

Huntsville Zoning By-law

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Huntsville Zoning By-law 2008-66P

September 2019

1 Administration and Interpretation

1.1 Title

- 1.1.1 This By-law shall be referred to as the “Town of Huntsville Zoning By-law” and applies to all lands identified on the Schedules attached to this By-law.

1.2 Compliance with the Zoning By-law

- 1.2.1 No person will use any land, erect, place, alter, expand, or use any building or structure, except in accordance with the provisions of this By-law.
- 1.2.2 No building permit or occupancy permit shall be issued where the proposed building, structure or use would be in violation of any of the provisions of this By-law.
- 1.2.3 Where a use, building or structure has been permitted by a minor variance granted to that use, building or structure, such permission imposed by the minor variance continues to be permitted and imposed by this By-law. Where there is a conflict between this By-law and the provisions so granted, the provisions granted prevail.
- 1.2.4 This By-law shall not be effective to reduce, increase or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions.
- 1.2.5 Any use established in violation of a predecessor of this By-law is deemed to have been established unlawfully.
- 1.2.6 No lot shall be changed in area or frontage by the conveyance of land so that:
- a) the lot coverage exceeds the maximum permitted by this By-law; and,
 - b) the lot area and frontage of the lot from which the land is to be taken will be less than the minimum permitted for an existing lot of record (under Section 3.3) and the minimum yard requirements are not less than the respective zone.
- 1.2.7 No person shall be deemed to have contravened any provision of this By-law if an addition is made to any existing lot of record, even if the

addition is not sufficient to make the existing lot comply with the area, frontage or other requirements of this By-law.

1.3 Expropriation

1.3.1 For the purposes of determining compliance with the regulations of this By-law, where a part of a lot is expropriated or otherwise acquired by a public authority, 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 acquisition.

1.4 Penalties

1.4.1 Penalties for contravention of any provisions of this By-law are as provided in Section 67 of the Planning Act, RSO 1990, as amended.

1.5 Technical Revisions to the Zoning By-law

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

- a) correction of grammar 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 infrastructure information, keys, legends or title blocks; or
- 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.

1.6 Commencement and Repeal

1.6.1 This By-law shall come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, as amended.

1.6.2 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 replaced by or at the direction of the Ontario Municipal Board, is deemed to have come into force on the day that it was passed.

1.6.3 By-law 74-8 and all amendments thereto, are repealed upon the coming into force of this By-law.

1.7 Validity

- 1.7.1** 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 Level of Municipal Services

- 1.8.1** This By-law does not imply the provision or availability of a specific level of municipal services on individual lots in the Town. Areas outside of Urban Service Areas as identified on Schedules "S-1", "S-2" or "S-3" will not have access to municipal sewer and water services. Lots that do not abut year round publicly maintained roads may not have the same level of municipal services as do lots fronting on maintained public roads.

1.9 Transitional Provisions

1.9.1 Consent: Where:

- a) an application is made for consent to convey land under Section 50 of the Planning Act, prior to enactment of this By-law; and,
- b) that consent is granted and that land is conveyed before the consent lapses; and,
- c) that consent results in the creation of one or more lots which do not comply with the lot frontage or lot area requirements of this By-law; then,

each such lot created is deemed to comply with the lot frontage and lot area requirements of this By-law provided the lot created complies with the lot frontage and lot area requirements of the applicable zoning prior to the date of adoption of this By-law.

1.9.2 Consent: Where:

- a) an application for consent has been approved and a long form certificate has been issued by the Town in accordance with Section 53(42) of the Planning Act; and
- b) the conveyance has not occurred prior to the date of adoption of this Zoning By-law;

such lot shall be deemed to comply with the lot frontage and lot area of the zone in which the lot is located; provided such lot complied with the lot frontage and lot area requirements of the applicable zoning prior to the date of adoption of this Zoning By-law.

1.9.3 Site Plan Approval Where:

- a) an application is made for approval of plans or drawings in a designated site plan control area under Section 41 of the Planning Act, prior to enactment of this By-law; and,
- b) that approval is granted and the site plan agreement is registered against the lands to which it applies; and,
- c) that such site plan agreement results in development which does not comply with the requirements of this By-law; then,

such development is deemed to comply with the requirements of the applicable zone of this By-law provided the development approved complies with the requirements of the applicable zoning prior to the date of adoption of this Zoning By-law.

However, where such development is not commenced within 2 years of the registration of the site plan agreement or enactment of this By-law, whichever is the later, no development will be permitted that is not in compliance with the requirements of the applicable zone in which the development is located, and a new site plan agreement will be required.

1.9.4 Committee of Adjustment applications

Where an application is made for a variance to the Zoning By-law under Section 45 of the Planning Act prior to enactment of this By-law, such variance shall be completed under the provisions of the By-law as it was in effect when the variance was applied for.

1.9.5 Previous Committee of Adjustment decisions

Any variance granted by the Town of Huntsville Committee of Adjustment to any predecessor of this By-law shall be deemed to be a variance to this By-law.

1.10 Interpretation

1.10.1 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.

1.10.2 Unless otherwise defined, the words and phrases used in this By-law have their normal and ordinary meaning.

1.10.3 Tables are part of the By-law and are used throughout to present regulations in a concise format.

1.10.4 For the purposes of this By-law,

- a) words used in the present include the future;
- b) words in the singular number include the plural number and words in the plural include the singular number;
- c) the word “shall” is mandatory; and
- d) the words “used” and “occupied” shall include the words “arranged” and “designed to be used or occupied” respectively.

1.10.5 All measurements in this By-law appear in metric. Imperial measurements are shown for convenience only.

1.11 Interpreting the Zoning Maps

1.11.1 The zoning schedules attached to this By-law as Schedules A-1 to M-11 are part of this By-law.

1.11.2 Where the boundary of any zone shown on the Zoning Schedules:

- a) follows a street, lane, utility or railway right-of-way or watercourse, it is considered to follow the centerline of such street, lane, utility or railway right-of-way or watercourse;
- b) substantially follows lot lines shown on a registered plan of subdivision, it is considered to follow such lot lines;
- c) passes through a lot and the distance is not indicated, the Zoning boundary shall be measured using the scale of the Zoning map;
- d) varies from the Schedules to any site specific amendment, the boundaries shall be as per those shown on the site specific amendment;
- e) shows a discrepancy due to drafting errors, the Director of Planning shall determine the applicable zone boundary;

In addition, in all instances, boundaries between zones and specific lot standards shall be as shown on the Property Detail Schedules, in Section 9, where applicable.

1.11.3 Shore Road Allowance

Where a shore road allowance is identified on Schedules to this By-law, and no zone symbol is identified, the lands are deemed to be zoned in accordance with the lands immediately abutting the shore road allowance.

1.11.4 Road Allowances/Roads/Utility Corridors

Roads and road allowances, shown on schedules to this By-law do not have a zone symbol assigned to them. Zones shall be interpreted in accordance with Section 1.11.2.

1.12 Zones

1.12.1 The following zones (and codes) are used in the text and schedules to identify the zones in this By-law:

Location in By-law	Zone Name	Zone Code
Section 5.2	Residential Zones	
	• Residential One	R1
	• Residential Two	R2
	• Residential Three	R3
	• Residential Four	R4
	• Rural Residential	RR
	• Residential Mobile Home	RM
Section 5.3	Shoreline Residential	
	• Shoreline Residential One	SR1
	• Shoreline Residential Two	SR2
	• Shoreline Residential Three	SR3
	• Shoreline Residential Four	SR4
	• Shoreline Residential Five	SR5
Section 5.4	Commercial	
	• Convenience Commercial	C1
	• General Commercial	C2
	• Highway Commercial	C3
	• Tourist Commercial	C4
	• Shopping Centre Commercial	C5
	• Gateway Commercial Campus	C6
	• Central Business District Mixed Use	C7
Section 5.5	Shoreline Commercial Zones	
	• Shoreline Commercial One	CS1
	• Shoreline Commercial Two	CS2
	• Institutional Camp	CS3
	• Marina	CS4
Section 5.6	Industrial Zones	
	• Light Industrial	M1
	• Muskoka Commerce Park	M2
	• Rural Special Industrial	M3
	• Restricted Industrial	M4
	• Extractive Industrial – Sand & Gravel	M5

	<ul style="list-style-type: none"> • Extractive Industrial – Pit & Quarry 	M6
Section 5.7	Mixed Use Zones	
	<ul style="list-style-type: none"> • Main Street West 	MU1
	<ul style="list-style-type: none"> • Muskoka Road 3 	MU2
	<ul style="list-style-type: none"> • Highway 60 	MU3
	<ul style="list-style-type: none"> • Centre Street 	MU4
	<ul style="list-style-type: none"> • Muskoka Road 3 North 	MU5
Section 5.8	Other Zones	
	<ul style="list-style-type: none"> • Rural One 	RU1
	<ul style="list-style-type: none"> • Rural Two 	RU2
	<ul style="list-style-type: none"> • Institutional 	IN
	<ul style="list-style-type: none"> • Open Space - Water 	O1
	<ul style="list-style-type: none"> • Open Space 	O2
	<ul style="list-style-type: none"> • Open Space – Golf Course 	O3
	<ul style="list-style-type: none"> • Tent & Trailer Park 	O4
Section 5.9	Natural Resource Zones	
	<ul style="list-style-type: none"> • Conservation 	C
	<ul style="list-style-type: none"> • Natural Resource 	NR
	<ul style="list-style-type: none"> • Natural Resource Floodway 	NR1
	<ul style="list-style-type: none"> • Natural Resource Floodfringe 	NR2

1.12.2 Zoning of Water and Islands

- a) All permanent bodies of water are zoned Open Space (O1).
- b) Any Island that does not have a zone symbol attached to it is zoned Open Space (O1).

1.12.3 Exceptions: Site specific requirements are identified on Schedules A-1 to M-11 as exceptions, with the specific requirements noted in Section 6.

1.13 Sewer and Water Servicing Schedules

1.13.1 Schedules S-1, S-2 and S-3 identify lands in the Town of Huntsville where municipal water and sewage disposal facilities are provided. These schedules in Section 10 form part of this By-law.

1.14 Property Detail Schedules

1.14.1 Property detail schedules form part of this By-law and are listed in Section 9 to this By-law. These schedules more particularly show the boundary of the zone or property and any special provisions applicable to the property.

