

DRAFT – FOR PUBLIC REVIEW



New Tiny Zoning By-law

17 FEBRUARY 2022

Our File: 0765AE

TABLE OF CONTENTS

USERS GUIDE - HOW TO USE THIS BY-LAW	iv
INTRODUCTION.....	iv
PURPOSE OF THE ZONING BY-LAW	iv
SECTION 1.0 INTERPRETATION AND ADMINISTRATION	19
1.1 TITLE.....	19
1.2 ADMINISTRATION.....	19
1.3 COMPLIANCE WITH BY-LAW.....	19
1.4 BUILDING PERMITS AND MUNICIPAL LICENSE.....	20
1.5 INTERPRETATION	20
1.6 ENFORCEMENT	22
1.7 VALIDITY	22
1.8 EFFECTIVE DATE	22
1.9 REPEAL OF FORMER BY-LAWS.....	23
1.10 MINOR VARIANCES TO BY-LAW 06-001 AS AMENDED.....	23
1.12 LOTS CREATED BY A WILL	23
1.13 ESTABLISHMENT OF ZONES.....	23
1.14 ZONE SYMBOLS.....	24
1.15 ZONE SCHEDULES.....	25
1.16 DETERMINING ZONE BOUNDARIES	25
1.17 EXCEPTION ZONES.....	26
1.18 HOLDING PROVISIONS	26
1.19 TEMPORARY USES.....	26
1.20 OVERLAY ZONES.....	26
1.21 DEFINITIONS.....	26
1.22 LAND OWNERSHIP	26
SECTION 2.0 GENERAL PROVISIONS	28
2.1 ACCESSORY BUILDINGS, STRUCTURES AND USES.....	28
2.2 ADDITIONAL DWELLING UNITS (SECOND UNITS).....	30
2.3 APARTMENT DWELLING UNIT ACCESSORY TO A COMMERCIAL USE.....	31
2.4 BOAT DOCKS.....	31
2.5 BOATHOUSE ADJACENT TO GEORGIAN BAY SHORELINE.....	32

2.6	CANNABIS CULTIVATION AND PRODUCTION.....	32
2.7	DECKS.....	33
2.8	NUMBER OF DWELLING UNITS.....	33
2.9	ENCROACHMENTS INTO REQUIRED YARDS.....	34
2.10	EXCEPTIONS TO HEIGHT REQUIREMENTS.....	34
2.12	FRONTAGE ON A PUBLIC STREET.....	35
2.13	FRONTAGE ON A PRIVATE OR UNASSUMED STREET.....	35
2.14	HOME INDUSTRY.....	35
2.15	HOME OCCUPATIONS.....	35
2.17	MULTIPLE USES ON ONE LOT.....	36
2.18	MULTIPLE ZONES ON ONE LOT.....	36
2.19	NON-COMPLYING BUILDINGS AND STRUCTURES.....	36
2.20	NON-COMPLYING LOTS.....	37
2.21	NON-CONFORMING USES.....	37
2.22	OUTDOOR LIGHTING IN ALL RESIDENTIAL ZONES.....	38
2.23	OVERLAY ZONES.....	38
2.24	PROHIBITED USES.....	41
2.25	PUBLIC USES.....	41
2.26	REDUCED YARD REQUIREMENT.....	42
2.27	RESIDENTIAL FUEL STORAGE.....	42
2.28	RETAINING WALLS.....	42
2.29	SHORT TERM RENTAL ACCOMODATIONS.....	43
2.30	SIGHT TRIANGLE.....	43
2.31	SPECIAL SETBACKS.....	43
2.32	TEMPORARY USES.....	45
SECTION 3.0 PARKING AND LOADING.....		48
3.1	PARKING AREA REQUIREMENTS.....	48
3.2	SIZE OF PARKING SPACES AND AISLES.....	48
3.3	LOCATION OF USE AND PARKING.....	49
3.4	MORE THAN ONE USE ON A LOT.....	49
3.5	PARKING AREA LOCATION ON A LOT.....	49
3.6	PARKING OF COMMERCIAL MOTOR VEHICLES.....	49
3.7	PARKING OF OVER-SIZED VEHICLES.....	49

3.8	RESIDENTIAL PARKING REQUIREMENTS	50
3.9	NON-RESIDENTIAL PARKING REQUIREMENTS.....	50
3.10	ACCESSIBLE PARKING.....	52
3.12	OFF-STREET BICYCLE PARKING FACILITY REQUIREMENTS.....	54
3.13	LOADING SPACE REQUIREMENTS.....	54
SECTION 4.0 PERMITTED USES		56
4.1	ZONES.....	56
TABLE 4.2 - RESIDENTIAL ZONES		57
TABLE 4.3 - COMMERCIAL ZONES.....		58
TABLE 4.4 - EMPLOYMENT ZONES.....		60
TABLE 4.5 - AGRICULTURAL, RURAL AND AGGREGATE ZONES		62
TABLE 4.6 - OTHER ZONES		63
SECTION 5.0 ZONE STANDARDS.....		64
5.1	ZONE STANDARDS.....	64
TABLE 5.2 - RESIDENTIAL ZONES		65
TABLE 5.3 - COMMERCIAL AND EMPLOYMENT ZONES		66
TABLE 5.4 - AGRICULTURAL, RURAL AND AGGREGATE ZONES (A, A1, RU, MAR).....		67
TABLE 5.5 - OTHER ZONES		68
SECTION 6.0 EXCEPTION ZONES, HOLDING ZONES, TEMPORARY USES.....		69
6.1	EXCEPTIONS.....	69
6.2	HOLDING ZONES	92
6.3	TEMPORARY USES.....	95
SECTION 7.0 DEFINITIONS		98
SECTION 8.0 ENACTMENT.....		134

USERS GUIDE - HOW TO USE THIS BY-LAW

INTRODUCTION

These pages explain the purpose of this Zoning By-law and how it should be used. These pages do not form part of the Zoning By-law passed by Council and are intended only to make the Zoning By-law more understandable and easier to reference.

PURPOSE OF THE ZONING BY-LAW

The purpose of this Zoning By-law is to implement the policies of the Township of Tiny Official Plan and to regulate the use of land and the construction of new buildings and structures throughout the municipality. The Official Plan contains general policies that affect the use of land throughout the Municipality. These policies specify where certain land uses are permitted and, in some instances, specify what regulations should apply to the development of certain lands. This By-law reflects the Township of Tiny Official Plan adopted by Council on November 26, 2018 and which came into full force and effect on December 9, 2021.

The statutory authority to zone land and regulate land use is granted by the Ontario *Planning Act*. The *Planning Act* specifies what a By-law can regulate. A Zoning By-law can:

- prohibit the use of land or buildings for any use that is not specifically permitted by the By-law;
- prohibit the erection or siting of buildings and structures on a lot except in locations permitted by the By-law;
- regulate the type of construction and the height, bulk, location, size, floor area, spacing, and use of buildings or structures;
- regulate the minimum frontage and lot area of a parcel of land;
- regulate the proportion of a lot that any building or structure may occupy;
- regulate the minimum elevation of doors, windows or other openings in buildings or structures;
- require parking and loading facilities be provided and maintained for a purpose permitted by the By-law; and,
- prohibit the use of lands and the erection of buildings or structures on land that is:
 - subject to flooding;
 - the site of steep slopes;

- rocky, low-lying, marshy or unstable;
- contaminated;
- a sensitive groundwater recharge area or head water area;
- the location of a sensitive aquifer;
- a significant wildlife habitat area, wetland, woodland, ravine, valley or area of natural and scientific interest; or
- a significant corridor or shoreline of a lake, river or stream.

HOW TO USE THIS BY-LAW

In order to use this By-law easily, a property owner should follow each of the steps listed below to determine what zoning permissions apply to their particular property.

1. Locate the Property on a Map

Maps in a Zoning By-law are called 'Schedules'. The first step to using this By-law is to refer to the zone schedules that are contained at the back of the By-law (in hard copy formats), posted as Adobe .pdf documents on the Township website, or to use the Township's address based Zoning Tool on the Township website (<https://www.tiny.ca/Pages/ZoningApp.aspx>) to determine which zone category your property is located in. The zone category will be indicated on the schedules or in the Zoning Tool by a symbol or abbreviation. For example, you may see a symbol such as "SR" for the property. This would indicate that your property is within the "Shoreline Residential" Zone. The zone symbols or abbreviations are explained in later in this guide and in Section 1 of the By-law.

Section 1 also provides assistance to help you interpret the zone boundaries on the Schedules. For example, if your property appears close to a zone boundary and you are not sure how to determine exactly where that boundary is located, Section 1 of the By-law will provide appropriate guidance.

2. By-law Amendments

A Zoning By-law is not a static document; it is amended over time as demands and policies governing land use change. Before proceeding any further, you should verify that your property is not the subject of a Zoning By-law amendment. While the Township strives to keep this By-law up-to-date, more recent amendments may not be included in the version of the By-law you are using. Staff in the Township's Planning Department will be able to assist you to confirm if your property has been subject to a more recent By-law amendment.

3. Zone Provisions

The next step to using this By-law is to determine what uses are permitted on your property. Tables 4.1.1 to 4.1.5 in Section 4.0 of the By-law identify the permitted uses for each zone in the Municipality.

The definitions in Section 7.0 can assist you if you are not sure of the nature of a permitted use or how it has been defined for the purposes of this By-law. Uses which are not identified as permitted uses within a particular zone are not permitted in that zone. Accessory uses to a permitted use are permitted in accordance with the provisions of Section 2.0 of this By-law.

If your property is subject of one of the four overlay zones (Nipissing Ridge, Well Head Protection Area, Issues Contributing Area, and Huronia Airport) there will be additional restrictions on permitted uses and/or certain regulations. These additional regulations can be found in Section 2 of the By-law.

You have now identified the zone in which your property is located and have identified what uses are permitted on your property. The next step is to determine what standards may apply to the uses on your property.

4. General Provisions

Now that you are aware of the uses permitted on your property and the specific zone requirements that apply to those uses, reference should be made to Section 2.0 of this By-law. Section 2.0 contains a more general set of standards known as 'General Provisions' that apply to all properties in all zones throughout the Municipality. For example, the general provisions contain standards that regulate the location of accessory structures on a lot and height exceptions, as well as providing guidelines for the potential expansion of legal non-conforming/non-complying uses. The General Provisions apply to all properties regardless of what zone the property is located in, unless otherwise specified.

5. Parking and Loading

Section 3.0 provides the parking and loading space requirements for all uses permitted in the Municipality. If you are considering changing the use of your property or adding a new use to your property, you should review Section 3.0 to ensure that you are aware of the parking requirements for the proposed use. All required parking generated by a change of use, new use or new building must be accommodated on-site and off the public street.

6. Exceptions, Holding Zones and Temporary Uses

As noted in 2 above, By-laws are not static documents and lands may be subject to a zone exception, a holding zone, or a temporary use. If a zone symbol is followed by a dash (-) and a number, the lands are subject to a site specific exception and are subject to site specific exception provisions in addition to all provisions of the parent zone and general provisions,

unless otherwise stated in the exception. These can be found in Table 6.1 in Section 6.0. If the zone symbol is followed by an (H) or a (T), the lands are subject to holding symbol or temporary use, which can also be found in Section 6.0, Tables 6.2 and 6.3.

WHAT ARE THE TERMS 'LEGAL NON-CONFORMING' AND 'LEGAL NON-COMPLYING' FOR THE PURPOSES OF THIS BY-LAW?

A legal non-conforming use is a use of land and/or building that legally existed prior to a Zoning By-law coming into effect. To be legal, the use must have been lawfully established and permitted on the lands in accordance with Zoning By-law 30-77 as amended for the Township.

A legal non-complying building or structure is a building or structure that was legally constructed and in a location that was permitted at the time in accordance with the applicable Zoning By-law but does not comply with the current standards. Alternatively, if the building or structure existed before the passage of the second Zoning By-law for the Township of Tiny (#30-77 passed July 28, 1977) the building or structure would be legal.

Guidance on both non-conforming and non-complying uses are provided in Section 2.0 General Provisions.

DESCRIPTION OF THE BY-LAW'S COMPONENTS

This By-law contains eight sections which together, provide the land uses and standards applicable to all lands within the Municipality. These sections are as follows:

- Section 1.0 – Interpretation and Administration
- Section 2.0 – General Provisions
- Section 3.0 – Parking and Loading
- Section 4.0 – Permitted Uses
- Section 5.0 – Zone Standards
- Section 6.0 – Exceptions, Holding and Temporary Use Zones
- Section 7.0 – Definitions
- Section 8.0 – Enactment

The purpose of each of these Sections is described below.

Section 1.0 - Interpretation and Administration

This section of the By-law specifies a range of interpretation and administration matters including the following:

- title of the By-law;
- what lands are covered by the By-law;
- that every parcel of land in the area covered by the By-law is to conform and comply with the By-law;

- that the requirements of the By-law must be met before a building permit is issued;
- the establishment of the zones and zone symbols used in the schedules and in this By-law; and
- what penalties can be levied against a person or a corporation if they contravene any provision in the By-law.

Section 2.0 - General Provisions

This section contains regulations that apply to certain types of uses, buildings or structures regardless of where in the Municipality or in what zone they are located. For example, this section contains provisions dealing with the construction of docks in any zone, provisions to regulate the operation of home occupations, and overlay zones that apply to specific areas.

Section 3.0 - Parking and Loading

Parking and loading facilities are required for almost all uses within the Municipality. This section provides the requirements for parking facilities including such regulations as the minimum number of spaces required for a range of uses, minimum driveway widths, minimum parking space size, and the location of parking facilities on a lot.

Section 4.0 – Permitted Uses

This section identifies the uses that are permitted in each Zone category. The effect of these Zones is to only permit certain uses in various zones and areas of the Municipality. The only uses permitted in a zone are those that are specified in the By-law. If a use is not specifically mentioned as a permitted use in a Zone then it is not permitted. Similarly, if a use is defined in Section 7.0 of the By-law but does not appear as a permitted use in any zone, then it is not a use permitted by the By-law.

Section 5.0 – Zone Standards

Zone Standards are set out in Section 5 of this By-law and contain a number of regulations that control the placement, bulk and height of buildings on a lot or parcel of land. This includes regulations such as minimum lot size, minimum lot frontage, maximum building height, or the maximum coverage of buildings and structures on a lot. Standards are provided in tables and are organized by broad zone categories.

Section 6.0 – Exceptions, Holding and Temporary Uses

This Section provides a consolidated list of properties that are subject to Zone Exceptions, Holding Zones and Temporary Use Zones. These are noted on the schedules to the By-law with the zone symbol and number (i.e. SR) or following the zone symbol (i.e. SR-H1, or RU-T3).

Section 7.0 - Definitions

It is necessary to define words in a Zoning By-law because it is a legal document. A By-law must be drafted so that it can be enforced in a court of law. These definitions will help provide clarity in the By-law and ensure that the By-law and its intent are applied consistently. If a word is not defined, refer to a dictionary and apply the defined term in the context for which that word is used.

Section 8.0 – Enactment

This section contains the signatures of the Mayor and the Clerk who signed the By-law when it was passed by Council in accordance with Section 34 of the *Planning Act*, R.S.O. 1990 c.p. 13.

DESCRIPTIONS OF ZONES

Below is a general description of the zones that are contained within this By-law and which implement the land use structure and designations in conformity with the Township of Tiny Official Plan. For a better understanding of the origin of the zones and the policy basis for each zone please refer to the Township of Tiny Official Plan.

Environmental Protection One (EP1) Zone

This zone applies to lands within the Environmental Protection designation in the Township Official Plan. All of the lands within this zone are provincially significant wetlands.

Environmental Protection Two (EP2) Zone

This zone applies to lands within the Greenlands designation in the Township Official Plan that are identified as wetlands. All of the lands within this zone are either other evaluated wetlands or other wetlands two hectares or larger. The boundaries of these wetlands are subject to correction through site specific review.

Greenlands (GL) Zone

This zone applies to all lands within the Greenlands designation in the Township Official Plan that are not wetlands. All of the lands within this zone contain the following features: significant woodlands, significant valleylands, provincially significant area of natural and scientific interest and regionally significant area of natural and scientific interest.

Open Space (OS) Zone

This zone applies to public lands that are owned by the Federal Government, Provincial Government, County of Simcoe or the Township of Tiny.

Open Space One (OS1) Zone

This zone applies to private open space/recreational land including areas of user common or shared municipal ownership in subdivisions.

Rural Residential (RR) Zone

This zone applies to residential lots within the Agricultural, Greenlands and Rural designations in the Township Official Plan.

Country Residential (CR) Zone

This zone applies to lots in the County Residential designation in the Township Official Plan.

Shoreline Residential (SR) Zone

This zone applies to all residential lots within the Shoreline designation in the Township Official Plan.

Limited Service Residential (LSR) Zone

This zone applies to all residential lots within the Shoreline designation in the Township Official Plan that are not accessed by a public assumed road.

Hamlet Residential (HR) Zone

This zone applies to residential lots within the Settlement Area designation in the Township Official Plan.

Future Development (FD) Zone

This zone applies to lands within Settlement Area and Shoreline designations in the Township Official Plan where the final form of development is not known and limited uses are permitted in the interim.

Shoreline Commercial (SC) Zone

This zone applies to lands within the Shoreline designation in the Township Official Plan that can be used for commercial purposes.

Marina Commercial (MC) Zone

This zone applies to lands that are occupied by existing marinas within the Township.

Hamlet Commercial (HC) Zone

This zone applies to lands within the Settlement Area designation in the Township Official Plan that can be used for commercial purposes.

Hamlet Employment (HE) Zone

This zone applies to lands within the Settlement Area designation in the Township Official Plan that can be used for industrial purposes.

Rural Employment (RE) Zone

This zone applies to lands within the Agricultural, Greenlands and Rural designations in the Township Official Plan that can be used for industrial purposes.

Rural Commercial (RC) Zone

This zone applies to lands within the Agricultural, Greenlands and Rural designations in the Township Official Plan that can be used for commercial purposes.

Agricultural (A) Zone

This zone applies to lands within the Agricultural designation in the Township Official Plan.

Agricultural One (A1)

This zone applies to lands within the Agricultural designation in the Township Official Plan, which have been the subject of a farm consolidation consent application and are now prohibited from constructing a residential use.

Rural (RU) Zone

This zone applies to lands within the Rural designation in the Township Official Plan.

Mineral Aggregate Resources (MAR) Zone

This zone applies to lands within the Mineral Aggregate Resources I designation in the Township Official Plan that are licensed by the Province of Ontario for the use of aggregate extraction.

Institutional (I) Zone

This zone applies to existing institutional uses within all areas of the Township.

Waste Disposal (WD) Zone

This zone applies to lands which are the site of an open or closed waste disposal operation as listed by Province of Ontario.

Nipissing Ridge Overlay (NR) Zone

This overlay zone applies to lands which are identified as the Nipissing Ridge in the Township Official Plan. Development is only permitted within this overlay zone following the submission and approval of topographic information from a qualified professional (Ontario Land Surveyor, Professional Engineer or Certified Engineering Technologist) to confirm the exact location of the top and/or bottom of the Nipissing Ridge and where the proposed development complies with the minimum setback requirements of this By-law.

Well Head Protection Area Overlay (WHPA-A, WHPA-B, WHPA-C) Zones

These overlay zones apply to lands which are identified as a Well Head Protection Area in the Township Official Plan. These overlay zones relate to travel time distances for ground water supplying municipal water systems and set out restrictions on lands uses in order to protect ground water for public use.

Issues Contributing Area Overlay (ICA1, ICA2) Zones

These overlay zones apply to lands which are identified as Issues Contributing Areas in the Township Official Plan. These overlay zones identify areas adjacent to municipal water systems and municipal water supply wells where there are known water quality issues and set out restrictions on land uses in order to protect ground water for public use.

Hurononia Airport Overlay (HA) Zone

This overlay zone applies to lands adjacent to the Huronia Airport and within defined flight paths which require restrictions on building heights to protect public safety.

ILLUSTRATIONS

The illustrations listed below and provided on the following pages help describe and explain some of the definitions, regulations and standards contained in this By-law.

- 178m GSC Elevation
- Lot Types
- Lot Lines
- Yards
- Building Types
- Building Height
- Lot Coverage
- Sight Triangles
- Setback from Slopes
- Setback from Watercourses

WHAT TO DO NEXT?

Still stumped? Contact the Township Planning Department and they will try to answer your questions with respect to the zoning rules and regulations affecting your property. Contact information is available on the Township website at www.tiny.ca.

What if you are able to find your zoning, but the use you are proposing is not permitted or your building location doesn't comply with the relevant setbacks? You may need to apply for either a minor variance, Zoning By-law Amendment, or other planning application if you can't or don't wish to change your development plans. In this instance, you should also contact the Township Planning Department to discuss the other planning approvals that you may need and what would constitute a "complete application".

If you found all the relevant information and you think you are ready for your construction project, information on the requirements for a Building Permit application pursuant to the Ontario Building Code are also available on the Township website at www.tiny.ca.

