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Plates 1, 2, 3 and 4 are for the purpose of clarification and convenience only and do not form part of this By-law.

**THE CORPORATION OF THE  
TOWNSHIP OF CENTRAL MANITOULIN**

**BY-LAW NO. 2002 –07**

A By-law to regulate the use of land and the character,  
location and use of buildings and structures in the  
Township of Central Manitoulin.

WHEREAS it is considered desirable to regulate the use of land, the character, location and use of buildings and structures within the Township of Central Manitoulin.

AND WHEREAS authority is granted under Section 34.1 of the Planning Act to the council of the Township of Central Manitoulin to exercise such powers subject to the approval of the Ontario Municipal Board;

NOW THEREFORE the Council of the Corporation of the Township of Central Manitoulin enacts as follow:

SECTION 1 – TITLE

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

SECTION 2 – DEFINED AREA

This By-law applies to all land included within the boundaries of the Township of Central Manitoulin and to the adjoining shores of various lakes and rivers including land covered by water wherever there is or may be erected a 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 Township of Central Manitoulin or from any law of the Province of Ontario or of Canada.

### 3.2 ZONING AND SITE PLAN SCHEDULES

Schedules "A", "B1" and "B2" attached hereto, together with notations and references shown thereon, are hereby declared to form part of this By-law.

### 3.3 ZONE BOUNDARIES

When determining the boundary of any Zone as shown on Schedules "A", "B1" and "B2" 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 subsection 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 Township lot, shall follow such lot lines;
- e) a boundary indicated as approximately parallel to a street line or other feature indicated in clauses a), b) or c) of this subsection, 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, and the distance therefrom shall be determined according to the scale shown on Schedules "B", "B1" and "B2"; and,
- f) a boundary indicated as following the limits of the Township shall follow such limits; and
- g) where any zone on the Schedules abuts a lakeshore, such zone shall be deemed to extend into the lake and to apply to any water lots or to any land created by changing lake levels, land fill operations or any other means.

### 3.4 CLOSINGS

In the event a dedicated street or lane shown on any Schedule forming part 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.

### 3.6 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.

### 3.7 PROPERTIES WITH MORE THAN ONE ZONE

Where a lot is divided into more than one zone, each 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 yard and rear yards and each such portion shall conform to the provisions of the appropriate zone, but no lot shall have more than one dwelling unit on the whole except as specifically provided in this By-law.

## SECTION 4 – ADMINISTRATION

### 4.1 SCOPE

No building, structure or land shall be used, and no building or structure shall be hereafter erected within the limits of the Township of Central Manitoulin as now or henceforth legally constituted except in conformity with the provisions 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 licence within the jurisdiction of Council, shall be

issued where the proposed use, building or structure would be in violation of any provision of this By-law.

#### 4.3 APPLICATION AND PLANS

In addition to the requirements of the Building 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 building or structure upon adjacent lots and their uses;
- 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 on the day this By-law comes into effect.

#### 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 purposes 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 and upon conviction therefore, shall be liable to a fine not exceeding two thousand (2000) dollars, exclusive of costs, which shall be recoverable under the Provincial Offences Act, R.S.O.1990 as amended and shall be responsible for removing any or all infractions from the property immediately.

#### 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 prosecution against the same offender upon any subsequent breach of the same or any other provision of this By-law.

#### 4.8 REMEDIES

In the case of any building or structure that 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, or any land 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 Township of Central Manitoulin pursuant to the provisions of the Planning Act.

In the event of a violation of this by-law whereby a person or corporation fails to perform matters or things directed or required to be done by this by-law, such matter or things may be done by the Municipality at the person's expense, which expense may be recovered by action or in like manner as Municipal taxes, or Council may provide for the expense incurred by it with interest be made payable by such person or corporation in annual instalments not exceeding ten (10) years, pursuant to Section 326 of the Municipal Act.

#### 4.9 VALIDITY

Should any section, or part of a section of this By-law for any reason be held to be invalid, it is the intention that all the remaining provisions shall remain in full force and effect.



## SECTION 5 DEFINITIONS

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 of 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.

AGRICULTURAL USE means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, fur farming, poultry raising, bee-keeping, and such uses as are customarily and normally related to agriculture and includes a frame dwelling and accessory buildings;

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.**

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

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

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, snowmobiles, 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 that portion of a building which is partly underground but which has more than one-half of its height, from finished floor to underside of floor joists of the next above storey, above the adjacent average finished grade level adjacent to the exterior walls of the building and in which the height from finished grade to underside of the floor joists of the next above storey is less than one and eight-tenths (1.8) metres. (See plate 1).

BASEMENT, WALKOUT shall mean that portion of a building which is partly underground, but which has more than fifty per cent (50%) of the floor area not greater than one-half (.5) metres 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. (See plate 1).

**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 establishment shall provide for no more than four (4) 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 residence, and supplies for hire or gain to at least three persons but not more than seven, lodging with or without meals in rooms furnished or not furnished by the proprietor, but does not include cooking facilities, and includes a rooming house, but does not include a hotel or apartment house.

**BOATHOUSE – LAND BASED** shall mean a building or structure located on land and not more than one and one half storeys in height, used for the purpose of private boats and equipment accessory to their use and accessory to a residential use.

**BOATHOUSE – WATER BASED** shall mean a building or structure located on a body of water and not more than one and one half storeys in height, used for the purpose of private boats and equipment accessory to their use and accessory to a residential use.

**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.

**CHIEF BUILDING OFFICIAL** shall mean the officer or employee of the Corporation from time to time charged by the Corporation with the duty of administering the provisions of the Building By-law.

**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.

**BUSINESS OR PROFESSIONAL OFFICE** shall mean an office in which any business is carried on or any profession is practised.

**CAMPGROUND** shall mean any parcel of land used or maintained for campers who provide their own sleeping facilities such as tents or travel trailers but such campers shall be provided with sanitary facilities and may have cooking facilities provided by the campground management.

CELLAR shall mean that portion of a building which is partly or entirely underground but has more than one-half of its height from finished floor to finished ceiling below the average finished grade level adjacent to the exterior walls of the building. (See plate 1).

CEMETERY shall mean a cemetery or columbarium within the meaning of The Cemeteries Act of Ontario.

CHURCH means a building dedicated to religious worship and may include a synagogue, a church hall, church auditorium, Sunday school, convent, monastery or parish hall.

CLINIC shall mean a public or private building used for medical, surgical, dental, physiotherapeutic, chiropractic or other human health treatment by one or more practitioners.

CLUB shall mean a building or part of a building used as a meeting place for members of an organization and includes a lodge, fraternity, a sorority house and a labour union hall.

COMMERCIAL USE means the use of land, buildings or structures for the purpose of buying and selling commodities or supplying services;

COMMUNITY CENTRE shall mean any tract of land, or building or buildings used for community activities whether used for commercial purposes or not, and the control of which is vested in the Corporation, 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.

CONVENIENCE RETAIL shall mean a retail establishment, which deals primarily in goods required by the inhabitants of a residential district to meet their day-to-day needs, but shall not include a store catering primarily to the requirements of a commercial district.

CORPORATION shall mean the Corporation of the Township of Central Manitoulin.

COUNCIL shall mean the Council of the Corporation of the Township of Central Manitoulin.

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

DAYLIGHTING 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 "daylighting triangle."

DAY NURSERY shall mean a premises that receives more than 5 children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, where children are,

- a) under eighteen years of age in case of a day nursery for developmental handicap, and

- b) under ten years of age in all other cases, but does not include,
- c) part of a public school, separate school, a private school or a school for trainable retarded children under the Education Act.

DEVELOPMENT shall mean the construction, erection or placing of one or more buildings or structures on land or 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.

DOMESTIC PETS shall mean an animal commonly raised within a dwelling. But does not include any animal used for and/or whose products are used for human consumption.

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

DUPLEX means a building that contains two dwelling units located one above the other that are capable of being occupied as permanent residences;

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

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

DWELLING, CONVERTED means a building altered to contain more than one dwelling unit.

DWELLING, GROUP shall mean a building, which is part of a group of dwellings on the same lot, which group of dwellings is comprised of row-house dwellings; or maisonette dwellings or apartment buildings or any combination thereof.

DWELLING, MAISONETTE shall mean a building that is divided into more than three (3) dwelling units, each of which has independent entrances, one to a common corridor and the other directly to the outside yard area adjacent to the said dwelling unit. A maisonette shall not be considered an apartment dwelling for the purposes of this By-law.

