#), [Section 6 - General Provisions for all zones](#) and [Section 8 - Special Provisions](#) and the following:

a)	Minimum lot frontage	50 m	[or 164ft]
b)	Minimum lot area	100,000 m ²	[or 10 Hectares]
c)	Maximum lot coverage	5%	
d)	Minimum front yard	30 m	[or 98.43ft]
e)	Minimum rear yard	30 m	[or 98.43ft]
f)	Minimum interior side yard	30 m	[or 98.43ft]
g)	Minimum exterior side yard	30 m	[or 98.43ft]

7.12.3 WASTE DISPOSAL SITE

No waste disposal site shall be located so that its edge is at a point less than thirty (30) metres [or 98.43ft] from the limit of any travelled road right-of-way and thirty (30) metres [or 98.43ft] from any adjoining **lot line**.

7.12.4 SPECIAL EXCEPTIONS IN ZONE (WD)

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7.13 FUTURE DEVELOPMENT ZONE (FD)

7.13.1 PERMITTED USES

No person shall within any Future Development Zone (FD) **use** any **land** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

7.13.1.1 RESIDENTIAL USES

- an **existing single detached dwelling**

7.13.1.2 OTHER USES

- **Existing non-residential uses**

7.13.2 ZONE REQUIREMENTS (FD)

No person shall, within any Future Development Zone (FD) **use** any **lot**, or **erect, alter** or use any **building** or **structure** for any purpose except in accordance with the applicable provisions of [7.13.5 – Special Exceptions in Zone \(FD\)](#), [Section 6 - General Provisions for all zones](#) and [Section 8 - Special Provisions](#) and the following:

- **An existing use only**

7.13.3 OFFICIAL PLAN CONFORMITY

Lands within a Future Development **Zone** (FD), may, upon an application to the Municipality of Central Manitoulin by the landowner, be rezoned to a specific **zone** or **zones** in conformity with the **Official Plan**. Until such time as the **lands** are rezoned to a specific **zone** or **zones**, no person shall change the **use** of any **land, structure** or **building**, or **erect** or **use** any land, **building** or **structure** except in conformity with the provisions of this By-law.

7.13.5 SPECIAL EXCEPTIONS IN ZONE (FD)

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7.14 INDUSTRIAL ZONE (M)

7.14.1 PERMITTED USES

No person shall within any Industrial Zone (M) **use** any **land**, or **erect, alter** or use any **building** or **structure** for any purpose except one or more of the following **uses**:

7.14.1.1 RESIDENTIAL USES

- a **dwelling unit** in accordance with the provision of [Section 6.15 Frontage on a Public Road or Street](#) of this By-law

7.14.1.2 INDUSTRIAL USES

- a saw mill
- a service shop (heavy)
- a machine or welding shop
- a warehouse
- an abattoir
- a farm produce storage area
- a municipal works building
- a custom workshop
- a boat storage yard
- a builders' supply yard
- an equipment or materials storage yard
- a transport terminal
- a **dry industry** involved in the fabricating processing or manufacturing of goods or materials
- a service shop
- a **service industry**
- a truck bus storage terminal
- a feed mill
- a contractor or tradesman shop or yard
- a creamery or dairy
- a **scrap yard or salvage yard**
- an **auto-body repair shop**
- a processing plant
- a manufacturing plant
- a **business office accessory** to a permitted use

7.14.2 ZONE REQUIREMENTS (M)

No person shall, within any Industrial Zone (M) **use** any **lot**, or **erect, alter** or use any **building** or **structure** for any purpose except in accordance with the applicable provisions of [7.14.3 – Special Exceptions in Zone \(M\)](#), [Section 6 - General Provisions for all zones](#) and [Section 8 - Special Provisions](#) and the following:

a)	Minimum lot frontage	60m	[or 196.85ft]
b)	Minimum lot area	4046 m ²	[or 1 acre]
c)	Maximum lot coverage	50 %*	
d)	Minimum front yard	15 m	[or 49.21ft]
e)	Minimum rear yard	7.5 m	[or 24.61ft]
f)	Minimum interior side yard	3 m	[or 9.84ft]
g)	Minimum exterior side yard	15 m	[or 49.21ft]
h)	Maximum gross floor area as % of lot Area	50%	
i)	Maximum building height	20 m	[or 65.61ft]
j)	Minimum distance to a lot line for an accessory building	7.5 m	[or 24.61ft]
k)	Maximum accessory building height	6 m	[or 19.69ft]

* This coverage factor does not restrict open storage areas.

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7.14.3 SPECIAL EXCEPTIONS IN ZONE (M)

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SECTION 8: SPECIAL PROVISIONS

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SECTION 9: EXISTING BY-LAW REPEALED

Any By-law passed under Section 34 of The Planning Act or predecessor thereof in force in the Municipality of Central Manitoulin on the date of Adoption of this Zoning By-law is hereby repealed.

Read a first time

this _____ day of _____, 2022.

Signed:

Reeve/Mayor: Richard Stephens

Signed:

Clerk: Ruth Frawley

Read a second and third time and

finally passed, this _____ day of _____, 2022.

Signed:

Reeve/Mayor: Richard Stephens

Signed:

Clerk: Ruth Frawley