Illustration 1 – 1:100 year 178m GSC Elevation

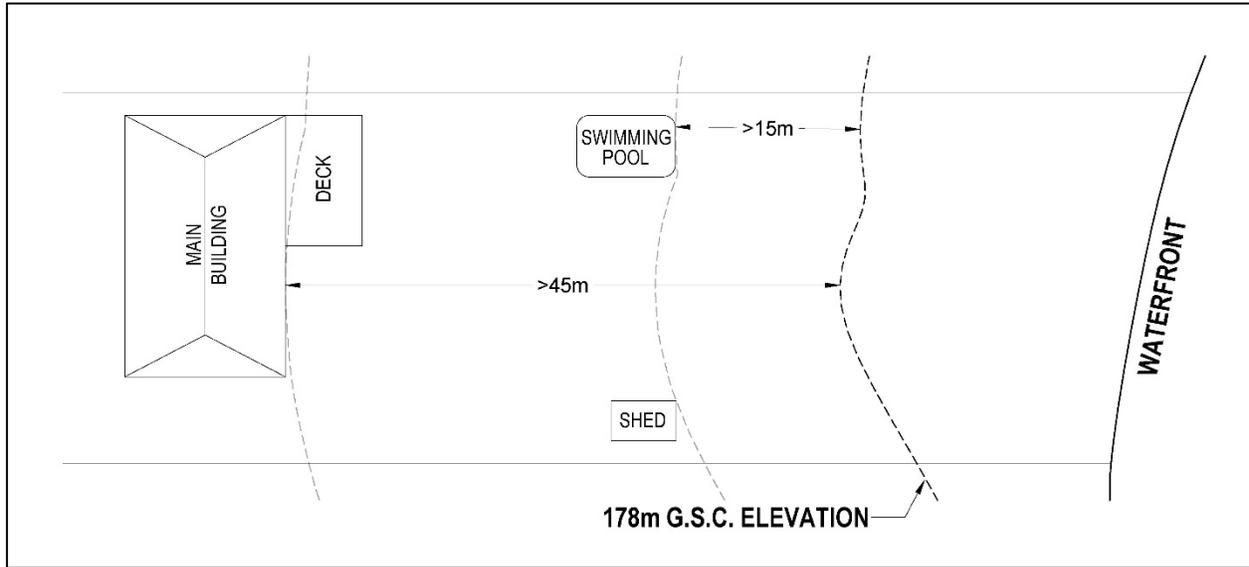


Illustration 2 – Lot Types

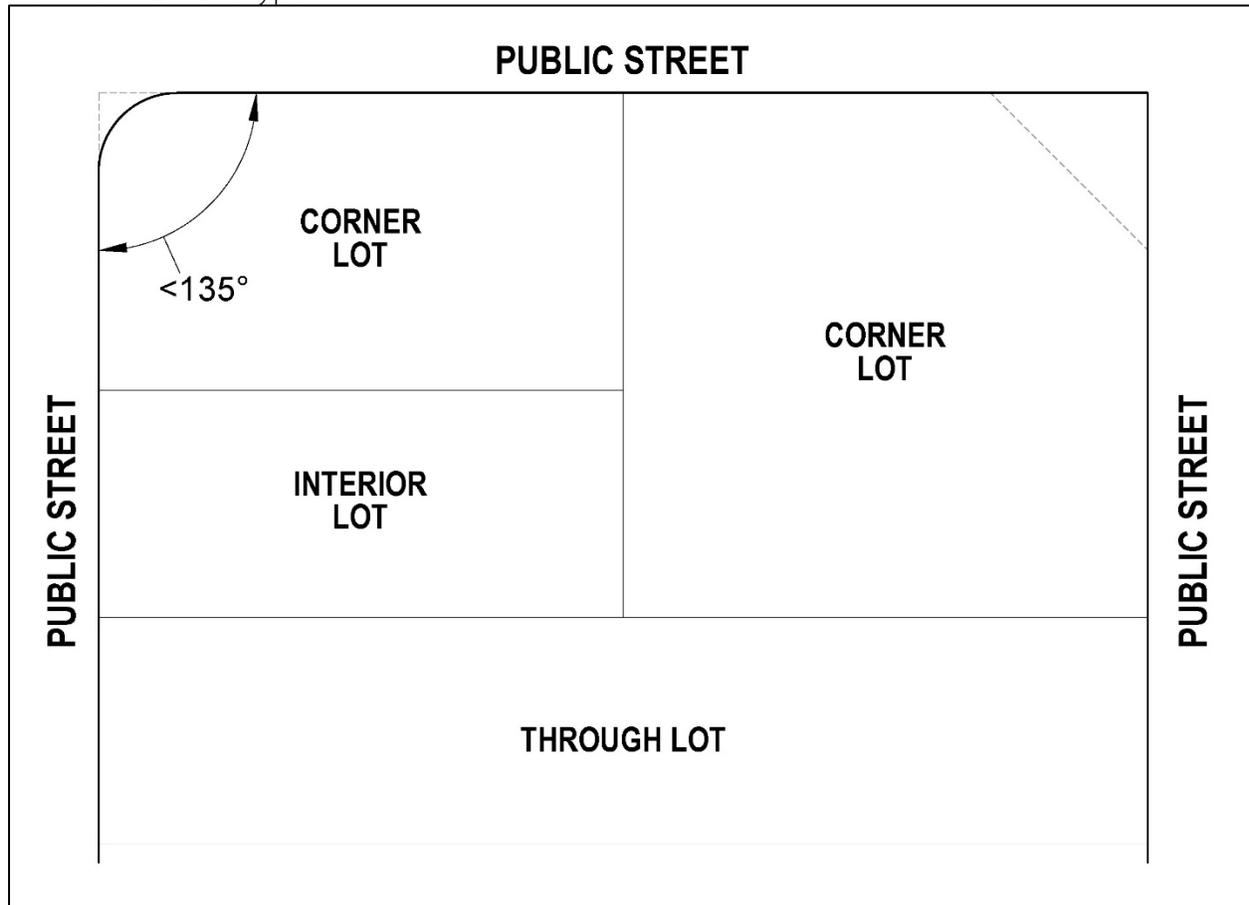


Illustration 4 - Yards

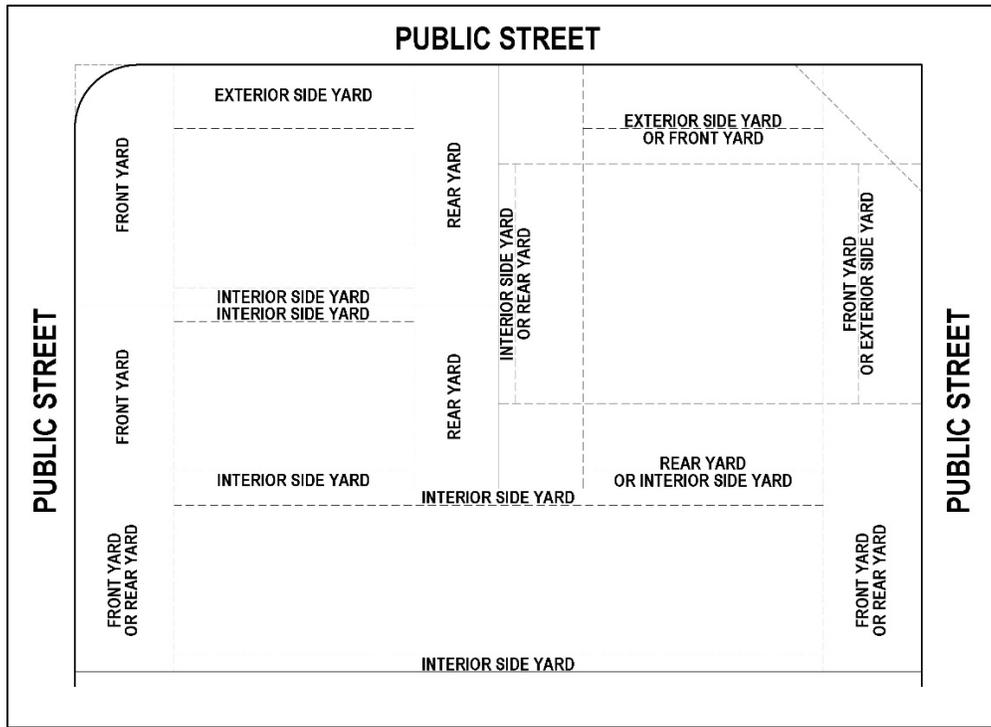


Illustration 5 – Building Types

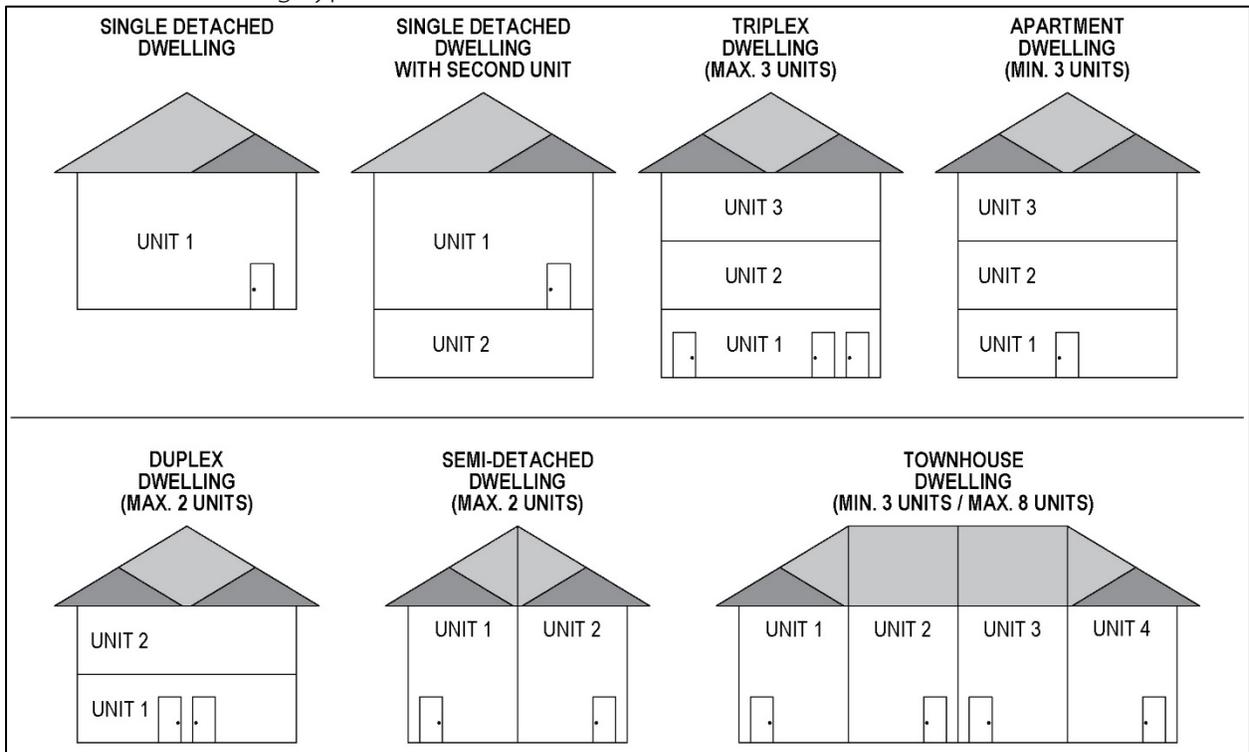


Illustration 6 – Building Height

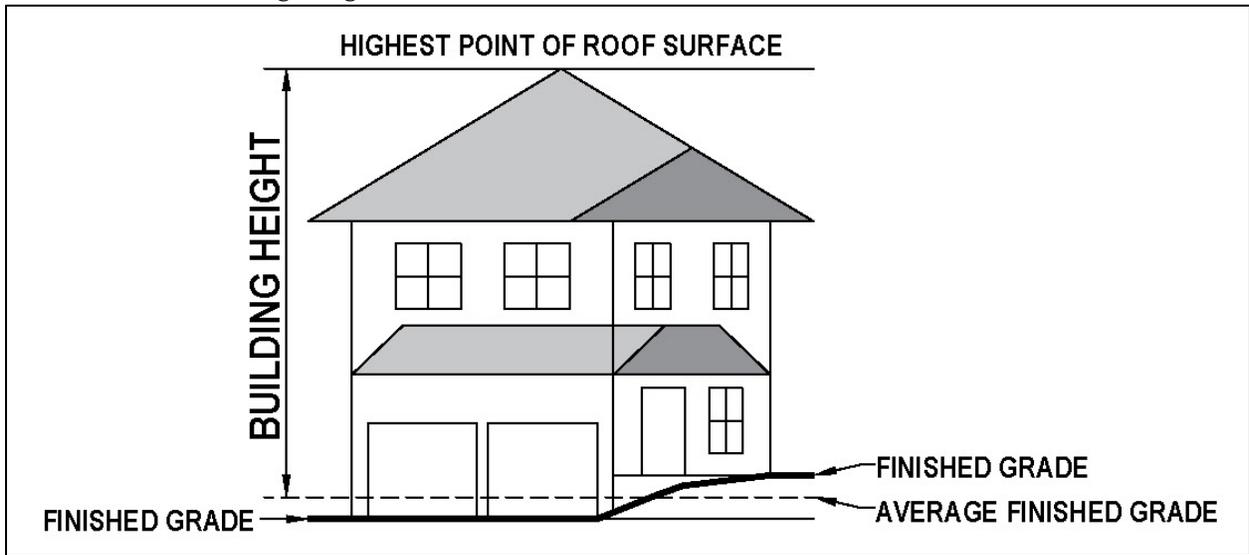


Illustration 7 – Lot Coverage

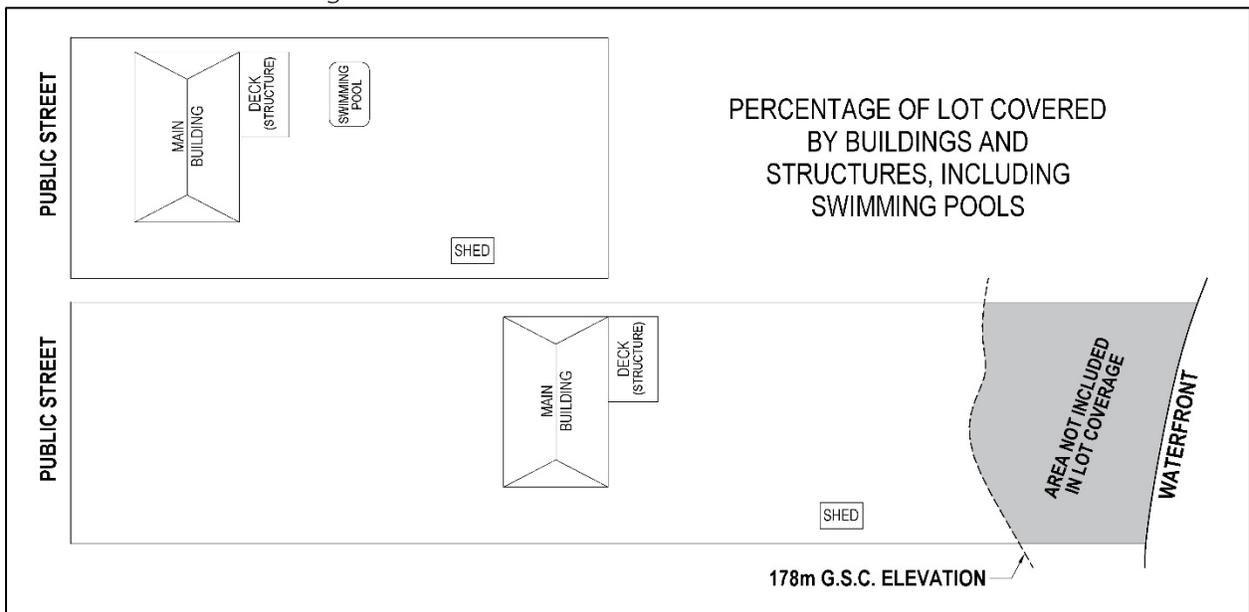


Illustration 8 – Sight Triangles

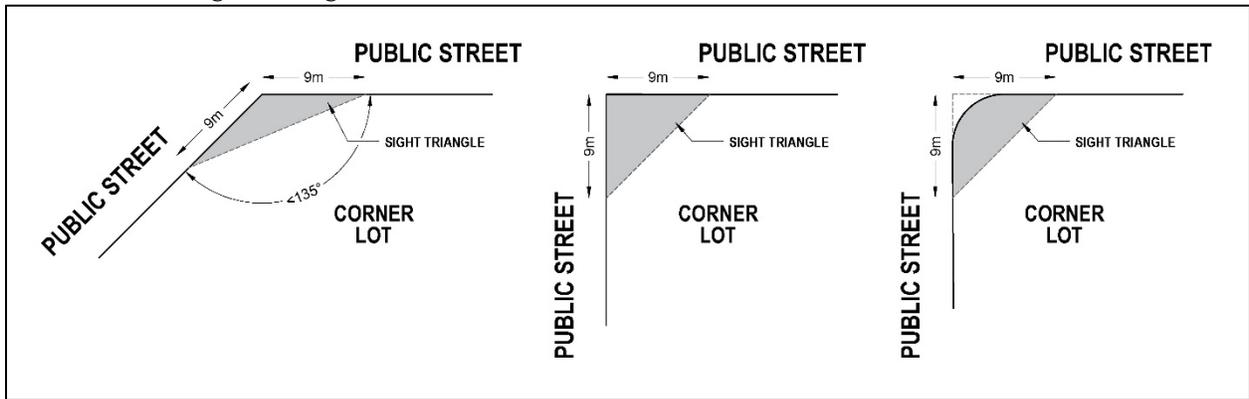


Illustration 9 – Setback from Slopes

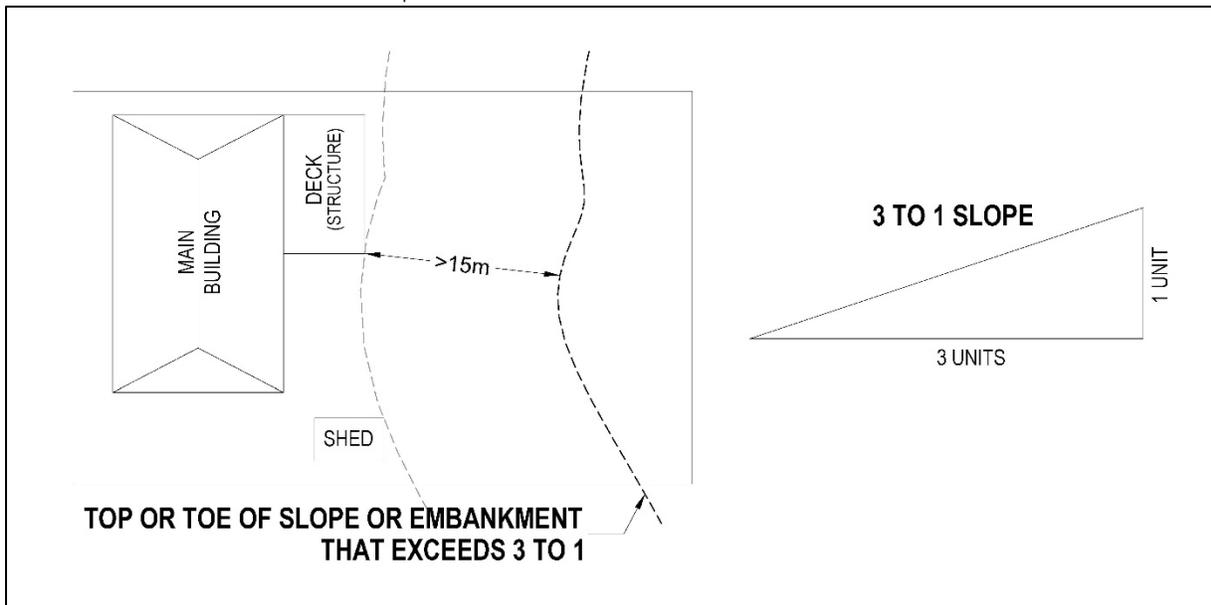
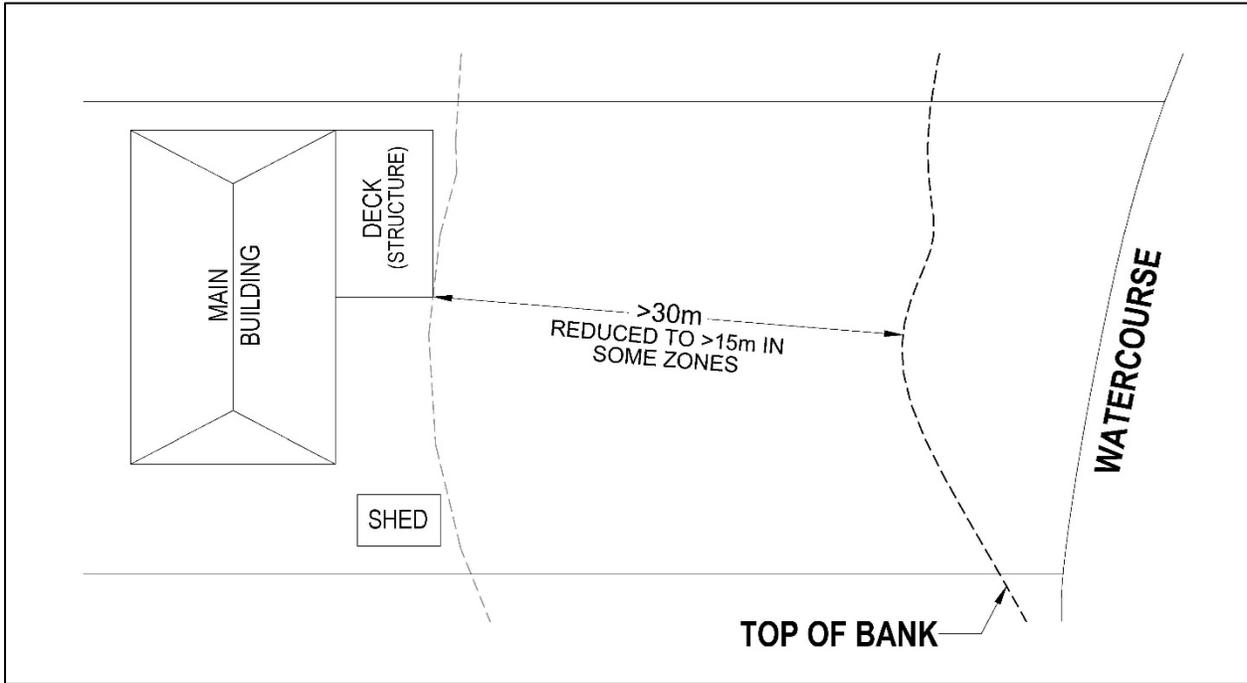


Illustration 10 – Setback from Watercourses



SECTION 1.0 INTERPRETATION AND ADMINISTRATION

1.1 TITLE

This By-law shall be referred to as the "Township of Tiny Zoning By-law 22-XXX", "Tiny Zoning By-law", or "By-law 22-XXX" and applies to all lands within the Township of Tiny. This By-law may be cited by its long title, its short title, or by its By-law number, and any such citation is to be taken as meaning the "Township of Tiny Zoning By-law 22-XXX" as amended.

1.2 ADMINISTRATION

This By-law shall be administered and enforced by municipal staff as appointed by the Council of the Corporation of the Township of Tiny.

1.3 COMPLIANCE WITH BY-LAW

1.3.1 No person shall change the use of any building, structure or land or erect or use any building or structure or occupy any land or building except in accordance with the provisions of this By-law.

1.3.2 No municipal permit, certificate or license shall be issued for the use of land or for the erection, alteration or use of any building or structure that is not in conformity and compliance with this By-law.

1.3.3 No person, other than a public authority, shall create or alter the boundaries of any lot by conveyance or otherwise such that the lot does not comply with the regulations of this By-law.

1.3.4 For the purposes of determining compliance with the regulations of this By-law, in the event of an expropriation or conveyance of a part of a lot by or to the Township or any other authority having the power of expropriation, the lot or the building or the use, as the case may be, will not be found to be in conflict with the provisions of this by-law by reason only of that expropriation or conveyance. For the purposes of this section expropriation means expropriation by the Township or any other authority having the power of expropriation, and conveyance means the taking or receiving of land by the Township or any other authority having the power of expropriation, either in satisfaction of a condition imposed on a provisional consent granted by the Committee of Adjustment or as a condition of the Township's site plan control approval process, or any other process allowing the Township or any

other expropriation authority having jurisdiction, the right to require such a conveyance.

1.3.5 To the extent of any conflict among the provisions of this By-law, the more restrictive provisions shall apply.

1.3.6 Any use not specifically permitted by this By-law shall not be permitted in the Township of Tiny.

1.4 BUILDING PERMITS AND MUNICIPAL LICENSES

The requirements of this By-law must be met before a building permit, Certificate of Occupancy or approval of an application for municipal license is issued for the use of land or the use erection, addition to or alteration of any building or structure.

1.5 INTERPRETATION

1.5.1 The provisions of this By-law are the minimum requirements except where a maximum requirement applies.

1.5.2 Nothing in this By-law shall serve to relieve any person from any obligation to comply with the requirements of any other By-law of the Township of Tiny or any other requirement of the County of Simcoe, the Province of Ontario or the Government of Canada that may affect the use of lands, buildings or structures in the municipality.

1.5.3 The following rules and definitions apply to this By-law, unless a contrary intention is evident from the context:

- a) this by-law is written in plain language;
- b) a deliberate attempt has been made to keep the words, the grammar and the syntax used as simple as possible while meeting the legal requirement for clear and precise legislation;
- c) the words used in the By-law have their ordinary meaning, unless otherwise defined in this By-law; and
- d) Definitions are given in this By-law to aid in the understanding and implementation of the true spirit, intent and meaning of the By-law. They are not to be used to avoid an obligation imposed by the By-law or any requirement enacted in a substantive provision of the By-law.

1.5.4 Despite the tense used in a provision:

- a) every provision of this by-law is to be applied to the circumstances as they exist at the time in question; and
- b) every obligation imposed by this by-law is a continuing one so long as either the use, the circumstances, the reason for the obligation, or the events which caused, precipitated or gave rise to the obligation continue.

1.5.5 This By-law is remedial in nature and shall be interpreted in a benevolent manner and read and applied in a way that will ensure the effective implementation of its provisions and intent.

1.5.6 Without limiting the generality of clause 1.5.5, where a situation arises that is not covered by a specific regulation, the provisions of this By-law apply by analogy to that situation, so that the application that is made of clause 1.5.5 is the one that ensures the effective implementation of this By-law.

1.5.7 Without limiting the generality of clauses 1.5.5 and 1.5.6, where a situation arises that is not covered by a specific regulation, or where two or more regulations are equally applicable, all provisions must be complied with or, where it is not possible to comply with all the provisions applicable, the most restrictive provisions must be complied with.

1.5.8 Despite clause 1.5.7, where an exception, suffix, schedule or overlay applies, the provisions imposed by that exception, suffix, schedule or overlay prevail over any other provision in the zoning By-law.

1.5.9 The system of division of the provisions of this by-law is as follows:

- 1. Section;
- 1.1 Subsection;
- 1.1.1 Clause;
 - a) Subclause; and
 - i) Paragraph.

1.5.10 Despite clause 1.5.9, a reference to or citation of any of the above divisions as a "section" or "clause" does not invalidate that reference or citation, if the reference or citation is otherwise correct.

1.5.11 This By-law is gender-neutral and, accordingly, any reference to one gender includes the other.

1.5.12 Words in the singular include the plural, and words in the plural include the singular.

- 1.5.13 Appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, references to former enactments or enabling legislation do not form part of the by-law and are editorially inserted for convenience of reference only.
- 1.5.14 Tables are part of the By-law and are used throughout to present regulations in a concise format, and are structured with rows (horizontal) and columns (vertical) that are numbered and titled for reference purposes.
- 1.5.15 The system of measurement for this By-law is the Metric System. The abbreviations "m", "m²", "ha" may also be used in the By-law and shall mean "metres", "square metres", and hectares respectively.

1.6 ENFORCEMENT

- 1.6.1 Any person, and if the person is a corporation, every director or officer of the corporation who knowingly concurs in the contravention, is convicted of a violation of this By-law is liable, on first conviction to a fine of not more than \$25,000 and on the subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.
- 1.6.2 Any Corporation convicted of a violation of this By-law is liable, on first conviction to a fine of not more than \$50,000 and on a subsequent conviction to a fine of not more than \$25,000 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.
- 1.6.3 Where a conviction is obtained under the clauses above, in addition to any other remedy or any penalty provided by law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.

1.7 VALIDITY

Should any section or provision of this By-law for any reason be declared invalid by a court of competent jurisdiction, such declaration does not affect the validity of the by-law as a whole and all the remaining sections or provisions of this by-law remain in full force and effect until repealed.

1.8 EFFECTIVE DATE

This By-law shall come into force the day it was passed if no appeals are received. Where one or more appeals are filed under subsection 34.(19) of the Planning Act, the affected portions of this By-law do not come into force until all such appeals have been withdrawn or finally disposed of, whereupon the By-law, except for those

parts of it that are repealed by or at the direction of the Ontario Land Tribunal, is deemed to have come into force on the day that it was passed.

1.9 REPEAL OF FORMER BY-LAWS

Township of Tiny Zoning By-law 06-001 and all amendments thereto are hereby repealed.

1.10 MINOR VARIANCES TO BY-LAW 06-001 AS AMENDED

Where the Committee of Adjustment of the Township of Tiny or the Ontario Land Tribunal has authorized a minor variance from the provisions of By-law 06-001 as amended, in respect of any land, building or structure and the decision of the Committee or the Ontario Land Tribunal authorizing such minor variance has become final and binding prior to the enactment of this By-law, the provisions of this By-law, as they apply to such land, building or structure, shall be deemed to be modified to the extent necessary to give effect to such minor variance for a period of five (5) years from the date of passing of this By-law.