DWELLING, MULTIPLE shall mean a building designed, intended and used for occupancy by three or more families living independently of each other but shall exclude an apartment dwelling, row-house dwelling and maisonette dwelling.

DWELLING, ROW-HOUSE shall mean a building that is divided vertically into more than three but less than nine dwelling units each of which has independent entrances, to a front and rear yard immediately abutting the front and rear walls of each 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 residence of the owner or occupant thereof.

SEMI DETACHED, DWELLING means a building divided vertically into two dwelling units capable of being occupied as permanent residences.

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

DWELLING UNIT shall mean one room or a group of rooms in a building used or designed or intended to be used 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 include a tent, or a room or suite of rooms in a boarding or rooming house, in a hotel, motel, motor hotel, or tourist home.

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 lunch room, dairy bar, coffee shop or refreshment room or stand but does not include a boarding or lodging house.

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 in any block where more than half the frontage has been built upon, at the date of the final passing 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 Corporation or other designated authority.

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

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 farm dwellings and accessory buildings and such buildings as a barn, a grain and feed storage facilities and silos, and includes the specialized uses listed under the Farm, Specialized Use definition.

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 the growing of mushrooms, or sod, or the intensive feeding of cattle in a confined area and includes farm dwellings and accessory buildings.

FLOODPLAIN shall mean the horizontal area below the high water mark of a watercourse (including a drainage canal) or lake or as defined by the Ministry of Natural Resources or the area within thirty (30) metres of the centre line of a watercourse whichever distance is the greater.

FLOOR AREA, DWELLING shall mean with reference to a building, 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, sun room attic, basement or cellar, except that where the terrain permits a walkout basement, twenty five per cent (25%) of the floor area of the walkout basement may be considered as habitable floor area.

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

FLOOR AREA, GROSS means the aggregate of the horizontal areas of each floor whether above or below grade, measured between the exterior faces of the exterior walls of the building or structure but, in the case of a dwelling unit, does not include the floor area of a garage, porch, veranda, or unfinished attic, basement or cellar.

FLOOR AREA, GROUND means the area of the lowest storey of a building or structure, excluding any basement or cellar, which area is measured between the exterior faces of the exterior walls of the floor level of the side storey;

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 per cent (40%) of the length of the attached garage wall is common with the dwelling wall.

GARAGE, PRIVATE 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.

**GARAGE, PUBLIC (AUTO BODY)** shall mean a building or place used as a motor vehicle repair shop including auto body repairs and spray painting and where automobile fuels or lubricants may be stored or kept for sale and where mechanical repairs, washing or cleaning of motor vehicles may be carried on but does not include an automobile washing establishment.

**GARAGE, PUBLIC, (MECHANICAL)** shall mean a building or place used for the mechanical repair or equipping of motor vehicles and where any sale of automobile fuels or lubricants is incidental to the main use and where the washing and cleaning of motor vehicles may be carried on but does not include a public garage (auto body), an automobile washing establishment or an automobile service station.

**GASOLINE BAR** shall mean one or more pump islands, each consisting of one or more gasoline pumps, and shelter having a floor area of not more than 10 square metres, excluding washrooms, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and shall not be used for repairs, oil changes, or greasing.

**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.

**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 ordinarily transplanted outdoors on the same lot containing such greenhouse.

**GUEST CABIN** shall mean a non-commercial building, without cooking facilities, that is accessory to a seasonal dwelling and used only for purposes of sleeping accommodation;

**GUEST ROOM** shall mean a room or suite of rooms used or maintained for the accommodation of the public and which contains no provisions for cooking.

**HABITABLE ROOM** shall mean a room in a room in a dwelling used or intended to be used primarily for human occupancy.

**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.

- c) the mean level between eaves and ridge of a gabled, hip, gambrel roof or other type of pitched roof.

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. (See plate 2).

HOME INDUSTRY shall mean a gainful occupation including an animal hospital, electrical, woodworking, window frame, welding, plumbing, machine or auto repair shop, or blacksmith, conducted in whole or in part in an accessory building to a single family detached dwelling by the residents, provided that:

- a) there is not external advertising other than a sign erected in accordance with any by-laws of the Corporation 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;
- e) not more than 4 persons, other than the owner, are employed therein on a full-time basis; and,
- f) any vacant lot or newly created lot shall, for such purposes, have a minimum area 1 858 square metres.

HOME OCCUPATION shall mean any occupation which is carried on as an accessory use and only by members of the one family residing in a dwelling or dwelling unit provided that:

- a) no person, other than a member of the family is engaged in canvassing, delivering or as a go-between in distributing merchandise to customers;
- b) there is no display, other than an un-illuminated sign not greater than 1 square metre in size, to indicate to persons outside that any part of the dwelling, dwelling unit or lot is being used for a purpose other than residential;
- 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 in regard to noise, noxious odours or emission of smoke, traffic or parking.
- d) such home occupation does not interfere with television or radio reception;
- e) not more than twenty five per cent (25%) of the gross floor area of the dwelling unit is used for the purposes of home occupation uses; and,



- f) such home occupation uses may include a service or repair shop, a personal service shop, a business or professional office, but a clinic, a hospital, a nursing home, a tea room and an animal hospital shall not be deemed to be home occupations.
- g) private-home day care, planner, architect, or engineer, but a clinic, a hospital, a nursing home, a tea room and an animal hospital shall not be deemed to be home occupations.

HOSPITAL, PUBLIC shall mean an institution as defined by The Public Hospitals Act of Ontario, as amended from time to time.

HOTEL means an establishment catering to the needs of the travelling public by the supply of food and by the furnishing of sleeping accommodation of not less than six bedrooms;

HOUSING PROJECT shall mean a group of dwellings erected during a period of not more than three (3) years in accordance with a development programme or plan.

HUNT CAMP shall mean an area where one or more buildings and/or tents are 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.

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

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 is designed to enhance the visual amenity of a property and/or to provide a screen to mitigate any objectionable adjacent land use.
- b) does not include parking areas, patios, walkways, driveways or ramps.

LANE shall mean a public thoroughfare which affords only a secondary means of access to abutting lots and which isn't 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 are made available to the public for the purpose of laundry cleaning.

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 or more 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 or more 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.

LOT means a parcel of land,

- a) described in a deed or other document legally capable of conveying an interest in land, or
- b) shown as a lot or block on a registered plan of subdivision;

LOT OF RECORD shall mean a lot or parcel of land that has been legally established and can be conveyed and which includes lots on a registered plan of subdivision, parcels created by consent in accordance with the Planning Act or any other distinct and separate holding, the deed to which is registered in the Land Registry office and which lot or parcel of land or entitlement thereto was legally created prior to the date of passing of this By-law. For the purposes of this definition, 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.

LOT AREA means the total horizontal area within the lot lines of a lot;

LOT, CORNER shall mean a lot situated at the intersection of and abutting on two or more streets provided that the angle of intersection of such streets is not more than 135 degrees. (See plate 3)

LOT COVERAGE means the percentage of the lot area covered by the ground floor area of all buildings situated on the lot;

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 mid points of the front and rear lot lines. (See plate 3).

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 back from and parallel to the chord of the lot 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). (See plate 3).

LOT, INTERIOR shall mean a lot situated between adjacent lots and having access to one street. (See plate 3).

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) 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 .3 metre reserve the lot so abutting the .3 metre 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 water frontage on a navigable stream, river or lake, 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 road allowance along the shore of such stream, river or lake, whichever provides for the greater lot frontage as defined in this By-law.

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, 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 here in before defined, such lot shall be deemed a "lot, corner" for the purpose of this By-law. (See plate 3)

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.

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.

MOBILE HOME shall mean any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but

does not include a travel trailer or tent trailer or trailer otherwise designed and has a maximum width of four and one half (4.5) metres.

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 shall be not less than 930 square metres.

MODULAR HOME shall mean a single family 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 units complies with all applicable standards of the Canadian Standards Association and for the purposes of this By-law shall be considered as a Single detached dwelling.

MOTEL, MOTOR HOTEL shall mean a building or buildings or part thereof on the same site used to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodation, with or without meals,

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; but does not include and automobile wrecking or salvage yard or scrap yard.

MUNICIPALITY shall mean the Corporation of the Township of Central Manitoulin

MUNICIPAL WATER AND SEWER SERVICES shall mean sewer and water services provided by the Corporation of the Township of Central Manitoulin connected to municipal treatment facilities.

NON-CONFIRMING OR NON-COMPLYING shall mean that which does not conform or comply with the provisions of this By-law as of the date of final passing thereof.