1.15 Holding Provisions

1.15.1 Holding provisions, as shown by the symbol “H” on Schedules A-1 to M-11 in Section 8 of this By-law, may be removed where all of the following items as applicable have been addressed:

- a) provision of water and sewers and allocation of servicing capacity;
- b) provision of a site evaluation, impact assessment, or technical report;
- c) phasing of development;
- d) provision of facilities and services such as storm water management or roads;
- e) provision of a record of site condition on a contaminated site;
- f) site plan agreement registered on title;
- g) subdivision or condominium agreement registered on title;
- h) other similar situations as determined by Council; or
- i) as required pursuant to special provisions noted in Sections 6 and 7.

1.15.2 Detailed provisions respecting permitted uses and lot regulations for lands subject to a Holding provision are detailed in Section 7.

1.15.3 Where the “H” symbol has been removed and development has not occurred within 2 years of the removal of the “H” symbol, the removal of the “H” symbol shall expire and be re-established on the lands, as it existed prior to the removal of the “H” symbol.

2 Definitions

- 2.1 **ABATTOIR** means a slaughter house designed for the purpose of killing animals, skinning, dressing and cutting up of carcass, wrapping for sale for human consumption with cooler and freezer storage and includes indoor confinement of animals while awaiting slaughter but shall not include any cooking or process related to processing plants such as smoking, curing or the manufacturing of meat by-products or any process related to rendering plants such as the manufacture of tallow, grease, glue, fertilizer or any other inedible product.
- 2.2 **ACCESSORY BUILDING OR STRUCTURE** means a detached or attached building or structure that is not used for human habitation (except for a private cabin), but the use of which is naturally and normally incidental to, subordinate to and exclusively devoted to a principal use of the building and is located on the same lot therewith.
- 2.3 **ACCESS RAMP** means an approach and/or entrance to a building providing access for persons with physical or sensory disabilities.
- 2.4 **ACCESSORY USE** means a use that is subordinate, incidental and exclusively devoted to the principal use and is usually located on the same lot.
- 2.5 **ADULT ENTERTAINMENT PARLOUR** shall mean any land, structure or premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations.
- 2.6 **ALTER** means,
- a) with respect to a building or structure any alteration in a bearing wall, or partition column, beam, girder, or other supporting member of a building or structure, or any change in the area or cubic contents of a building or structure.
 - b) with respect to a lot, to change frontage, depth, or area of the lot or to change frontage, depth, or area of any required yard, setback, landscaped open space or parking area, or to change the location of any boundary of such lot with respect to a public highway or laneway, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise.
- 2.7 **AERODROME** means: Any area of land, water (including frozen surface thereof) or other supporting surface used, designed, prepared, equipped or set apart for use either in whole or in part for the arrival, departure, movement or servicing of aircraft and includes any buildings, installations and equipment situated there on or associated therewith. (Aeronautics Act)
- 2.8 **ARTISAN'S STUDIO** means the use of land, buildings or structure for the creation, finishing, refinishing or similar production of paintings, sculptures or other works of arts or hand-made crafts by the proprietor, together with the sale of such commodities, but does not include any use otherwise defined in this By-law.

- 2.9 **BAR** means a licensed drinking establishment, the principal business of which is to serve any sort of alcoholic beverage to the public for consumption on the premises.
- 2.10 **BARN** means a structure designed or utilized to accommodate livestock and/or feed and shall include but not be limited to the associated farm equipment (e.g. a tractor, combine and any other device necessary for the agricultural operation) and shall not include the storage or parking of any other motor vehicles.
- 2.11 **BARRIER** means anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, technological barrier, or a policy or a practice.
- 2.12 **BED AND BREAKFAST ESTABLISHMENT** means a detached dwelling which is owner occupied and in which not more than two bedrooms are used or maintained for the accommodation of the travelling or vacationing public, in which the owner supplies lodging with or without meals.
- 2.13 **BOARDING HOUSE** means a detached dwelling in which the owner or operator supplies lodging in at least 3, but not more than 10 bedrooms for hire or gain, and which may include the provision of meals or the use of common areas, but does not include any entity otherwise defined in this By-law.
- 2.14 **BOAT HOUSE** means a detached accessory building used for the berthing, sheltering or storing of boats and related equipment, built, founded or anchored near or at the shoreline of a navigable waterway or on land, but does not include living quarters for human habitation.
- 2.15 **BOAT PORT** means a detached accessory building used for the berthing, sheltering or storing of boats and related equipment that is roofed, but not enclosed by more than one wall and is built, founded or anchored near or at the shoreline of a navigable waterway or on land.
- 2.16 **BUFFER** means a portion of a lot where vegetation is substantially maintained or re-established in its natural state or vegetation is planted, or a fence or barrier is erected for the purpose of obscuring or screening buildings, structure, parking or activity on a lot.
- 2.17 **BUFFER, SHORELINE** means a natural area, adjacent to a shoreline, maintained or re-established in its natural predevelopment state or improved to an acceptable standard established in a site plan or development agreement for the purpose of protecting natural habitat and water quality and minimizing the visual impact of buildings and structures on a lot.
- 2.18 **BUILDING** means any enclosed structure used or intended to be used for the shelter or the occupation of persons, animals, goods, materials or equipment, other than a fence or wall.

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- 2.19 **BUILDING, ANGULAR PLANE** means an imaginary flat surface projecting over a Lot, at an inclined angled measured up from the horizontal.
- 2.20 **BUILDING, PRINCIPAL** means a building in which the principal use is conducted. Any structure, such as a deck or garage attached to the principal building is considered part of such building and is subject to the regulations applicable to the principal building.
- 2.21 **CABIN, PRIVATE** means a detached accessory building or structure, located on the same lot as the principal dwelling, for sleeping accommodation only or for the occasional accommodation of guests, from which there shall be no monetary gain and in which sanitary facilities may be provided, but shall not contain cooking facilities.
- 2.22 **CAMPSITE** means an area of land within a tourist camping establishment or an institutional tourist establishment that is designed to accommodate the short term placement of tents or a recreational vehicle. A campsite does not mean an area of land used to accommodate a park model trailer, a mobile home or structures such as porches, decks or sheds, but may include a tent platform.
- 2.23 **CANNABIS PRODUCTION FACILITY** means the use of land, buildings and structures for the purpose of cultivating, growing, processing, packaging, testing, destroying, sorting or shipping federally licensed marijuana. A Marijuana Production Facility consists of some or all of the following components: greenhouses, warehouses, laboratories, processing facilities, administrative offices, and shipping facilities, but does not include onsite retail sales of federally licensed marijuana. A Marijuana Production Facility is licensed or authorized by Health Canada and/or other government agency responsible for regulation of the proposed activities.
- 2.24 **CARPORT** means an attached or detached accessory building, at least fifty per cent (50%) of the area of the perimeter faces of which is open and unobstructed by any wall, door, post or pier, which is designed or used for the sheltering of a private motor vehicle and storage of household equipment incidental to the residential occupancy, and excludes any other open shelter and tent used for the purpose of a private garage.
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- 2.25 **CELLAR** means that portion of a building which has more than 50% of its height, from floor to the underside of floor joists above, above the average finished grade level adjacent to the exterior walls of the building.
- 2.26 **CEMETERY** means land, buildings or structures used or intended to be used for interring the dead or placing or burying the remains or ashes of human bodies. A cemetery does not mean a funeral home.
- 2012-23
- 2.27 **CENTRAL BUSINESS DISTRICT** means that area as defined by the Town of Huntsville Official Plan.
- 2.28 **CLUB, PRIVATE** means the use of land, buildings or structures by a non-profit, non-commercial organization which carries on social, cultural, athletic or recreational activities, but does not include a gun club, and archery club, or any use otherwise defined in this By-law

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- 2.29 **COMMERCIAL ACCOMMODATION UNIT** shall mean a rental unit within a tourist establishment to be rented out for the purposes of catering to the needs of the travelling public by furnishing sleeping accommodation with or without food. Such rental shall be in the form of normal daily rental, or interval ownership which shall include forms of rental such as time-sharing or Interval ownership, Fee Simple, and which shall have a turnover frequency exceeding 12 times per year.
- 2.30 **CONCRETE OR ASPHALT PRODUCT MANUFACTURING** means a building or part of building where concrete, asphalt, mortar, or plaster material are mixed or batched or are weighed and measured for mixing off site.
- 2.31 **CONSERVATION** means the use of land for the protection of the natural environment through maintenance or comprehensive management for individual or public use or benefit.
- 2.32 **CONTRACTOR'S ESTABLISHMENT** means the use of land, buildings or structures where mechanical, electrical, structure, plumbing or general contractors administer their businesses and store heavy equipment and/or building materials. A contractor's establishment does not include the wholesale or retail sale of building, construction, or home improvement goods, merchandise, equipment and supplies.
- 2.33 **DAY NURSERY** means the use of land or buildings which receives more than 5 children primarily for the purpose of providing temporary care, for a continuous period not exceeding 24 hours.
- 2.34 **DECK** means a structure with no roof or walls, except for railings, which is constructed on piers, a foundation or cantilevered above grade for use as an outdoor living space. Any portion of a dock structure that extends onto the land above the shoreline is considered a deck.
- 2.35 **DESIGNATED ACCESSIBLE PARKING** means a parking space identified with appropriate signage and markings for the exclusive use of persons in possession of valid accessible parking permits.
- 2.36 **DISTRICT ROAD** means a public highway under the jurisdiction of the District Municipality of Muskoka.
- 2.37 **DOCK** means a structure built, founded or anchored near or at the shorelines extending over the water at which boats may be berthed or secured and which may provide a foundation for a boathouse.
- 2.38 **DRY CLEANING ESTABLISHMENT** means premises used only for the purpose of collection, distribution, and processing of articles or goods of fabric to be subjected to the process of dry cleaning, dry dyeing, cleaning, and spotting and stain removing, and for the pressing of any such articles or goods.
- 2.39 **DSTM Retail Store** (DSTM - Department Store Type Merchandise) includes retail stores, which sell items in the following categories: general merchandise, apparel/accessories, household furnishings, drugs/cosmetics, durables and