1.11 TRANSITION

No provisions of this By-law act to prevent the issuance of a building permit for a development for which a complete application for Site Plan Control, Committee of Adjustment approval, or Zoning Amendment, was received by the Township on or before the Day Month 2022, and provided a complete application for a Building Permit is received on or before the Day Month 2022.

1.12 LOTS CREATED BY A WILL

A lot created by a Will after July 26, 1990 does not qualify for a building permit. If a lot created by a Will was created on or before July 26, 1990, a building permit may be available provided all other applicable provisions in this By-law are met.

1.13 ESTABLISHMENT OF ZONES

The Provisions of this By-law apply to all lands within the limits of the Township of Tiny. All lands in the Township are contained within one or more of the following Zones as set out in Table 1.1 below:

Table 1.1

ZONE	SYMBOL
Environmental and Open Space Zones	
Environmental Protection One	EP1
Environmental Protection Two	EP2
Open Space	OS
Open Space One	OS1
Residential Zones	
Rural Residential	RR
Country Residential	CR
Shoreline Residential	SR
Limited Service Residential	LSR
Hamlet Residential	HR
Greenlands	GL
Commercial and Employment Zones	
Shoreline Commercial	SC
Marina Commercial	MC
Hamlet Commercial	HC
Hamlet Employment	HE
Employment Area	EA
Rural Employment	RE
Rural Commercial	RC
Agricultural, Rural and Aggregate Zones	
Agricultural	A
Agricultural One	A1
Rural	RU
Mineral Aggregate Resources	MAR
Other Zones	
Future Development	FD
Institutional	I
Waste Disposal	WD
Nipissing Ridge Overlay	NR
Well Head Protection Area Overlay	WHPA-A, WHPA-B, WHPA-C
Issues Contributing Area Overlay	ICA1, ICA2
Huron Airport Overlay	HA

1.14 ZONE SYMBOLS

The Zone symbols may be used to refer to lots, buildings and structures and to the use of lots, buildings and structures permitted by this By-law.

1.15 ZONE SCHEDULES

The Zones and Zone boundaries are shown on Schedules X to Y inclusive and are attached to and form part of this By-law.

1.16 DETERMINING ZONE BOUNDARIES

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

- a) a boundary indicated as following a highway, street, lane, utility corridor or watercourse shall be the centre-line of such highway, street, lane, utility corridor or watercourse;
- b) a boundary indicated as substantially following lot lines shown on a Registered Plan of Subdivision, or the municipal boundaries of the Township of Tiny shall follow such lot lines;
- c) where a boundary is indicated as running substantially parallel to a street line and the distance from the street line is not indicated, the boundary shall be deemed to be parallel to such a street line and the distance from the street line shall be determined according to the scale shown on the Schedule(s);
- d) where a lot falls into two or more Zones, each portion of the lot shall be used in accordance with the provisions of this By-law for the applicable Zone;
- e) where lands are shown within the EP1 or EP2 zone and further study and/or review to the satisfaction of the Township and any other applicable agency or authority, where required, demonstrates the lands are not part of the relevant feature, those lands shall be deemed to be zoned the applicable adjacent zone and the lands shall be used in accordance with the provisions of this By-law for the applicable Zone;
- f) where none of the above provisions apply, the Zone boundary shall be scaled from the Schedule(s);
- g) the Schedules forming part of this By-law were created using a Geographic Information System (GIS) and as such, the Township may make interpretations of the Schedules using the GIS software and other applicable data at its sole discretion and without being subject to appeal; and,
- h) In no case is a Zone boundary dividing a lot into two or more Zone categories intended to function as a property boundary.

1.17 EXCEPTION ZONES

Where a Zone symbol on the attached Schedule(s) is followed by one or more numbers following the dash (-) symbol, such as SR-1, the numbers following the dash (-) symbol refer to subsections in Section 6.0 (Exceptions) of this By-law that apply to the lands noted.

1.18 HOLDING PROVISIONS

Notwithstanding any other provision in this By-law, where a Zone symbol is followed by the letter (H), no person shall use the land to which the letter (H) applies for any use other than the use which existed on the date this By-law was passed, until the (H) is removed in accordance with the provisions of Section 6.0 of this By-law, the policies of the Official Plan, and the requirements of the Planning Act, R.S.O. 1990 c.P. 13, as amended.

1.19 TEMPORARY USES

Notwithstanding any other provision in this By-law, where a Zone symbol is followed by the letter (T), additional temporary uses shall be permitted on the property to which the letter (T) applies until the temporary use permission expires in accordance with the provisions for temporary uses as set out in the Planning Act, R.S.O. 1990 c.P. 13, as amended and specified in Table 6.3 in Section 6 of this By-law.

1.20 OVERLAY ZONES

Notwithstanding any other provision in this By-law, where a Zone symbol is overlain with an overlay zone, no person shall use the land to which the overlay zone applies for any use other than in accordance with the provisions of Section 2.23 of this By-law, the policies of the Official Plan, and the requirements of the Planning Act, R.S.O. 1990 c.P. 13, as amended.

1.21 DEFINITIONS

For the convenience of the reader, all terms that are italicized in this By-law are defined in Section 7.0 Definitions.

1.22 LAND OWNERSHIP

No representation or implication is made by the Township nor should any inference be drawn from the Schedules attached to this By-law as to the ownership of private land and/or rights of access to such land. Ownership and access rights are legal matters that fall solely within the purview of the laws of the Province of Ontario and of a court of competent jurisdiction.

1.23 LANDS UNDER WATER

All lands under water of the lakes and rivers within the boundaries of the Township are subject to this By-law in addition to the requirements of both Federal and Provincial legislation. All lands under water not otherwise zoned may only be used in accordance with the zoning of the abutting and appertaining lands and the regulations of this By-law.

1.24 ISLANDS

All islands not identified as being within a Zone on the Schedules to this By-law shall be considered to be zoned Environmental Protection Two (EP2).

1.25 TECHNICAL REVISIONS TO THE ZONING BY-LAW

Revisions may be made to this By-law without the need for a zoning by-law amendment in the following cases:

- a) correction of numbering, cross-referencing, grammar, punctuation or typographical errors or revisions to format in a manner that does not change the intent of a provision;
- b) adding or revising technical information on maps or schedules that does not affect the zoning of lands including, but not limited to, matters such as updating and correcting lot and parcel lines, infrastructure information, keys, legends or title blocks;
- c) changes to appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, historical or reference information, page numbering, footers and headers, which do not form a part of this by-law and are editorially inserted for convenience of reference only;
- d) the addition, removal or modification of a zoning code reference contained within column II of an exception found within Table 6.1; and,
- e) minor schedule revisions in accordance with Section 1.16 of this by-law.

SECTION 2.0 GENERAL PROVISIONS

2.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

- a) 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 may include any detached accessory building, accessory structure or accessory use located on the same lot as the principal use to which they are related.
- b) No detached accessory building or accessory structure shall be designed for sleeping or contain a kitchen facility or an occupation for gain, unless specifically permitted by this By-law.
- c) No detached accessory building or structure shall be erected on a lot prior to the erection of the main building on the lot.

2.1.1 Detached accessory buildings and structures to a residential use, except boathouses, bunkies, pump houses and boat docks, shall:

- a) Be set back a minimum distance equal to the required front yard for the main building from the front lot line;
- b) Be set back a minimum distance of 1.0 metre from the rear lot line;
- c) Be set back a minimum distance equal to the required exterior side yard for the main building from the exterior side lot line;
- d) Be set back a minimum distance of 1.0 metre from the interior side lot line;
- e) Comply with Section 2.30 (Special Setbacks) of this By-law, if applicable;

2.1.2A storage container is not a permitted accessory structure in any Residential Zone except as a temporary storage use associated with a construction project and in accordance with subsection 2.32 of this By-law. No more than 3 storage containers are permitted on any lot.

- 2.1.3 The maximum height of any detached accessory building or structure is 5.0 metres. An Agricultural Building, Barn, or detached accessory building or structure that is more than 30 metres from all property lines are exempt from this provision.
- 2.1.4 The maximum lot coverage of all detached accessory buildings and structures on a lot that has an area of less than 2.0 hectares is 8 percent, or no more than 93 square metres, whichever is the lesser.
- 2.1.5 One bunkie may be permitted on a lot in the Shoreline Residential (SR) Zone or the Limited Service Residential (LSR) Zone provided the bunkie:
- a) has a floor area of no more than 30 square metres;
 - b) has no kitchen or cooking facilities;
 - c) is not used for profit;
 - d) is set back 3.0 metres from the interior side and rear lot lines;
 - e) is not located in the required front yard; and
 - f) complies with Section 2.30 (Special Setbacks) of this By-law, if applicable.
- 2.1.6 Sports courts may be permitted subject to meeting the following provisions:
- a) The court shall meet all the accessory structure setbacks of the applicable zone;
 - b) Fences for the sports court shall meet the requirements of Section 2.10;
 - c) Where sports court fences are proposed to exceed the height limits of Section 2.10, the fence shall be setback a distance equal to the fence height from any property line; and
 - d) Court lighting shall comply with the requirements of Section 2.22.
- 2.1.7 An accessory structure for the sole purpose of storing County solid waste management bins within the required front yard may be permitted, subject to the following provisions:
- a) The structure shall be located no closer than 3.0 metres to the front lot line and exterior side lot line and 1.0 metre from an interior lot line;

- b) The structure shall be no larger than 5 square metres and shall not have a height of greater than 2 metres;
- c) The structure shall be oriented perpendicular to the property line (shortest side facing the front lot line); and
- d) The structure shall not be located in a sight triangle.

2.2 ADDITIONAL DWELLING UNITS (SECOND UNITS)

2.2.1 Where an additional dwelling unit is listed as a permitted use in accordance with Section 4.0 of this By-law, the following provisions shall apply:

- a) A maximum of two (2) additional dwelling units shall be permitted per lot including a maximum of one (1) additional dwelling unit in the principal dwelling on the lot and a maximum of one (1) additional dwelling unit in a detached accessory structure (excluding a boathouse) on the lot.
- b) An additional dwelling unit shall only be permitted on a lot containing a single detached dwelling unit, semi-detached dwelling unit or townhouse dwelling unit;
- c) Where the principal dwelling unit is a townhouse dwelling, an additional dwelling unit is only permitted provided the lot on which the principal townhouse dwelling unit is located has a minimum frontage of 11 m;
- d) Additional dwelling units shall only be permitted on a lot fronting on a public street;
- e) Where municipal water services are available, the principal dwelling unit and the additional dwelling unit(s) must be connected to such services. Confirmation from the Township is required to ensure that there is sufficient reserve capacity in the water system for the additional dwelling unit(s);
- f) An additional dwelling unit in a detached accessory structure shall only be permitted on a lot having a minimum lot area of 2000 square metres;
- g) An additional dwelling unit shall not be permitted on a lot with a, bed and breakfast, group home, or on a lot with a boarding and rooming house; and,
- h) A garden suite is considered an additional dwelling unit;

2.2.2 Where an additional dwelling unit is permitted within the principal dwelling on a residential lot in accordance with Section 4.0, the following additional provisions shall apply:

- a) The additional dwelling unit shall be located entirely within the same building as the principal dwelling unit;
- b) The maximum gross floor area of the additional dwelling unit may not exceed 45% of the gross floor area of the principal dwelling unit; and,
- c) Notwithstanding the above, where the additional dwelling unit occupies the lowest floor of the principal dwelling unit, it may exceed the minimum size standards of this subsection.

2.2.3 Where an additional dwelling unit in a detached accessory building is permitted in accordance with Section 4.0 of this By-law, the following additional provisions shall apply:

- a) The accessory building containing the additional dwelling unit shall not be located in the front yard unless in a A, RU, GL, or FD Zone;
- b) The maximum gross floor area of an additional dwelling unit in an accessory building shall not exceed 45% of the gross floor area of the principal dwelling unit;
- c) The accessory building containing the additional dwelling unit shall be located no further than 45 metres from the lot line over which access from a public street is obtained; and
- d) The accessory building containing the additional dwelling unit shall be located a minimum of 3.0 m from the rear lot line and interior side lot line.

2.3 APARTMENT DWELLING UNIT ACCESSORY TO A COMMERCIAL USE

2.3.1 Notwithstanding any other provisions of this By-law, apartment dwelling units that are in the same building as a permitted commercial use in the Shoreline Commercial (SC), Hamlet Commercial (HC) and Rural Commercial (RC) Zones are permitted provided:

- a) the floor area of the apartment dwelling unit does not exceed 50% of the gross floor area of the principal use on the lot; and,
- b) the apartment dwelling unit has a means of egress to the outside that is separate from any means of egress for another dwelling unit or any commercial use.

2.4 BOAT DOCKS

- 2.4.1 Docks, ramps and boat lifts are only permitted as an accessory use, unless specifically permitted as a principal use;
- 2.4.2 A dock and ramp shall be setback a minimum of 1.0 metres from an interior side lot line and 3.0 metres from an exterior side lot line including the straight line projection of the lot lines from where it meets the lot line at the water to a maximum projection of 20 metres; and
- 2.4.3 All boat docks shall meet the requirements of the relevant Provincial and Federal legislation.

2.5 BOATHOUSE ADJACENT TO GEORGIAN BAY SHORELINE

- 2.5.1 A boathouse is permitted on a lot that fronts on Georgian Bay provided:
- a) it is setback a minimum of 2.0 metres from the interior side lot line or the projection of the interior side lot line where it meets the 178.0 m G.S.C. elevation;
 - b) it is setback the minimum distance of the minimum required exterior side yard for the main building on the lot;
 - c) the width of the boathouse, which is measured from the interior faces of the walls of the boathouse, does not exceed 30 percent of the width of the lot at the 178 m G.S.C. elevation.

For the purposes of this provision, the width of the lot at the 178.0 m G.S.C. elevation mark shall be measured by drawing a line between the points where the two interior side lot lines intersect with the 178.0 m G.S.C. elevation. If the lot is a corner lot, the width of the lot shall be measured by drawing a line between the point where the interior side lot line intersects with the 178.0 m G.S.C. elevation and a point where the exterior side lot line intersects with the 178.0 G.S.C. elevation;
 - d) it is not to be designed for sleeping or contain a kitchen facility or used for an additional dwelling unit;
 - e) the highest point of the roof surface shall be no more that 4.5 metres above the 178.0 m G.S.C. elevation;
 - f) For the purposes of this section, a boathouse adjacent to Georgian Bay Shoreline shall provide a minimum setback of 1.0 metre to the rear property line.

2.6 CANNABIS CULTIVATION AND PRODUCTION

~ Section left intentionally blank ~

2.7 DECKS

2.7.1 A deck that has an average floor height of less than 0.61 metres above grade is permitted, provided that:

- a) the deck is located no closer to the front and exterior side lot lines than the front yard and exterior side yard requirements for the main building;
- b) the deck is located no closer than 1.0 metre from the interior or rear lot lines;
- c) the deck complies with Section 2.30 (Special Setbacks) of this By-law, if applicable; and,
- d) notwithstanding the above provisions, stairs and landings used to access a deck are permitted to encroach a further 1.0 metres into a front and/or exterior side lot line. The landing shall be the minimum size required by the Ontario Building Code.

2.7.2 A deck that has an average floor height floor height of 0.61 metres or greater above grade is permitted, provided that:

- a) the deck is located no closer than 3.0 metres to the rear lot line;
- b) the deck is located no closer to the interior side lot lines than the interior side yard requirement for the main building;
- c) the deck is located no closer to the front and exterior side lot lines than the front yard and exterior side yard requirements for the main building;
- d) the floor of the deck is not higher than the floor level of the first storey of the main building on the lot;
- e) the deck complies with Section 2.23 (Special Setbacks) of this By-law, if applicable; and,
- f) Notwithstanding the above provisions, stairs and landings used to access a deck are permitted to encroach no more than 1.0 metres into any required yard. The landing shall be the minimum size required by the Ontario Building Code.

2.8 NUMBER OF DWELLING UNITS

Unless otherwise specified by this By-law, no more than one (1) dwelling unit is permitted on a lot.

2.9 ENCROACHMENTS INTO REQUIRED YARDS

- 2.9.1 Minor encroachments may encroach into any required yard no more than 1.0 metre for:
- a) Architectural features such as sills, belt courses, cornices, eaves or gutters, chimney breasts, pilasters, or roof overhangs;
 - b) cantilevered window bays (not cantilevered floor area);
- 2.9.2 Stairs and landings used to access a main building, roofed, unenclosed porches and balconies may encroach into the required front and/or exterior side lot line a distance of no more than 1.0 metre;
- 2.9.3 Drop awnings, clothes poles, flagpoles, garden trellises, fences, ground air conditioners and generators or other similar accessory structures may be permitted in any required yard;and,
- 2.9.4 Notwithstanding any other provision contained in this by-law, in any residential zone or the Shoreline Commercial (SC) Zone where a corner lot abuts an unopened road allowance, public or private lane not used for vehicular traffic, the subject lot line shall be considered an interior side lot line.

2.10 EXCEPTIONS TO HEIGHT REQUIREMENTS

- 2.10.1 The height requirements of this By-law shall not apply to church spires, church belfries, chimneys, clock towers, radio or television towers or antennas, telecommunication towers or mechanical penthouses occupying in the aggregate less than ten percent of the area of the roof of the building on which they are located, nor shall they apply to monuments, flag poles, silos or other agricultural buildings.

2.11 FENCES

- 2.11.1 Notwithstanding any other provision of this by-law:
- a) A fence shall not exceed a height of 1.9 metres;
 - b) Fence height is to be calculated by taking the measurement from grade to the top of each post on both sides of the fence. No single fence post shall exceed a maximum height of 1.9 metres. Where a fence is located on top of a retaining wall, grade shall mean original grade;

- c) Decorative caps on top of a post may extend an additional 0.3 metres; and,
- d) For reference to fences in Sight Triangles, see Section 2.28.

2.12 FRONTAGE ON A PUBLIC STREET

Unless otherwise specified by this By-law, no person shall erect any building or structure and no person shall use any building or structure, lot or block unless the lot or block to be so used, or upon which the building is situated or erected or proposed to be erected, abuts or fronts on a street which is assumed by a public authority for maintenance purposes or is being constructed pursuant to a Subdivision Agreement with a public authority. For the purposes of this By-law, a lot separated from a public street by a reserve shall be deemed to abut the public street.

2.13 FRONTAGE ON A PRIVATE OR UNASSUMED STREET

The erection, alteration or replacement of any main building or structure on a lot which fronts on a private or unassumed street may be subject to a Holding Symbol. Notwithstanding any other provision in this By-law, buildings and structures that existed on the effective date of this By-law can be used for a purpose permitted by this By-law if the lot on which the building or structure is situated fronts on a private or unassumed street.

2.14 HOME INDUSTRY

2.14.1 Where a home industry is permitted in a Zone, the use is permitted provided:

- a) A maximum of four people, other than an occupant of the dwelling unit, may be engaged in the home industry at any time;
- b) The gross floor area of the building utilized by the home industry does not exceed a maximum of 200 square metres;
- c) The use is clearly secondary to the principal use of the lot;
- d) Any accessory outdoor storage area is located in the rear yard and occupies no more than 300 square metres of lot area; and,
- e) Motor vehicles, associated with the home industry, shall only be parked or stored within the interior side yard or rear yard.

2.15 HOME OCCUPATIONS

2.15.1 Where a home occupation is permitted in a Zone, the use is permitted provided:

- a) No more than one employee, in addition to the residents of the dwelling unit, is engaged in the business and working from the home occupation;
- b) The Home Occupation use shall be contained within the principle dwelling unit or within an attached garage. A Home Occupation shall not be conducted in whole or in part in any additional dwelling unit;
- c) No more than 25% of the gross floor area of the principle dwelling unit is used for the purpose of the Home Occupation;
- d) There is no sign, outdoor storage or display of material or equipment;
- e) There is no mechanical equipment used except that which is ordinarily used for housekeeping purposes or for any purpose of a dwelling unit;
- f) Retail sales shall not be permitted unless otherwise specified herein. The sale or rental of goods produced or repaired on the premises is permitted. Direct sales conducted by telephone, internet, mail order or similar approach are permitted.;
- g) The use is clearly secondary to the residential use and does not change the residential character of the dwelling unit and lot; and,
- h) Only one home occupation is permitted per lot.

2.16 MINIMUM OPENING ELEVATION

No building(s) with habitable living area located adjacent to Georgian Bay shall have any building opening below the elevation of 178.5 metres G.S.C..

2.17 MULTIPLE USES ON ONE LOT

Where any building, structure or lot is used for more than one purpose as provided in Section 6.0 (Permitted Uses) of this By-law, the said building, structure or lot shall comply with the provisions of this By-law relating to each use. In the case of a conflict, the more stringent provision shall apply.

2.18 MULTIPLE ZONES ON ONE LOT

Where a lot is divided into more than one Zone, each portion of the lot shall be used in accordance with the provisions of this By-law for the applicable Zone.

2.19 NON-COMPLYING BUILDINGS AND STRUCTURES

2.19.1 Enlargement, Repair, Replacement or Renovation

A non-complying building or structure may be enlarged, repaired, replaced or renovated provided that the enlargement, repair, replacement or renovation:

- a) does not further encroach into a required yard;
- b) does not increase the amount of floor area or volume in a required yard;
- c) does not in any other way increase a situation of non-compliance; and,
- d) complies with all other applicable provisions of this By-law.

2.19.2 Non-Compliance as a Result of Expropriation

Notwithstanding any other provision of this By-law, where, as a result of an acquisition of land by a public authority, such acquisition results in a contravention of this By-law relating to minimum yards and/or setbacks, lot coverage or maximum permitted gross floor area, then the lands so acquired shall be deemed to continue to form part of the lot upon which the building or buildings are located in determining compliance with this By-law.

2.20 NON-COMPLYING LOTS

2.20.1 Non-Complying Lots

Notwithstanding the provisions of Section 5.0, Zone Standards as they relate to the minimum lot area and/or lot frontage for a lot, all existing lots registered in the Registry or Land Titles Office prior to the date of the enactment of this by-law, shall be deemed to have a minimum lot area and/or lot frontage as indicated in the Registry or Land Titles Office.

2.20.2 Non-Compliance as a Result of Expropriation

Notwithstanding any other provision of this By-law, where, as a result of the acquisition of part of a lot by a public authority, the lot, after the acquisition, is a non-complying lot, such non-complying lot may be used for any purpose permitted by this By-law within the Zone in which the lot is located, subject to Section 2.20.1 (Non-Complying Lots).

2.21 NON-CONFORMING USES

No lands, buildings or structures shall be used except in conformity with the provisions of this By-law unless such use existed before the date of passing of By-

law 30-77 (July 28, 1977) and provided that it has continued and continues to be used for such purpose.

2.22 OUTDOOR LIGHTING IN ALL RESIDENTIAL ZONES

2.22.1 All outdoor lighting must be dark sky compliant;

2.22.2 Outdoor advertising signs, and light fixtures used to illuminate signs or billboards shall be mounted on top of the sign facing down, and must be dark sky compliant.

2.23 OVERLAY ZONES

2.23.1 Nipissing Ridge (NR) Overlay Zone

- a) This Section applies to lands within the Nipissing Ridge Overlay (NR) Overlay Zone. The regulations set forth in this subsection shall apply to the applicable overlay zone and shall be in addition to those regulations set forth in the underlying zone. In the event of a conflict between the provisions of the regulations of this overlay zone and the provisions of the underlying zone, the provisions of the overlay zone shall prevail.
- b) The Nipissing Ridge Overlay Zone depicts the top and toe of slope of the Nipissing Ridge. However, it is recognized that the mapping in the Zoning By-law schedules of this Zone are not accurate. Therefore, site specific information as outlined below can be submitted to the Township which depicts the actual location of the feature.
- c) Notwithstanding any other provision of this By-law, no building or structure shall be located within 15.0 metres of the Nipissing Ridge (NR) Overlay Zone. This provision shall not prevent the expansion or replacement of buildings or structures that lawfully existed on July 28, 1977 within this setback area, provided the expansion or replacement does not have the effect of reducing the setback from the (NR) overlay zone or increasing the volume or floor area of a building or structure in the setback area.
- d) Development may be permitted within the Nipissing Ridge Overlay Zone in accordance with the underlying zone or within the required setback in c) above without amendment to this By-law subject to the following information being submitted and approved by the Township:
 - i. The location of the top and/or toe of slope be established by a qualified professional.
 - ii. Building and structures shall not be permitted within 15.0 metres of the established toe and/or top of slope.