NURSING HOME shall mean a nursing home within the meaning of The Nursing Home Act of Ontario.

**OBNOXIOUS USE shall mean an offensive use or trade within the meaning of The Public Health Act or any use which is 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, USABLE shall mean an area of land on the site which is suitable for landscaping, including any part of the site occupied by recreational accessory buildings, any surfaced walk, patio or similar area, any sports or recreational area, any ornamental or swimming pool, and the roof or other part of a building or structure open to the air and suitable for landscaping and used as a recreational area, but excluding any driveway or ramp,

whether surfaced or not, any curb, retaining wall, motor vehicle parking area, or loading space.

PARK, PUBLIC shall mean a park owned or controlled by a Public Authority or by any Board, Commission or other Authority established under any statutes of the Province of Ontario or the Government of Canada.

PARKING LOT OR 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) compromises 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,
- (b) 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 SPACE shall mean an area of not less than 19 square metres exclusive of any aisles or ingress or egress lanes, usable for the temporary parking or storage of motor vehicles, and may include a private garage.

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.

PIT shall mean an opening or excavation or working of the ground for the purpose of searching for or removal of mineral, soil, rock, quartz, limestone, earth, clay, sand or gravel, and any roast-yard, smelting furnace, mill, work or place, used in connection with crushing, reducing, smelting, refining, or treating any of the substances listed in this definition and all ways, works, plant, building and premises either below or above the ground and belonging to or used in connection with all activities listed in this definition, and also includes a quarry.

PRIVATE-HOME DAY CARE shall mean the temporary care for reward or compensation of five children or less who are under ten years of age where such care is provided in a private residence, other than the home of a parent or guardian of any such child, for a continuous period not exceeding twenty-four hours.

PUBLIC AUTHORITY shall mean The Council or any School board, or other board or commission or committee of the Township of Central Manitoulin 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 ACCESS POINT means public land designated by the Crown and development and maintained as a public access to a water body;

**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 USE** means the use of land or buildings for the purposes of the Crown in right of Ontario, the Crown in right of Canada, a school, church, church hall, community hall, cemetery, municipal office, museum, park, playground, hockey rink, public beach, public picnic area, public boat launching facility or public dock;

**PUBLIC UTILITY** shall mean a waterworks, a water supply system, sewage works, electrical power or energy generating, transmission or distribution system, street lighting system, natural or artificial gas works or supply system, a transportation system or a telephone system, and includes any lands, buildings or equipment required for the administration or operation of any such system.

**QUARRY** means a place from which consolidated rock is being or has been excavated and that has not been rehabilitated, but does not include a wayside quarry or open pit mine.

**RECREATIONAL 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 recreational vehicles.

**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 but does not include a drive-in restaurant.

**RESTAURANT, DRIVE-IN** shall mean premises consisting of a building or structure, together with a parking lot, 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 lot 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.

**RESTAURANT, TAKE-OUT** shall mean a building or facility, designed, intended or used for the sale of food or refreshments to the general public and from which food or refreshment is made available to the customer from within the building. In addition no provision is made for consumption of the food or refreshment by the customer while in his car, within the building or elsewhere on the site.

**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.

**RIGHT OF WAY** means the right to pass over the land of another created either by express grant or by prescription under the Limitation Act confirmed by a Court or Tribunal.

SCHOOL shall mean a public or separate school, a high school, a continuation school, a technical school, a college or university or any other school established and maintained at public expense.

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 waste paper, rags, bones, bottles, and used bicycles, vehicles, tires, metal and/or other scrap material and salvage.

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

SERVICE OR REPAIR SHOP means a store in which articles, goods or materials are serviced, repaired or rented;

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 vulcanising 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.

SERVICE SHOP, PERSONAL shall mean a building or part of a building in which persons are employed in furnishing services and otherwise administering of the individual and personal needs of persons, such as a barber's shop a ladies hairdressing establishment, a shoe repair shop, depots for collecting dry cleaning and/or laundry and other similar services.

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

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.

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 above average grade and provided also that any portion of a storey exceeding four (4.0) metres in height shall be deemed an additional storey for each four (4.0) metres or fraction thereof of such excess.

STOREY, 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 1.2 metres in height and a ceiling with a

minimum height of 2.3 metres in height and a ceiling with a minimum height of 2.3 metres over an area equal to at least fifty per cent (50%) of its floor area.

**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 any private 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 29 of The Planning Act, or which has not been assumed by the Township.

**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 one-half (1.5) metres shall not be deemed to be a structure.

**SWIMMING POOL** shall mean an artificial body of water intended and used primarily for bathing, swimming and diving but shall not include a natural dug or dammed pond which is intended for aesthetic or agricultural purposes.

**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.

**TOURIST OR TRAVEL TRAILER** shall mean a tent trailer, truck camper or motorhome that is used or intended to be used for a short term and is located or parked on a site for a temporary or seasonal period.

**TOURIST TRAILER PARK** shall mean an establishment comprising land or premises under single ownership, and used for the parking of tourist or travel trailers on a temporary or seasonal basis and operating under The Tourist Act where community laundry, social, local commercial and recreational facilities may be located.

**TRAILER** shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purposes of being drawn or propelled by the said motor vehicle and capable of being used for living, sleeping or eating accommodation or the transport of a boat, tent or materials, notwithstanding that such vehicle is jacked up or that its running gear is removed.

**TRAVEL TRAILER** means any dwelling that is designed to be made mobile , and manufactured to provide a temporary residence for one or more persons, and includes such a dwelling that is jacked up or has its wheels removed.

**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.



WASTE includes ashes, garbage, refuse, domestic waste, industrial waste or municipal waste;

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

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 shown on Schedule "A."

WAYSIDE PIT or WAYSIDE QUARRY means a temporary pit or quarry opened and used by 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 appurtenant to a main building (except a court) and unoccupied by buildings or structures except as specifically permitted elsewhere in the By-law. In determining yard measurements the minimum horizontal distance from the respective lot lines shall be used. (See plate 4)

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. (See plate 4).

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. (See plate 4).

YARD, NATURAL shall mean a yard extending across the full width of a lot between the front 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 9' 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. (See plate 4).

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. (See plate 4).

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. (See plate 4).

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. (See plate 4).

YARD, NATURAL shall mean a yard extending across the full width of a lot between the front 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.

## 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:

ZONE	SYMBOL
7.1 Agricultural (A) Zone	(A)
7.2 Rural (R) Zone	(R)
7.3 Hamlet (H) Zone	(H)
7.4 Settlement Zone (S)	(S)
7.5 Hamlet Residential (HR) Zone	(HR)
7.6 Hamlet Residential Multiple (HRH) Zone	(HRM)
7.7 Shoreline Residential (SR) Zone	(SR)
7.8 Mobile Home Park (RMH) Zone	(RMH)
7.9 Restricted Commercial (C) Zone	(C)
7.10 Core Commercial (CI) Zone	(CI)
7.11 General Commercial (C2) Zone	(C2)
7.12 Commercial Recreational (CR) Zone	(CR)
7.13 Restricted Industrial (M) Zone	(M)
7.14 General Industrial (MI) Zone	(MI)
7.15 Pit and Quarry (Q) Zone	(Q)
7.16 Institutional (I) Zone	(I)
7.17 Recreational (01) Zone	(01)
7.18 Conservation (02) Zone	(02)
7.19 Waste Disposal (WD) Zone	(WD)
7.20 Planned Development (PD) Zone	(PD)

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

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

No building or structure shall hereafter be erected or altered, and the use of any building, structure or lot shall hereafter not be changed in whole or in part except in conformity with the provisions of this By-law.

### 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:

- a) 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.
- b) Except as may be provided herein any accessory building shall be erected with a front line setback not less than twenty (20) meters or to the rear of the building line of the main building, whichever 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 ten per cent (10%) of the lot area.
- c) 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 to the side lot line or does not encroach on adjacent frontage when the lot boundaries are extended into the water. Boathouses shall only be permitted in areas with un-opened lakeshore road allowance and where a Hold Harmless 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 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 not permitted in the Hamlet Zones, Settlement Zones, Shoreline Residential Zones and the area covered by Schedules B1 and B2, except as may be licenced by the municipality.
- f) No accessory building shall exceed sixty six (66) square metres and ten (10) metres in height in a residential zone.
- g) No accessory building shall be built within two (2) metres of the main building in all zones.
- h) Despite section (f), one guest cabin having a gross floor area not exceeding 46 square metres may be erected and used on the same lot as a seasonal dwelling .