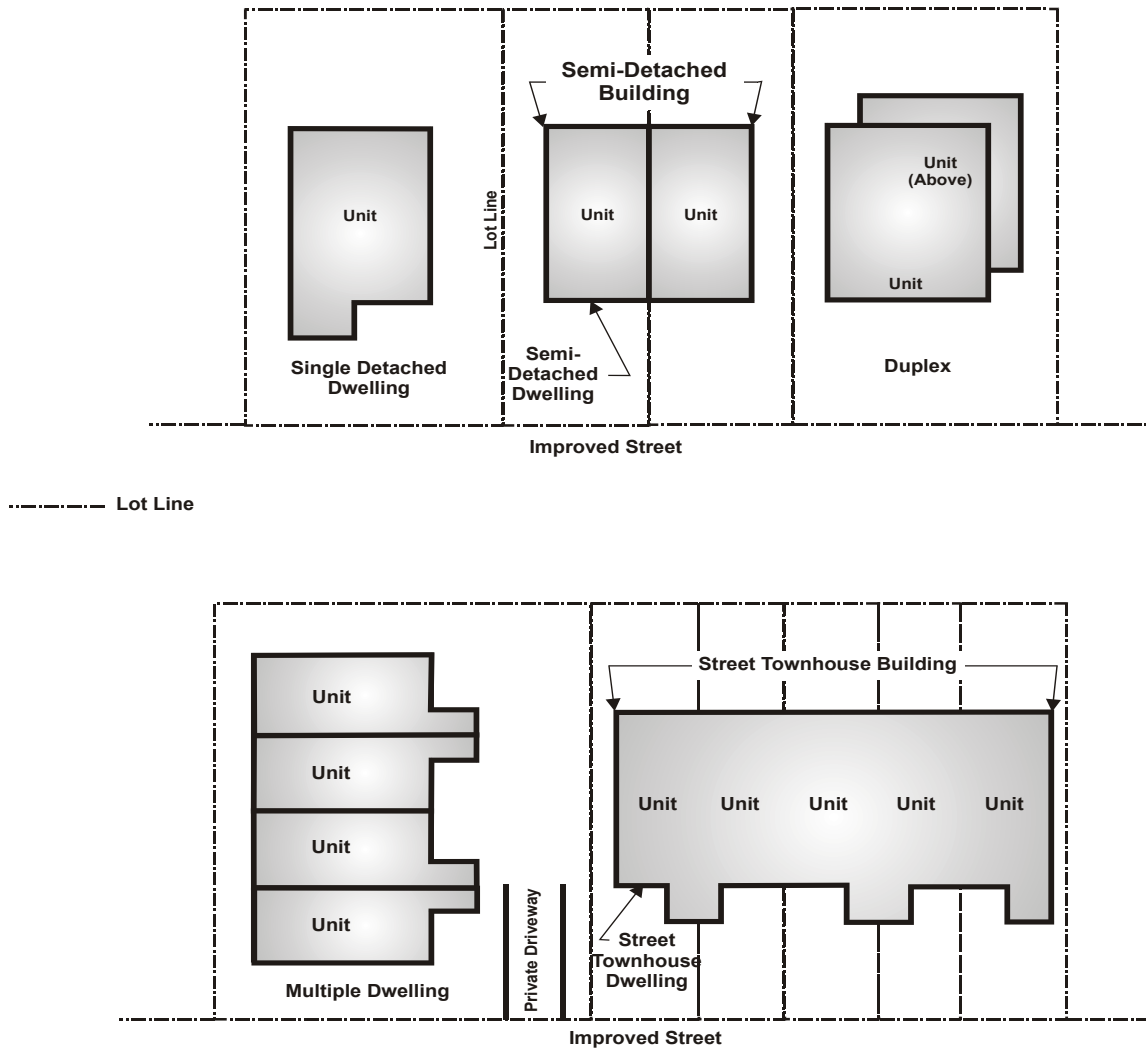
semi-durables, hardware, computers and office supplies, but does not include retail stores in which the sale of those items is clearly incidental or accessory to an otherwise permitted use. A “DSTM retail store” does not include a department store, a home and automotive supply store, an automotive and home centre, a service operation (such as eating/drinking, personal services, entertainment or other services), supermarkets and specialty food stores

- 2.40 **DWELLING** means a building designed or used for residential occupancy by one or more persons, containing one or more dwelling units as its principal use, but shall not include a commercial accommodation in a tourist establishment, mobile home with or without a foundation, boarding house, or institutions.
- 2.41 **DWELLING, DUPLEX** means a dwelling other than a semi-detached dwelling that is divided into two dwelling units each of which has independent entrances to the outside area adjacent to the dwelling unit.
- 2.42 **DWELLING, MULTIPLE** means a dwelling containing three or more dwelling units, but shall not include a street townhouse dwelling.
- 2.43 **DWELLING, SEMI-DETACHED** means a dwelling that is divided vertically to provide two dwelling units separated by a common wall, both with frontage on a street.
- 2.44 **DWELLING, SEMI-DETACHED DUPLEX** means a building designed to contain two or more dwelling units attached side by side, two units high, with each dwelling unit having a private entrance at grade level.
- 2.45 **DWELLING, SINGLE DETACHED** means dwelling containing one dwelling unit.
- 2.46 **DWELLING, STREET TOWNHOUSE** means a dwelling divided vertically into three (3) or more dwelling units with each unit designed to be located on a separate lot having frontage on a street.
- 2.47 **DWELLING UNIT** means a suite of habitable rooms which:
- a) is located in a building;
 - b) is used or intended to be used in common by the occupants as a single, independent, and separate housekeeping establishment; and
 - c) contains food preparation and sanitary facilities provided for the exclusive common use of the occupants thereof.

For the purposes of this By-law, a dwelling unit does not include a tent, private cabin, trailer, mobile home, (except in a Residential Mobile Home (RMH) Zone), or a room or suite of rooms in a boarding house, tourist home, or tourist establishment unless otherwise specifically permitted.

Refer to illustration – Figure 1 below.

FIGURE 1 - Illustration of Dwelling Unit Types



2.48 **EDUCATIONAL INSTITUTION** means the use of land, buildings or structures as a training centre or an elementary or secondary school, private school, university or community college authorized by the Province of Ontario.

2.49 **ERECT** means, with reference to a building or structure, to build, construct, reconstruct, or enlarge, and includes:

- a) any physical operation such as excavating, filling, grading, or draining preparatory of building, construction, and reconstruction;
- b) the moving of a building or structure from one location to another;
- c) any work for the doing of which a building permit is required under the Ontario Building Code;
- d) erect, erected and erection shall have a corresponding meaning.

- 2.50 **ESTABLISHED BUILDING LINE** means the average setback from the street line of existing buildings on one side of the street, as provided in Section 3.2.1.
- 2.51 **EQUESTRIAN ESTABLISHMENT** means a commercial establishment where horses are housed or boarded and are available for riding, riding instruction, agility training or jumping.
- 2.52 **EQUIVALENT RESIDENTIAL UNIT (ERU)** means a calculation of the capacity that is required for a single detached residential dwelling unit. One dwelling unit is equivalent to 1 ERU and one accommodation unit is equivalent to 0.75 ERU.
- 2.53 **FARM** means land used for the tillage of soil and the growing of vegetables, fruits, grains and other crops including livestock raising, dairying, maple sugar bush or woodlots, and includes roadside facilities for the retail sale of produce grown on the farm.
- 2.54 **FINANCIAL ESTABLISHMENT** means a building which is used to provide for financial services in which money is deposited, kept, lent, or exchanged, including accessory clerical functions and shall include a bank, trust company, credit union or other similar banking service.
- 2.55 **FLOOD FRINGE** means the outer portion of the flood plain between the floodway and the limit of the regulatory flood. Flood depths and velocities are generally less severe in the flood fringe than those experienced in the floodway.
- 2.56 **FLOOD PLAIN** means the area, usually low lands, adjoining a navigable waterway which has been, or may be covered by flood water.
- 2.57 **FLOODPROOFING** means a combination of building changes or adjustments incorporated into the basic design, construction, or alteration of individual buildings or properties subject to flooding so as to reduce or eliminate flood damages.
- 2.58 **FLOODWAY** means the channel of a navigable waterway and that inner portion of the flood plain where flood depths and velocities are generally higher than those experienced in the flood fringe. The floodway represents that area required for the safe passage of flood flow or that area where flood depths or velocities are considered to be such that they pose a potential threat to life or property damage.
- 2.59 **FLOOR AREA** means with reference to a building, the total habitable floor area within a building which area is measured between the exterior faces of the exterior walls or from the centre line of a common or part wall, but excluding any private garage, breezeway, porch, verandah, balcony, sunroom, attic, cellar and any floor area with a ceiling height less than 2 metres (6.6 ft.).

- 2012-23 2.60 **FLOOR AREA, GROSS** means total floor area of all storeys exclusive of any part of the building or structure below finished grade which is used for heating equipment, the storage or parking or motor vehicles, breezeways, porches, verandahs, decks, locker storage and laundry facilities, and other accessory uses, and enclosed malls when used as a common area between stores.
- 2.61 **FLOOR AREA, GROUND** means the floor area of the grade level storey of a building measured to the outside walls, excluding, in the case of a dwelling house, any private garage, carport, porch, verandah, sunroom (unless such sunroom is habitable at all seasons of the year).
- 2014-112 2.62 **FOOD MANUFACTURING** means the preparation, manufacture and packaging of finished food products made from unprepared or previously prepared ingredients and foodstuffs, but excluding any outside manufacturing or processing operations, for wholesale and limited retail sales. Up to a maximum of ten per cent of Gross Floor Area may be used for retail sales of food products produced on site, but does not include a Restaurant or use otherwise defined in this By-law.
- 2.63 **FOOD STORE** means a store where primarily food, as well as other personal, convenience and household items and services, is provided for sale directly to the public and includes a supermarket, butcher shop, bakery shop, produce outlet, delicatessen or farmer's market.
- 2.64 **FORESTRY OPERATION** means land used for the development, management and cultivation of timber resources grown on-site and may include the establishment of an accessory portable sawmill.
- 2.65 **FOUNDRY** means an establishment in which metals are cast or an article is made by casting.
- 2.66 **FUEL STORAGE TANK** means a tank for the bulk storage of petroleum gasoline, fuel oil, gas or flammable liquid or fluid but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.
- 2.67 **GARAGE, PRIVATE** means an attached or detached accessory building which is designed or used for the sheltering of a private motor vehicle and storage of household equipment incidental to the residential occupancy and which is fully enclosed and roofed and excludes a carport or other open shelter and tent used for the purposes of a private garage.
- 2.68 **GARDEN CENTRE** means the use of land, buildings or structures for the growing, display and retail sale of trees, shrubs and plants. A garden centre may include the display and sale of landscaping, lawn and garden equipment, furnishings and supplies.
- 2.69 **GAZEBO** means a freestanding roofed accessory structure which is used for relaxation as opposed to storage or habitation, and which may include an unenclosed deck surround.