2.23.2

Well Head Protection Area (WHPA) Overlay Zones

- a) This Section applies to lands within the Well Head Protection Area (WHPA) Overlay Zones (WHPA-A, WHPA-B, WHPA-C). The regulations set forth in this subsection shall apply to the applicable overlay zone and shall be in addition to those regulations set forth in the underlying zone. In the event of a conflict between the provisions of the regulations of this overlay zone and the provisions of the underlying zone, the provisions of the overlay zone shall prevail.
- b) Within the WHPA-A overlay zones, any non-residential use that is listed below is prohibited:
 - i. Waste Disposal sites
 - ii. Storage facilities for agricultural source material.
 - iii. Storage facilities for non-agricultural source material.
 - iv. Commercial fertilizer storage facilities.
 - v. Pesticide storage facilities.
 - vi. Road salt storage facilities.
 - vii. Snow storage facilities.
 - viii. Fuel storage facilities.
 - ix. Organic solvents storage facility;
 - x. Livestock grazing, outdoor confinement areas and farm animal yards.
 - xi. Storage facilities for dense non-aqueous phase liquids (DNAPLS).
 - xii. Small on-site sewage system
 - xiii. Large (more than 10,000 litres) on-site sewage systems.
- c) Within the WHPA-A overlay zones any residential fuel storage over 250 litres is prohibited.
- d) Within the WHPA-B or WHPA-C overlay zones, the non-residential uses listed below are prohibited:
 - i. Waste Disposal sites
 - ii. Storage facilities for agricultural source material.
 - iii. Storage facilities for non-agricultural source material.
 - iv. Commercial fertilizer storage facilities.
 - v. Pesticide storage facilities.
 - vi. Road salt storage facilities.
 - vii. Snow storage facilities.
 - viii. Fuel storage facilities.
 - ix. Organic solvents storage facility;
 - x. Livestock grazing, outdoor confinement areas and farm animal yards.
 - xi. Storage facilities for dense non-aqueous phase liquids (DNAPLS).

xii. Large (more than 10,000 litres) on-site sewage systems.

e) Notwithstanding d) above, where the Risk Management Official has issued a written direction pursuant to the Clean Water Act or its successor that a specified use is not a significant drinking water threat, the use is permitted in accordance with those regulations set forth in the underlying zone.

2.23.3 Issues Contributing Area (ICA) Overlay Zones

a) This Section applies to lands within the Issues Contributing Area (ICA) Overlay Zones (ICA-1, ICA-2). The regulations set forth in this subsection shall apply to the applicable overlay zone and shall be in addition to those regulations set forth in the underlying zone. In the event of a conflict between the provisions of the regulations of this overlay zone and the provisions of the underlying zone, the provisions of the overlay zone shall prevail.

b) Within the ICA-1 and ICA-2 overlay zones, any use that is listed below is prohibited:

- i. Small on-site sewage system.
- ii. Storage facilities for agricultural source material.
- iii. Storage facilities for non-agricultural source material.
- iv. Commercial fertilizer storage facilities.
- v. Pesticide storage facilities.
- vi. Livestock grazing, outdoor confinement areas and farm animal yards.

c) Notwithstanding b) above, for lots of record that exist on the date of the approval of the source protection plan a small on-site sewage system is permitted.

d) In addition to b) above, the storage and handling of dense non-aqueous phase liquids (DNAPLS), excluding incidental volumes for personal/domestic use, are prohibited in the ICA-2 overlay zone.

2.23.4 Huronia Airport (HA) Overlay Zone

a) This Section applies to lands within the Huronia Airport (HA) Overlay Zone. The regulations set forth in this subsection shall apply to the applicable overlay zone and shall be in addition to those regulations set forth in the underlying zone. In the event of a conflict between the provisions of the regulations of this overlay zone and the provisions of the underlying zone, the provisions of the overlay zone shall prevail.

- b) Notwithstanding any other provision in this By-law, the maximum height of any building or structure, including agricultural buildings, shall not exceed 11.0 metres on the lands within the Huronia Airport (HA) Overlay Zone.

2.24 PROHIBITED USES

The following uses are prohibited in any Zone:

- a) The use of any tent, trailer or motor vehicle for human habitation, except where such tent, trailer or motor vehicle is located in a campground, in a trailer park or in a mobile home park or where a tent is used as an incidental and occasional use accessory to a residential dwelling.
- b) The use of any accessory building or structure or boathouse for human habitation unless otherwise permitted by this By-law.
- c) The storage of disused rail cars, streetcars, buses, truck bodies or trailers without wheels.
- d) The parking and storage of motor vehicles, trailers or commercial motor vehicles on a vacant lot.
- e) The outdoor storage of partially dismantled motor vehicles or trailers or motor vehicle or trailer parts unless otherwise permitted by this By-law.
- f) Obnoxious uses.
- g) The manufacturing, refining, rendering or distillation of acid, ammonia, chlorine, coal, creosote, explosives, fireworks, glue, petroleum or tar.
- h) The bulk storage of industrial chemicals, hazardous waste or liquid industrial waste as defined under the Environmental Protection Act, as amended.

The provisions of this section do not apply to waste disposal sites in the Waste Disposal (WD) Zone.

2.25 PUBLIC USES

- a) The provisions of this By-law shall not apply to prevent the use of any land, building or structure by any public authority, except for a waste disposal site, provided that:
 - i. Such use, building or structure complies with the required yard setback(s) and height provisions of the Zone in which it is located; and,

- ii. No outdoor storage is permitted unless such outdoor storage is specifically permitted in the Zone in which the use is located.
- b) Notwithstanding the above provisions, buildings and structures associated with a public works yard owned by a public authority are exempt from the height requirements of this By-law.
- c) Nothing in this By-law shall prevent a public authority from providing or using land as a street nor prevent the installation of a utility main including a water main, sanitary sewer, storm sewer, gas main, pipeline or overhead or underground hydro, telephone or other utility supply or communication lines.

2.26 REDUCED YARD REQUIREMENT

- 2.26.1 Notwithstanding any other provision in this By-law, where a vacant lot exists between two developed lots, with the main building on one or both of the developed lots having a front yard less than required, the required front yard of the vacant lot may be the average of the front yards of the two developed lots, provided the required front yard on the vacant lot is not less than 50 percent of the front yard required for that lot; and
- 2.26.3 On a through lot, the minimum required yard abutting both streets is equal to the minimum required front yard in the Zone.

2.27 RESIDENTIAL FUEL STORAGE

Fuel storage (i.e. gasoline, diesel) over 250 litres is prohibited on all lots zoned residential.

2.28 RETAINING WALLS

- 2.28.1 A retaining wall that is 1 m in height or less of exposed wall face shall meet the following provisions:
- a) Is permitted in all yards;
 - b) Required setback is 0.0 m; and
- 2.28.2 A retaining wall that is greater than 1 m in height of exposed wall face shall meet the following provisions:
- a) Is permitted in all yards;
 - b) Shall be setback in compliance with the requirements for an accessory structure;
 - c) The provisions of subsection 2.31.1.2 shall not apply.

2.29 SHORT TERM RENTAL ACCOMODATIONS

~ Section left intentionally blank ~

2.30 SIGHT TRIANGLE

Notwithstanding any other provisions of this By-law, on a corner lot, within the sight triangle, no building, structure, fence, sign, wall, vegetative planting or landscaped grade may be greater than 1.0 metre in height.

2.31 SPECIAL SETBACKS

Notwithstanding any other provisions in this By-law, the following special setbacks shall apply.

2.31.1 Georgian Bay Shoreline

2.31.1.1 The main building including a covered porch or bunkie shall be setback a minimum of 45 metres from the 178 metre G.S.C. elevation adjacent to Georgian Bay.

2.31.1.2 All detached accessory buildings or structures including, but not limited to a detached garage, shed, swimming pool, deck with non-habitable floor area shall be setback a minimum of 15 metres from the 178.0 metre G.S.C. elevation adjacent to Georgian Bay.

2.31.1.3 Within the yard facing the water's edge of Georgian Bay in the (SR) and (LSR) Zones, no main building shall be located any closer to the 178.0 metre G.S.C. elevation than the average distance between main buildings from the 178.0 metre G.S.C. elevation on immediately abutting lots.

2.31.1.4 This provision shall not prevent:

- a) the expansion of the main building that existed on the date this By-law comes into effect and the erection of a Bunkie, provided the expansion does not decrease the setback to the 178.0 metre G.S.C elevation. In addition, no part of the expansion could be located within 15.0 metres of the 178.0 metre G.S.C. elevation;
- b) the erection of a second storey over any building or structure that existed in any location on a lot when this By-law comes into effect, provided the additional floor area complies with all other applicable provision in this By-law;

2.31.2 Setbacks from Environmental Protection One (EP1) Zone

Notwithstanding any other provision in this By-law, no building or structure shall be located within 30.0 metres of any Environmental Protection One (EP1) Zone. This provision shall not prevent the expansion or replacement of buildings or structures that existed on the effective date of this By-law within this setback area, provided the expansion or replacement does not have the effect of reducing the setback from the Environmental Protection One (EP1) Zone boundary.

Notwithstanding the above, this provision does not apply to a lot in a Plan of Subdivision or a lot created by consent that exists on the effective date of this By-law.

2.31.3 Setbacks from Watercourses

Notwithstanding any other provision in this By-law, no building or structure shall be located within 30.0 metres of the top of bank of any watercourse. The setback is reduced to 15.0 metres in the following Zones:

Country Residential (CR) Zone;
Rural Residential (RR) Zone;
Shoreline Residential (SR) Zone;
Limited Service Residential (LSR) Zone;
Shoreline Commercial (SC) Zone;
Marina Commercial (MC) Zone;
Employment Area (EA) Zone;
Hamlet Residential (HR) Zone;
Hamlet Commercial (HC) Zone;
Hamlet Employment (HE) Zone;
Future Development (FD) Zone; and,
Institutional (I) Zone.

This provision shall not prevent the expansion or replacement of buildings or structures that existed on the effective date of this By-law within this setback area, provided the expansion or replacement does not have the effect of reducing the setback from the watercourse.

2.31.4 Setbacks from Slopes

Notwithstanding any other provision in this By-law and notwithstanding that the slope may not be identified on the schedules to this By-law, no building or structure shall be located within 15.0 metres of the toe and top of a slope or embankment that exceeds 3 to 1 (33%). This provision shall not prevent the expansion or replacement of buildings or structures that existed on the effective date of this By-law within this setback area, provided the expansion or replacement does not have the effect of reducing the setback from the slope.

Notwithstanding the minimum setback of this Section, a lesser setback may be permitted, without the need to amend this By-law, where permission has been granted by the Township and any other applicable agency or authority through the submission of studies and/or reports deemed acceptable to the Director of Public Works or designate.

2.31.5 Setbacks for Group Homes

No group home shall be located any closer than 1000 metres to any other group home.

2.31.6 Minimum Distance Separation (MDS)

- a) Notwithstanding any other yard or setback provisions in this By-law, MDS formulae as amended by the Province from time to time shall be applied to all designations and zones where livestock facilities and anaerobic digesters are permitted.
- b) MDS I setbacks do not apply to residential development on existing lots of record.

2.31.7 Setback from County Roads

Notwithstanding any other provision in this By-law, no building or structure shall be located any closer to any County Road than as set out in the applicable By-law of the County of Simcoe.

2.31.8 Setback from Provincial Highway

Notwithstanding any other provision in this By-law, no building or structure shall be located any closer than 14.0 metres to a Provincial Highway or as set out in the applicable regulation of the Ministry of Transportation.

2.32 TEMPORARY USES

2.32.1 The following temporary uses are permitted in all Zones:

- a) A tool shed, construction trailer, storage container, scaffold or other building or structure incidental to construction is permitted in all Zones on the lot where the construction is taking place provided that a valid building permit has been issued and for so long as the work is in progress or for one year, whichever is less, from the date the building permit is issued. The location of the storage container must be setback a minimum of 3 metre from the front and/or exterior side lot line and 1 metre from all other lot lines.

- b) Where a dwelling is destroyed by fire or an Act of God, a mobile home or a recreational vehicle may be permitted as a temporary dwelling while the primary dwelling is being constructed or reconstructed on the premises, for so long as work is in progress or two years, whichever is the lesser from the date the building permit is issued for the primary dwelling house.

2.33 WIND TURBINES

2.33.1 Wind turbines that have a rated power capacity of 50Kw or less shall be permitted in the Agricultural (A), Greenlands (GL), Rural (RU) Zones provided:

- a) there is only one wind turbine per lot;
- b) the electricity that is generated is primarily used only on the lot where the wind turbine is situated;
- c) they are not located within any required yard;
- d) they are set back a distance measured from the centre of the wind turbine tower at its base from any lot line in accordance with the following:
 - i. 27 metres if the rated power capacity is less than 0.5kW;
 - ii. 27 metres for a turbine that has a rate power capacity of between 0.5kW to less than 2kW;
 - iii. 127 metres for a wind turbine that has a rate power capacity of between 2kW to less than 20kW; and
 - iv. 197 metres for wind turbines that have a rated power capacity of 20 to 50kW;
 - v. In no case shall a wind turbine be located closer than at least 1.2 times the height of the wind turbine plus 50% of the diameter of the rotor from any lot line. For the purposes of this Section, height shall be measured from the base of the wind turbine to the highest point on the wind turbine tower;
- e) they are set back 10.0 metres from any above ground utility line, except a utility line used to connect the subject property to the local utility;
- f) they do not exceed a height of 38 metres;
- g) the rotor blades and hub combined have a maximum diameter of 15 metres;
- h) the noise levels generated by a wind turbine shall be limited to not more than 25 decibels measured on the dBA scale at any lot line; and,

- i) they are erected and operated in such a manner that it does not interfere with the television or radio receipt of adjacent buildings or structures.

SECTION 3.0 PARKING AND LOADING

3.1 PARKING AREA REQUIREMENTS

- 3.1.1 When any new development is constructed, when any existing development is enlarged, or when any use is changed, off-street vehicular parking spaces shall be provided in accordance with the standards of this By-law. Any parking space required by this By-law must be maintained and available for parking purposes and used exclusively for that purpose.
- 3.1.2 The parking space requirements referred to herein shall not apply to any building or structure lawfully in existence on the date of passage of this By-law, so long as the gross floor area is not increased, and the use or number of dwelling units does not change. If any addition is made to a building or structure that increases its gross floor area or number of units, then parking spaces for the addition shall be provided in accordance with the parking space requirement Tables. Where a change in use occurs, parking spaces shall be provided for such new use in accordance with the requirements of the parking space requirement Table.

3.2 SIZE OF PARKING SPACES AND AISLES

- 3.2.1 Parking spaces shall have a minimum width of 3.0 metres and a minimum length of 6.0 metres. The length of any parking space and the width of the adjacent aisle shall be in accordance with Table 3.1 as follows:

Table 3.1

Column 1	Column 2
Angle of Parking space with Aisle	Min. Perpendicular Width of Aisle
60 to 90 degrees	6.0 metres
59 to 45 degrees	5.2 metres
44 degrees or less	3.6 metres

- 3.2.2 Access to a parking area from a public street shall be provided by an unobstructed driveway with a minimum width of 3.0 metres and a maximum width of 7.5 metres.

3.3 LOCATION OF USE AND PARKING

Parking spaces shall be located on the same lot as the use that requires the parking, except that parking spaces for a commercial use may be located on a separate lot used for commercial purposes provided the lot is within 300 metres of the lot on which parking for a commercial use is required provided an agreement pursuant to Sections 40 and/or 41 of the *Planning Act, R.S.O. 1990 c.P. 13* as amended is entered into.

3.4 MORE THAN ONE USE ON A LOT

The parking requirements for more than one use on a single lot or for a building containing more than one use, shall be the sum total of the parking requirements for each of the component uses, unless otherwise noted.

3.5 PARKING AREA LOCATION ON A LOT

3.5.1 Notwithstanding any other provisions of this By-law, uncovered surface parking areas shall be permitted in a required yard provided that:

- a) no parking space shall be permitted on a lot closer to any street line than 2.0 metres;
- b) no parking spaces for buildings containing three or more dwelling units shall be permitted in any required front, interior or exterior side yard(s);
- c) for a driveway that provides access to and from a public street, the minimum length of the driveway shall be 6 metres measured from the street line.
- d) no driveway or parking area is permitted within 3.0 metres of the boundary of a Residential Zone, if the driveway or parking area is in a non-residential Zone.

3.6 PARKING OF COMMERCIAL MOTOR VEHICLES

Within any Residential Zone, the owner or occupant of a dwelling unit may use a parking space for the purposes of parking or storage of one commercial motor vehicle, provided such motor vehicle does not exceed a capacity of 4,500 kg.

3.7 PARKING OF OVER-SIZED VEHICLES

3.7.1 No trailers, truck campers, camper trailers, boats or boat trailers are permitted to be parked out of doors in the required front or exterior side yards and on that portion of any driveway that is within the required front or exterior side yards.

3.7.2 Only those trailers, truck campers, camper trailers, boats or boat trailers registered in name of the owners of the property on which they are parked shall be permitted.

3.8 RESIDENTIAL PARKING REQUIREMENTS

3.8.1 The minimum parking requirement for residential uses shall be in accordance with Table 3.2 as follows:

Table 3.2

Column 1 Type or Nature of Use	Column 2 Minimum Off-Street Parking Requirements
Additional Dwelling Units	1 parking space per additional dwelling unit (Tandem parking permitted)
Bed and Breakfast Establishments	1 parking space for every room or each suite or unit used for the purposes of lodging for the traveling public, in addition to the required parking for the dwelling unit
Day Nurseries and Group Homes	1 parking space for every non-resident staff member in addition to the required parking for the dwelling unit
Home Occupation/ Home Industry	1 parking space for each employee in addition to the parking requirements for the residential use
Single, Semi, Duplex Dwellings	1 parking space per dwelling unit
Townhouse, Apartment Dwelling, Dwelling Triplex	1 parking space per dwelling unit plus 0.25 spaces per dwelling unit for visitor parking in a designated visitor parking area

3.8.2 Where the minimum number of parking spaces is calculated on the basis of a rate or ratio, the required number of spaces shall be rounded to the higher whole number.

3.9 NON-RESIDENTIAL PARKING REQUIREMENTS

The minimum parking requirements for non-residential uses shall be in accordance with Table 3.3 as follows:

Table 3.3

Column 1 Type or Nature of Use	Column 2 Minimum Off-Street Parking Requirements
Assembly Hall, Place of Entertainment	The greater of 1 parking space per 4 seat capacity or 1 parking space per 9 m ² of gross floor area
Hospital, Nursing or Retirement Home	3 parking spaces for every four beds
Hotel, Motel, Tourist Establishment, Tourist Cabin Establishment	1 parking space per guest room, plus 1 parking space for every four persons to be accommodated according to the maximum permitted capacity in a restaurant or assembly hall on the same lot.
Industrial use	1 parking space per 70 m ² of gross floor area
Marina	1 parking space per boat slip
Medical office	3 parking spaces per practitioner
Place of worship	1 parking space per 5.5 m ² of gross floor area
Restaurant	The greater of 1 parking space per 9 m ² of gross floor area or 1 space for every 4 persons to be accommodated at maximum permitted capacity
Retail store, Personal service shop and Repair shop, Dry cleaning depot	1 parking space per 20 m ² of gross floor area
School	The greater of:

Column 1 Type or Nature of Use	Column 2 Minimum Off-Street Parking Requirements
	- 1 parking space per classroom; - 1 parking space per 4.6 m ² of gross floor area in the gym or auditorium;
Uses permitted by this By-law other than those listed in this Table	1 parking space per 37 m ² of gross floor area

3.10 ACCESSIBLE PARKING

3.10.1 Designated parking spaces for disabled persons shall be provided in accordance with the provisions of this By-law and the Accessibility for Ontarians with Disabilities Act. The minimum parking requirements for accessible parking shall be as shown in Table 3.4 below:

Table 3.4

Column 1 Use	Column 2 No. of Required Parking spaces	Column 3 No. of Accessible Parking Spaces
Hospitals, Medical offices, Nursing homes, Retirement homes	1 to 30 31 to 60 61 to 100	Minimum of 1 space Minimum of 2 spaces Minimum of 3 spaces
All other uses not listed above	1 to 19 20 to 100 101 to 200 201 to 400	Minimum of 1 space Minimum of 2 spaces Minimum of 3 spaces Minimum of 4 spaces

3.10.2 Each off-street accessible parking space shall be a minimum of 6.0 metres long, 5.0 metres wide and have a vertical clearance of 3.0 metres.

3.10.3 In determining the location of the required accessible parking spaces, locations that provide greater accessibility in terms of distance from an accessible entrance or provide user convenience shall be selected.

3.10.4 For the purposes of subsection 3.10.3, the following criteria shall be considered in determining user convenience:

- a) Protection from the weather;
- b) Security;
- c) Lighting;
- d) Priority of maintenance.

3.11 QUEUING LANES

3.11.1 Where drive-through service facilities are permitted, queuing lanes are required and shall be exclusive of any other parking space and aisle requirements contained within this By-law and shall be provided in accordance with the provisions of this Section.

3.11.2 The minimum queuing space requirements within a designated queuing lane shall be as set out in Table 3.5. In addition, one space shall be provided for each point of service delivery.

Table 3.5

Column 1	Column 2	Column 3
Use Associated with Drive-Through Service Facility	Minimum Required Ingress Spaces	Minimum Required Egress Spaces
Financial Institution	3	1
Restaurant	10	2
Motor Vehicle Service Station or Fuel Bar	3	1
Motor Vehicle Washing Establishment	2 per bay	2
All Other Uses	3	1

3.11.3 Required ingress spaces shall be located before the first point of contact and required egress spaces shall be located after the final point of contact.

3.11.4 The length of the queuing lane associated with the drive-through service facility shall be the total number of required ingress spaces and egress spaces, plus one space for each point of service delivery and shall not form part of the required parking spaces or aisles.

3.11.5 Where multiple queuing lanes are required on a lot, the queuing space requirements shall be provided for each individual queuing lane in compliance with the provisions of this Section.

- 3.11.6 All queuing spaces shall be rectangular in shape, with a minimum length of 6.0 metres and a minimum width of 2.75 metres.
- 3.11.7 Queuing lanes and all order boxes using voice communication to order shall be located no closer than 30 metres from any road line or any Residential Zone.
- 3.11.8 Queuing lanes shall be unobstructed and shall be clearly delineated by pavement markings or physical barriers, and shall be independent of the balance of the parking area.

3.12 OFF-STREET BICYCLE PARKING FACILITY REQUIREMENTS

- 3.12.1 Bicycle parking facilities shall be provided and maintained for the identified uses of lots, buildings and structures in accordance with Table 3.6:

Table 3.6

Column 1 Use	Column 2 Minimum Bicycle Parking Facilities (number of bicycles)
Any use outside a settlement area	No minimum requirement
Art gallery, club, commercial school, daycare, financial institution, medical clinic, office, personal service shop, recreation facility, restaurant, retail store, studio	1 per 1000 m ² of gross floor area or 2, whichever is greater
Apartment dwelling	1 per dwelling unit
Industrial use	2 plus 0.25 per 1000 m ² of gross floor area
School, private or public	0.5 per classroom, excluding portables

- 3.12.2 Notwithstanding clause 3.12.1, in no case shall the number of bicycles required to be accommodated exceed 10 for any use.

3.13 LOADING SPACE REQUIREMENTS

- 3.13.1 When any new non-residential development is constructed, when any existing non-residential development is enlarged, or when any non-residential use is changed,

provision shall be made for off-street vehicular loading spaces as required in Table 3.7:

Table 3.7

Column 1	Column 2
Gross Floor Area of Building	Loading Space
278 m ² or less	0 loading spaces
279 m ² to 2322 m ²	2 loading spaces
2323 m ² or greater	3 loading spaces plus 1 additional loading space for each additional 9290 m ² gross floor area or fraction thereof in excess of 7432 m ² gross floor area

3.13.2 In addition to the above, the following provisions shall apply to each loading space:

- a) Each loading space shall be a minimum of 9 metres long, 3.5 metres wide and have a vertical clearance of at least 4 metres;
- b) Loading spaces must be provided adjacent to the primary use or building on the same lot as the use or building for which it is required. Required loading spaces shall be located in the interior side yard or rear yard;
- c) Access to a loading space(s) shall be by means of a driveway at least 6.0 metres wide contained within the lot on which the space(s) are located and leading to a street or land located within or adjoining the Commercial or Employment Zone(s);
- d) In any Commercial, Institutional or Employment Zone, no loading space shall be located closer than 3 metres to any interior side lot line or rear lot line that abuts a Residential Zone.

3.13.3 The loading space requirements of this By-law shall not apply to any building in existence at the date of passing of this By-law so long as the floor area, as it existed at such date, is not increased. If an addition is made to the building or structure that increases the floor area, then additional loading spaces shall be provided as required by the regulations of this By-law.

SECTION 4.0 PERMITTED USES

4.1 ZONES

Uses that are permitted in the following Zone categories are identified on the following Permitted Use Tables:

ZONES	TABLE
Environmental and Open Space Zones	Table 4.1
Residential Zones	Table 4.2
Commercial Zones	Table 4.3
Employment Zones	Table 4.4
Agricultural, Rural, and Aggregate Zones	Table 4.5
Other Zones	Table 4.6

Permitted uses in a Zone are noted by the symbol 'X' in the column for that Zone corresponding with the row for a specific permitted use. A number or numbers following the symbol 'X', or following the Zone heading, or following the name of a permitted use, indicates that one or more special provisions apply to the noted use or Zone. Special provisions are listed at the end of each table. If a use is not listed on the table, it is not permitted.

TABLE 4.1 – ENVIRONMENTAL AND OPEN SPACE ZONES

	Column 1	Column 2	Column 3	Column 4	Column 5
	PERMITTED USE	Environmental Protection (EP1)	Environmental Protection Two (EP2)	Open Space (Public Lands) (OS)	Open Space (Private Lands) (OS1)
1	Agricultural use	X(1)(2)	X(1)(2)		
2	Agricultural intensive use	X(1)(2)	X(1)(2)		
3	Agricultural specialized use	X(1)(2)	X(1)(2)		
4	Conservation use	X	X	X	X
5	Nature interpretation centre	X	X	X	X
6	Park, public	X(2)	X(2)	X	

	Column 1	Column 2	Column 3	Column 4	Column 5
	PERMITTED USE	Environmental Protection (EP1)	Environmental Protection Two (EP2)	Open Space (Public Lands) (OS)	Open Space (Private Lands) (OS1)
7	Park, private				X

Special Provisions

- (1) Only agricultural uses that existed on the date of passage of this By-law are permitted.
- (2) No buildings or structures, except those required for flood and erosion control are permitted.