#### 6.4 AUTOMOBILE SERVICE STATIONS AND GAS BARS

Where automobile service stations and gas bars 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           | 30.5 metres       |
| b) Minimum Lot Depth    | 30.5 metres         | 60 metres         |
- c) No portion of any pump island on an automobile service station or gasoline bar lot shall be located closer than six (6) metres from the street line of any street;
- d) The minimum distance from the intersection of two street lines lot the nearest ingress or egress ramp shall be not less than nine (9) metres;
- e) The maximum width of a curb ramp at the street line shall be not more than nine (9) metres and the minimum width not less than eight (8) metres.
- f) The minimum distance between ramps shall not be less than nine (9) metres;
- g) The minimum distance between the property line of the lot at the street line and the nearest ramp shall be three (3) metres;
- h) The area included between ramps or between ramps and a street line or property 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 |
| (b) Side Yard  | 4.5 metres  |
| (c) Rear Yard  | 7.4 metres  |

#### 6.5 BUILDING REPAIR AND RECONSTRUCTION

Nothing in this Order 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 Order are not further reduced or its original use altered.

Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure or part of any such building or structure.

## 6.6 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.

## 6.7 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.

## 6.8 CONTINUATION OF FARMING 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, or any addition or extension of such use provided that any additions or extensions of such use shall comply with the requirements of the Agricultural (A) Zone or Rural (R) Zone as to coverage, yard and height provisions.

## 6.9 CORNER LOTS IN RESIDENTIAL ZONES

Notwithstanding any other provision of this By-law, on a corner lot in the area covered by Schedules B1 and B2, 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.

## 6.10 DWELLING UNIT BELOW GRADE

No dwelling unit shall in its entirety be located in a cellar. A dwelling unit in its entirety may be located in a walkout basement or a basement which has at least one exterior wall completely above the grade adjacent to that wall.

## 6.11 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 family dwelling unit 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;

- 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 6.20 hereto;
- d) The dwelling unit shall have a separate building entrance to that 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 fifty per cent (50%) of the lot area
- f) The Dwelling Unit shall a minimum floor area of forty-four (44) square meters.
- 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 or a Public Garage as defined within Section 5.
- h) Notwithstanding the provisions of this section, on those lands known as Part 1 Registered Plan 31R543, two dwelling units unrelated to the main office use may be permitted.

#### 6.12 EXCEPTED LANDS, BUILDINGS AND NON-CONFORMING 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 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 B1 and B2, such lot has not less than 15 metres of frontage and not less than 810 square metres 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 the Hamlet Residential (RH) or Hamlet Residential Multiple (RMH) Zone.

### 6.13 FRONTAGE ON A PUBLIC ROAD OR STREET

No person shall erect any seasonal dwelling in any zone unless the lot upon which such seasonal dwelling is to be erected fronts upon a public street or road allowance or abuts a legal right of way 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 seasonal dwelling may be erected on any lot having water access only provided that there is a developed public access point.

### 6.14 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.

### 6.15 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.

#### 6.16 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 Township or from obtaining any permit, license, permission, authority or approval required by this or any other By-law of the Township of Central Manitoulin or by any other law in force from time to time.

#### 6.17 LOADING SPACE REGULATIONS

##### a) 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 nine (9) metres long, three and seven-tenths (3.7) metres wide and having a vertical clearance of at least four and one-half (4.5) metres for each five hundred (500) square metres of floor area of the building or structure.

##### b) Access

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

##### c) 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.

##### d) Location

The loading space or spaces required shall be located in the interior side or rear yard unless set back from the street line a minimum distance of twenty-five (25) metres.

##### e) 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.

#### 6.18 NUMBER OF DWELLING UNITS ON ONE LOT

No more than one (1) single detached dwelling shall be erected on one lot except in the Agricultural (A) Zone or Rural (R ) Zone where a second residence may be erected to provide accommodation for a farm labourer and his or her family.

#### 6.19 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 an Apartment Building	1.0 parking space per dwelling unit
All Other Residential Units	2.0 parking spaces per dwelling unit
Medical, Dental or Drugless Practitioner's 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 5 seats or 3 metres of bench space, where there are no fixed seats, 1 parking space for each 9.0 sq. metres of floor area devoted to public use.
Hospitals or Institution	1 parking space for each 2 beds or 40 Sq. metres of floor area which is greater Plus 1 additional space for each resident doctor or resident employee.
Hotel, Motel and Tourist Cabins	1 parking space per suite or guestroom, and 1 additional parking space for each 9.0 sq. metres of floor area devoted to public use.

Office, including a Home Occupation	1 parking space per 28 square metres of office floor area
Commercial Uses	1 parking space for every 18 sq. metres of total floor area.
Schools	1.5 parking spaces for each teaching area, plus 1 separate bus loading area per teaching areas.
Industrial including Home Industry	At least 1 parking space for every 40 sq. metres of total area up to 180 square metres, plus 1 additional space for Every 450 sq. metres of total floor area Over 180 square metres including any basement area if used for industrial use.
Marina	One (1) parking space for each twenty (20) square metres of total retail floor area, plus one (1) parking space for each boat slip provided.
Bowling Alleys, Curling Rinks And Arenas	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).
Handicap Parking	In buildings requiring handicap access 20% of the parking space shall be designated as handicapped only.

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;
- (ii) each parking space shall be at least three (3) metres by six (6) metres 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 for each lot to be served and no parking shall

be permitted within eight (8) metres of the high water mark or within three (3) metres 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.

c) Parking Area Surface

In a Commercial or Industrial Zone, a parking area and driveway connecting the parking area with a street shall be 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 funder 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 driveways or passageways at least four (4) metres but not more than nine (9) metres 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.
- (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.
- (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 of frontage not more than 2 driveways; and
  - b) for each additional thirty (30) metres of frontage not more than 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 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 municipalities Dark Sky Policy.

f) 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.

g) 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 “commercial motor vehicle” shall mean any commercial vehicles as defined in the Highway Traffic Act.

Notwithstanding the foregoing, no person shall within any Hamlet or Settlement 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 Hamlet Residential Zone for the parking or storage of a house 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. Sleeping accommodation may be provided in a tourist or travel trailer for a period not exceeding fourteen (14) days, notwithstanding that such trailer is jacked up or that its running gear is removed. A travel trailer may be occupied for a period of one year during the construction of a dwelling having a valid building permit.

h) 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 building occupied by the separate types of use.

i) Buffer Area

Where a parking area is situated in a Hamlet Residential Zone and is designed to accommodate more than six (6) automobiles, a strip of land not less than three (3) metres 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.

j) 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 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 maximum width.

## 6.20 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.

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 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 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 of the edge of such driveway or within one and one-half (1.5) metres 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.

## 6.21 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 service by the Corporation of the Township 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 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 the installation of a watermain, sanitary sewer, storm sewer, gas main, pipe line or overhead or underground hydro and telephone line provided that the location of such pipe or line has been approved by the corporation.

#### 6.22 REDUCTION OF 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.

#### 6.23 DAYLIGHTING 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 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 from their point of intersection.

#### 6.24 SPECIAL USES PERMITTED

The following uses are permitted in all Zones within the Corporation:

- 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 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.

## 6.25 SWIMMING POOLS

### a) Permitted in 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 pool shall be one and one-half (1.5) metres above the average finished grade level of the ground both adjoining and within four and one-half (4.5) metres of such pool; and
- (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 greater shall be enclosed by a fence that measures a minimum of 1.5 meters from the ground, including gates.

## 6.26 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.

## 6.27 VEHICLES

No car, van, truck, bus, coach, railway car, caboose or streetcar body or part thereof shall be located or used as a building or structure or as an accessory to a building or structure in any zone.



## 6.28 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.

## 6.29 USES PROHIBITED

Notwithstanding any other provisions contained in this By-law, the following uses are prohibited in the Township 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 Corporation 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 of the Township of Central Manitoulin, or upon lands approved by the municipality.

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

- a) The manufacture or storage of fertilizers from human or animal wastes.
- b) The slaughtering of animals.

## 6.30 VACANT LOT STORAGE

Notwithstanding any other provision of this By-law a vacant lot in a Hamlet or Settlement Zone may be used for the storage or parking of a motor vehicle, boat, tourist trailer or other similar vehicle provided that the said motor vehicle, boat, tourist trailer or other similar vehicle is located on the rear one half of the vacant lot.

## 6.31 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.

### 6.32 YARD AND SETBACK ENCROACHMENTS PERMITTED

#### (a) Building in Built-up Area

Notwithstanding the provisions of this By-law to the contrary, where a detached 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 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.