- 2.70 **GOLF COURSE** means a public or private area operated for the purpose of playing golf and, without limiting the generality of the foregoing, may include a par 3 golf course, driving range, clubhouse and recreational facilities, but does not include a miniature golf course.
- 2.71 **GRADE, FINISHED** means the average elevation of the finished surface of ground where it meets the front wall of a building opposite the front lot line, except that localized depressions not exceeding 20% of the width of the building or structure or 3 metres (9.8 ft.) whichever is the greater such as for vehicle or pedestrian entrances would not be considered in the determination of average levels of finished ground.
- 2.72 **GROUP HOME, RESIDENTIAL** means a detached dwelling used for the accommodation of 3 to a maximum of 10 residents, other than staff or the receiving family, who by reason of their emotional, mental, social or physical conditions, or legal status require a group living arrangement and responsible supervision for their well being, but does not include an institutional group home. A group home is licensed or funded under Federal or Provincial Statute.
- 2.73 **GROUP HOME, INSTITUTIONAL** means a detached dwelling for the accommodation of 3 to a maximum of 10 residents, other than staff or the receiving family, operated primarily for individuals who are ex-offenders, on probation, on parole, admitted for correctional purposes or recovering from substance abuse and require responsible supervision. An institutional group home is licensed or funded under federal or Provincial Statute.
- 2.74 **HABITABLE** means enclosed space that is improved or conditioned for human comfort, and includes areas designed for living, sleeping, eating or food preparation by humans.
- 2.75 **HAZARDOUS MATERIALS** means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.
- 2.76 **HEALTH SERVICES** means an establishment which provides health or medical services such as a chiropractor, optometrist, medical clinic, associations or organizations formed to provide medical or health services.
- 2.77 **HEAVY EQUIPMENT RENTAL, SALES AND SERVICE** means the use of land for either the direct distribution of motorized construction equipment (e.g. bulldozers, loaders, backhoes, forklifts, etc.) or including the contracting out of trucks or transports including the outside storage of this equipment.

2.78 **HEAVY INDUSTRIAL USE** means:

- i) the manufacture or processing of products from raw materials;
- ii) the production or use of flammable, explosive or other hazardous materials;
- iii) the storage of these products and materials; and,
- iv) Class 2 or 3 Industry as defined by Ministry of the Environment Guidelines.

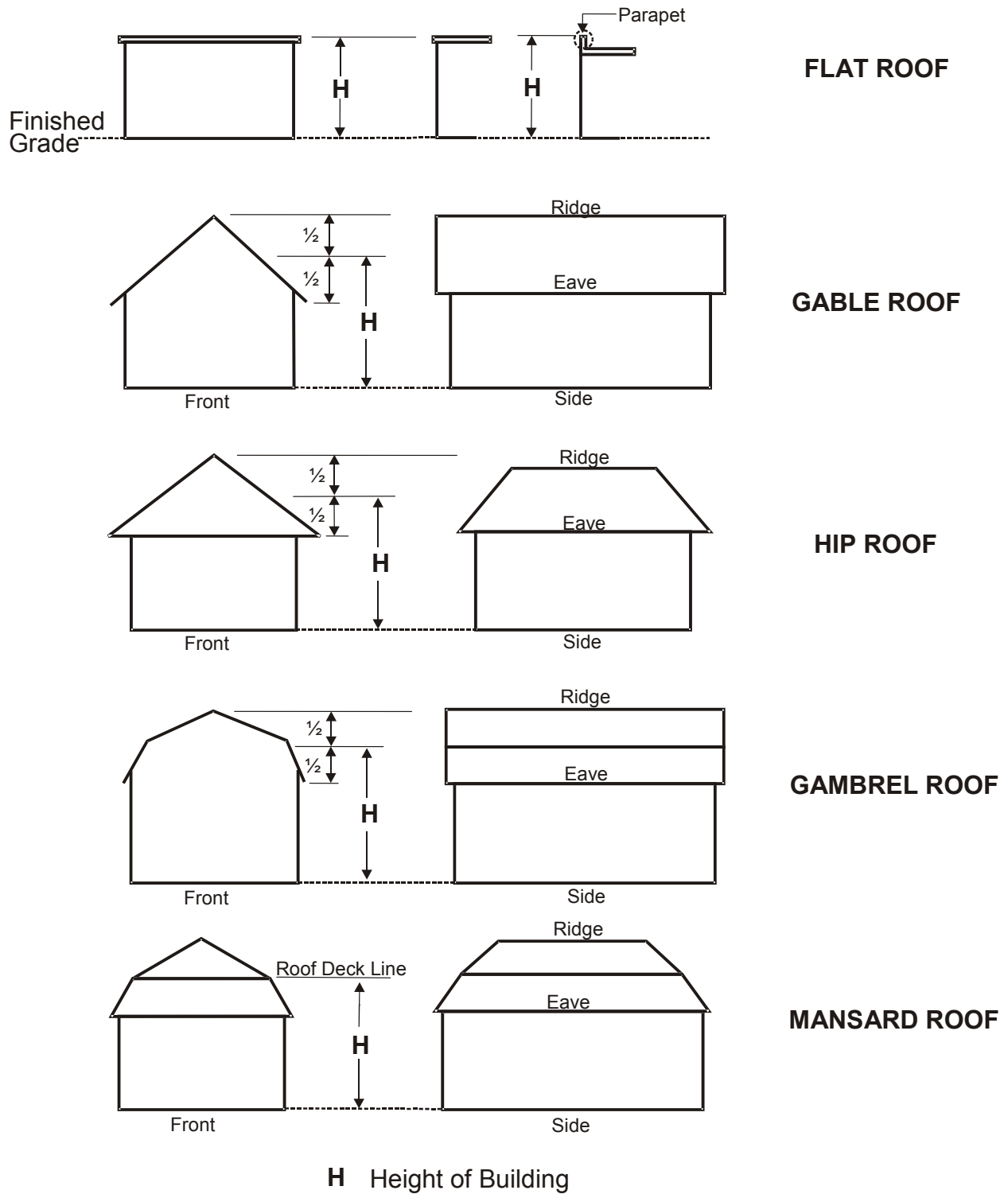
2.79 **HEIGHT** means, with reference to a building, the vertical distance measured from the average finished grade on the side of the building facing the front lot line or exterior side lot line, whichever results in the greater height measurement of the building or from the side of the building facing the shoreline on a lot that abuts a watercourse to,

- a) in the case of a flat roof, the highest point of the roof surface, or the parapet, whichever is the greater;
- b) in the case of the mansard roof, the roof deck line;
- c) in the case of a gable, hip or gambrel roof, the mean heights between the eaves and ridge, but in calculating the height of a building, any construction used as ornament or for the mechanical operation of the building such as a mechanical penthouse or a chimney, tower, cupola or steeple is not to be included ;
- d) 75% of the height of the roof ridge of an A-framed structure. For the purposes of this By-law, A-frame refers to the roof extending from the peak to where it meets the ground (finished grade).

With reference to a structure partially or entirely on or over the water, height shall be measured from the elevation of the high water mark.

Refer to illustration - Figure 2 below.

FIGURE 2 - Illustration of Building Height



Note: The above illustrations are for clarification and convenience only and do not form part of the By-Law.

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- 2.80 **HENS, BACKYARD** Means the accessory use of land or a structure used to raise hens (excluding roosters), subject to the following:
- a maximum of maximum of five(5) hens is permitted on a lot equal to and less than 0.4 hectares (1 acre) in area
 - a maximum of ten(10) hens is permitted on a lot greater than 0.4 hectares (1 acre) in area,
 - Hens must be kept in the rear yard, in a screened, rodent and predator proofed enclosure that must be located a minimum of 4.5m from a side or rear property line.
 - The hens must be maintained in accordance with good animal husbandry practices as defined by the ministry of Food and Agriculture.
 - The hens and eggs shall be for domestic use only and may be sold in accordance with the Home Occupation provisions.
- 2.81 **HIGH WATER MARK** means the present normal or controlled, high water mark of a navigable waterway.
- 2.82 **HOBBY FARM** means a residential property that contains a single detached dwelling, with accessory farm structures that house not more than 5 animals, excluding domestic household pets.
- 2.83 **HOME IMPROVEMENT CENTRE** means an establishment which provides for the sale of building, construction and home improvement materials, hardware, garden equipment and material, paint, glass, curtains and draperies, floor coverings, furniture, household appliances.
- 2.84 **HOME INDUSTRY** means a small scale light industrial use, such as a carpentry shop, a metal working shop, a welding shop or an electrical shop that provides services or wares to the community and which is an accessory use to a single detached dwelling. For the purposes of this By-law, the repairing of motor vehicles, mobile homes and trailers is not a home industry.
- 2.85 **HOME OCCUPATION** means a gainful occupation conducted in a detached dwelling or accessory building, which is secondary and accessory to the use of the dwelling as a private residence.
- 2.86 **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.
- 2.87 **INCLINATOR** means an inclined passenger lift for homes built on sites with a steep access.
- 2.88 **INSTITUTIONAL TOURIST ESTABLISHMENT** means the use of land, buildings or structures for an establishment operated by a private organization that provides recreational, education, health, or spiritual programs, sleeping accommodation on a temporary and reserved basis and centralized facilities associated with such accommodation or programs, or for the provision of administration or dining. An institutional tourist establishment may include accessory buildings, structures or facilities incidental to the principal use, such as

common washrooms, recreational facilities, or a convenience store. An institutional tourist establishment does not include a dwelling unit other than an accessory dwelling for the owner or operator or staff quarters, and does not include a use otherwise defined in this By-law.

2.89 **KENNEL** means any building, structure, dog run or other facility or part thereof, where:

- a) dogs are kept for breeding or show purposes; or
- b) where domesticated animals are being boarded.

2.90 **LANDSCAPED AREA** means that part of a lot located outdoors that is available or used for the placement of any or a combination of the following elements:

- a) **soft landscaping** consisting of vegetation such as trees, shrubs, hedges, ornamental plantings, grass and ground cover;
- b) **hard landscaping** consisting of non-vegetative materials such as brick, pavers, rock, stone, concrete, tile and wood, excluding monolithic concrete and asphalt and any area used for parking, and including such features as a walkway, patio, deck or in-ground pool; and
- c) **architectural elements** consisting of decorative fencing, walls, sculptures, gazebos, trellises, planters, benches and other similar features.

2.91 **LAUNDROMAT** means premises where the service of coin-operated laundry machines, using only water, detergents and additives are made available to the public for the purpose of laundry cleaning.