TABLE 4.2 - RESIDENTIAL ZONES

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
	PERMITTED USE	Rural Residential (RR)	Country Residential (CR)	Shoreline Residential (SR)	Limited Service Residential (LSR)	Hamlet Residential (HR)	Greenlands (GL)
1	Additional Dwelling Units	X	X			X	X
1	Boarding house					X	
2	Child Care Centre					X	
3	Dwelling, single detached	X	X	X	X	X	X
4	Dwelling, semi-detached	X				X	
5	Dwelling, duplex	X				X	
6	Group Home A	X				X	
7	Home occupation	X	X	X	X	X	X
8	Home industry						X
9	On-farm diversified use						X (1)
9	Private home daycare	X	X	X	X	X	X

Special Provisions

- (1) Permitted with existing agricultural uses only.

TABLE 4.3 - COMMERCIAL ZONES

	Column 1	Column 2	Column 3	Column 4	Column 5
	PERMITTED USE	Shoreline Commercial (SC)	Marine Commercial (MC)	Hamlet Commercial (HC)	Rural Commercial (RC)
1	Agricultural support use			X	X
2	Assembly hall	X		X	
3	Bed and breakfast establishment	X		X	
4	Building supply outlet			X	
5	Business office	X		X	
6	Commercial school			X	
7	Convenience store	X		X	X
8	Craft shop/studio	X		X	X
9	Day nursery			X	
10	Dwelling, Detached		X		
11	Dry cleaning depot	X		X	
12	Emergency service depot	X		X	X
13	Equipment sales and rental establishment			X	X
14	Farm implement dealer			X	X
15	Financial Institution			X	
16	Funeral home			X	
17	Gasoline establishment			X	X
18	Hotel/Motel	X		X	
19	Library			X	
20	Marina		X		
21	Medical office	X		X	
22	Motor vehicle dealership			X	
23	Motor vehicle repair garage			X	
24	Museum			X	
25	Nursery			X	
26	Personal service shop	X		X	X
27	Place of amusement	X		X	
28	Private club	X		X	

	Column 1	Column 2	Column 3	Column 4	Column 5
	PERMITTED USE	Shoreline Commercial (SC)	Marine Commercial (MC)	Hamlet Commercial (HC)	Rural Commercial (RC)
29	Private school			X	
30	Recreational equipment sales and rental	X		X	X
31	Repair shop			X	X
32	Restaurant	X		X	
33	Retail store	X		X	X
34	Tourist establishment	X		X	
35	Tourist cabin establishment	X			
36	Veterinary clinic			X	X
37	Woodworking or Metalworking Establishment			X	X

TABLE 4.4 - EMPLOYMENT ZONES

	Column 1	Column 2	Column 2	Column 4
	PERMITTED USE	Employment Area (EA)	Hamlet Employment (HE)	Rural Employment (RE)
1	Agricultural support use		X	X
2	Airport	X		
3	Assembly hall	X		
4	Bulk fuel depot	X		X
5	Business office	X		
6	Commercial school	X		X
7	Commercial self-storage facility	X	X	X
8	Contractors yard	X		X
9	Convenience store	X		
12	Dwelling, Detached			X
13	Emergency service depot	X		
14	Equipment sales and rental establishment	X		
15	Farm implement dealer	X		X
16	Gasoline establishment	X		
17	Hotel/Motel	X		
18	Industrial use	X	X	X
19	Medical office	X		
20	Motor vehicle body shop			X
22	Motor vehicle repair garage			X
25	Personal service shop	X		
26	Private club	X		
27	Private school	X		
28	Recreational	X		

	Column 1	Column 2	Column 2	Column 4
	PERMITTED USE	Employment Area (EA)	Hamlet Employment (HE)	Rural Employment (RE)
	equipment sales and rental			
29	Repair shop	X		
30	Restaurant	X		
31	Retail store	X		
32	Saw mill, or planing mill or woodchipping establishment			X
33	Service and repair shop			X
34	Transportation terminal	X	X	X
35	Warehouse		X	X
36	Woodworking or Metalworking Establishment	X	X	X

TABLE 4.5 - AGRICULTURAL, RURAL AND AGGREGATE ZONES

	Column 1	Column 2	Column 3	Column 4	Column 5
	PERMITTED USE	Agricultural (A)	Agricultural One (A1)	Rural (RU)	Mineral Aggregate Resources (MAR)
1	Additional dwelling units	X		X	
2	Agricultural use	X	X	X	X
3	Agricultural intensive use	X	X	X	
4	Agricultural specialized use	X	X	X	
5	Conservation use	X	X	X	
6	Dwelling, Detached	X		X	
7	Dwelling, duplex	X		X	
8	Dwelling, semi-detached	X		X	
9	Emergency service depot			X	
10	Equestrian facility	X	X	X	
11	Farm produce outlet	X	X	X	
12	Forestry use	X	X	X	X
13	Group Home A			X	
14	Hobby farm	X		X	
15	Home industry	X	X	X	
16	Home occupation	X		X	
17	Mineral aggregate operation				X
18	Nature interpretation centre	X	X	X	
19	Nursery	X	X	X	
20	On-farm diversified use	X	X	X	
21	Private home daycare			X	
22	Saw mill, planing mill or woodchipping establishment			X	
23	Veterinary clinic	X	X	X	

TABLE 4.6 - OTHER ZONES

	Column 1	Column 2	Column 3	Column 4
	PERMITTED USE	Institutional (I)	Future Development (FD)	Waste Disposal (WD)
1	Accessory Detached Dwelling	X		
2	Agricultural use		X	X
3	Cemetery	X		
4	Community centre	X		
5	Conservation use	X	X	
6	Detached Dwelling		X	
7	Emergency service depot	X		
8	Forestry use		X	X
9	Library	X		
10	Nature interpretation centre			
11	Nursing home	X		
12	Place of worship	X		
13	Public office	X		
14	Recycling establishment			X
15	Retirement home	X		
16	School, Public	X		
17	Utilities	X		
17	Waste disposal site			X
18	Waste transfer station			X

SECTION 5.0 ZONE STANDARDS

5.1 ZONE STANDARDS

Standards for the following *Zone* categories are identified in the following Sections:

ZONES	TABLE
Environmental, Open Space, and Greenlands <i>Zones</i>	Table 5.1
Residential <i>Zones</i>	Table 5.2
Commercial and Employment <i>Zones</i>	Table 5.3
Agricultural, Rural and Aggregate <i>Zones</i>	Table 5.4
Other <i>Zones</i>	Table 5.5

A number following the *Zone* Standard, *Zone* heading or the description of the standard, indicates an additional *Zone* requirement. These additional standards are listed at the end of each subsection as special provisions.

TABLE 5.1 - ENVIRONMENTAL, OPEN SPACE AND GREENLAND ZONES

	ZONE STANDARD	Environmental Protection One (EP1)	Environmental Protection Two (EP2)	Open Space (OS)	Open Space One (OS1)	Greenlands (GL)
1	<i>Minimum lot area</i>	n/a	n/a	n/a	n/a	n/a
2	<i>Minimum lot frontage</i>	n/a	n/a	n/a	n/a	n/a
3	<i>Minimum required front yard</i>	n/a	n/a	8.0 m *	8.0 m *	8.0 m *
4	<i>Minimum required exterior side yard</i>	n/a	n/a	8.0 m *	8.0 m *	8.0 m *
5	<i>Minimum required interior side yard</i>	n/a	n/a	3.0 m	3.0 m	3.0 m
6	<i>Minimum required rear yard</i>	n/a	n/a	8.0 m	8.0 m	8.0 m
7	<i>Maximum lot coverage</i>	n/a	n/a	30%	30%	20%
8	<i>Maximum height</i>	n/a	n/a	11.0 m	11.0 m	11.0 m

***NOTE:** Reference should also be made to Section 2.0 (General Provisions) for other applicable setbacks.

TABLE 5.2 - RESIDENTIAL ZONES

	ZONE STANDARD	Rural Residential (RR)	Country Residential (CR)	Shoreline Residential (SR)	Limited Service Residential (LSR)	Hamlet Residential (HR)
1	Minimum <i>lot area</i> **	4000 m ²	8000 m ²	4000 m ²	4000 m ²	2000 m ²
2	Minimum <i>lot frontage</i> **	38 m	45 m	30 m	30 m	30 m
3	Minimum required <i>front yard</i>	8.0 m *	8.0 m *	8.0 m *	8.0 m *	8.0 m *
4	Minimum required <i>exterior side yard</i>	8.0 m *	8.0 m *	8.0 m *	8.0 m *	8.0 m *
5	Minimum required <i>interior side yard</i>	3.0 m	4.0 m	3.0 m and 1.8 m (1)	3.0 m and 1.8 m (1)	3.0 m and 1.8 m (1)
6	Minimum required <i>rear yard</i>	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m
7	Maximum <i>lot coverage</i>	30%	30%	25%	25%	30%
8	Maximum <i>height of dwelling</i>	11.0 m	11.0 m	11.0 m	11.0 m	11.0 m

***NOTE:** Reference should also be made to Section 2.0 (General Provisions) for other applicable *setbacks*.

****NOTE:** Reference should be made to Section 2.16.1 (Non-Complying Lots). This section recognizes the lot area and lot frontage of existing lots of record.

Special Provisions

(1) In addition, attached *garages* and *carports* can encroach into the *required interior side yard* provided they are no closer than 1.0 metre from the *interior side lot line*. This provision only applies to the 1.8 m side of the required interior side yard in order to ensure the 3 m side is maintained throughout the structure.

TABLE 5.3 - COMMERCIAL AND EMPLOYMENT ZONES

	ZONE STANDARDS	Shoreline Commercial (SC)	Marina (MA)	Hamlet Commercial (HC)	Rural Commercial (RC)	Hamlet Employment (HE)	Rural Employment (RE)
1	Minimum <i>lot area</i> **	4000 m ² (2)	4000 m ²	2000 m ²	2000 m ²	2000 m ²	4000 m ²
2	Minimum <i>lot frontage</i> **	30 m (1)	30 m	30 m	38 m	30 m	38 m
3	Minimum <i>required front yard</i>	8.0 m *	8.0 m *	8.0 m *	8.0 m *	8.0 m *	8.0 m *
4	Minimum <i>required exterior side yard</i>	8.0 m *	8.0 m *	8.0 m *	8.0 m *	8.0 m *	8.0 m *
5	Minimum <i>required interior side yard</i>	3.0 m (3)	7.5 m	3.0 m (3)	7.5 m	3.0 m (3)	7.5 m
6	Minimum <i>required rear yard</i>	6.0 m	6.0 m	6.0 m	6.0 m	6.0 m	6.0 m
7	Maximum <i>lot coverage</i>	40%	40%	40%	40%	40%	30%
8	Maximum <i>height</i>	11.0 m	11.0 m	11.0 m	11.0 m	11.0 m	11.0 m

***NOTE:** Reference should also be made to Section 2.0 (General Provisions) for other applicable setbacks.

****NOTE:** Reference should be made to Section 2.16.1 (Non-Complying Lots). This section recognizes the lot area and lot frontage of existing lots of record.

Special Provisions

- (1) The *minimum lot frontage* for *hotels* and *motels* shall be increased to 48 metres if the *lot* is not serviced by a water system operated by a *public authority*.
- (2) The *minimum lot area* for a *tourist cabin establishment* or a *tourist establishment* is 3,000 m² plus 500 m² for each additional guest room or tourist cabin, if the *use* has four or more rooms or tourist cabins.
- (3) The *minimum required interior side yard* shall be 7.5 metres if the *yard* abuts a Residential Zone boundary.

TABLE 5.4 - AGRICULTURAL, RURAL AND AGGREGATE ZONES (A, A1, RU, MAR)

PART A - ZONE STANDARDS

STANDARD	
Minimum lot area**	19.8 ha
Minimum lot frontage**	152 m
Minimum required front yard	8.0 m*
Minimum required exterior side yard	8.0 m*
Minimum requires interior side yard	3.0 m
Minimum required rear yard	7.5 m
Maximum lot coverage	30%
Maximum height	11.0 m

PART B - PROVISIONS FOR CERTAIN BUILDINGS, EXCEPT SINGLE DETACHED, SEMI-DETACHED AND DUPLEX DWELLINGS

	<i>Barns, agricultural buildings</i>	<i>Veterinary clinics, home industries and including any accessory outdoor storage</i>
Minimum <i>setback</i> from <i>front lot line</i>	30.0 m	30.0 m
Minimum <i>setback</i> from <i>exterior side lot line</i>	30.0 m	30.0 m
Minimum <i>setback</i> from <i>interior side lot line</i>	30.0 m	30.0 m
Minimum <i>setback</i> from <i>rear lot line</i>	30.0 m	30.0 m
Maximum <i>height</i>	N/A	11.0 m

***NOTE:**

- Provisions for *accessory buildings* not dealt with in Part B are in Section 2.1.2 (Provisions for detached accessory *buildings* and *structures* in all residential *zones*) of this By-law.
- Reference should also be made to Section 2.0 (General Provisions) for other applicable *setbacks*.

****NOTE:** Reference should be made to Section 2.16.1 (Non-Complying Lots). This section recognizes the lot area and lot frontage of existing lots of record.

TABLE 5.5 - OTHER ZONES

	ZONE STANDARDS	Future Development (FD)	Institutional (I)	Waste Disposal (WD)
1	<i>Minimum lot area**</i>	4000 m ²	8000 m ²	8000 m ²
2	<i>Minimum lot frontage**</i>	38 m	45 m	45 m
3	<i>Minimum required front yard</i>	8.0 m *	8.0 m *	8.0 m *
4	<i>Minimum required exterior side yard</i>	8.0 m *	8.0 m *	8.0 m *
5	<i>Minimum required interior side yard</i>	3.0 m	7.5 m	7.5 m
6	<i>Minimum rear yard</i>	7.5 m	7.5 m	7.5 m
7	<i>Maximum lot coverage</i>	30%	30%	30%
8	<i>Minimum open space</i>	n/a	n/a	n/a
9	<i>Maximum height</i>	11.0 m	14.0 m	n/a

***NOTE:** Reference should also be made to Section 2.0 (General Provisions) for other applicable setbacks

****NOTE:** Reference should be made to Section 2.16.1 (Non-Complying Lots). This section recognizes the lot area and lot frontage of existing lots of record.

SECTION 6.0

EXCEPTION ZONES, HOLDING ZONES, TEMPORARY USES

6.1 EXCEPTIONS

The provisions of this By-law are modified as set out in Table 6.1 below for Zone Exceptions which are shown on the attached Schedule(s) with a Zone Symbol followed by one or more numbers following the dash (-) symbol, such as SR-1, where the numbers following the dash (-) symbol refer to Exceptions number that apply to the lands noted.

- Column 1 sets out the exception number of each zone exception which corresponds to an area of the Township identified on the Zoning Schedules by the same number and zone, preceded by a dash and the, denoting an exception. (i.e. SR-88)
- Column 2 sets out the additional uses permitted in the zone exception, if applicable.
- Column 3 sets out the only uses permitted in the zone exception, if applicable.
- Column 4 sets out the prohibited uses in the zone exception, if applicable.
- Column 5 sets out the zone requirements for the zone exception, if applicable.
- Column 6 sets out any additional provisions for the zone, if applicable.

All other provisions of the zone, unless specifically modified or amended by this Section, continue to apply to the lands subject to this Section.

Table 6.1

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
RU-1	A woodworking establishment within an existing accessory structure			a) The woodworking establishment is not to exceed 10.4 metres by 22.9 metres; b) No outside storage is permitted as part of the woodworking establishment.	
SR-2				Minimum lot area – 0.6 ha	
SR-3				a) Min lot area – 0.4 ha b) Min required rear yard – 0 m	The portion of the lot Zoned SR-55 may be included in calculating the area of the lot

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
					for development purposes
SR-4	Two bedroom bed and breakfast establishment				
RR-5	Two bedroom bed and breakfast establishment				
HR1-6	A three bedroom bed and breakfast establishment				
SR-7	A three bedroom bed and breakfast establishment				
RU-8	Restaurant/chip wagon			Minimum setback from Lafontaine Road West (County Road 26) – 10 m	For the purposes of this Exception, a Restaurant/Chip Wagon means premises where a trailer is used for the preparation and serving of food and refreshments to the public for consumption.
SR-9	Single detached dwelling			a) Minimum lot area – 2 ha b) Maximum footprint for detached accessory structure – 140 m ²	
RR-10	Storage and service shop for electrical contracting			Maximum service shop ground floor area – 120 m ²	
RR-11	Home industry			Maximum home industry gross floor area – 310 m ²	
GL-12 RU-12	Accessory building used for a studio and			Maximum music business gross floor area – 52 m ²	

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
	storage area for a music business				
SR-13	Home industry Contractors yard				
SR-14	Duplex				
SR-15	Semi-detached dwelling				
SR-16				<p>a) Minimum lot area – 3600 m²</p> <p>b) Minimum lot frontage – 50 m</p>	<p>a) All buildings and structures, except boathouses, shall be setback no less than 15 metres from the 178.0 metre GSC elevation</p> <p>b) No openings to any dwellings shall have an elevation of less than 178.1 metres, GSC</p>
SR-17				<p>a) Minimum lot area – 2400 m²</p> <p>b) Minimum lot frontage – 50 m</p> <p>c) Minimum setback from the top of slope – 1 m</p>	<p>a) All buildings and structures, except boathouses, shall be set back no less than 15 metres from the 178.0 metre GSC elevation.</p> <p>b) This By-law shall not prohibit the erection of structures which are necessary and form an integral part of a properly engineered</p>

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
					stairway or walkway system for traversing the slope.
SR-18				<p>a) Minimum lot area – 2,400 sq. m.;</p> <p>b) Minimum lot frontage – 50.0 m</p> <p>c) Minimum setback from the top of slope – 12.0 m</p>	<p>a) All buildings and structures, except boathouses, shall be set back no less than 15 metres from the 178.0 metre GSC elevation.</p> <p>b) This By-law shall not prohibit the erection of structures, which are necessary and form an integral part of a properly engineered stairway or walkway system for traversing the slope.</p>
SR-19				<p>a) Minimum lot area – 6,700 sq.m</p> <p>b) Minimum lot frontage – 80.0 m.</p>	All buildings and structures, except boathouses, shall be set back no less than 15 metres from the 178.0 metre GSC elevation.
SR-20				a) Minimum lot area – 14,000 sq.m	

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
				b) Minimum lot frontage – 80.0 m	
SR-21				Minimum setback from centerline of Concession 21W – 270.0 m.	
SR-22				a) Minimum lot area – 0.8 ha b) Minimum lot frontage – 60.0 m	
SR-23		Apartment building		a) Maximum number of 1 bedroom units – 3 b) Maximum number of 2 bedroom units - 8	
RE-24	a) Motor vehicle body/repair shop b) Salvage or wrecking yard				
EA-25		a) An aircraft construction business and the manufacturing of aircrafts and aircraft parts; b) An accessory single detached dwelling.		Minimum setback of industrial buildings or structures from dwellings units on adjacent lots – 90.0 m	
GL-26					No tower or structure for overhead lighting may be erected which could be mistaken by a mariner as the Giant’s Tomb Island navigation light.
GL-27 RU-27	Assembly hall				
OS1-28		a) Dock b) Private park			All buildings and structures,

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
		c) Single detached dwelling			except boathouses, shall be set back no less than 15 metres from the 178.0 metre GSC elevation.
OS1-29		a) Outside boat storage facility b) Parking lot c) Private park			
OS-30		A conservation use			
EP2-31		Single detached dwelling		The provisions of the Greenlands (GL) Zone shall apply.	
RU-32		a) Existing structures on the date of passage of this By-law b) Golf course	A club house	Minimum required landscaping strip width adjacent to the street line – 3.0 m.	
RR-33	b) Industrial and warehousing uses c) Veterinary clinic d) Business office e) Assembly and repair shop f) Contractor's yard g) Service and repair shop.				
RU-34 and GL-34	A three bedroom bed and breakfast establishment				
A-35	A microwave repeater tower				
RU-36	a) Private recreational park consisting of a meeting hall, picnic shelter, campsite area and			a) Maximum sleeping facility capacity – 40 b) Maximum number of campsites – 10 c) Minimum lot size – 5.26 ha.	

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
	supporting recreational facilities				
RU-37 and GL-37	a) A five hole golf course with only the following accessory buildings or structures: i. maintenance sheds; ii. pumphouses; iii. shelters for weather protection; iv. washroom facilities. b) Passive recreational uses		Saw/planning mill and woodchipping establishment		
RU-38	A detached building for the storage of materials and equipment associated with a roofing business			a) Minimum lot area – 7.0 ha b) Maximum detached building gross floor area – 133.8 sq.m.	
RU-39 and GL-39	a) A golf driving range b) Accessory reception booths and washroom facility			a) Maximum reception booth gross floor area – 16.0 sq. m. b) Minimum required number of parking spaces – 10	
RU-40 and GL-40	a) Indoor storage facilities for the storage and repair of commercial tents b) Manufacturing of farm fabric shelters and tents and			a) Minimum lot area – 16.0 ha b) Minimum lot frontage – 30.0 m c) Maximum total gross floor area – 1063.0 sq.m.	Total gross floor area shall include storage areas within either a permanent or temporary structure.

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
	wholesale distribution of same.				
RU-41 and GL-41	A home industry			<ul style="list-style-type: none"> a) Minimum lot area – 3.6 ha b) Minimum lot frontage – 125.0 m. c) Maximum total gross floor area of the home industry – 558.0 sq.m. d) Maximum height of home industry – 5.0 m. 	The retail sale of any product is not permitted
RU-42 and GL-42	<ul style="list-style-type: none"> a) Boat storage facility b) Woodworking establishment 			<ul style="list-style-type: none"> a) Maximum number of detached boat storage buildings – 8 b) Maximum gross floor area for 4 detached boat storage buildings – 651 square metres c) Maximum gross floor area for 2 detached boat storage buildings – 1487 square metres d) Maximum gross floor area for 2 detached boat storage buildings – 1896 square metres e) Maximum boat storage building height – 9.2 metres f) Minimum landscaped open space area width adjacent to Macavalley Road and Concession Road 16 East – 3.0 metres g) The woodworking establishment use is limited to one building having an area not to exceed 298 square metres 	
A-43	<ul style="list-style-type: none"> a) Retail sales of produce grown on- and off-site; b) A seasonal fruit, vegetable, flower or farm produce stand 			The farm produce stand shall not exceed 30 sq. m.	
RU-44 and GL-44	A home occupation			<ul style="list-style-type: none"> a) Maximum accessory building length – 16.9 m. 	

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
	relating to the manufacturing, refurbishing and sale of antiques, collectibles and reproductions in an accessory building with no outside storage			b) Maximum accessory building width – 9.2 m.	
RU-45 and GL-45	A fiberglass repair shop		a) Expansion of existing use b) Small motor repairs c) Outdoor storage	Detached accessory structure shall not exceed 167.17 sq. m.	
HC-46	A contractor's yard				
GL-47				a) Maximum accessory building gross floor area – 140.0 sq.m. b) Maximum number of horses accommodated in the accessory building – 3	
HR-48		a) A retirement home b) Townhouse dwelling units		a) Minimum lot area – 2.0 ha. b) Minimum lot frontage – 29.0 m. c) Minimum required front yard – 73.0 m. d) Minimum required rear yard – 7.5 m. e) Minimum required side yards – 5.0 m. f) Maximum lot coverage – 30% g) Maximum retirement home height – 11.0 m. h) Maximum townhouse building height – 11.0 m.	
RU-49 & GL-49	a) Single detached dwelling b) Private park c) Chartered club whose primary				

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
	purpose is for recreational purposes.				
SC-50	a) Single detached dwelling b) Private park c) Chartered club whose primary purpose is for recreational purposes.				
RU-51		a) Conservation use b) Golf course c) Golf driving range d) A nature interpretation centre			
SR-52				a) Maximum bunkie footprint – 72.0 sq.m. b) Minimum required front yard – 13.0 m. c) Minimum required side yard – 1.0 m. d) Minimum required rear yard – 7.5 m.	
SC-53		A private club		a) Minimum lot area – 4047 sq.m. b) Minimum lot frontage – 90.0 m. c) Minimum required front yard – 8.0 m. d) Minimum required interior side yard – 8.0 m. e) Minimum required exterior side yard – 8.0 m. f) Minimum required rear yard – 8.0 m. g) Maximum lot coverage – 30% h) Maximum height – 11.0 m.	
MAR-54	A tree stump dump				
SR-55		a) Conservation uses	a) All Buildings and structures		

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
		b) Passive outdoor recreational uses	b) Septic systems		
SR-56				Minimum lot area – 6,400 square metres	All buildings and structures, except boathouses, shall be setback not less than 15 metres from the 178.0 metre GSC elevation.
RU-57 and GL-57	a) Home industry – woodworking furniture shop b) Home industry – boat top making, upholstery shop.			Minimum lot area – 4.0 ha.	a) Outside storage is prohibited relative to the home industry b) The home industry is limited to the existing structure
GL-58					Existing uses and buildings and structures accessory thereto which may include a minor extension, an addition which shall not exceed 19 square metres or the replacement of an existing building which is less than 75 square metres or an extension or enlargement of the floor area to 75 square metres is permitted
SR-59	A two (2) bedroom apartment				

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
SR-60					All buildings and structures shall be setback not less than 15 metres from the 178.0 metre GSC elevation. All buildings and structures shall be setback not less than 30 metres from water's edge of Georgian Bay.
RU-61 and GL-61	Gift and craft shop				
A-62	A two-bedroom bed and breakfast establishment				
HR-63	A two-bedroom bed and breakfast establishment				
RU-64 and GL-64	A woodworking shop within an existing accessory structure.			a) Home industry not to exceed 9.75 metres by 18.28 metres b) Outside storage is prohibited relative to the home industry	
RU-65 and GL-65	A transmission repair shop.			a) The transmission repair shop to be housed within an existing 9.1 m by 17.6 m detached steel building b) No outside storage is permitted relative to the transmission repair shop c) No more than 3 vehicles may be parked outside at any given time that are in relation to the business	

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
GL-66					All of the lands subject to the GL-66 Zone shall be deemed to be one lot only for the purpose of this By-law.
RE-67	A used motor vehicle dealership				
HE-68	a) Contractor's shop b) Service and repair shop.			a) Minimum required front yard -14 m. b) Minimum required exterior side yard -3 m. c) Minimum required interior side yard -1.5 m.	
RU-69 and GL-69	A three Bedroom Bed and Breakfast Establishment			a) One parking space per rental room b) One parking space for the detached dwelling	
HC-70		A gift and antique shop			
HR-71		a) A single detached dwelling b) A home occupation		a) Minimum lot area – 4.0 hectares b) Minimum lot frontage – 75 metres	
SR-72				All buildings and structures, except boathouses, shall be set back no less than 15 metres from the 178.0 metre GSC elevation	
LSR-73				All buildings and structures, except boathouses, shall be set back no less than 15 metres from the 178.0 metre GSC elevation.	
OS1-74				All buildings and structures, except boathouses, shall be set back no less than 15 metres from the 178.0 metre GSC elevation	
SC-75		a) An eight unit motel		a) Minimum Lot Frontage – 30 m.	