- (b) Notwithstanding the yard and setback provisions of this By-Law, chimneys, overhangs, un-enclosed porches, balconies, steps, attached greenhouses and patios may project into any required yard a maximum distance of 1.5 metres.

### 6.33 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 from the high water mark and the building or structure is flood proofed to 179.6 meters Canadian Geodetic Datum.

### 6.34 MINIMUM FLOOR AREAS

The floor area for Seasonal Dwellings and Hunt Camps shall not less than 44 square metres.

## SECTION 7 – SPECIFIC ZONES

### 7.1 AGRICULTURAL (A) ZONE

#### 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 6.13 Frontage on a Public Road or Street apply)

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 from the limit of any public road, and from any adjoining property line. Where two pits are located on abutting properties, the pits may be excavated to the abutting property line.

#### 7.1.2 ZONE REQUIREMENTS – AGRICULTURAL (A) ZONES

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 Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following.

An agricultural building or lot:

- |    |                            |         |
|----|----------------------------|---------|
| a) | Minimum lot frontage       | 134.0 m |
| b) | Minimum lot area           | 10 ha   |
| c) | Maximum lot coverage (%)   | n/a     |
| d) | Minimum front yard         | 15 m    |
| e) | Minimum rear yard          | 15 m    |
| f) | Minimum interior side yard | 15 m    |
| g) | Minimum exterior side yard | 15 m    |

A single detached dwelling permitted under Section 7.1.1.1

- |    |                      |        |
|----|----------------------|--------|
| a) | Minimum lot frontage | 30.5 m |
|----|----------------------|--------|

b)	Minimum lot area	1858 sq. m
c)	Maximum lot coverage (%)	30
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	3 m
g)	Minimum exterior side yard	9 m
h)	Maximum building height	9 m
i)	Minimum distance to a lot line for an accessory building	3 m

### 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 three (3) 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 from, any non-residential building, and thirty (30) metres 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 (100) metres of a residential dwelling unit located on an adjacent property held in separate ownership.

### 7.1.4 NOTWITHSTANDING

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 contractors shop shall be a permitted use on those lands known as Lot 25 Concession 3 Carnarvon.

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 provisions of 7.1.1 of this By-law a "Paint Ball Sports Operation" and building accessory thereto may be permitted on Lot 9 and Part Lot 10, Concession 9, Sandfield. (Sandfield 94-08)

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
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 structure from any lot line	15 metres
Maximum lot coverage	5 per cent
Minimum ground floor area for single-family dwelling	55 square metres

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
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 south east 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)



## 7.2 RURAL (R) ZONE

### 7.2.1 PERMITTED USES

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

#### 7.2.1.1. 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 or enterprise carried on in the field of general agriculture
- a private airfield (subject to the provisions of 7.1.3.)
- forestry uses

#### 7.2.1.2 Rural Residential

- a home industry
- a single detached dwelling (provided the conditions of Section 6.13 Frontage on a Public Road or Street apply)
- a home occupation use
- a seasonal dwelling
- a semi-detached dwelling
- a duplex dwelling
- a boarding house
- a converted dwelling

#### 7.2.1.3 Institutional Uses

- a cemetery
- a church
- a school
- a community centre
- a nursing home
- a resource centre
- a farm workshop for mentally retarded

#### 7.2.1.4 Recreational Uses

a conservation area  
 a golf course  
 a public park  
 a playground  
 a hunting camp

a cross country ski area  
 a race track (horse)  
 a hiking trail

### 7.2.2. ZONE REQUIREMENTS

No person shall, within any Rural (R) zone use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the applicable provisions of Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following.

A rural use or lot:

a)	Minimum lot frontage	134.0 m
b)	Minimum lot area	10 ha
c)	Maximum lot coverage (%)	n/a
d)	Minimum front yard	15 m
e)	Minimum yard	15 m
f)	Minimum interior side yard	15 m
g)	Minimum exterior side yard	15 m

A single detached dwelling permitted under Section 7.2.1.2

a)	Minimum lot frontage	30.5 m
b)	Minimum lot area	1858 sq. m *
c)	Maximum lot coverage (%)	30
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	3 m
g)	Minimum exterior side yard	9 m
h)	Maximum building height	14 m
i)	Minimum distance to a lot line for an accessory building	3 m
a)	Maximum accessory building height	10 m

\* Notwithstanding any provisions of this by-law, the minimum lot area for a rural residential lot created within 305 metres of a shoreline shall be 4046 square metres.

An institutional use as permitted under Section 7.2.1.3

a)	Minimum lot frontage	30.5 m
b)	Minimum lot area	1858 sq. m
c)	Maximum lot coverage (%)	20

d)	Minimum front yard		9 m
e)	Minimum rear yard	10 m	
f)	Minimum interior side yard	10 m	
g)	Minimum exterior side yard	15 m	
j)	Maximum building height	9 m	
k)	Minimum distance to a lot line for an accessory building	3 m	
a)	Maximum accessory building height	5 m	

#### A recreational use as permitted under Section 7.2.1.4

a)	Minimum lot frontage	30.5 m
b)	Minimum lot area	1858 sq. m
c)	Maximum lot coverage (%)	n/a
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	9 m
g)	Minimum exterior side yard	9 m

### 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 from the limit of any public road and from any adjoining property line. Where two pits are located on abutting properties, the pits may be excavated up to the abutting property line.

### 7.2.4 NOTWITHSTANDING

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)

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 contractors 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 25<sup>th</sup> 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

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
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 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 contractors 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 meters;
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

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 7.2.1a total 10 rental cottages may 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.

### 7.2.5. RURAL SPECIAL (R-1) ZONES

Notwithstanding the provisions of Section 7.2.1 Rural (R) Zone the lands shown on Schedule "A" as Rural Special (R1) shall only be used for hunt camps, seasonal residential uses and forestry operations. The minimal lot size is 38.5 hectares, (95 acres) and a maximum of 33 lots is permitted.

## SECTION 7.3 – HAMLET (H) ZONE

### 7.3.1. PERMITTED USES

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

#### 7.3.1.1 Residential Uses

- a single family detached dwelling
- a seasonal residential dwelling
- a semi-detached dwelling
- a duplex dwelling
- a boarding house
- a converted dwelling
- a home occupation use

#### 7.3.1.2 Institutional and Public Uses

- a school
- a church
- a library
- a pump house
- a post office
- a cemetery
- a municipal office
- a fire station
- a hospital
- a museum
- a community centre
- a nursing home

#### 7.3.1.3 Recreational Uses

- a public park
- a playground
- an arena

#### 7.3.1.4 Commercial Uses

- a club, lodge or fraternal organization (e.g., Legion Hall)



a personal service shop  
 an eating establishment  
 a farm implement dealer  
 an automobile service station  
 a bank or financial institution  
 a tavern or pub  
 a motor vehicle sales area

a recreational vehicle sales area  
 a business or professional office  
 a clinic  
 a motel or hotel  
 a retail store  
 a trailer park and campground  
 a guest cabin establishment

#### 7.3.1.5 Industrial Uses

a feed mill  
 a boat storage  
 a public garage (auto body)  
 a public garage (mechanical)  
 a creamery  
 a wood-working establishment  
 a lumber yard and retail outlet  
 a buildings supplies outlet

#### 7.3.2 ZONE REQUIREMENTS

No person shall, within any Hamlet (H) zone use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the applicable provisions of Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following.

A residential use or lot:

a)	Minimum lot frontage	30.5 m
b)	Minimum lot area	1858 sq. m
c)	Maximum lot coverage (%)	30
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	3 m
g)	Minimum exterior side yard	9 m
h)	Maximum building height	10 m
i)	Minimum distance to a lot line	3 m
j)	for an accessory building	
k)	Maximum accessory building height	10 m

An institutional use or lot:

a)	Minimum lot frontage	30.5 m
b)	Minimum lot area	1858 sq. m
c)	Maximum lot coverage (%)	30
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	3 m

A recreational use or lot:

a)	Minimum lot frontage	30.5 m
b)	Minimum lot area	1858 sq. m
c)	Maximum lot coverage (%)	30
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	3 m

A commercial use or lot:

a)	Minimum lot frontage	30.5 m
b)	Minimum lot area	1858 sq. m
c)	Maximum lot coverage (%)	50
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	3 m
g)	Maximum building height	10 m

A industrial use or lot:

a)	Minimum lot frontage	30.5 m
b)	Minimum lot area	1858 sq. m
c)	Maximum lot coverage (%)	50*
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	3 m
g)	Maximum building height	10 m

\* Maximum lot coverage factor does not restrict open storage.