2.92 **LIGHT INDUSTRIAL USE** includes:

- a) warehousing or distribution of finished parts or finished products;
- b) the manufacture from previously prepared materials of finished parts or finished products;
- c) factory or assembly-line processes that involve the manufacture, processing, assembly or packaging of finished parts or finished products made from previously prepared materials;
- d) the repair or servicing of such products;
- e) does not produce or use hazardous material; and
- f) Class 1 Industry as defined by Ministry of the Environment Guidelines.

but excludes any outside manufacturing or processing operations.

2.93 **LOADING SPACE** means an area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which adequate area is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle, and is not upon or partly upon any street, lane or alley.

2.94 **LOT** means:

- a) a parcel of land, the whole of which can be legally conveyed without approval pursuant to the Planning Act, and which is not described in a registered condominium description; or
- b) two or more parcels of land which are deemed to be one lot by this By-law or pursuant to the Planning Act, or which are required to be transferred together by an agreement made pursuant to the Planning Act; or
- c) a parcel of land described as a whole registered description by the Condominium Act, except for: a vacant land condominium, in which a unit is considered to be a lot; or in the case of a resort commercial establishment that includes associated accommodation units within one or more condominium description that share central management and resort amenities on one contiguous area of land, the entire land area of the resort commercial establishment is deemed to be one lot for the purpose of this By-law.

2.95 **LOT AREA** means the total horizontal area within the lot lines of a lot located above the ordinary water's edge, but does not include any lands which have been filled or otherwise altered to artificially increase the area above the ordinary water's edge.

2.96 **LOT CORNER** means:

- a) a lot situated at the intersection of and abutting upon two or more streets where the angle of the intersection does not exceed 135 degrees; or
- b) a lot located on the curve of a street where the angle of intersection of the projection of the tangents of the street line does not exceed 135 degrees and for which the lot shall be deemed to be the centre point of that part of the arc of the street line upon which the lot abuts.

2.97 **LOT COVERAGE** means the percentage of the lot area covered by the footprint of all buildings and/or structures, including cantilevered floor joists and decks, but excluding parking areas, driveways and walkways, fences, eaves, bay windows, outdoor pools and playground equipment, leaching beds and other ornamental or safety projections that do not increase the footprint at ground level (e.g. sill, cornice, fire escape that does not constitute a stairway, chimney protruding through an exterior wall then extending vertically, and other similar structures), and includes any structure that projects over or into the water.

2.98 **LOT FRONTAGE, STREET** means the straight line horizontal distance between the side lot lines, such distance being determined by a line equal to the minimum front yard as measured at the side lot lines.

2.99 **LOT FRONTAGE, WATERCOURSE** means the straight line horizontal distance between the two most widely separated points on any one shoreline of a lot, except as follows:

- a) where there are no side lot lines (e.g. a peninsula) the greatest distance

between any point on the front lot line and any point on the rear lot line.

- b) where there are no side lot lines and no rear lot lines, such as on an island, the greatest distance between any two points.

2.100 **LOT INTERIOR** means a lot other than a corner lot.

2.101 **LOT LINE** means any boundary of a lot.

2.102 **LOT LINE, FRONT** means the lot line that divides the lot from the public street or from the high water mark, except:

- a) in the case of a corner lot, the shorter public street line shall be deemed to be the front lot line and the longer public street line shall be deemed to be the exterior side lot line, but,
- b) in the case of a through lot abutting the public street, the lot line abutting the public street or public road which provides the principal means of access, but,
- c) in the case of a corner lot with two public street lines of equal length, the lot line that abuts the wider public street, shall be deemed to be the front lot line and in the case of both public street lines being the same length, the Town will designate either public street line as the front lot line, and
- d) in the case of a lot abutting a navigable waterway or the unopened original shore road allowance along the navigable waterway, the lot line directly adjacent or closest to the navigable waterway or unopened original shore road allowance shall be deemed to be the front lot line, or in the case of a lot with more than one lot line abutting a navigable waterway or the unopened original shore road allowance, the lot line that abuts the navigable waterway or the unopened original shore road allowance for the longest distance shall be deemed to be the front lot line.

2.103 **LOT LINE, REAR** means the lot line furthest from and opposite to the front lot line or in the case of a triangular lot, shall be that point formed by the intersection of the side lot lines.

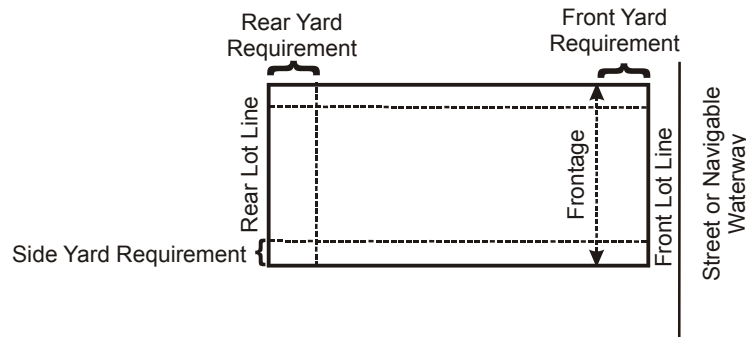
2.104 **LOT LINE, SIDE** means a lot line other than a front or rear lot line.

2.105 **LOT, THROUGH**, means:

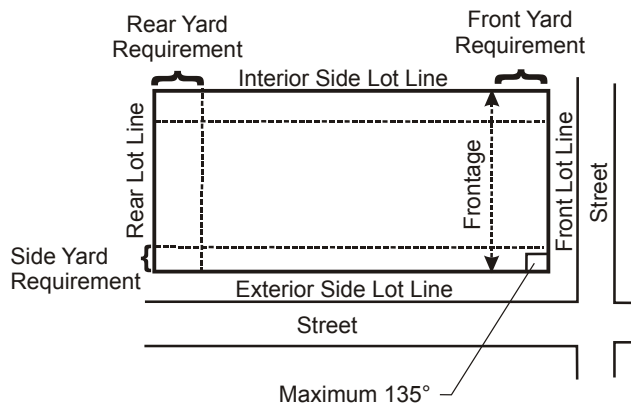
- a) a lot other than a corner lot, having separate frontages on two streets; or
- b) a lot other than a corner lot having separate frontages on a navigable waterway;
- c) a lot other than a corner lot having separate frontages on a street and a navigable waterway.

FIGURE 3 - Illustration of Lot and Yard Requirements

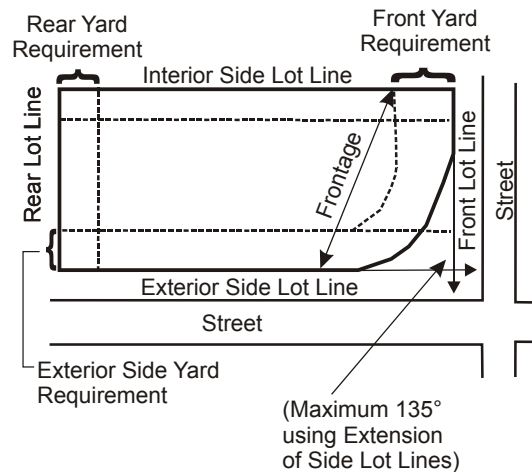
**Figure 3(a)
 TYPICAL LOT**



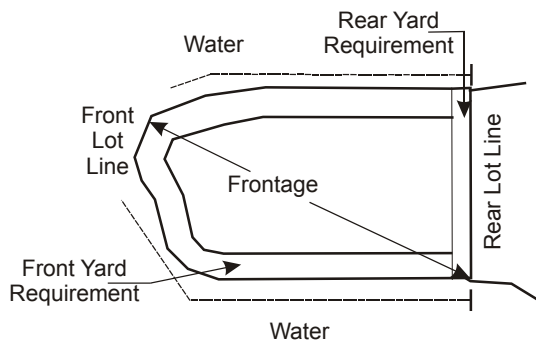
**Figure 3(b)
 CORNER LOT (straight sides)**



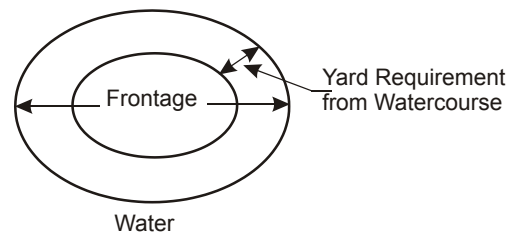
**Figure 3(c)
 CORNER LOT (curved sides)**



**Figure 3(d)
 PENINSULA**



**Figure 3(e)
 ISLAND**



Note: The above illustrations are for clarification and convenience only and do not form part of the By-Law.

- 2.106 **MANUFACTURING ESTABLISHMENT** means a building or part of a building in which the process of producing or assembling a product by hand or mechanical power and machinery is carried on.
- 2.107 **MARINA** means a building, structure or place, usually containing docking facilities where boats and boat accessories are stored, serviced, repaired or kept for sale and where facilities for the sale of marina fuels and lubricants may be provided and may include a convenience store or a building or structure for the sale of refreshments.
- 2.108 **MARKET** means an area of land consisting of buildings, stalls, or an open area used primarily for the display and retailing of, and without limiting the generality of the foregoing, farm produce, meat, poultry, foodstuffs, wares, or commodities.
- 2.109 **MATERIAL RECOVERY FACILITY** means the use of a building or part of a building primarily for the reprocessing of waste recyclable materials directly into usable products or into raw materials for further processing in an ongoing manufacturing or industrial operation. Such facility may also collect, sort and separate materials.
- 2.110 **MOBILE HOME** means any residential structure that is designed to be mobile and is constructed or manufactured to provide a permanent residence, but does not include a recreational trailer or modular home.
- 2.111 **MOBILE HOME SITE** means an area of land within a mobile home park used for the parking of one mobile home.
- 2.112 **MOBILE HOME PARK** means a parcel of land used for the parking or storage of mobile homes and includes all accessory buildings necessary to the operation of said park.
- 2.113 **MOTOR VEHICLE BODY SHOP** means a building or structure used for the painting or repairing of motor vehicle bodies, exterior and undercarriage, and in conjunction with which there may be towing service and motor vehicle rentals for customers while motor vehicle is under repairs, but shall not include any other establishment otherwise defined or classified in this By-law.
- 2.114 **MOTOR VEHICLE DEALERSHIP** means a building or structure where a dealer displays motor vehicles for sale or rent and in conjunction with which there may be a motor vehicle repair garage, or a motor vehicle body shop, service station, and washing establishment, but shall not include any other establishment otherwise defined or classified in this By-law.
- 2009-127P 2.115 **MOTOR VEHICLE SERVICE STATION** means a building, or a clearly defined space on a lot, where motor vehicle fuel is sold by retail, including a gas bar, and where motor vehicle accessories, parts, and/or repairs may be available for purchase.