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
		<p>b) A separate detached four unit residential dwelling and one unit is to accommodate the owner or caretaker</p> <p>c) The rental of non-motorized watercraft, such as canoes, paddle boats, and sail boats.</p>		<p>b) Minimum Lot Area – 2100 sq. m.</p> <p>c) Minimum setback distance from centreline of road – 10 m.</p> <p>d) Minimum interior side yard setback – 2.3 m.</p> <p>e) Minimum distance between buildings – 5.5 m.</p> <p>f) Parking shall be permitted within the required front yard</p> <p>g) Minimum number of parking spaces – 19</p>	
SR-76				<p>a) Minimum lot area – 7,410 sq. m.</p> <p>b) Minimum lot frontage – 50 m.</p> <p>c) Minimum required front yard – 8 m.</p> <p>d) Minimum required interior side yard – 3 m.</p> <p>e) Minimum required rear yard – 100 m.</p> <p>f) Maximum lot coverage – 8%</p> <p>g)</p>	
HE-77	A Single Detached Dwelling				
OS1-78	Accessory Boathouse no living accommodation				
OS1-79	One detached structure (garage)			<p>a) Maximum lot coverage – 93 square metres</p> <p>b) Maximum building height – 5.0 metres</p> <p>c) Minimum interior side yard setbacks – 3.0 metres</p> <p>d) Minimum Front Yard Setback – 8.0 metres</p> <p>e) Minimum Rear Yard Setback – 7.5 metres</p>	That, as may be required, the subject lands will provide for a septic system that will service the subject lands and a dwelling on the waterfront lands across the street

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
					on the east side of West Shore Drive described as Parts 17, 18, 29, and 30, 51R-37915 (Roll #14-382-00), in accordance with all applicable Provincial and Municipal regulations and approvals
RU-80		<p>a) Maximum of 290 seasonal sites for tents and trailer</p> <p>b) Seasonal group camping area with the potential to accommodate no more than 75 campers</p> <p>c) 10 cabins for year round use</p> <p>d) Passive recreational trails and observation tower, provided no motorized vehicles are permitted on such trails except for construction and maintenance purposes</p> <p>b) Recreational and open space uses such as tennis and basketball courts and a baseball diamond</p> <p>c) Lodge/recreation complex including a dwelling unit as an accessory use to</p>	Any hunting for which a fee or other consideration is paid to the owner or operator.	<p>a) Minimum Setback from the top of bank of Nipissing Bluff – 20.0 metres</p> <p>b) Minimum Lot Area – 26 hectares</p> <p>c) Minimum Lot Frontage – 50 metres</p> <p>d) Maximum Gross Floor Area for Lodge/Recreation Complex – 1,500 square metres</p>	

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
		<p>the recreational park for the park owner and/or manager, but which does not include any accommodation facilities</p> <p>d) Medical clinic for a maximum of two practitioners, and related medical services;</p> <p>e) A tuck shop</p> <p>f) Laundry facilities</p> <p>g) Comfort stations (washrooms and shower facilities)</p> <p>h) Indoor or outdoor swimming pool;</p> <p>i) Mountain bike facilities</p>			
GL-81 EP2-81		<p>a) Passive recreational trails</p> <p>b) Conservation use</p>	<p>a) Any motorized vehicles (including all terrain vehicles and motorbikes) on any recreational trails, except for construction and maintenance purposes</p> <p>b) Any buildings and structures, except for a kiosk that has a floor area of less than 10 square metres</p> <p>c) Any hunting for which a fee or other consideration is</p>		

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
			paid to the owner or operator d) No buildings or structures		
A-82	Private access driveway in association with development on Lot 25, Concession 2		Any hunting for which a fee or other consideration is paid to the owner or operator		
SR-83	A detached accessory apartment dwelling unit			a) Accessory apartment dwelling shall not exceed 144 square metres b) Maximum lot coverage for all accessory structures – 167 square metres	All buildings and structures, except boathouses, shall be set back no less than 15 metres from the 178.0 metre GSC elevation
SC-84		a) Bed and Breakfast establishment b) Convenience Store c) Craft Shop/Studio d) Hotel/Motel e) Private Club f) Tourist Establishment g) Tourist Cabin Establishment The only permitted accessory uses are: a) Business Office b) Dry Cleaning Depot c) Personal Service Shop d) Place of Amusement e) Recreational Equipment Sales and Rental		a) Maximum Permitted Lot Coverage – 25% b) Minimum Width of Landscaping adjacent to the south lot line where required – 3.5 metres c) Required landscaping is required to begin at a point that is 25.4 metres from the 178m GSC elevation and which extends eastwards to the private right of way on the lands. d) For the purposes of Subsection b), landscaping means a combination of indigenous trees, indigenous shrubs, common grass and other horticultural elements which are designed to enhance the visual amenity of a property and buffer and soften views to the subject property where such	

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
		f) Restaurant		landscaping is required from adjacent land uses. Such landscaping will include a combination of species to provide buffer function. Any naturally regenerating landscaping shall be left undisturbed.	
RR-85	a) Home Industry b) The Home Industry allows for the welding, fabricating and repair of motorized vehicles and/or trailer		Mechanical repairs to any types of motorized vehicles and/or small engines		
SR-86				a) Minimum lot area – 8,661 square metres b) Minimum lot frontage – 78.75 metres c) Minimum required front yard – 8 metres d) Minimum required interior side yard – 3 metres e) Minimum required rear yard – 100 metres f) Maximum lot coverage – 6% g) Minimum required setback from top of bank or watercourse – 30 metres	
SR-87				a) Minimum lot area – 10,086 square metres b) Minimum lot frontage – 71 metres c) Minimum required front yard – 8 metres d) Minimum required interior side yard – 3 metres e) Minimum required rear yard – 100 metres f) Maximum lot coverage – 5%	

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
				g) Minimum required setback from top of bank or watercourse – 30 metres	
RR-88	Boat Top Upholstery and Inflatable Boat Repair Shop		a) Mechanical repairs to any types of motorized vehicles and/or small engines b) No outside storage	Shop shall not to exceed 112 square metres	
HR-89	Taxi Business				
HC-90	Small Animal Veterinary Clinic				
MAR-91	Woodchipping Establishment				
RE-92	Duplex Dwelling				
RR-93	Six unit Bed and Breakfast Establishment				
RU-94 and GL-94			a) Dwelling, Detached b) Dwelling, Duplex c) Dwelling, Semi-Detached		
SR-95	One detached structure (garage)			a) Minimum ground floor area- 65 m ² b) Maximum lot coverage – 9.3 % c) Maximum building height - 5 metres d) Minimum interior side yard setbacks - 3.0 metres and 2.3 metres e) Minimum front yard setback - 9.58 metres	
GL-96	A kennel			Maximum ground floor area for kennel – 72 square metres	
SR-97				Minimum Rear Yard Setback for all Buildings and Structures – 125 m.	

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
SR-98				Minimum Rear Yard Setback for all Buildings and Structures – 135 m.	
SR-99				Minimum Rear Yard Setback for all Buildings and Structures – 145 m.	
SR-100				Minimum Rear Yard Setback for all Buildings and Structures – 80 m.	
SR-101				a) Minimum Lot Frontage – 68 m. b) Minimum Lot Area – 1.5 ha.	
SR-102				a) Minimum Lot Frontage – 69 m. b) Minimum Lot Area – 1.6 ha.	
SR-103				a) Minimum Lot Frontage – 88 m. b) Minimum Lot Area – 4.4 ha.	
SR-104				a) Minimum Lot Frontage – 88 m. b) Minimum Lot Area – 5.5 ha.	All buildings and structures, except boathouses, shall be setback no less than 8.41 metres from the 178.0 metre GSC elevation
SR-105				a) Minimum Lot Frontage – 88 m. b) Minimum Lot Area – 5.2 ha. c) Minimum Front Yard Setback for all Buildings and Structures – 350 m. d) Minimum Rear Yard Setback for al Buildings and Structures – 150 m.	
GL-106	Permitted uses for SR Zone				
RU-107 and GL-107			a) Dwelling, Detached		

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
			b) Dwelling, Duplex c) Dwelling, Semi-Detached		
RU-108 and GL-108			a) Dwelling, Detached b) Dwelling, Duplex c) Dwelling, Semi-Detached		
RU-109 and GL-109	Boat Salvage Establishment		a) Boat Repair Garage b) Boat Storage Facility		A Boat Salvage Establishment is an establishment where boats are disassembled and where the component parts are then sorted and packaged and are offered for sale, with all of these activities occurring inside a building
SR-110					All buildings and structures, except boathouses, shall be setback no less than 15 metres from the 178.0 metre GSC elevation
I-111		Fire Reservoir			
RU-112			a) Dwelling, Detached b) Dwelling, Duplex d) Dwelling, Semi-Detached		
RR-113				Minimum required setback from top of bank of watercourse – 15 metres	

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
HC-114	Single Detached Dwelling				
HR-115				Minimum Front Yard Setback – 4.2 metres	
SR-116	Accessory Buildings and Structures		Single Detached Dwelling		
GL-117	Bunkie with plumbing (no kitchen facility)			a) Maximum Floor Area for Bunkie - 110 m ² b) Maximum Height for Bunkie – 8.0 metres	
RU-118		Concrete batching plant		a) Minimum Lot Area - 2.5 ha. b) Minimum Lot Frontage - 150 m. c) Minimum Front Yard - 20 m. d) Minimum Interior Side Yard - 20 m. e) Minimum Exterior Side Yard - 60 m. f) Minimum Rear Yard - 20 m. g) Maximum Lot Coverage - 10% h) Maximum Building Height - 11 m.	For the purposes of this Exception a Concrete Batching Plant means a premises used for the processing or recycling of mineral aggregate and/or production of secondary aggregate products.
GL-119		Permitted Uses for RR Zone		a) Minimum Lot Frontage – 80 m. b) Minimum Lot Area – 1.6 ha.	
RR-120				Minimum Setback for all buildings and structures from the water's edge of Farlain Lake – 30 metres	
SR-121					A septic system is permitted that will service the subject lands and a dwelling on the waterfront lands across the street on the east side of West Shore Drive described

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
					as Parts 16 and 31, 51R-37915 (Roll #14-382-02), in accordance with all applicable Provincial and Municipal regulations and approvals.
RR-122				a) Minimum setback for all buildings and structures from the water's edge of Farlain Lake – 30 metres b) Maximum lot coverage of all detached accessory buildings and structures – 186 square metres	
GL-123		a) Accessory Residential Uses including a swimming pool, tennis court or other outdoor recreational uses. b) Accessory Buildings or Structures to support the permitted uses in a) above only.		a) Minimum Front Yard Setback – 8 m b) Minimum Exterior Side Yard Setback – 8 m c) Minimum Interior Side Yard Setback – 7.5 m d) Minimum Rear Yard Setback – 7.5 m e) Maximum Lot Coverage – 93 m ² f) Maximum Height – 5 m	
RU-124 GL-124 A-124	Assembly Hall, Outdoor Education Centre				
RU-125	Campground, Trailer Park				
RU-126 GL-126	Campground, Trailer Park				
RC-127	All uses permitted in the HC Zone				

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Exception Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
RC-128	All uses permitted in the HC Zone				
RC-128	All uses permitted in the HC Zone				
RC-129	Business Office				

6.2 HOLDING ZONES

In accordance with Section 1.16, the following Holding Symbols are applied to a property and no person shall use the land to which the letter (H) applies for any *use* other than the *use* which existed on the date this By-law was passed, until the (H) is removed in accordance with the requirements of Table 6.2, the policies of the Official Plan and the requirements of the *Planning Act*, R.S.O. 1990 c.P. 13, as amended.

TABLE 6.2

Column 1	Column 2	Column 3
Holding Symbol	Restrictions	Requirements and Other Provisions
(H1)	The Holding (H1) symbol applies to lands within the assessment area of an open or closed waste disposal site.	The Holding symbol may be lifted once <i>Council</i> is satisfied that the proposed <i>use</i> will be compatible with the waste disposal assessment area in accordance with the Official Plan.
(H1A)	The Holding (H1A) provision applies to lands within the downgradient groundwater assessment area of a waste disposal site and only applies where there is a building permit or planning application, which relates to a change requiring a new groundwater well or a doubling or more in water demand from an existing well(s) and where the well is located within the Holding (H1A) Zone.	The Holding (H1A) symbol may be lifted once <i>Council</i> is when the applicant has provided a copy of the water well record for a new well from which the water supply is obtained. In cases where there is a new groundwater well or a doubling or more in water demand from an existing well, groundwater quality shall be tested by an accredited laboratory and assessed by a qualified professional hydrogeologist or engineer and shall include comments on the location of the well intake screen with respect to the landfill and available hydrogeological information. The scope of the testing must consist of, at a

Column 1	Column 2	Column 3
Holding Symbol	Restrictions	Requirements and Other Provisions
		<p>minimum, a four hour pumping test at the proposed peak demand pumping rate. Water samples shall be collected in the first hour and the end of the test pumping period. Chemical analysis of the water samples must include, at a minimum, typical general inorganic water quality indicator, major ion and metal parameters and volatile organic compounds.</p>
(H2)	<p>The Holding (H2) symbol applies to <i>lots</i> on <i>private streets</i> or <i>streets</i> which have not been assumed for maintenance purposes by the Township.</p>	<p>The Holding symbol may be lifted once an appropriate site plan agreement has been entered into and registered on title in accordance with the Official Plan.</p>
(H3)	<p>The Holding (H3) symbol applies to lands zoned Shoreline Residential Exception 6 (SR-3) in Part of Lot 26, Concession 2; Plan M-787, Lots 2, 4-8.</p>	<p>The Holding (H3) symbol shall not be removed until Council is satisfied that:</p> <ol style="list-style-type: none"> a. the owner has applied for approval for the installation of, and undertaken to install only a septic system designed to de-nitrify the effluent at the point of discharge to the tile bed to a concentration of less than 10mg/L on an average annual basis; and, b. the owner of the property has entered into a long-term maintenance agreement with a septic system installer acceptable to the Township that would provide for the long term maintenance and monitoring of the septic system.
(H4)	<p>That the Holding (H4) symbol applies to the lands zoned Hamlet Commercial "HC" in Part Lot 14, Concession 9, (Part 2, Plan 51R-29857).</p>	<p>The Holding (H4) symbol shall not be removed until:</p> <ol style="list-style-type: none"> a) a site plan control agreement is approved between the Township and the land owner.
(H5)	<p>That the Holding (H5) symbol applies to the lands zoned Shoreline Residential Exception Two "SR-2" in Part of Lot 21, Concession 20.</p>	<p>The Holding (H5) symbol shall not be removed until:</p> <ol style="list-style-type: none"> a) it is shown to the satisfaction of the Township that a sufficient water supply exists to service the lots;

Column 1	Column 2	Column 3
Holding Symbol	Restrictions	Requirements and Other Provisions
		b) it is shown to the satisfaction of the Township that the development of the lots will not have an adverse effect on adjacent wells as determined by the monitoring of the test well; and c) it is shown to the satisfaction of the Township that no contamination from or interference with the stump dump exists as determined by the monitoring of the test well.
(H6)	That the Holding (H6) symbol applies to the lands zoned Shoreline Residential "SR" in Part of Lots 20, 21, and 22, Concessions 20 and 21, Plans M-607, M-608, and M-609.	The Holding (H6) symbol shall not be removed until: a) detailed engineered site plans and grading plans are approved by the Township.
(H7)	That the Holding (H7) symbol applies to the lands zoned Hamlet Commercial "HC" in Part of Lot 14, Concession 4.	The Holding (H7) symbol shall not be removed until: a) a site plan control agreement is approved between the Township and the land owner.
(H8)	That the Holding (H8) symbol applies to the lands zoned Shoreline Residential "SR" in Part of Lot 23, Concession 4.	The Holding (H8) symbol shall not be removed until: a) a road improvement agreement is approved between the Township and the land owner. The agreement is to ensure that the applicant constructs the road to Municipal standards to the satisfaction of the Township prior to any Building Permit being issued for the lot.
(H9)	That the Holding (H9) symbol applies to the lands zoned Greenlands "GL" and Environmental Protection Two "EP2" in Part of Lot 18, Concession 8.	The Holding (H9) symbol shall not be removed until: a) a site plan control agreement is approved between the Township and the land owner. The Site Plan Control Agreement shall contain provisions which: i. Require the building/septic envelope(s) to be located on generally level ground and in a location that results in a minimal loss of trees; ii. Identify areas that shall be protected in its natural forested state;

Column 1	Column 2	Column 3
Holding Symbol	Restrictions	Requirements and Other Provisions
		<p>iii. Specify what improvements and other works are required to construct driveways from both Louis Avenue and Joel Road onto the lands in a manner which minimizes the impact of such construction on neighbouring properties; and,</p> <p>iv. Ensure that drainage from the site does not impact on neighbouring properties.</p>
(H10)	That the Holding (H10) symbol applies to the lands zoned Hamlet Commercial "HC" in Part of Lot 18, Concession 16 (Part 2, 51R-34019).	<p>The Holding (H10) symbol shall not be removed until:</p> <p>a) a site plan control agreement is approved between the Township of Tiny and the land owner and the Site Plan Control Agreement with the Township is to ensure that all proposed development for the subject properties conform to the by-laws and policies of The County of Simcoe Transportation and Engineering Division and the Township of Tiny Public Works Department requirements. The County of Simcoe is to approve, in principle, the contents of the Site Plan Control Agreement.</p>

6.3 TEMPORARY USES

The following Temporary Uses shall be permitted in the noted property zoned with a temporary use symbol and number (i.e. (T1)) as set out in Table 6.3. All other provisions of the Zone and this By-law shall apply unless specifically modified and/or amended by this Section.

TABLE 6.3

Column 1	Column 2	Column 3
Temporary Use Symbol	Temporary Use	Requirements and Other Provisions
(T1)	The Temporary Use (T1) symbol applies to the lands zoned Rural Residential "RR" in Part of Lot 12, Concession 9. The temporary use permitted shall be a Garden Suite unit.	The Temporary Use shall be permitted until May 12, 2024, after which the use shall be prohibited.

Column 1	Column 2	Column 3
Temporary Use Symbol	Temporary Use	Requirements and Other Provisions
(T2)	The Temporary Use (T2) symbol applies to the lands zoned Rural Residential "RR" in Part of Lot 8, Concession 15. The temporary use permitted shall be a Garden Suite unit.	The Temporary Use shall be permitted until October 10, 2024, after which the use shall be prohibited.
(T3)	The Temporary Use (T3) symbol applies to the lands zoned Agricultural "A" in Part of Lot 16, Concession 17. The temporary use permitted shall be a Garden Suite unit.	The Temporary Use shall be permitted until April 29, 2022, after which the use shall be prohibited.
(T4)	The Temporary Use (T4) symbol applies to the lands zoned Rural "RU" in Part of Lot 14, Concession 5 West. The temporary use permitted shall be a Garden Suite unit.	The Temporary Use shall be permitted until May 14, 2022, after which the use shall be prohibited.
(T5)	The Temporary Use (T5) symbol applies to the lands zoned Agricultural "A" in Part of Lot 16, Concession 1 West. The temporary use permitted shall be a Garden Suite unit.	The Temporary Use shall be permitted until May 11, 2025, after which the use shall be prohibited.
(T6)	The Temporary Use (T6) symbol applies to the lands zoned Rural "RU" and Greelands "GL" in Part of Lot 13, Concession 12. The temporary use permitted shall be a Garden Suite unit.	The Temporary Use shall be permitted until May 28, 2038, after which the use shall be prohibited.
(T7)	The Temporary Use (T7) symbol applies to the lands zoned Rural "RU" in Part of Lot 13, Concession 9 East. The temporary use permitted shall be a Garden Suite unit.	<p>Special Provisions for the Garden Suite</p> <ul style="list-style-type: none"> a) Garden Suite shall be located in the rear yard b) Minimum Interior Side Yard Setback – 3 metres c) Minimum Rear Yard Setback – 3 metres <p>The Temporary Use shall be permitted until September 26, 2036, after which the use shall be prohibited.</p>
(T8)	The Temporary Use (T8) symbol applies to the lands zoned Greenlands "GL" in Part of Lot 2, Concession 16. The temporary use permitted shall be a Trailer for human habitation.	The Temporary Use shall be permitted from April 1, 2022 to December 1, 2023, after which the use shall be prohibited.
(T9)	The Temporary Use (T9) symbol applies to the lands zoned Greenland "GL" in Part of Lot 6, Concession 15. The temporary use permitted shall be a Garden Suite unit.	<p>Special Provisions for the Garden Suite</p> <ul style="list-style-type: none"> a) Minimum Front Yard Setback – 20 metres b) Minimum Interior Side Yard Setback – 10 metres <p>The Temporary Use shall be permitted until May 29, 2037, after which the use shall be prohibited.</p>

Column 1	Column 2	Column 3
Temporary Use Symbol	Temporary Use	Requirements and Other Provisions
(T10)	The Temporary Use (T10) symbol applies to the lands zoned Rural Residential "RR" in Part of Lot 22, Concession 17. The temporary use permitted shall be a Garden Suite unit.	<p>Special Provisions for the Garden Suite</p> <p>a) The Garden Suite shall be located in the rear yard of the property.</p> <p>The Temporary Use shall be permitted until May 29, 2037, after which the use shall be prohibited.</p>
(T11)	The Temporary Use (T11) symbol applies to the lands zoned Rural "RU" in Part of Lot 14, Concession 17. The temporary use permitted shall be a Garden Suite unit.	The Temporary Use shall be permitted until June 25, 2038, after which the use shall be prohibited.

SECTION 7.0 DEFINITIONS

7.1 Certain definitions may include permitted uses and regulations which shall be observed in addition to those contained in other sections of this By-Law.

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

A

ABATTOIR

Means a premises used to accommodate the penning and slaughtering of live animals and the preliminary processing of animal carcasses as the principal use and may include the packing, treating, storing and sale of the product on the premises.

ACCESSORY APARTMENT DWELLING UNIT

Means a secondary dwelling unit in a detached dwelling and which is accessory to the principal use on the lot.

ACCESSORY BUILDING OR STRUCTURE

Means a detached building or structure, the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to, the principal use or main building on the same lot and shall include an residential water storage tank.

ACCESSORY USE

Means a use that is naturally and normally incidental to, subordinate to, or exclusively devoted to, the principal use on the same lot.

ADULT ENTERTAINMENT ESTABLISHMENT

means premises or any part thereof in which is provided, in the pursuance of a business: (a) goods, entertainment or services that are designed to appeal to erotic or sexual appetites or inclinations; or (b) nudity or partial nudity of any person as a principal feature or characteristic; or (c) body-rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person's body, performed, offered or solicited, but does not include premises or part thereof where body-rubs are performed, offered or solicited for the purpose of medical or

therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered to do so under the laws of the Province.

AGRICULTURAL BUILDING

Means a building or structure, other than a barn, that is used to store agricultural equipment and/or to grow specialty crops and/or from which agricultural products are sold and includes a greenhouse.

AGRICULTURAL SUPPORT USE

Means premises used for the storing, blending and distributing agricultural support products such as fertilizers, seed and agricultural chemicals.

AGRICULTURAL USE

Means the use of land for the growing, producing, keeping or harvesting of farm products.

AGRICULTURAL INTENSIVE USE

Means the use of land for the purpose of raising livestock such as poultry or cattle for consumption and may include a feedlot.