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)

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.

## SECTION 7.4 - HAMLET RESIDENTIAL (RH) ZONE

### 7.4.1. PERMITTED USES

No person shall within any Hamlet Residential (RH) 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

a single detached dwelling  
 a semi-detached dwelling  
 a duplex dwelling  
 a converted dwelling  
 a group dwelling  
 a home occupation

#### 7.4.1.2 Recreational Uses

a park  
 a playground

### 7.4.2. ZONE REQUIREMENTS

No person shall, within any Hamlet Residential (RH) Zone use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the applicable provisions of Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following:

a)	Minimum lot frontage	30.5 m
b)	Minimum lot area	1858 sq. m
c)	Maximum lot coverage (%)	30
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	3 m
g)	Minimum exterior side yard	9 m
h)	Maximum building height	9 m
i)	Minimum distance to a lot line	3 m
j)	for an accessory building	
k)	Maximum building height of an accessory building	10 m

Lands serviced by municipal sewer and water services:

a)	Minimum lot frontage	20 m
b)	Minimum lot area	800 sq. m
c)	Maximum lot coverage (%)	35
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	3 m
g)	Minimum exterior side yard	9 m
h)	Maximum building height	9 m
i)	Minimum distance to a lot line for an accessory building	3 m
j)	Maximum building height of an accessory building	10 m

#### 7.4.3 NOTWITHSTANDING

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 7.4.1.1 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 7.4.1.1 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 7.4.1.1 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 7.4.1.1 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 7.4.1.1 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 7.4.1.1, 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 7.4.1.1, 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.

## SECTION 7.5 - HAMLET RESIDENTIAL MULTIPLE (RHM) ZONE

### 7.5.1. PERMITTED USES

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

#### 7.5.1.1 Residential Uses

an apartment dwelling  
 a maisonette dwelling  
 a row house dwelling  
 a group dwelling  
 a converted dwelling  
 a multiple dwelling  
 a boarding house

#### 7.5.1.2 Commercial Uses

a convenient retail use located within an apartment dwelling

#### 7.5.1.3 Other Uses

a public utility

### 7.5.2. ZONE REQUIREMENTS

No person shall, within any Multiple Family Residential (RM) Zone use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the applicable provisions of Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following:

a)	Minimum lot frontage	30.5 m
b)	Minimum lot area	1858 sq. m
c)	Maximum lot coverage (%)	30
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	3 m
g)	Minimum exterior side yard	9 m

h)	Maximum building height		10 m
i)	Minimum distance to a lot line for accessory building	3 m	
j)	Maximum building height of an accessory building	10 m	

Lots serviced by municipal sewer and water services:

a)	Minimum lot frontage	20 m
b)	Minimum lot area	800 sq. m
c)	Maximum lot coverage (%)	35
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	3 m
g)	Minimum exterior side yard	9 m
h)	Maximum building height	9 m
i)	Minimum distance to a lot line for an accessory building	3 m
j)	Maximum building height of an accessory building	10 m

### 7.5.3 NOTWITHSTANDING

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.

## SECTION 7.6 – SETTLEMENT (S) ZONE

### 7.6.1 PERMITTED USES

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

#### 7.6.1.1 Residential Uses

- a single family detached dwelling
- a seasonal residential dwelling
- a semi-detached dwelling
- a duplex dwelling
- a boarding house
- a converted dwelling
- a home occupation use

#### 7.6.1.2 Institutional and Public Uses

- a school
- a church
- a library
- a pump house
- a post office
- a cemetery
- a municipal office
- a fire station
- a hospital
- a museum
- a community centre
- a nursing home

#### 7.6.1.3 Recreational Uses

- a public park
- a playground
- an arena

#### 7.6.1.4 Commercial Uses

- a personal service shop



a convenience retail store  
 an automobile service station  
 a bank or financial institution  
 an eating establishment  
 an office  
 a farm implement dealer

#### 7.6.2. ZONE REQUIREMENTS

No person shall, within any Settlement (S) zone use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the applicable provisions of Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following:

A residential use or lot:

a)	Minimum lot frontage	30.5 m
b)	Minimum lot area	1858 sq. m
c)	Maximum lot coverage (%)	30
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	3 m
g)	Minimum exterior side yard	9 m
h)	Maximum building height	10 m
i)	Minimum distance to a lot line for an accessory building	3 m
j)	Maximum accessory building height	10 m

An institutional use or lot:

a)	Minimum lot frontage	30.5 m
b)	Minimum lot area	1858 sq. m
c)	Maximum lot coverage (%)	30
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	3 m
g)	Maximum building height	9 m

A recreational use or lot:

a)	Minimum lot frontage	30.5 m
b)	Minimum lot area	1858 sq. m
c)	Maximum lot coverage (%)	30
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	3 m

A commercial use or lot:

a)	Minimum lot frontage	30.5 m
b)	Minimum lot area	1858 sq. m
c)	Maximum lot coverage (%)	50
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	3 m
g)	Maximum building height	10 m

## SECTION 7.7- SHORELINE RESIDENTIAL (SR) ZONE

### 7.7.1 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:

#### 7.7.1.1 Residential Uses

- a seasonal dwelling
- a single detached dwelling (provided the conditions of Section 6.13 Frontage on a Public Road or Street apply)
- an existing single detached dwelling
- a home occupation use

#### 7.7.1.2 Recreational Uses

- a lawn bowling green
- a public beach
- a public tennis court
- a public park
- a public boat launching area
- a public dock facility
- a playground
- a hiking trail
- a conservation area

### 7.7.2 ZONE REQUIREMENTS

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 Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following:

a)	Minimum lot frontage	45.5 m *
b)	Minimum lot area	1858 sq. m
c)	Maximum lot coverage (%)	15
d)	Minimum front yard	9 m
e)	Minimum rear yard	<b>6 m</b>
f)	Minimum interior side yard	3 m

g)	Minimum exterior side yard		9 m
h)	Maximum building height	10 m **	
i)	Minimum distance to a lot line	3 m	
j)	for an accessory building		
k)	Maximum accessory building height	6 m	

\* 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:

a)	Minimum lot frontage	45.5 m
b)	Minimum lot area	4046 sq. m
c)	Maximum lot coverage (%)	15
d)	Minimum front yard	9 m
e)	Minimum rear yard	6 m
f)	Minimum interior side yard	3 m
g)	Minimum exterior side yard	9 m

### 7.7.3 HIGH-WATER SETBACK

No habitable building or structure shall be located within 20 metres of the high-water mark of a lake or river.

### 7.7.4 NOTWITHSTANDING

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 7.7.2 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 7.7.2, 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 7.7.2 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)

- 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 Keatley's Drainage Plan attached.
- e) The installation of shorewells 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 lake bed and shore road allowance shall be permitted.

Notwithstanding the provisions of 7.7.2, 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 7.7.1, 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 7.7.1, 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 7.7.1, 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 7.7.1, 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
Maximum height	9 metres
Minimum ground floor area	55 square metres

Notwithstanding the provisions of 7.7.1, 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 7.7.1, 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 7.7.1, a permanent dwelling is permitted on Lot 30 Concession 8, being Lot 21 Plan S-147 Campbell. (96ZBL-96-006)

Notwithstanding the provisions of 7.7.1, a travel trailer is permitted on Lot 14 Concession 15 being Lot 8 Plan 31M-196 Campbell. (96ZBL-96-008)

Notwithstanding the provisions of 7.7.1, 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 7.7.1, 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 7.7.1, 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 provision of 7.7.1, the following shall be permitted: (Carnarvon 2001-17)

The expansion of the existing use on Part of Lots 17 & 18 Concession 3 Being Parts 2 & 3 RP 31R2755 in the geographical Township of Carnarvon, permitting a seniors boarding house with a maximum of 7 boarding bedrooms.

A seniors boarding house shall be defined as “any house or building in which the proprietor resides and occupies floor space for the purposes of the boarding house as his residence, and supplies for hire or gain to at least three persons over the age of 65 but not more than 7, lodging with or without meals in rooms furnished or not furnished by the proprietor, but does not include nursing care.”

That 5 parking spaces be provided within the boundaries of the property.