- 2.116 **MOTOR VEHICLE WASHING ESTABLISHMENT** means an establishment for washing, cleaning and polishing motor vehicles by means of either production line cleaning methods and/or mechanical devices and includes a coin-operated self-service operation but does not include an automobile service station or gas bar, a public garage or a motor vehicle dealership where car washing operations are incidental to the principal activity of business.
- 2009-82P 2.117 **NATURAL STATE** means the area maintained in its natural pre-developed state. Where the natural state has been altered, the area may be planted with indigenous trees and shrubs. Where all or a portion of the natural state area is a natural beach or rock outcropping with little or no soil, such shall be deemed to comply.
- 2.118 **NAVIGABLE WATERCOURSE** means any body of water that is capable of affording reasonable passage of watercraft of any description for the purpose of transportation, recreation or commerce and includes any river, stream or lake considered navigable by law.
- 2.119 **NON-COMPLYING** means land, buildings or structures that do not satisfy one or more standards of this By-law.
- 2012-23 2.120 **NON-COMPLYING, LEGAL** means a setback which was legally established on or before the date of final passing of this By-law which does not comply with the regulations or provisions of this BY-law as of the date of the final passing thereof so long as it continues to be used for that purpose.
- 2012-23 2.121 **NON-CONFORMING** means a **USE** which does not conform with the provisions of this By-law for the zones in which such a **USE** is located on the date the By-law was passed.
- 2.122 **NON-CONFORMING, LEGAL** means a use of land that is not listed as a permitted use in the zone in which it is located or the use of lands having a lot width or lot area less than the minimum established by this By-law but which is tolerated because Section 34(9), Planning Act (R.S.O. 1990) allows it to continue so long as the use is not changed or discontinued.
- 2.123 **NOXIOUS** means when used with reference to any use of land, building or structure, a use which, from its nature, or from the manner of carrying on same, creates or is liable to create, by reason of destructive gas or fumes, dust, objectionable odour, noise or vibration or unsightly storage of goods, wares, merchandise, salvage, junk, waste, or other material, a condition which may become hazardous or injurious with regards to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use of land, building or structure.
- 2.124 **NURSING HOME** means a building other than a hospital in which the proprietor supplies for hire or gain, lodging with nursing, medical or similar care and treatment, if required, and includes a rest home or convalescent home, but does not include any other establishment otherwise defined in this By-law.

- 2.125 **OFFICE** means a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business, or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment.
- 2.126 **OPEN SPACE** means lands that are generally open and free of buildings or structure, used for passive parkland or recreation, and may include recreational, educational or interpretive facilities or trails.
- 2.127 **ORIGINAL SHORE ROAD ALLOWANCE** means a 20 metre wide allowance for road reserved along the shore of a navigable waterway by the crown but not an allowance that has become a street.
- 2.128 **OUTDOOR RECREATIONAL USE** means a public or private area operated for the purpose of playing golf, driving ranges, miniature golf courses, tennis courts, outdoor skating rinks, recreational trails, public park, ski-lifts and similar uses, together with necessary and accessory buildings and structures, but shall not include a theme park.
- 2.129 **OUTDOOR STORAGE** means accessory open air storage of goods, materials and equipment in a yard outside the principal or main building on a lot.
- 2.130 **PARK, PRIVATE** means any open space or recreational area, other than a public park, owned and operated and maintained in whole or in part for profit by an organization for members only, and may include therein one or more swimming, wading, and boat facilities, picnic area, ski area, gardens or refreshment rooms and similar uses, but shall not include any building or structure greater than 60 square metres (645.8 sq. ft.) in area.
- 2.131 **PARK, PUBLIC** means a public area devoted to recreational and open space uses and used for:
- a) passive forms of recreational uses which may include a picnic area, walking trail, swimming area, greenhouse, zoological gardens, botanical gardens, or like or similar uses; or
 - b) active forms of recreational uses which may include a baseball diamond, soccer pitch, docks, tennis courts, outdoor ice rink, swimming pool, fair grounds, athletic fields, field houses, bleachers, bandstands, or other like or similar uses; or
 - c) special events which may include, without limiting the generality of the foregoing, social or cultural events, and the temporary display of goods, wares, merchandise, substances, foodstuffs, commodities, or articles of similar kind and the temporary retail sale of goods, wares, merchandise, substances, foodstuffs, commodities or articles of a similar kind to the general public.
- 2.132 **PARKING SPACE** means an area provided for the parking of motor vehicles and shall be exclusive of any access or driveway and any part of a public street. Parking Space may include a private garage.

- 2.133 **PERSONAL SERVICE ESTABLISHMENT** means a building, or part thereof, used for the provision of services involving the health, beauty, or grooming of a person or the maintenance or cleaning of their apparel. For the purposes of this definition, the maintenance or cleaning of a person's apparel shall be through a drop-off and pick-up service method only.
- 2.134 **PIT** means a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed for commercial purposes by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside pit, and may include primary processing such as washing, screening or crushing, or storage of the material excavated. Blasting is not permitted.
- 2.135 **PLACE OF ASSEMBLY** means a place designed and used to accommodate gatherings of people such as clubs, reception halls, funeral homes, conference centres, legion halls, community halls and lodges, and for events such as trade shows, banquets, and political or other conventions, museum, library and place of worship.
- 2.136 **PLAZA COMPLEX** means a group of commercial or industrial business establishments which are planned, developed, managed, and operated as an entity with shared on-site parking and contain 3 or more separated spaces for lease occupancy.
- 2009-82P 2.137 **PORCH** means a roofed open approach to an entrance to a building projecting from the exterior wall of a building and having at least fifty percent of the total area of the vertical planes forming the perimeter unobstructed in any manner except by insect-screening from floor to ceiling.
- 2009-127P 2.138 **PRIVACY FENCE** means any barrier or structure constructed of wood, stone, metal, brick or other similar materials or combinations of such material, which is erected for the purpose of screening (e.g. lighting from vehicles, buildings and storage of materials), safeguarding, retaining or enclosing property or delineating property lines.
- 2.139 **PROVINCIAL HIGHWAY** means a street under the jurisdiction of the Ministry of Transportation of Ontario.
- 2.140 **PUBLIC AUTHORITY** means,
- a) the Corporation of the Town of Huntsville, the District Municipality of Muskoka, the Government of Ontario, the Government of Canada, or any school board, authority, or commission of any of them; or
 - b) any utility company providing telephone, telegraph, electrical, or natural gas services; or
 - c) any railway company authorized under the Railway Act of Canada; or
 - d) any corporation providing services to the public, that has an operating budget entirely funded by one or more entities described in clause (a).

- 2.141 **PUBLIC USE** means the use of a lot, building or structure by a public authority, for the purpose of providing its services to the public, or carrying out its public mandate.
- 2.142 **QUARRY** means a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial, manufacturing or other purposes, and may include blasting and primary processing such as washing, screening, crushing, or storage of the material excavated.
- 2.143 **RECREATIONAL TRAIL** means a use which provides access for snowmobiling, hiking, biking, walking, cross-country skiing and any other outdoor recreation that requires the use of trails, and may include a portage.
- 2.144 **RECREATIONAL ESTABLISHMENT** means the use of a building, or part thereof, for a fee, for the provision of athletic and amusement facilities involving the active participation of the user-public in a sports-related activity and includes without limiting the generality of the foregoing, such facilities as racquet courts, fitness clubs, billiard parlours, bowling alleys, golf courses, arenas, riding stables, or water sports, but shall not include a theme park.
- 2.145 **RECREATIONAL VEHICLE** means a vehicle which provides sleeping and other facilities for short periods of time, while travelling or vacationing, designed to be towed behind a motor vehicle, or self-propelled, and includes such vehicles commonly known as travel trailers, truck trailers, pickup coaches, motorized campers, motorized homes or other similar vehicles and shall not include a mobile home.
- 2.146 **REFRESHMENT STAND** means a free-standing accessory building or structure from which food stuffs and/or refreshments are sold or offered for sale for consumption by the public and which building or structure resides on a premise as not to be removed on a daily basis.
- 2.147 **RESIDENTIAL CARE FACILITY** means an establishment providing supervised or supportive in-house care for those who need assistance with daily living, that may also provide on-going medical or nursing care or counseling and social support services and which may include services such as medical, counseling, and personal services.
- 2.148 **RESTAURANT** means the use of a building or structure for the preparation and sale of food and beverages for immediate consumption within or outside of the building or structure and may include ancillary home delivery, catering or take out services, but does not include a refreshment room, or any building or part thereof, where food or beverages requiring no further preparation before consumption, are offered for sale.
- 2.149 **RESTAURANT, DRIVE-THROUGH** means a restaurant that provides a drive-through function.
- 2.150 **RETAIL STORE** means a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for sale or rental at retail, but does not include a use otherwise defined in this By-law.

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- 2009-82P 2.151 **ROAD OR STREET, PRIVATE** means a path or way which affords vehicular access to more than one lot and is not owned by a public authority.
- 2009-82P 2.152 **ROAD OR STREET, PUBLIC** means an improved public highway for vehicular traffic, which is maintained by and under the jurisdiction of a public authority.
- 2.153 **SALES AREA, GROSS** means that part of a commercial establishment that is used to display items for sale or rent or is accessory to the sale or rental of any item, including washrooms, corridors and associated offices, but shall not include any area used exclusively for the storage of retail or maintenance items and that is not open to the public. In the case of a Shopping centre, gross sales areas shall not include any part of a corridor used exclusively for pedestrian access between stores.
- 2.154 **SALVAGE YARD** means an establishment where goods, wares, merchandise, articles or things are processed for further use and/or where such goods, wares, merchandise, articles or things are stored and/or sold and includes a junk yard, a scrap metal yard and a motor vehicle wrecking yard or premises. Such establishment shall include screening of such goods, wares, merchandise, articles or things from view.
- 2.155 **SATELLITE DISH** means a structure used, or intended to be used, to receive broadcast signals from satellites, but shall not include those devices that are licensed by the Federal Government.
- 2.156 **SELF-STORAGE FACILITY** means a building or group of buildings used for the indoor storage of household goods, wares, substances, or articles but shall not include a cartage depot, transportation depot, or warehouse. A shipping container, truck body, bus coach, streetcar body, railway car, or other similar body or container, whether or wheels or not, shall not be used as part of a self-storage facility.
- 2.157 **SENIOR CITIZENS HOME** means any home for Senior Citizens sponsored and administered by any public agency or any service club, church or other nonprofit organization, either of which obtains its financing from Federal, Provincial or Municipal Governments or agencies, or by public subscription or donation, or by any combination thereof, and such homes shall include auxiliary uses such as club and lounge facilities, usually associated with Senior Citizens development.
- 2.158 **SERVICE ESTABLISHMENT** means a building or part thereof used for the sale or repair of household articles including radio, television and appliance repair. A service establishment does not include the manufacture of articles, goods or materials, or include a use otherwise defined by the By-law.
- 2009-127P 2.159 **SETBACK** means the distance between a lot line and a building or structure on a lot.
- 2.160 **SEWAGE SYSTEM**: For the purposes of this By-law, a sewage system is a structure.