AGRICULTURAL SPECIALIZED USE

Means lands where specialty crops such as tender fruits (i.e. peaches, cherries, apples, plums, grapes), other fruit crops, ginseng, vegetable crops and greenhouse crops are predominantly grown, usually resulting from soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both; and/or a combination of farmers skilled in the production of specialty crops, and of capital investment in related facilities to produce, store or process specialty crops. An agricultural specialized use may also consist of a market garden where the products that are grown on the lot are sold.

AGRI-TOURISM USE

Means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

AIRPORT

Means an area of land used for the landing, storing and taking off of aircraft and their passengers and/or freight and may include, as accessory uses, ticket office, restaurants, parcel shipping facilities, customs, business offices and retail stores.

ALTERATION

Means any modification to the structural component of a building or structure that results in a change of use, or any increase or decrease in the volume or floor area of a building or structure.

ALTERNATIVE ENERGY SYSTEM

Means a system that uses sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when

compared to conventional energy systems. Alternative energy systems undertakings do not include renewable energy undertakings as defined in the Green Energy and Green Economy Act.

ANIMAL SHELTER

Means premises where the care of lost, abandoned, neglected or rescued domestic animals is offered as the principal use, but shall not include a kennel or veterinary clinic.

ARCHAEOLOGICAL RESOURCES

Includes artifacts, archaeological sites, marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

ART GALLERY

Means a premises used for any combination of the preservation, production, exhibition, or sale of paintings or other works of art as the principal use.

ASSEMBLY HALL

Means premises used for the gathering together of a number of persons for charitable, civic, cultural, educational, fraternal, religious, political, recreational, social or like purposes, and may include facilities for the consumption of food or drink, but not for any commercial purpose.

ATTIC

Means the unfinished space between the roof and the ceiling of the top storey of a building.

AVERAGE FINISHED GRADE

Means the grade elevation of the lot calculated as:

- a) The average of all grades measured adjacent to the front exterior wall of the building on interior lots; and,
- b) The average of all grades measured adjacent to each exterior wall of the building on corner lots and through lots.

B

BALCONY

Means a partially enclosed platform projecting from the main wall of a building which is not supported by vertical uprights other than the wall itself and which is only accessible from within the building.

BARN

Means a building that is designed to shelter animals such as cattle, poultry, horses or swine.

BASEMENT

Means that portion of a building located below the first storey.

BED AND BREAKFAST ESTABLISHMENT

Means a part of a single detached dwelling unit in which not more than three bedrooms are used or maintained for the accommodation of the traveling public, in which the owner of the dwelling unit resides and supplies lodgings with or without meals for hire or pay but does not include a group home or tourist establishment.

BLOCK

Means a parcel of land that is registered as a legally conveyable parcel of land in the Registry/ Land Titles office.

BOARDING HOUSE

Means a dwelling unit, containing not more than ten guest rooms which are maintained for the accommodation of the public, in which the owner or lessee supplies, for hire or gain, lodgings with or without meals but does not include any other establishment otherwise defined or classified in this By-law.

BOARDING KENNEL

Means premises where dogs are boarded or kept for the purpose of breeding or where dogs are kept solely for the purpose of entering into dog sled or other similar races.

BOATHOUSE

Means a detached accessory building or structure which is designed or used for the sheltering of watercraft and watercraft-related equipment but does not include open walkways or uncovered docking facilities.

BOAT DOCK

Means an uncovered structure for the mooring of boats or to facilitate access to the water's edge, attached to or forming part of the land and used in conjunction with a use of the land.

BOAT LAUNCH

Means an area of land adjacent to a navigable water body or watercourse that is used for the purpose of transferring boats or other marine craft from a trailer to water and for removing boats and other marine craft from the water.

BOAT SLIP

Means a mooring space on a navigable water body or watercourse that is used to secure a boat or other marine craft to an adjacent shoreline structure such as a dock, a pier or a wharf.

BUFFER AREA LANDFILLING SITE

Shall mean the area owned or controlled by a Landfilling Site operator that is not the waste fill area as set out in a C. of A. in which only uses accessory to the depositing and Landfilling activities carried on in the waste fill area are permitted.

BUILDING

Means a structure occupying an area greater than 10 square metres consisting of any combination of a wall, roof and floor, or a structural system serving the function thereof, including all associated works, fixtures and service systems.

BUILDING, APARTMENT

Means a building containing three or more dwelling units that share a common external access to the outside through a common vestibule and a common corridor system.

BUILDING, MAIN

Means a building that functions as the building in which the principal use of the lot is carried out.

BUILDING SUPPLY OUTLET

Means premises where building, construction and home improvement materials are offered or kept for retail sale.

BULK FUEL DEPOT

Means premises where petroleum, gasoline, fuel, oil, gas or flammable liquid or fluid is stored, warehoused and/or kept for retail sale.

BUNKIE

Means an accessory building or structure that is designed to provide sleeping accommodations accessory to a permitted residential use.

BUSINESS OFFICE

Means premises used for conducting the affairs of businesses, professions, services, industries, governments, or like activities, in which the chief product of labour is the processing and/or storage of information rather than the production and distribution of goods.

C

CAMPGROUND

Means premises consisting of at least five camping sites for the overnight and/or temporary camping or parking of travel trailers, truck campers, or tents for recreational or vacation use and designed for seasonal occupancy only.

CANNABIS PRODUCTION FACILITY

A cannabis production facility refers to any building or structure which serves in the production, cultivation, processing, testing, destroying, storing, packaging, or shipping of cannabis but does not entail any retail sales component. Cannabis, for the purposes of this definition, refers to any plant that belongs to the genus Cannabis

CARPORT

Means a building or structure that is not wholly enclosed, and is used for the parking or storage of one or more private motor vehicles.

CAR WASH

Means premises where motor vehicles are washed by hand or mechanical means.

CEMETERY

Means land that has been established or recognized as a cemetery under the laws of the Province that is used for the interment of human remains and may include a mausoleum or columbarium, but does not include a funeral home establishment.

CHILD CARE CENTRE

Means premises where more than 5 children are provided with temporary care and/or guidance for a continuous period not exceeding twenty-four hours and are licensed in accordance with the Child Care and Early Years Act, 2014 or its successor.

COLUMBARIUM

Means a building or structure used for the interment of cremated human remains in sealed compartments.

COMMERCIAL USE

Means the use of land, buildings or structures for the supply or sale of goods and services.

COMMERCIAL SCHOOL

Means a school conducted for gain, where students are taught a trade or profession.

COMMERCIAL SELF-STORAGE FACILITY

Means premises used for the temporary storage of household items and seasonal, recreational or commercial vehicles, boats and trailers in storage areas or lockers, which are generally accessible by means of individual loading doors.

COMMUNITY CENTRE

Means land or buildings or part thereof used for community, cultural, recreational or social purposes as a public use, including a community recreation centre as defined in Provincial legislation.

CONSERVATION USE

Means an area of land that is generally left in its natural state and which is used to preserve, protect and/or improve components of the natural heritage system and may include, as an accessory use, hiking trails and/or cross country ski trails, buildings and structures such as nature interpretation centre and public information centre.

CONTRACTORS YARD

Means an area of land upon which motor vehicles designed to assist with the movement of earth and/or fill and/or which are designed to assist in the construction or renovation of buildings or structures or the landscaping of land are stored.

CONVENIENCE STORE

Means premises supplying groceries and other daily household needs to the immediate surrounding area.

CORPORATION

Means The Corporation of the Township of Tiny.

COUNCIL

Means the Municipal Council of The Corporation of The Township of Tiny.

COUNTY

Means the Corporation of the County of Simcoe unless otherwise specified. The County is a municipality for the purposes of Provincial legislation.

CRAFT SHOP/STUDIO

Means premises in which a handicraft is conducted for gain or profit and may include the sales of such handicraft.

CROSS COUNTRY SKI FACILITY

Means an area of land with trails used by skiers and which may include, as accessory uses, a restaurant, a clubhouse, a retail store selling ski equipment and accessories, a fitness centre, a dwelling unit for an owner/caretaker, and other buildings or structures devoted to the maintenance, administration and operation of the cross country ski facility.

D

DAYCARE, PRIVATE HOME

Means a dwelling used for the temporary care of five or fewer children, other than children residing in the dwelling as a principal residence, for a continuous period not exceeding 24 hours.

DARK SKY

Means lighting of outdoor areas that eliminates light trespass on adjacent land and eliminates skyglow with lights to be provided with fully shielded cut-off fixtures.

dba (DECIBELS)

A scale to measure sound levels.

DECK

Means an accessory attached or detached structure with no roof or walls except for visual partitions and railings which is constructed on piers or a foundation above-grade and used as an outdoor living area but does not include a landing or a stair.

DIRECT LIGHT

Means light emitted directly from the lamp or off of the reflector or luminaire.

DRIVEWAY

Means that portion of a lot used to provide vehicular access from a roadway to an off-street parking or loading area located on the same lot.

DRY CLEANING DEPOT

Means premises where articles of fabric are dropped off, stored or picked-up by members of the public, but does not include a dry cleaning establishment.

DRY CLEANING ESTABLISHMENT

Means premises in which articles of fabric are subjected to the process of dry cleaning, dry dyeing or cleaning in a laundry plant and for the pressing and distribution of any such articles or goods that have been subjected to any such process.

DWELLING

Means a separate building containing one or more dwelling units.

DWELLING UNIT

Means two or more rooms used, designed or intended for the use of one or more individuals living as a single housekeeping unit, with living, sleeping and sanitary facilities, and one kitchen

facility, having a private entrance from outside the building or from a common hallway or stairway inside or outside the building.

DWELLING UNIT, ACCESSORY

Means a dwelling unit that is accessory to a permitted principal use.

DWELLING UNIT, ADDITIONAL

Means a dwelling unit that is self-contained, subordinate to and located within the same building or on the same lot as/of a principal dwelling unit.

DWELLING, APARTMENT

Means a building containing five (5) or more dwelling units which have a common entrance from the street level and are connected by a common corridor.

DWELLING, BOARDING OR LODGING HOUSE

Means a dwelling in which three (3) or more lodging units are provided for the accommodation of persons other than the lessee, tenant or owner of said dwelling.

DWELLING, SINGLE DETACHED

Means a building containing one dwelling unit.

DWELLING, SEMI-DETACHED

Means a dwelling unit contained within a building containing two dwelling units which are separated by a common wall dividing the pair of dwellings vertically, in whole or in part, each of which has an independent entrance, either directly from the outside or through a common vestibule.

DWELLING, DUPLEX

Means a dwelling unit contained within a building that is divided horizontally into two separate dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.

DWELLING, FOURPLEX

Means a dwelling containing four (4) dwelling units.

DWELLING, MOBILE HOME

Means a dwelling unit that is designed to be mobile and constructed or manufactured in accordance with the Ontario Building Code Act to provide a permanent residence for one or more persons, but does not include a trailer, travel/tent trailer, or truck camper otherwise defined.

DWELLING, PRINCIPAL

Means a dwelling unit that has a greater floor area than the accessory dwelling unit in the same dwelling.

DWELLING, MULTIPLE

Means a dwelling unit in a building containing four or more dwelling units, each of which has an independent entrance directly from the outside or through a common vestibule or common corridor but does not include a townhouse dwelling.

DWELLING, TOWNHOUSE

Means a dwelling unit in a building where three or more attached dwelling units are separated by common masonry walls above grade dividing the dwellings vertically, in whole or in part, each of which dwelling units have an independent entrance, directly from the outside.

DWELLING, TRIPLEX

Means a dwelling unit contained in a building containing three dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.

DYNAMIC BEACH

Means a beach where deposits are 0.3 metres thick or more, 10 metres in width and at least 100 metres in length along a shoreline and where the fetch (the distance the wind blows over the water) is more than five kilometres.

D-4 APPROVAL AUTHORITY

Means for all County owned or operated waste disposal sites the County is the D-4 Approval Authority. For all private and local municipality owned or operated waste disposal sites, the Township is the D-4 Approval Authority.

D-4 ASSESSMENT AREA

Means the lands generally within 500 metres of the waste disposal site, or more specifically, the area shown on Schedule D of this Plan. The D-4 Assessment Area may vary according to the actual waste cell location, depth and type of waste and existing conditions.

D-4 GUIDELINE

Means the MECP Guideline D-4, as amended and any successor guideline or legislation.

E**EMERGENCY SERVICE DEPOT**

Means a garage or supply facility that houses emergency personnel, their supplies and vehicles and shall include an ambulance response facility, fire station or police station.

ERECT

Means to alter, build, construct, reconstruct, move or enlarge a building or structure, including any physical operation and preparatory work such as excavating, filling, grading, or draining land

for a building or structure, and any work which requires a building permit under the Ontario Building Code.

EQUESTRIAN FACILITY

Means an area of land where three or more horses are boarded and ridden by their owner(s) or rented to others and/or where horseback-riding lessons may be given.

EQUIPMENT SALES AND RENTAL ESTABLISHMENT

Means premises where machinery and equipment are offered or kept for rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

EXISTING

Means lawfully existing on the date of passing of By-law 30-77 (July 28, 1977) unless otherwise specified.

F

FARM IMPLEMENT DEALER

Means premises where farm equipment is repaired, serviced or sold.

FARM PRODUCE OUTLET

Means premises where fruits, vegetables, meat and dairy products that are grown or produced on a farm and are sold.

FARM VEHICLE

Means a licensed or unlicensed motor vehicle that is used to cultivate or harvest farm products and/or assist in the general operation of an agricultural use, an agricultural intensive use or a agricultural specialized use.

FEEDLOT

Means an area of land within a pen or corral wherein livestock such as cattle, horses, sheep, goats and/or swine are maintained in close quarters for the purpose of finishing prior to shipment to market.

FENCE

Means a composition serving as an enclosure, a barrier, or boundary delineation, usually made of posts or stakes joined together by boards, wire, rope or rails.

FINANCIAL INSTITUTION

Means a premises used to provide financial services to the public.

FIRST STOREY

Means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.

FIXTURE

Means the assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket.

FLOOD OR SPOTLIGHT

Means any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

FLOODPLAIN

Means for a river, stream and small inland lake system, the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

FLOODPROOFING

Means the act of designing or altering buildings and structures so as to reduce or eliminate the potential for flood damages.

FLOOR AREA

Means the total area of all floors in a building, measured between the exterior faces of the exterior walls or from the centre line of the common walls of the building at each floor level, excluding attics, basements, private garages and any floor area with a ceiling height less than 2.2 metres unless otherwise specified in this by-law.

FLOOR AREA, GROSS

Means the aggregate of the floor area measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, and in the case of a dwelling unit, excluding any porches, verandas or sunrooms (unless habitable in all seasons or the year), any basement or cellar or private garage.

FLOOR AREA, GROUND

Means the floor area of the lowest storey of a building approximately at or first above the finished grade level excluding any basement, cellar or subcellar, which area is measured between the exterior faces of the exterior walls at the floor level of such storey, but excludes car parking areas within the building and for the purpose of this paragraph, the walls of an inner court are and shall be deemed to be exterior walls.

FORESTRY USE

Means an area of land or managed forest used for the cultivating and harvesting of trees for the purpose of producing commercial and non-commercial wood products in accordance with sustainable forest management practices and on which the cutting of wood harvested from the lot on which the forestry use is located for transport is permitted. For the purposes of this By-law,

a forestry use does not include a saw and/or wood planing mill or a wood-chipping establishment.

FUNERAL HOME

Means premises that is designed for the purpose of providing funeral services to the public and includes facilities intended for the preparation of corpses for interment or cremation.

G

G.S.C. (GEOLOGICAL SURVEY OF CANADA)

Means, when used in conjunction with a number, the elevation of the land above sea level according to the Geological Survey of Canada.

GARAGE WIDTH

Means the width of a private garage measured between the inside faces of the interior walls at the narrowest point of the private garage, or the width of the garage door, whichever is greater.

GARAGE, ATTACHED

Means an attached accessory building to a main building which is designed or used for the sheltering of a private motor vehicle and/or storage of household equipment incidental to the principal use on the lot, and which is fully enclosed and roofed and excludes a carport or other open shelter. An attached garage shares a common wall with the main building or is connected by enclosed living space.

GARAGE, DETACHED

Means a detached accessory building or portion of a building which is designed or used for the sheltering of a private motor vehicle and/or storage of household equipment incidental to the principal use on the lot, and which is fully enclosed and roofed and excludes a carport or other open shelter.

GARDEN CENTRE

Means a premises used for the display and retail sale of goods related to gardening and landscaping.

GARDEN SUITE

Means a dwelling unit contained in a detached accessory building and which is designed to be used on a temporary basis. A Garden Suite is only allowed on a lot where a primary residential use exists and is subject to a temporary use by-law under the requirements of the Planning Act, R.S.O. 1990 c.P. 13 as amended.

GASOLINE ESTABLISHMENT

Means premises where motor vehicle fuels are sold and/or dispensed with or without facilities for minor mechanical or running repairs essential to the operation of a motor vehicle.

GLARE

Means light emitting from a luminaire, or reflection with an intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.

GOLF COURSE

Means a public or private area operated for the purpose of playing golf, and includes such accessory uses as a restaurant, a retail store that sells golf equipment and accessories, a dwelling unit for an owner/caretaker, fitness centre and other buildings or structures devoted to the maintenance and operation of the golf course and may include, as accessory uses, a golf driving range and a miniature golf facility.

GOLF DRIVING RANGE

Means an indoor or outdoor public or private facility dedicated to the driving of golf balls from fixed golf tees.

GRADE

Means the level of the ground adjacent to the outside wall of a building or structure.

GREENHOUSE

Means a building or structure that is designed for the growing of crops, trees and/or plants indoors, but shall not include the growing of cannabis.

GROUP HOME

Means a dwelling unit designed for the accommodation of 3 to 10 persons, exclusive of staff, living under supervision in a dwelling unit and whom by reason of their emotional, mental, social, or physical condition or legal status, require a group living arrangement for their well-being. A group home shall be licensed or approved under an applicable Provincial Statute(s). For the purposes of this By-law, group homes will be classified either as Group Home A or Group Home B.

GROUP HOME A

Means a group home primarily for persons who have been referred by a hospital, recognized social services agency or health professional.

GROUP HOME B

Means a group home operated primarily for persons who have been placed on probation, released on parole, or admitted for correctional purposes.

H**HAZARDOUS WASTE**

Means the same as in Ontario Regulation 347 under the Environmental Protection Act or its successor.

HEIGHT

Means with reference to a building or structure, the vertical distance measured between the average elevation of the finished surface of the ground at all corners to:

- a) the highest point of the roof surface or the parapet, whichever is the greater, of a flat roof;
- b) the decline of a mansard roof;
- c) the mean level between the lowest eave and the highest ridge of a gabled, hip or gambrel roof or other type of pitched roof or where multiple roofs are provided in the same structure;
- d) in case of a structure with no roof, the highest point of the said structure.

Notwithstanding the above, any ornamental roof construction features including towers, steeples or cupolas, shall not be included in the calculation of height. Mechanical features, such as structures containing the equipment necessary to control an elevator, are permitted to project a maximum of 5.0 metres above the highest point of the roof surface, regardless of the height of the building. Notwithstanding the above, buildings and structures associated with a public works yard owned by a public authority are exempt from the height requirements of this By-law.

HOBBY FARM

Means an area of land on which a barn, stable or animal shelter may be erected to house no more than a limited number of domestic livestock animals kept for recreational purposes or for personal consumption by the occupant(s) of a dwelling unit on the same lot and in accordance with the requirements of the Nutrient Management Act or its successor.

HOME INDUSTRY

Means a small-scale industrial use with no show/display room, such as a carpentry shop, a metal working shop, a machine shop, a welding shop, a tool and die shop or an electrical shop that provides services or wares to the rural community and which is an accessory use to an agricultural use or a single detached dwelling. For the purpose of this By-law, the repairing of motor vehicles, mobile homes, trailers, and/or boats are not a home industry.

HOME OCCUPATION

Means the use of part of a dwelling unit for an occupation or business activity that results in a product or service and which is clearly secondary to the principal use of the dwelling unit.

HOSPITAL

Means any institution, building or other premises established for the treatment of persons afflicted with or suffering from sickness, disease or injury, for the treatment of convalescent or chronically ill persons that is approved under the Public Hospitals Act as a public hospital.

HOTEL

Means premises that contains rooms with no private cooking facilities that are rented on a temporary basis to the public or dwelling units, or a combination of both, equipped to be

occupied as temporary accommodation for the public, and which contains a public dining area and which also may contain meeting rooms and accessory banquet facilities.

I

INCINERATION

Shall mean the controlled burning of solid waste for the purpose of waste destruction and/or achieving volume and weight reduction or to change waste characteristics.

INDIVIDUAL ON-SITE SEWAGE SERVICES

Means sewage systems, as defined in O. Reg. 332/12 under the Building Code Act, that are owned, operated and managed by the owner of the property upon which the system is located.

INDIVIDUAL ON-SITE WATER SERVICES

Means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

INDUSTRIAL USE

Means premises used for the warehousing of goods and materials, the assembly of manufactured goods, the manufacturing of goods, the repair and servicing of goods and similar uses.

INDIRECT LIGHT

Means direct light that has been reflected or has scattered off other surfaces.

INFRASTRUCTURE

Means physical structures (facilities and corridors) that form the foundation for development and includes but not limited to sewage and water systems, septage treatment systems, waste management systems, electric power generation and transmission, communications, telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

J

~Space left blank intentionally~

K

KENNEL

Means the use of a building or structure for boarding, breeding or raising of dogs for profit or gain.

KITCHEN FACILITY

Means a combination of cooking facilities, food storage areas and food preparation facilities that comprises part of a dwelling unit and which is clearly accessory to the dwelling unit.

L**LANDSCAPED OPEN SPACE**

Means the open unobstructed space from ground to sky at grade which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any surfaced walk, patio or similar area but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.

LANDSCAPING

Means an outdoor area of a lot not covered by buildings or structures and comprised exclusively of vegetation such as grass, shrubs, flowers and trees, and/or other permeable surfaces used for walks, patios, decks, fences and decorative surface treatments, but does not include parking areas or driveways.

LANDFILLING

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

LANDFILLING SITE

Shall mean a waste disposal site which is used only for the depositing or Landfilling of Approved Waste operated in accordance with the terms and conditions of an approved C. of A. and an approved Design and Operations Report and for greater clarity, is not used for the storage, transfer, incineration, treatment or processing of waste. A Landfilling Site shall contain both a Waste Fill Area and a Buffer Area.

LANE

Means a public or private thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.

LIBRARY

Means premises containing printed, electronic and pictorial material for public use for purposes of study, reference and recreation.

LIGHT POLLUTION

Means the shining of light upwards into the sky above the horizontal plane of the light fixture, or lighting that interferes with the ability to see the night sky caused by any of light trespass; excess of glare; excess of direct light; excess of reflected light; light from fixtures that are not 'full cut-off'.

LIGHT TRESPASS

Means the shining of light produced by a luminaire, or reflection beyond the boundaries of the property on which it is located.

LOADING SPACE

Means an off-street space on the same lot as the building, or contiguous to a group of buildings, for the temporary parking of a commercial motor vehicle while loading or unloading merchandise or materials.

LOT

Means a parcel of land that is registered as a legally conveyable parcel of land in the Land Registry Office and in accordance with the Planning Act.

LOT AREA

Means the total horizontal area within the lot lines of a lot.

LOT, CORNER

Means a lot at the intersection of two or more streets or upon two parts of the same street with such street or streets containing an angle of not more than 135 degrees or a lot upon which the tangents at the street extremities of the interior side lot lines contain an angle of not more than 135 degrees. The corner of a lot on a curved corner shall be that point on the street line nearest the point of intersection of the said tangents.

LOT COVERAGE

Means that percentage of the lot covered by all buildings and structures, including swimming pools, shall not include that portion of such lot area that is occupied by a building or structure or portion thereof that is completely below grade. Lot coverage in each Zone shall be deemed to apply only to that portion of such lot that is located within said Zone. Notwithstanding the definition of "Lot" contained in this section and the definition of "Lot Coverage" above, for the purposes of determining Lot Coverage on lands zoned Shoreline Residential (SR), Limited Service Residential (LSR), Shoreline Commercial (SC), Hamlet Residential One (HR1) and Hamlet Commercial (HC) the term lot shall not include any area of a lot which falls between a front lot line, a side lot line or a rear lot line and the 178 metre G.S.C. Elevation where that area is located on the shoreline side of the 178 metre G.S.C. Elevation.

LOT FRONTAGE

Means the horizontal distance between the interior side and/or exterior side lot lines, with such distance being measured perpendicularly to the line joining the mid-point of the front lot line with the mid-point of the rear lot line at a point on that line 8.0 metres from the front lot line. In the case of a lot with no rear lot line, the point where two interior side lot lines intersect shall be the point from which a line is drawn to the mid-point of the front lot line. In the case of a corner lot with a daylighting triangle, the exterior side lot line shall be deemed to extend to its

hypothetical point of intersection with the extension of the front lot line for the purposes of calculating lot frontage. In the case of a lot that abuts Georgian Bay, Farlain Lake or any inland lake, the front lot line is the lot line that the primary driveway crosses to access the lot from a street.

LOT, INTERIOR

Means a lot situated between adjacent lots and having access to one street.

LOT LINE, INTERIOR SIDE

Means a lot line, other than a rear lot line that does not abut a street.

LOT LINE

Means a line delineating any boundary of a lot.