Notwithstanding the permitted uses 7.7.1 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)

## SECTION 7.8 - MOBILE HOME PARK (RMH) ZONE

### 7.8.1. PERMITTED USES

No person shall within any Mobile Home Park (RMH) zone use any lot, or erect, alter or use any building or structure for any purpose except a Mobile Home Park on which may be located one or more of the following uses:

- |         |   |  |
|---------|---|--|
| 7.8.1.1 | Residential Uses<br>a mobile home                             | a modular home                               |
| 7.8.1.2 | Commercial Uses<br>a convenience retail store<br>a laundromat | a personal service shop<br>a home occupation |
| 7.8.1.3 | Recreational Uses<br>a community centre<br>a park             | a playground                                 |

### 7.8.2 ZONE REQUIREMENTS

No person shall, within any Mobile Home Park (RMH) zone use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the applicable provisions of Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following:

- a) Density  
The maximum permissible density for a Mobile Home Park shall be ten (10) units per gross hectare.
- b) Separation  
Mobile or modular homes and any part thereof shall be separated from each other or from any other building by not less than six (6) meters. Any porch, carport or addition to a mobile or modular home for the purpose of separation.
- c) Storage  
There shall be no outside storage of any furniture, domestic equipment or seasonally used equipment. Adequate covered storage shall be provided and located either at the





- |    |                            |       |
|----|----------------------------|-------|
| m) | Minimum front yard         | 15 m  |
| n) | Minimum rear yard          | 7.5 m |
| o) | Minimum interior side yard | 7.5 m |
| p) | Minimum exterior side yard | 15 m  |

## SECTION 7.9 - RESTRICTED COMMERCIAL (C) ZONE

### 7.9.1 PERMITTED USES

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

#### 7.9.1.1 Residential Uses

a dwelling unit or units in accordance with the provisions of Section 6.11 of this By-law.

#### 7.9.1.2 Commercial Uses

an office	a post office
a personal service shop	a restaurant
a retail store	a hotel or motel
a tavern	an eating establishment
a farm implement dealer	
an automobile service station (see Section 6.4)	
a recreational vehicle sales area	
an automobile washing establishment	
a service shop	
a public garage (auto body)	
a public garage (mechanical)	
a take-out restaurant	
a drive-in restaurant	
a bank or financial institution	
a theatre	
* a mini putt or miniature golf – Carnarvon By-law 88-13	

### 7.9.2 ZONE REQUIREMENTS

No person shall, within any Commercial (C) zone use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the applicable provisions of Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following:

- |    |                      |        |
|----|----------------------|--------|
| a) | Minimum lot frontage | 30.5 m |
|----|----------------------|--------|

b)	Minimum lot area		1858 sq. m
c)	Maximum lot coverage (%)	50	
d)	Minimum front yard	9 m	
e)	Minimum rear yard	7.5 m	
f)	Minimum interior side yard	7.5 m	
g)	Minimum exterior side yard	9 m	
h)	Maximum building height	9 m	

## SECTION 7.10 - CORE COMMERCIAL (CI) ZONE

### 7.10.1 PERMITTED USES

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

#### 7.10.1.1 Residential Uses

a dwelling unit in accordance with the provision of Section 6.11 of this By-law.

#### 7.10.1.2 Commercial Uses

a bowling alley  
a personal service shop  
a service or repair shop  
a retail store  
a restaurant  
a drive-in a restaurant  
a take-out restaurant  
a laundromat  
a motor vehicle sales area  
an automobile service station  
a business or professional office  
a hotel  
an office building  
a bank

#### 7.10.1.3 Institutional Uses

a church  
a legion hall  
an auditorium  
a community hall  
a public building

#### 7.10.1.4 Other Uses

a public utility

### 7.10.2 ZONE REQUIREMENTS

No person shall, within any Core Commercial (Cl) zone use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the applicable provisions of Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following:

a)	Minimum lot frontage	30.5 m
b)	Minimum lot area	1858 sq. m
c)	Maximum lot coverage (%)	50
d)	Minimum front yard	9 m
e)	Minimum rear yard	7.5 m
f)	Minimum interior side yard	7.5 m
g)	Minimum exterior side yard	9 m
h)	Maximum building height	10 m

Lots serviced by municipal sewer and water services:

a)	Minimum lot frontage	20 m
b)	Minimum lot area	800 sq. m
c)	Maximum lot coverage (%)	50
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	3 m
g)	Minimum exterior side yard	9 m
h)	Maximum building height	10 m

### 7.10.3 NOTWITHSTANDING

Notwithstanding the provisions of Section 7.10.1.1 a rental residential unit shall be a permitted use within the single family dwelling on Part of Lot 20 Concession 5 Being the North Half of Lot 12 RCP 194 Carnarvon.

Notwithstanding the provisions of Section 7.10.2 the minimum exterior side yard measurement shall be 4.0 meters and the minimum front yard measurement shall be 5.5 meters for Part Lot 20 Concession 5 being Lots 17, 18, 19, 20 and 21 Plan 31RP 53 Carnarvon. And Further, despite Section 6.19 the parking space provided shall be 51.

SECTION 7.11 - GENERAL COMMERCIAL (C2) ZONE

## 7.11.1 PERMITTED USES

No person shall within any General Commercial (C2) Zone use any land, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

## 7.11.1.1 Residential Uses

a dwelling unit in accordance with the provision of Section 6.11 of this By-law.

## 7.11.1.2 Commercial Uses

a hotel or motel  
 a restaurant  
 a restaurant, take - out  
 a restaurant, drive-in  
 a retail store  
 a recreational vehicle sales area  
 a marina  
 a farm equipment dealer  
 a veterinary office  
 a car wash

## 7.11.1.3 Recreational Uses

a park  
 a playground  
 a community centre

## 7.11.1.4 Other Uses

a public utility

## 7.11.2 ZONE REQUIREMENTS

No person shall, within any General Commercial (C2) zone use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the applicable provisions of Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following:

- |    |                          |            |
|----|--------------------------|------------|
| a) | Minimum lot frontage     | 30.5 m     |
| b) | Minimum lot area         | 1858 sq. m |
| c) | Maximum lot coverage (%) | 50         |
| d) | Minimum front yard       | 9 m        |

e)	Minimum rear yard	7.5 m
f)	Minimum interior side yard	7.5 m
g)	Minimum exterior side yard	9 m
h)	Maximum building height	10 m

Lots serviced by municipal sewer and water services:

a)	Minimum lot frontage	20 m
b)	Minimum lot area	800 sq. m
c)	Maximum lot coverage (%)	50
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	3 m
g)	Minimum exterior side yard	9 m
h)	Maximum building height	10 m

## SECTION 7.12 COMMERCIAL RECREATION (CR) ZONE

### 7.12.1 PERMITTED USES

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 one or more of the following uses:

#### 7.12.1.1 Residential Uses

a dwelling unit or units in accordance with the provisions of Section 6.11 of this By-law.

#### 7.12.1.2 Commercial Uses

a motel or hotel  
 a marina  
 a commercial camp ground  
 a commercial trailer park  
 a tourist cabin establishment  
 a restaurant  
 a retail store for the sale of convenience goods and personal services  
 a mini putt

### 7.12.2 ZONE REQUIREMENTS

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 of Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following:

a)	Minimum lot frontage	76.0 m *
b)	Minimum lot area	2325 sq. m
c)	Maximum lot coverage (%)	30
d)	Minimum front yard	9 m
e)	Minimum rear yard	7.5 m
f)	Minimum interior side yard	3 m
g)	Minimum exterior side yard	7.5 m

\* Where a Commercial Recreational use is not on a waterfront, minimum lot frontage shall be 60 metres

### 7.12.3 NOTWITHSTANDING:

Notwithstanding the uses permitted in the Commercial Recreational (CR) Zone, on those lands zoned Commercial Recreational (CR) and located east of the southerly extension of Mutchmor Street ( Part of Lot 1, Concession 11 Carnarvon) an interpretative centre tuck shop and restaurant shall only be permitted.

SECTION 7.13- RESTRICTED INDUSTRIAL (M) ZONE

## 7.13.1 PERMITTED USES

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

## 7.13.1.1 Residential Uses

a dwelling unit or units in accordance with the provisions of Section 6.11 of this By-law.