- 2.161 **SHOPPING CENTRE** means a retail commercial development under coordinated management, consisting of a fully-enclosed climate-controlled mall with an interior corridor and may also include a limited number of attached or unattached buildings which do not share a common corridor, and which may include a department store, a food store, and other retail and service commercial uses.
- 2.162 **SHORELINE** means the boundary between the water and the land, or any lot line or portion thereof which abuts a navigable watercourse or a shore road allowance abutting a navigable watercourse.
- 2.163 **SIGN** means a sign within the meaning of the Sign By-law of the District Municipality of Muskoka, Ministry of Transportation of Ontario and the Corporation of the Town of Huntsville.
- ~~2009-127P~~ 2.164 ~~**STEEP SLOPE** means a slope of more than 30% with a vertical drop of 3m or more.~~
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- 2.165 **STORAGE AREA** means that part of a commercial or industrial establishment that is used for the placing of goods and materials associated with or incidental to the principal use of the establishment, and may be conducted outdoors.
- 2.166 **STOREY** means the portion of a building, other than an attic or cellar, included between any floor level and the floor, ceiling or roof next above it.
- 2.167 **STREET LINE** means the limit of the street or road allowance and is the dividing line between a lot and a street or road.
- 2.168 **STRUCTURE** means anything constructed or erected, the use of which requires location on or in the ground, or attached to something having location on or in the ground.
- 2.169 **SUITE, GARDEN** means a one-unit detached dwelling designed to be portable that is smaller than and ancillary to a principal detached dwelling and which is to be used on a temporary basis as an alternative living arrangement for individuals that require some support from the occupants of the principal dwelling.
- 2.170 **SUITE, SECONDARY** means a dwelling unit located within and ancillary to a principal detached dwelling.
- 2.171 **SWIMMING POOL** means a tank or body of water permanently located outdoors, contained by artificial means, which has a possible maximum depth greater than 0.6 metres (2 feet) and used and maintained for the purpose of swimming, wading, diving or bathing and includes a hot tub, whirlpool or Jacuzzi, but does not include an existing natural body of water or stream.
- 2.172 **TENT** means a temporary shelter made of canvas, nylon or other such material, including associated, poles, pegs, and ropes, that may be disassembled and easily moved, and that is not permanently affixed to the site but shall not include a recreational vehicle or any other structure otherwise defined or classified in this By-law.

- 2.173 **THEME PARK** means a private commercial development where there is a combination of more than two different types of recreational uses, including accessory buildings and structures, occurring on the property simultaneously (e.g. waterslides, together with batting cages and go-carts).
- 2.174 **TOURIST CAMPING ESTABLISHMENT** means the use of land, buildings or structures for commercial camping on a short term basis where campsites are rented to and used by the travelling public. A tourist camping establishment may include accessory buildings, structure or facilities incidental to the principal use, such as common washrooms, recreational facilities, a convenience store, or an accessory dwelling unit for the owner or operator. A tourist camping establishment does not include the use of a campsite as a dwelling, off season storage of tents or recreational vehicles on campsites, or a use otherwise defined by this By-law.
- 2.175 **TOURIST ESTABLISHMENT** means the use of land, buildings or structures for the provision of commercial roofed accommodation where commercial accommodation units are offered for rent on a short term or transient basis to the public who is travelling, vacationing, engaged in leisure or recreation, or participating in conventions or meetings. A tourist establishment may include accessory uses, services, equipment or facilities, including a restaurant, normally incidental to such accommodation. A tourist establishment does not include a dwelling unit except for a dwelling unit for the owner or operator, or staff quarters that are accessory to the principal use.
- 2.176 **TOURIST HOME** means a tourist establishment with between 3 and 10 accommodation units in a private dwelling that is owner occupied and operated and that is not part of or used in conjunction with any other tourist establishment and in which there are rooms for rent to the travelling or vacationing public, whether rented regularly, seasonally or occasionally and the rooms in which do not contain provisions for cooking.
- 2.177 **TRAILER, SEMI** means a trailer of at least 6 metres in length designed to be operated with the forward part of its body or chassis resting upon the body or chassis of a towing body.
- 2.178 **TRANSPORTATION DEPOT** means a building, structure or place where trucks or transports are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers, or which is a bonded or sufferance warehouse.
- 2.179 **TRANSPORTATION SERVICES** means the use of land, buildings or structures for the rental or dispatching of motor vehicles.
- 2.180 **USE** means the purpose for which any land, building or structure is arranged, designed or intended to be used, occupied or maintained.
- 2.181 **VARIETY AND CONVENIENCE STORE** means a retail commercial establishment, which serves the daily needs of the residents of the surrounding area, and may include provisions for the sale of refreshments, snacks, gasoline, or video rentals.

- 2.182 **VETERINARY CLINIC** means a building or part of a building used for the purpose of consultation, diagnosis and treatment of small animals, birds and pets by a licensed veterinarian and may also include boarding of such animals, birds and pets.
- 2.183 **WAREHOUSE** means a building used for the storage of goods or materials and may include wholesale establishments.
- 2.184 **WATERCOURSE** means the natural channel for a perennial or intermittent body of water with well defined banks and a bed, but specifically excludes man-made drainage swales.
- 2.185 **WATERFRONT LANDING** means the use of land as a docking and parking facility, which serves as a mainland access point for a commercial or residential property that are accessible by water, but which does not include vessel or vehicle sales or rental or services, or the sale of fuel.
- 2.186 **WAYSIDE PIT OR QUARRY** means a temporary pit or quarry open and used by a public authority solely for the purpose of a particular project or contract or construction and not located on the road allowance.
- 2.187 **WIND TURBINE, SMALL**: means a rotary engine that extracts energy from the wind to create electricity. A small wind turbine is defined as producing no more than 100 Kilowatts of electricity.
- 2.188 **WOODLAND RETREAT** means a building occupied not more than 10 days in any month and not more than 60 days in any 12 month period and used for recreational activities such as hunting, which provides seasonal or temporary accommodation in a remote location where municipal or community services are usually not available. A woodland retreat does not include a dwelling or a commercial use.
- 2.189 **WOODLOT** means harvesting or cultivating timber on site for personal use or in association with land subject to a forest management agreement.
- 2.190 **YARD** means that part of a lot which is open, uncovered and unoccupied between a lot line or the shoreline and a building or structure, other than accessory buildings, structures or uses which are specifically permitted by this By-law within a yard.
- 2.191 **YARD, EXTERIOR SIDE** means a yard extending from the front yard to the rear yard of a lot, between the side lot line immediately adjoining a public street or road and the nearest part of the principal building, structure or nearest open storage on a lot.
- 2009-127P 2.192 **YARD, FRONT** means a yard extending across the full width of the lot between the front lot line of the lot and the nearest part of the principal building, structure or nearest open storage on the lot except where a lot abuts a watercourse, the front yard shall be measured from the high water mark, which may include all, or a portion of, an original unopened shore road allowance.

- 2.193 **YARD, INTERIOR SIDE** means a yard extending from the front yard to the rear yard of a lot, between a side lot line and the nearest part of the principal building, structure or nearest open storage on the lot.
- 2.194 **YARD, REAR** means a yard extending across the full width of a lot between the rear lot line and the nearest part of the principal building, structure or nearest open storage on the lot.
- 2.195 **YARD, REQUIRED** means the minimum horizontal distance required by this By-law from the lot line or shoreline to the nearest part of the building or structure on the lot.

Refer to illustration – Figure 4 below.

3 General Provisions

3.1 Accessory Uses, Buildings and Structures

3.1.1 Permitted Uses: Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any detached accessory building or structure or accessory use.

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

3.1.3 Location on Lot: A detached accessory building or structure shall not be erected in any of the required yards unless specifically provided for elsewhere in this By-law.

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

- A dock
- A boathouse, on water access lots only; or,
- An approved sewage system.

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3.1.5 Building Height: The height of any accessory building or structure shall not exceed 7 metres (22.9 ft.), except where specially required elsewhere in this By-law.

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3.1.6 Coverage: The maximum lot coverage of all accessory buildings and structures (with the exception of a sewage system, patio and swimming pool) shall not exceed 5% of the total lot area, unless specifically provided for elsewhere in this By-law. The lot coverage for accessory buildings and structures is in addition to the maximum lot coverage for the uses listed in Section 5.

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

3.1.8 Accessory Structure encroachments:

Every part of a required yard shall be unobstructed from its lower level upwards, except that:

3.1.8.1 The following obstructions may project not more than 1 metre (3.3 ft.) into any required yard:

- | | |
|----------------|-----------------------|
| a chimney | lintel |
| sill | ornamental projection |
| belt course | cornice |
| eave or gutter | pilaster |
| window canopy | |

provided, however, such obstruction is no closer than 1 metre to the lot line.

3.1.8.2 The following obstructions may project not more than 1 metre (3.3 ft.) into a required side yard and not more than 1.5 metres (4.9 ft.) into any other required yard:

- | | |
|------------------------------|-----------|
| fire escape or open stairway | deck |
| bay window | dormer |
| | vestibule |

provided, however, such obstruction is no closer than 1 metre (3.3 ft.) to the lot line.

3.1.8.3 An entrance canopy attached to a building may project 3 metres (9.8 ft.) into a front yard but no closer than 3 metres (9.8 ft.) to a street line.

3.1.8.4 A loading dock, with or without a roof or canopy, may project 3 metres (9.8 ft.) into a required yard except within 7 metres (23 ft.) of the boundary of a residential zone.

3.1.8.5 A canopy or roof may be erected over a pump island in an automobile service station, or may be extended from the main building to a pump island, but not closer than 3 metres (9.8 ft.) to a street line.

3.1.8.6 An access ramp may be erected not closer than 1 metre (3.3 ft.) to any lot line.

3.1.9 General: Drop awnings, clothes poles, flag poles, garden trellises, retaining walls, fences, or signs which comply with the By-laws of the Town, are permitted in any required yard.