LOT LINE, EXTERIOR SIDE

Means the lot line of a corner lot, other than the front lot line, which divides the lot from a street.

LOT LINE, FRONT

Means the line which divides the lot from a street but, in the case of:

- a) a corner lot, the shortest of the lot lines that divides the lot from a street shall be deemed to be the front lot line;
- b) a corner lot where such lot lines are of equal length and where one lot line abuts a County Road or Provincial Highway, the front lot line shall be deemed to be that line which abuts the County Road or Provincial Highway;
- c) a corner lot where such lot lines are of equal length and where both lot lines abut a public street under the same jurisdiction or two private streets, the Corporation may designate either street line as the front lot line;
- d) a lot that is separated from a public street by a public park and provided the lot is accessed by a lane, the shortest lot line that abuts the public park shall be deemed to be the front lot line; and,
- e) a through lot, the longest of the lot lines which divide the lot from the street shall be deemed to be the front lot line. If both such lot lines are of equal length, the Corporation may designate either street line as the front lot line.

LOT LINE, REAR

Means the lot line opposite to and most distant from the front lot line.

LOT, THROUGH

Means a lot bounded on opposite sides by a public or private street. However, if the lot qualifies as being both a corner lot and a through lot, such lot is deemed to be a corner lot for the purposes of this By-law.

M

MARINA

Means premises containing docking facilities where watercraft and watercraft accessories are berthed, stored, serviced, repaired, and kept for sale or rent and which may include facilities for the sale of marine fuels and lubricants as well as facilities for watercraft wastewater pumping.

MECP

Shall mean the Ministry of the Environment, Conservation and Parks or its successor.

MEDICAL OFFICE

Means a premises used for the medical, dental, surgical and/or therapeutic treatment of human beings including clinics operated by a number and/or variety of medical professionals, but does not include a public or private hospital or office located in the medical professional's residence.

MEDICAL CANNIBIS PRODUCTION FACILITY

Means a wholly enclosed building, structure or part thereof, used to possess, produce, sell, provide, ship, deliver, transport or destroy cannabis by a Licensed Producer authorized by Health Canada according to the Marihuana for Medical Purposes Regulations SOR/2013-119 and any successor thereto.

MINERAL AGGREGATE

Means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, granite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act or its successor.

MINERAL AGGREGATE OPERATION

Means:

- a) Lands under license or permit, other than for wayside pits and quarries, issued in accordance with the *Aggregate Resources Act* or its successor;
- b) For lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal Zoning By-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and,
- c) Associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

MINIMUM DISTANCE SEPARATION FORMULAE (MDS)

Means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities

MOBILE HOME

Means any dwelling that is designed to be mobile, and constructed or manufactured to provide a permanent year-round residence in accordance with the applicable Canadian Standards Association standard, but does not include a modular home, park model home, travel trailer or tent trailer or trailer otherwise defined.

MOBILE HOME PARK

Means an area of land that is the site of three or more mobile homes that are occupied on a permanent or seasonal basis.

MODEL HOME

Means a building that is temporarily used as a sales office or as an example of the type of dwelling offered for sale in a related development and which is not occupied or used as a dwelling.

MODULAR HOME

Means any dwelling that is factory built and transported on its own chassis or frame so that it can be placed on a permanent foundation, and constructed or manufactured to provide a permanent year-round residence in accordance with the applicable Canadian Standards Association standard, but does not include a mobile home, park model home, travel trailer, tent trailer or trailer otherwise defined.

MOTEL

Means premises that contain rooms with no private cooking facilities that are rented on a temporary basis to the public with each room being accessed from the outside.

MOTOR VEHICLE

Means an automobile, motorcycle, boat, watercraft and motor-assisted bicycle unless otherwise indicated in the Highway Traffic Act, as amended, and any other vehicle propelled or driven other than by muscular power.

MOTOR VEHICLE, BODY SHOP

Means premises used for the painting and/or repairing of the exterior and/or the undercarriage of motor vehicle bodies.

MOTOR VEHICLE, COMMERCIAL

Means a motor vehicle which is designed for the transport of goods and which is used for business, employment or commercial purposes.

MOTOR VEHICLE DEALERSHIP

Means premises where a vendor of new or used motor vehicles displays such vehicles for sale or rent and in conjunction with there may be a motor vehicle repair garage or a motor vehicle body shop.

MOTOR VEHICLE REPAIR GARAGE

Means premises used for the repairing of motor vehicles.

MOUNTAIN BIKE FACILITY

Means an area of land with trails used by non-motorized mountain bikes and which may include, as accessory uses, a restaurant, a club house, a retail store selling mountain bike equipment and accessories, fitness centres, a dwelling unit for an owner/caretaker and other buildings or structures devoted to the maintenance, administration and operation of the mountain bike facility.

MUNICIPAL DRAIN

Means a municipal drain pursuant to the Drainage Act.

MUSEUM

Means premises used for the preservation of a collection of paintings and/or other works of art and/or objects of natural history and/or mechanical scientific and/or philosophical inventions, instruments, models and/or designs and which may also include libraries, reading rooms, laboratories and accessory offices.

N

NATURAL HERITAGE SYSTEM

Means lands that are part of a network of natural areas and/or regenerated areas and the lands that support the ecological functions critical to the survival of these areas.

NATURE INTERPRETATION CENTRE

Means a building or structure in which maps, exhibits and documents are displayed for the purpose of explaining the natural heritage system to the public.

NON-CONFORMING

Means an existing use or activity of any land, building or structure that is not identified in the list of permitted uses for the Zone in which it occurs as of the date of passing of this By-law.

NON-COMPLYING

Means a lot, building or structure that does not meet the regulations of the Zone in which it is located as of the date of passing of this By-law.

NURSERY

Means an area of land where the growing of trees, bushes, shrubs and other plants and flowers for landscaping purposes is carried out for gain.

NURSING HOME

Means premises in which lodging is provided with or without meals and in addition, provides nursing or medical care and treatment in accordance with the Nursing Homes Act, as amended, but does not include a hospital.

O**OBNOXIOUS USE**

Means a use which, from its nature or operation, creates a nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust or objectionable odour, or by reason of the matter, waste or other material generated by the use, and without limiting the generality of the foregoing, shall include any uses which may be declared to be a noxious or offensive trade or business under the Public Health and Promotion Act, as amended.

OCCASIONAL OR SPECIAL EVENT

Means any use which occurs occasionally and for a short period of time under a special event permit issued by the Township such as a fair, midway, sale or auction, festival and social, cultural or sporting event.

OFFICE

Means a premises where the affairs of businesses, professions, services, industries, governments, non-profit organizations or like activities are conducted, in which the chief product of labour is information services.

ON-FARM DIVERSIFIED USE

Means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, ground mounted solar and uses that produce value-added agricultural products.

OUTDOOR DISPLAY AND SALES AREA

Means an area of land used for the display of goods and materials accessory to a principal use for a business located within a building or structure on the same lot.

OUTDOOR LIGHT FIXTURES

Means outdoor artificial illuminating devices, installed or portable, used for flood lighting, general illumination or advertisement.

OUTDOOR RECREATION

Means the use of land for golf courses, parks, picnic areas, playgrounds, playing courts, skating rinks, snow skiing, splash pads, sports fields, swimming pools and similar outdoor recreation facilities.

OUTDOOR STORAGE

Means an area of land used in conjunction with a permitted use located within a building or structure on the same lot, for the storage of goods and materials.

OUTDOOR STORAGE USE

Means an outdoor storage area forming the principal use of a lot. For the purposes of this definition, the outdoor storage of motor vehicles is not considered to be an outdoor storage use.

P

PARK, PRIVATE

Means an open space or recreational area other than a public park, operated on a commercial and/or private member basis, and which may include areas for hiking and/or horse-riding, beach areas, picnic areas, tennis courts, lawn bowling greens, outdoor skating rinks, athletic fields and accessory buildings which may include change rooms, meeting rooms and washrooms.

PARK, PUBLIC

Means any area of land under the jurisdiction of a public authority that is designed and/or maintained for passive and/or active recreational purposes.

PARKING AISLE

Means an unobstructed driving route located within a parking area and designed to provide access to parking spaces by motor vehicles, and that is connected to a driveway but does not include a driveway.

PARKING AREA

Means an open area, other than a street, used for the temporary parking of two or more motor vehicles and available for public use but does not include the storing of impounded or wrecked vehicles in a specifically designated area or compound.

PARKING FACILITY, BICYCLE

Means an unobstructed area for the parking of one or more bicycles:

- a) with an adjacent pole, rack or other fixture anchored to the ground or to a permitted building or structure to which one or more bicycles can be secured; or
- b) an enclosed storage space within which one or more bicycles can be secured.

PARKING SPACE

Means an area of land that is used for the temporary parking of motor vehicles.

PERSON

Means any individual human being, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent, the heirs, executors, or other legal representatives of a person to whom the same can apply according to Federal and/or Provincial law.

PERSONAL SERVICE SHOP

Means premises in which services involving the care of persons or their apparel are offered and includes a barber shop, a hair dressing shop, a beauty shop, a shoe repair establishment, a dry cleaning depot, or similar service establishments.

PET CARE ESTABLISHMENT

Means a premises for the grooming, training and/or day-care of pets, but where no pets are kept overnight, and does not include the sale of pets.

PET CEMETERY

Mean any land used for the burial and/or interment of dead companion animals or pets and may include ornamental buildings or structures as part of the pet cemetery.

PLACE OF AMUSEMENT

Means premises that contains facilities that offer games of skill and competition for the amusement of the public, such as motion simulation rides, go-cart tracks, virtual reality games, video games, computer games, laser games and similar types of uses, but does not include casinos or any other establishment accommodating gambling or gaming activities, wagering or betting, video lottery and gaming machines or any other similar type of gambling use.

PLACE OF ENTERTAINMENT

Means a motion picture or live theatre, arena, auditorium, planetarium, concert hall and other similar uses but shall not include an adult entertainment parlour, any use entailing the outdoor operation or racing of animals or motorized vehicles, a casino or any other establishment accommodating or providing gambling or gaming activities, wagering or betting, video lottery or gaming machines, or any other similar type of gambling use.

PLACE OF WORSHIP

Means premises used by a charitable religious group(s) for the practice of religious rites.

PLANTING STRIP

Means an area of landscaped open space located immediately adjacent to a lot line or portion thereof and on which is situated one or more of the following screening devices: a continuous row of trees, a continuous hedgerow of evergreens or shrubs, a berm, a wall or an opaque fence.

PORCH

Means a structure abutting a main wall of a residential building having a roof but with walls that are generally open and unenclosed.

PORTABLE ASPHALT PLANT

Means a facility:

- a) With equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and,
- b) Which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

PREMISES

Means an area of a building occupied or used by a business or enterprise. In a multiple tenancy building occupied by more than one (1) business, each business area shall be considered a separate premises. Each individual unit proposed and/or registered in a Plan of Condominium shall also be considered individual premises.

PRIVATE CLUB

Means premises used as a meeting place by members and guests of members of non-profit and non-commercial organizations for community, social or cultural purposes. This definition does not include uses that are normally carried out as a commercial enterprise.

PRIVATE COMMUNAL SEWAGE SERVICES

Means a sewage works within the meaning of section 1 of the Ontario Water Resources Act that serves six more lots or private residences and is not owned by a municipality.

PRIVATE COMMUNAL WATER SERVICES

Means a non-municipal drinking-water system within the meaning of section 2 of the Safe Drinking Water Act that serves six or more lots or private residences.

PRIVATE HOME DAYCARE

Means the accessory use of a dwelling unit for the temporary care and custody of not more than five children who are under ten years of age who do not live in the dwelling unit and is operated for reward or compensation for a continuous period not exceeding twenty-four hours.

PRIVATE SERVICES

Means individual on-site sewage services and individual on-site water services.

PROVINCE OR PROVINCIAL

Refers to the Province of Ontario and its Ministries and agencies.

PUBLIC AUTHORITY

Means the Corporation or the County of Simcoe, or any local board of either the Corporation or the County, any Ministry or Commission of the Government of Canada or Ontario, and any telephone or telecommunications company.

PUBLIC OFFICE

Means a business office or other use operated by a public authority that is devoted to the administration of government.

PUBLIC SERVICE FACILITY

Means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, long-term care services, and cultural services. Public service facilities do not include infrastructure.

PUBLIC USE

Means any use of land, buildings or structures by or on behalf of a public authority.

Q

~Space left blank intentionally~

R

RECREATIONAL EQUIPMENT SALES AND RENTAL ESTABLISHMENT

Means premises where recreational equipment such as canoes, kayaks, rowboats and other similar non-motorized types of recreational equipment is sold or rented.

RECREATIONAL TRAILER OR VEHICLE

Means any vehicle that is suitable for being attached to a motor vehicle for the purpose of being drawn or is self-propelled, and is capable of being used on a short term recreational basis for living, sleeping or eating accommodation of human beings and includes a travel trailer, pick-up camper, motorized camper or tent trailer.

RECYCLING ESTABLISHMENT

Means premises in which used materials are separated and/or processed and then shipped to other users that will then use those materials to manufacture new or recycled products.

RENEWABLE ENERGY SYSTEM

Means a structure or facility that generates electricity from an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy, tidal forces and other renewable energy sources.

REPAIR SHOP

Means premises used primarily for the repair of household articles but shall not include shops for the repair of internal combustion engines, motor vehicles or other similar uses.

RESERVE

Means a strip of land abutting a public street and owned by the authority having jurisdiction over the public street. For the purposes of this By-law, a lot separated from a public street by a reserve shall be deemed to abut that public street.

RESTAURANT

Means premises in which the principal business is the preparation and serving of food and refreshments to the public for consumption at tables within or outside the building and which may include the preparation of food in a ready-to-consume state for consumption off the premises.

RETAIL STORE

Means premises in which goods, wares, merchandise, substances, articles or things are displayed, rented or sold directly to the general public.

RETAINING WALL

Means a structure or feature that retains material, such as earth, and prevents it from sliding or eroding away.

RETIREMENT HOME

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

S**SALVAGE OR WRECKING YARD**

Means an area of land where motor vehicles are wrecked or disassembled and resold; a place where second-hand goods, including waste paper, bottles, automobile tires, clothing, other scrap materials and salvage are collected to be sorted and may include a place where used lumber and/or building materials are stored for sale or resale.

SAW AND/OR PLANING MILL

Means premises where timber is cut, sawed or planed either to finished lumber or as an intermediary step and may include facilities for the kiln drying of lumber and the sale of such products to the public.

SENSITIVE LAND USE

Means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or

built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities

SCHOOL, COMMERCIAL

Means a premises used as a school conducted for gain, including a studio of a dancing teacher or a music teacher, an art school, a golf school, school of calisthenics or fitness, business or trade school and any other such specialized school.

SCHOOL, PUBLIC

Means a school as defined by the Education Act, as amended, under the jurisdiction of a public, separate, a college or university, or any other school whether or not the same is also a boarding school, and includes any dormitory building accessory to such school.

SCHOOL, PRIVATE

Means a school not under the jurisdiction of a Board as defined in the Education Act, as amended.

SERVICE AND REPAIR SHOP

Means premises used for the servicing, repairing or renting of articles, goods or materials, and may include an outlet for service and repair done off premises, but does not include any use involving the sale, rental or servicing of motor vehicles.

SETBACK

Means the horizontal distance from a lot line or a defined physical feature measured at right angles to such line, to the nearest part of any building or structure on the lot.

SEWAGE AND WATER SERVICES

Means municipal sewage services and municipal water services, private communal sewage services and private communal water services, individual on-site sewage services and individual on-site water services, and partial services.

SIGHT TRIANGLE

Means the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being 9 metres, measured along the street line from the point of intersection of the street lines. The distance shall be increased to a minimum of no less than 15.0 metres for Provincial Highways, County Roads and Municipal Arterial Streets. Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

SIGNIFICANT ARCHAEOLOGICAL RESOURCES

Means the remains of any building, structure, activity, place or cultural feature, which because of the passage of time is on or below the surface of the land or water, and which has been identified and evaluated and determined to be significant to the understanding of the history of people or

place. The identification and evaluation of this resource is based upon an archaeological assessment.

SIGNIFICANT DRINKING WATER THREAT

Means a drinking water threat, as defined in the Clean Water Act, that according to a risk assessment as defined in the Clean Water Act, poses or has the potential to pose a significant risk to the safety of drinking water.

SITE ALTERATION

Means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

SPORTS COURT

Means an outdoor unenclosed playing surface for recreational activities including but not limited to a tennis court, pickleball court, or basketball court.

STACKING LANE

Means a continuous on-site queuing lane that includes stacking spaces for motor vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings, or signs.

STACKING SPACE

Means a rectangular space designed to be used for temporary queuing of a motor vehicle in a stacking lane.

STORAGE CONTAINER

Means the trailer portion of a tractor-trailer unit or transport truck without the running gear, or a rail or seaway container which is traditionally used for the shipping and transportation of goods and materials. A re-designed storage container used for the construction of a dwelling where a building permit has been issued is not a storage container.

STOREY

Means that portion of a building between the surface of a floor and the floor, ceiling or roof immediately above. Any portion of a building partly below grade level shall be deemed a storey where its ceiling is at least 1.8 metres above grade. Any portion of a storey exceeding 4.2 metres in height shall be deemed to be an additional storey.

STREET LINE

Means any lot line that divides a lot from a public street.

STREET, PRIVATE

Means a private road or right-of-way that accesses multiple properties but is not owned by the Corporation or any other Public Authority.

STREET, PUBLIC

Means a roadway owned and maintained by a Public Authority which affords a principal means of access to abutting lots and for the purposes of this By-law does not include a lane, a private street or a private right-of-way. For the purposes of identifying a lot as a corner lot, through lot or through corner lot, an unopened road allowance owned by a public authority is deemed to be a public street.

STREET, UNASSUMED

Means a roadway owned by a Public Authority that is not maintained.

STRUCTURE

Means anything that is erected, built or constructed, the use of which requires location on or in the ground or which is attached to something having location on or in the ground. For the purpose of this By-law, a light standard, sign, or fence shall be deemed not to be structures.

STUDIO

Means a premises used primarily for the instruction and performance of art, dancing, language, music, photography or similar uses, and includes the retail sale of artifacts produced on the premises as an accessory use.

SWIMMING POOL

Means any body of water located outdoors on privately owned property in which the depth of the water at any point can exceed 0.8 metres and shall include any accessory deck or support structure, but does not include a body of water associated with an agricultural use, an agricultural intensive use or an agricultural specialized use.

T

TAXI

Means a vehicle used for commercial purposes that being the carrying of passengers for a fee.

TAXI BUSINESS

Means a building or part of a building wherein a business office is contained for the administration and dispatching of taxi vehicles for gain or hire, but does not include the servicing or repair or such vehicles.

TENT

Means every kind of temporary shelter for sleeping that is not permanently affixed to the site and that is capable of being easily moved.

TRAVEL/TENT TRAILER SITE

Means a site in a trailer park or campground that is used for the temporary parking or storing of a trailer or truck camper or tent.

TOURIST CABIN ESTABLISHMENT

Means a tourist establishment comprised of two or more cabins arranged singly or in pairs and in which cooking facilities may be provided.

TOURIST ESTABLISHMENT

Means premises designed for the traveling or vacationing public, and that has facilities for accommodation and may serve meals or provide kitchen facilities within each unit and may furnish equipment, supplies or services to persons for recreational purposes, but does not include a campground, trailer park or private park.

TOWNSHIP

Means the Corporation of the Township of Tiny.

TRAILER

Means a vehicle that is at any one time drawn upon a street by a motor vehicle, but for the purposes of this By-law, does not include a mobile home dwelling.

TRAILER PARK

Means an area of land used for the temporary or seasonal parking of trailers and/or truck campers and/or tents occupied by the traveling or vacationing public.

TRANSPORTATION TERMINAL

Means premises in which goods or wares are stored and where trucks are stored, serviced, repaired and loaded or unloaded.

TRAVEL/TENT TRAILER

Means a trailer which is designed to be temporarily utilized for living, shelter and sleeping accommodation, with or without cooking facilities and which has running gear and towing equipment that is permanently attached, has a current license and is not permanently affixed to the ground.

TRUCK CAMPER

Means a unit that is constructed in a manner such that it may be attached to a motor vehicle, as a separate unit, and is capable of being temporarily utilized for living, sleeping or eating.

U

USE

Means the purpose for which any portion of a lot, building or structure is designed, arranged, intended, occupied or maintained.

UTILITIES

Includes power, communications, telecommunications and other cable services, as well as gas and district energy services.

V

VEGETATION PROTECTION ZONE

Means a vegetated buffer area surrounding a key natural heritage feature or key hydrologic feature.

VEHICLE

Means an automobile, bus, commercial vehicle, farm tractor or implement, heavy equipment, snow vehicles, tractor trailer, transit vehicle and any other vehicle propelled or driven by any means, within the meaning of a vehicle under the Highway Traffic Act.

VEHICLE, COMMERCIAL

Means a vehicle having permanently attached thereto a truck or delivery body and includes an ambulance, hearse, casket wagon, fire apparatus, police patrol, motor bus and tractor used for hauling purposes on the highways and any vehicle bearing commercial license plates, and any vehicle within the meaning of a commercial motor vehicle under the Highway Traffic Act.

VETERINARY CLINIC

Means premises where a veterinary surgeon treats domestic animals, birds or other livestock and in which such animals may be boarded.

VETERINARY CLINIC, SMALL ANIMAL

Means premises where one or more licensed veterinarian and any associated staff provide medical, surgical, grooming or similar services on site solely for small animals and/or household pets, but does not include a boarding kennel.

W

WAREHOUSE

Means premises in which goods or wares are stored and where trucks are stored, loaded or unloaded.

WASTE

Means ashes, garbage, refuse, domestic waste, industrial waste or municipal refuse and other such materials as are designated in the regulations of the Environmental Protection Act, as amended.

WASTE APPROVED

Shall mean domestic, commercial and solid industrial waste which is Non-Hazardous Waste approved for Landfilling at a Landfilling Site in accordance with an Approval issued by the Province for a Landfilling Site.

WASTE DISPOSAL SITE

Means includes the Fill Area and the Buffer Area of property which is or has been or is suspected to have been used as a landfill as well as property under development for landfilling, and means:

a) Any land upon, into or through which, or building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed; and,

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

WASTE FILL AREA

Shall mean an area on the surface of a Landfilling Site beneath which or above which Approved Waste may be disposed of by deposit or landfilling as set out in a C. of A.

WASTE MANAGEMENT TRUCK ROUTE

Shall mean the route to be used for the transportation of waste to the Landfilling Site as approved by Council after the Waste Management Truck Route Study has been carried out in accordance with Subsection 9.9 of By-law 06-01.

WASTE, NON-HAZARDOUS

Shall mean any waste that is not defined or categorized or described as hazardous in the Environment Protection Act, R.S.O. 1990 c.E. 19 or its regulations.

WASTE TRANSFER STATION

Means the use of land for the collection of waste into bulk containers for the further transport to a land fill site, recycling facility or other waste disposal facility.

WATERCOURSE

Means an identifiable depression in the ground in which a flow of water regularly or continuously occurs, and, for the purposes of this By-law, includes all watercourses shown on the schedules of this By-law.

WATER STORAGE TANK

Means a structure that is designed to hold water in a container that rests on the ground or is elevated and which contains water used for human and/or animal consumption.

WAYSIDE PIT

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

WIND TURBINE

Means a device designed to extract kinetic energy from the wind and supply it in the form of electrical energy that is suitable for use.

WOODCHIPPING ESTABLISHMENT

Means premises in which timber from the same lot or from another location is fed into a wood-chipping machine for the purpose of producing woodchips and which may include, as an accessory use, the retail sale of the woodchips to the public.

WOODWORKING/METALWORKING ESTABLISHMENT

Means premises where wood and/or metal is used and/or processed into unfinished or finished goods for domestic, commercial or industrial use.

X

~Space left blank intentionally~

Y

YARD

Means an open, uncovered space on a lot appurtenant to a building and unoccupied by buildings or structures except as specifically permitted in this By-law.

YARD, EXTERIOR SIDE

Means the yard of a corner lot extending from the front yard to the rear yard between the exterior side lot line and the nearest main wall of the main building or structure on the lot.

YARD, FRONT

Means a yard extending across the full width of the lot between the front lot line and the nearest main wall of the main building or structure on the lot.

YARD, INTERIOR SIDE

Means a yard other than an exterior side yard that extends from the front yard to the rear yard between the interior side lot line and the nearest main wall of the main building or structure on the lot.

YARD, MINIMUM REQUIRED

Means the minimum distance of a yard required from a lot line. No part of a required minimum yard for a building or structure shall be included as part of a required minimum yard for another building or structure. In calculating minimum required yards, the minimum horizontal distance from the respective lot lines shall be used.

YARD, REAR

Means a yard extending across the full width of the lot between the rear lot line and the nearest main wall of the main building or structure on the lot.

Z

ZONE

Means an area of land use(s) shown on the Zoning Schedules of this By-law.

SECTION 8.0 ENACTMENT

This By-law shall come into effect upon the date of passage hereof, where no objections are received or, where objections are received, upon approval of the Ontario Land Tribunal in accordance with the *Planning Act, R.S.O. 1990 c.P.13* as amended.

BY-LAW READ A FIRST AND SECOND TIME THIS _TH DAY OF Month, YEAR.

BY-LAW READ A THIRD AND FINAL TIME AND PASSED THIS _th DAY OF Month, YEAR.

MAYOR

CLERK