## 7.13.1.2 Industrial Uses

a saw mill	a service shop
a service shop (heavy)	a service industry
a machine or welding shop	a truck or bus storage terminal
a warehouse	a feed mill
an abattoir	
a farm produce storage area	
a contractor or tradesman shop or yard	
a dry industry involved in the fabricating processing or manufacturing of goods or materials	
a municipal works building	
a custom workshop	
a scrap yard or salvage yard	
a creamery or dairy	

## 7.13.2 ZONE REQUIREMENTS

No person shall, within any Restricted Industrial (M) zone use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the applicable provisions of Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following:

a)	Minimum lot frontage	60 m
b)	Minimum lot area	4046 sq. m
c)	Maximum lot coverage (%)	50 *
d)	Minimum front yard	15 m
e)	Minimum rear yard	7.5 m
f)	Minimum interior side yard	3 m
g)	Minimum exterior side yard	15 m
h)	Maximum building height	20 m
i)	Maximum building height	6 m
j)	Minimum distance to a lot line for accessory building	7.5 m

\* This coverage factor does not restrict open storage areas.

## SECTION 7.14- GENERAL INDUSTRIAL (MI) ZONE

### 7.14.1 PERMITTED USES

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

#### 7.14.1.1 Residential Uses

a dwelling unit in accordance with the provision of Section 6.11 of this By-law

#### 7.14.1.2 Industrial Uses

a contractor's shop or yard  
 a boat storage yard  
 a builders supply yard  
 a warehouse  
 an equipment or materials storage yard  
 a transport terminal  
 a business office accessory to a permitted use  
 a manufacturing plant  
 a processing plant  
 a dry industry  
 an auto-body shop  
 a welding shop

#### 7.14.1.3 Commercial Uses

a commercial use accessory to a permitted industrial use

#### 7.14.1.4 Other Uses

a public utility

### 7.14.2 ZONE REQUIREMENTS

No person shall, within any General Industrial (MI) zone use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the applicable provisions of Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following:

a)	Minimum lot frontage	30.5 m
b)	Minimum lot area	1858 sq. m
c)	Maximum lot coverage (%)	50 *
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	3 m
g)	Minimum exterior side yard	9 m
h)	Maximum building height	10 m

\* This coverage factor does not restrict open storage areas.



## SECTION 7.15 - PIT AND QUARRY (Q) ZONE

### 7.15.1 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:

- a 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

### 7.15.2 ZONE REQUIREMENTS

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 of Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following:

- |    |                            |      |
|----|----------------------------|------|
| a) | Minimum front yard         | 30 m |
| b) | Minimum rear yard          | 30 m |
| c) | Minimum interior side yard | 30 m |
| d) | Minimum exterior side yard | 30 m |

### 7.15.3 RESTRICTIONS

No pit or quarry shall be excavated so that its edge is at a point less than thirty (30) metres from the limit of any road right-of-way and thirty (30) metres from any adjoining property 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 of any residential use on another lot and 50 meters of any street or road.

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

The requirements set out in this Section 7.15.2 do not apply to conveyor and loading facilities accessory to a pit or quarry operation.

SECTION 7.16- INSTITUTIONAL (I) ZONE

## 7.16.1 PERMITTED USES

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

## 7.16.1.1 Residential Uses

a dwelling unit in accordance with the provision of Section 6.11 of this By-law

## 7.16.1.2 Institutional Uses

an auditorium	a church
a clinic	a fire hall
a municipal office	a public building
a private club	
a school	
a hospital	
a senior citizen home	
a nursing home	
a post office	
a police station	

## 7.16.1.3 Recreational Uses

a park  
a playground

## 7.16.1.4 Other Uses

a public utility

## 7.16.2 ZONE REQUIREMENTS

No person shall, within any Institutional (I) zone use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the applicable provisions of Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following:

a)	Minimum lot frontage	30.5 m
b)	Minimum lot area	1858 sq. m
c)	Maximum lot coverage (%)	30
d)	Minimum front yard	9 m
e)	Minimum rear yard	3 m
f)	Minimum interior side yard	3 m
g)	Minimum exterior side yard	9 m

SECTION 7.17- RECREATIONAL (01) ZONE

## 7.17.1 PERMITTED USES

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

## 7.17.1.1 Residential Uses

a dwelling unit or units in accordance with the provisions of Section 6.11 of this By -law.

## 7.17.1.2 Institutional Uses

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

## 7.17.1.3 Open Space and Recreation Uses

a bowling green	a campground
a club	a community centre
a 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	

## 7.17.2 ZONE REQUIREMENTS

No person shall, within any Recreational (01) zone use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the applicable provisions of Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following:

## A Institutional use or lot:

a)	Minimum lot frontage	30.5 m
b)	Minimum lot area	1858 sq. m
c)	Maximum lot coverage (%)	20
d)	Minimum front yard	9 m
e)	Minimum rear yard	7.5 m
f)	Minimum interior side yard	7.5 m
g)	Minimum exterior side yard	9 m

## 7.17.3 NOTWITHSTANDING:

Notwithstanding the provisions of Section 7.17.1 Part of Lot 8 Concession 5, Block 19 Plan 31M-201 Carnarvon shall only be used for the permitted uses outlined in Section 7.17.1.3 and Residential uses and Institutional uses shall not be permitted.

SECTION 7.18- CONSERVATION (02) ZONE

## 7.18.1 PERMITTED USES

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

## 7.18.1.1 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 buildings shall be permitted

## 7.18.1.2 Open Space Uses

a golf course  
 an area for the protection of an environmental hazard such as swamps or marshes, floodplains 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.

## 7.18.2 ZONE REQUIREMENTS

No person shall, within any Conservation (02) zone use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the applicable provisions of Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following:

- |    |                            |      |
|----|----------------------------|------|
| a) | Minimum front yard         | 20 m |
| b) | Minimum rear yard          | 20 m |
| c) | Minimum interior side yard | 20 m |
| d) | Minimum exterior side yard | 20 m |

SECTION 7.19- WASTE DISPOSAL SITE (WD) ZONE

## 7.19.1 PERMITTED USES

No person shall within any Waste Disposal Site (WD) Zone 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
- a) a land fill site for garbage including organic waste but excluding chemical wastes

## 7.19.2 ZONE REQUIREMENTS

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

- |    |                            |        |
|----|----------------------------|--------|
| a) | Minimum lot frontage       | 50.0 m |
| b) | Minimum lot area           | 10 ha  |
| c) | Maximum lot coverage (%)   | 5.0    |
| d) | Minimum front yard         | 30 m   |
| e) | Minimum rear yard          | 30 m   |
| f) | Minimum interior side yard | 30 m   |
| g) | Minimum exterior side yard | 30 m   |

## 7.19.3 WASTE DISPOSAL SITE

No waste disposal site shall be located so that its edge is at a point less than twenty (20) metres from the limit of any travelled road right-of-way and twenty (20) metres from any adjoining property line.

## SECTION 7.20- PLANNED DEVELOPMENT (PD) ZONE

### 7.20.1 PERMITTED USES

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

#### 7.20.1.1 Residential Uses

an existing single detached dwelling

#### 7.20.1.2 Other Uses

an existing non-residential use  
a public utility

### 7.20.2 ZONE REQUIREMENTS

No person shall, within any Planned Development (PD) zone use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the applicable provisions of Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following:

An existing use only

### 7.20.3 OFFICIAL PLAN CONFORMITY

Lands within a Planned Development (PD) Zone, may, upon an application by the Township of Central Manitoulin or 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.

### 7.20.4 NEW DEVELOPMENT

New development within the Planned Development Zone shall be subject to a site plan by-law approved by the municipality.

## SECTION 8 – SPECIAL PROVISIONS

To permit the temporary use of the existing building as an office located on Lot 27, 28 & 29 Range B being Part 2 RP31R-1637, in the geographical Township of Carnarvon, as an office for a period not to exceed 3 years as permitted under Section 39 of the Planning Act. Date of Passing January 7, 2002. (Carnarvon 2002-02)

### **Section 8.1**

That the minimum dimensions for the lot created by Application for Consent File No. B02-02 shall be in accordance with Part 8 & 11 Plan 31R-2929 as shown on attached Schedule “B” to this by-law and despite any other requirements set out in By-Law 2002-07 (as amended).

### **Section 8.2**

A U-Brew and Design Sign Shop will be a permitted use on the lands as shown on attached Schedule “B” to this by-law and despite any other requirements set out in By-Law 2002-07 (as amended).

### **Section 8.3**

A residential unit shall be a permitted in the existing building and a commercial greenhouse operation shall be a permitted use on Part Lot 20 Concession 11 Campbell being as shown on attached Schedule “A” to this by-law and despite any other requirements set out in By-Law 2002-07 (as amended).

**SECTION 9 - EXISTING BY-LAW REPEALED**

Any By-law passed under Section 34 of The Planning Act or predecessor thereof in force in the Township of Carnarvon, the Township of Sandfield and the Township of Campbell on the date of Adoption of this Zoning By-law is hereby repealed.