3.1.10 Fire Escapes: Unenclosed fire escapes, in which the stairs, steps and floor are latticed in such a manner that the proportion of voids to solids is not less than two to one and in which guards, consisting of handrails and the structural members necessary for their support, may project into any required yard a maximum distance of 1.2 metres (3.9 feet), provided however, that such structures are no closer than 1 metre (3.3 ft.) from the lot line.

3.1.11 Unenclosed Porches, Balconies or Steps: Unenclosed porches, balconies, raised steps and ramps, covered or uncovered, may project into any required front or rear yard a maximum distance of 3.5 metres (11.5 ft.), provided such structure complies with the required side yard, and provided that in the case of porches or steps such uses are not more than 2 metres (6.6 ft.) above finished grade, and that such structures are no closer than 2 metres (6.6 ft.) to the lot line.

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3.1.12 Utility Sheds: A utility shed, not exceeding 20 square metres (215.3 sq. ft.) in area, may be erected and used in any required side or rear yard provided that it is not located closer than 2 metres (6.6 ft.) to the rear lot line and no closer than 1.2m (3.9ft) to an interior side lot line.

3.1.13 Gatehouse or Information Kiosk: In a non-residential zone, a gatehouse or information kiosk may be located in any required front or side yard, provided such structure shall not be erected closer than 3 metres (9.8 feet) to the front or side lot line.

3.1.14 Incliners: an inclinator for personal use is permitted in the front yard, to a size to accommodate a maximum of two persons.

3.1.15 Garage or Carport:

3.1.15.1 Notwithstanding Section 3.1.3, a detached garage or carport shall not be located closer to the front lot line than the principal dwelling on the lot, except for those areas zoned RU1, RU2 and RR.

3.1.15.2 A detached one storey garage or carport shall be located a minimum 3 metres (9.8 feet) from the rear lot line, except in a Shoreline Residential Zone, where the minimum shall be 6 metres (19.7 feet).

3.1.15.3 A detached two storey garage may be permitted within any Residential, Shoreline Residential or a Rural zone, provided that:

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- a) The maximum height of the garage is 7 metres (23 feet);
- b) The garage is a minimum 6 metres (19.7 feet) from the side and rear lot lines;
- c) In a Shoreline Residential Zone only, the total building area of the garage does not exceed a maximum of 60 square metres (645.8sq.ft.).

3.1.16 Leaching Bed:

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3.1.16.1 A leaching bed or other system of on-site sewage effluent disposal shall be located a minimum of 30 metres (98 feet) from the shoreline.

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3.1.17 Private Cabin: A private cabin may be erected in any Shoreline Residential, Rural or Rural Residential Zone, subject to the following provisions:

- a) such private cabin complies with the minimum yard requirements for the principal use on that zone;
- b) a private cabin shall not be located on a lot less than 4,000 square metres (1 acre) in area;
- c) such private cabin shall not exceed 60 square metres (645.8 square feet) in total area of the structure;
- d) a maximum of one private cabin is permitted on a lot;
- e) a private cabin may be located in the second storey of a detached garage, as provided in Section 3.1.15.3; and
- f) a private cabin shall not be located closer to the shoreline than the principal dwelling on the lot.

3.1.18 Shoreline Structures and Shoreline Buffers:

3.1.18.1 Identification: Shoreline structures refer to accessory buildings and structures erected at or near the shoreline in the required yard located between the shoreline and the dwelling. They include buildings and structures that are attached to the land that forms the bed of a navigable waterway.

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3.1.18.2 Shoreline Buffer: A shoreline buffer shall be maintained across a minimum of 75% of a lot, and shall maintain a minimum depth of 15 metres (49.2 feet) measured from the shoreline in all zones except in Shoreline Commercial Zones. The lands located within a shoreline buffer shall be maintained in a natural state except for the removal of dead and decaying vegetation and a 2 metres (6.6 ft.) wide pedestrian pathway from the dwelling, building or structure, to the shoreline. Areas along the shoreline outside the minimum shoreline buffer that are not built on with structures will have soft landscaping.

3.1.18.3 Permitted Uses: Shoreline structures include the following: boathouse, boat port, deck, dock, gazebo, pump house, outdoor sauna or hot tub, stairs and ramps.

3.1.18.4 Building Height: The height of any accessory building or structure shall not exceed 4 metres (13 ft.), unless specially permitted elsewhere in this By-law. In the case of a boathouse or boat port, the finished grade is the normal or controlled high water mark.

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3.1.18.5 Maximum Width: The maximum cumulative width of all shoreline structures and amenity areas shall not exceed 25% of the lot frontage to a maximum of 15 metres (49.2 feet) of the shoreline, with a maximum width of a boathouse not to exceed 10 metres (32.8 feet). The width shall be measured from the

exterior walls or posts of a boathouse or boat port, and from the outer edge of the deck or dock. The maximum cumulative width of all shoreline structures and amenity areas in Tourist Commercial and Shoreline Commercial One and Two Zones shall not exceed 33% of the lot frontage. The maximum cumulative width in the Shoreline Commercial Four (Marina) Zone shall not exceed 50% of the lot frontage.

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- 3.1.18.6 **Docking Facilities:** A dock may be erected and used in the required yard of a lot abutting a shoreline provided it complies with the minimum required side yard of the zone and does not cross a line drawn into the water perpendicular to the shoreline from the point where the side lot line meets the shoreline, and has a maximum projection into the water of 15 metres (49.2 feet) from the high water mark, with the exception of:
- a) a lot fronting upon a narrow watercourse, where the maximum projection shall be 6 metres (19.7 feet);
 - b) a lot fronting upon the Muskoka River in the Huntsville Urban Area (as defined in the Huntsville Official Plan), where the maximum projection shall be 10 metres (32.8 feet);
 - c) where the 15 metre (49.2 feet) projection of a dock ends in a water depth of less than 0.75 metre (2.5 feet) from the normal or controlled high water mark, the dock may be extended until a water depth of 0.75 metre (2.5 feet) is achieved at the end of the dock, to a maximum projection of 30 metres (98.4 feet).

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- 3.1.18.7 **Boathouse / Boat port:** A boathouse or boat port may be erected and used in the required yard of a lot abutting a shoreline provided it:
- a) does not exceed 100 square metres (1,076.4 sq ft.) in floor area (measured from the exterior walls or posts of a boathouse or boat port), and shall also include the area of any porch or other projections over a dock;

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- b) complies with the minimum side yard of the zone and does not cross a line drawn into the water perpendicular to the shoreline from the point where the side lot line meets the shoreline, and

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- c) has a maximum projection into the water of 15 metres (50 feet) from the high water mark, with the exception of:

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- i) a lot fronting upon a narrow watercourse, where the maximum projection shall be 6 metres (19.7 feet);
- ii) a lot fronting upon the shoreline of those parts of the Muskoka River, between the Railway Bridge in Part of Lot 13, Concession 1, geographic township of Chaffey and Fairy Lake in Part of Lot 16, geographic township

of Chaffey, or the Big East River, in which case a boathouse or boat port is prohibited.

- 3.1.18.8 For the purposes of Section 3.1.18.6 and 3.1.18.7, a narrow watercourse is a watercourse where the average distance in front of the lot measured perpendicularly from shoreline to shoreline is less than 30 metres (98.4 feet).
- 3.1.18.9 **Flat Roof Boathouse:** A boathouse or boat port may contain a flat roof used as a private open sitting area provided that it contains a safety railing or partial wall (not exceeding 1.5 metres (4.9 ft.) in height), does not extend beyond the perimeter of the boathouse or boat port walls and the private sitting area does not contain any other walls or other structures. The minimum side yard requirement for a boathouse or boat port with a flat roof shall be twice the minimum side yard requirement in the Zone in which it is located.
- 3.1.18.10 **Dryland Boathouse:** A dryland boathouse is a boat storage and marine equipment building that does not project over the water. A dryland boathouse shall not be located closer to the shoreline than the principal building on the lot.
- 3.1.18.11 **Pump House:** A pump house may be erected and used in the required yard of a lot abutting a shoreline provided it complies with the minimum required side yard. A free standing pump house shall not exceed a height of 2 metres (6.6 feet) or an area of 9 square metres (96.9 sq. ft.).
- 3.1.18.12 **Unenclosed Deck:** An unenclosed deck may be permitted within the required yard abutting a shoreline, provided that the structure:
- a) does not exceed 30 square metres (322.9 sq. ft.) in floor area;
 - b) is located no closer than 5 metres (16.4 feet) from the shoreline except where such deck is attached to a dock; and
 - c) the deck floor is no more than 1 metre (3.3 feet) from the grade below it.
- 3.1.18.13 **Gazebo:** One freestanding gazebo may be permitted within the required yard abutting a shoreline, provided that the structure does not exceed 15 square metres (161.5 sq. ft.) in floor area; a freestanding unenclosed gazebo may be located on a dock.
- 3.1.18.14 **Outdoor Sauna and Hot Tub:** An outdoor sauna or hot tub may be erected and used in the front yard of a lot abutting a shoreline provided it is a minimum of 20 metres (65.6 feet) from the front lot line, and does not have a total floor area greater than 9 square metres (96.9 square feet). The minimum side yard requirement shall be twice the minimum side yard requirement in the zone in which it is located.

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3.1.18.15 Maximum Number of Shoreline Structures: The maximum number of shoreline structures shall be limited to a dock and boathouse/boat port and one additional shoreline structure. A shoreline structure may include more than one use in combination (e.g. a hot tub within a gazebo or a pump house within a boathouse). A second dock may be permitted as the second shoreline structure. These requirements do not apply in any Shoreline Commercial, Institutional Camp or Marina Zones.

3.1.19 Swimming Pools:

3.1.19.1 Notwithstanding any other provisions of this By-law to the contrary, a swimming pool may be erected as an accessory structure to a principal use on the same lot and located in a rear yard, provided;

- a) it is located no closer than 2 metres (6.6 feet) to the rear lot line, plus additional setback requirements of a distance equal to the height of the swimming pool plus any enclosure above grade at and attached to the pool.
- b) no water circulating or treatment equipment, such as pumps or filters, shall be located closer than 3 metres (9.8 feet) to any interior side lot line or rear lot line;
- c) the deck surround structure of an above ground swimming pool, whether or not attached to the principal building on the lot shall meet the yard requirements of the principal building or structure.

3.1.19.2 On a lot that abuts a watercourse, a swimming pool may be erected in the front yard, provided it is a minimum of 20 metres (65.6 feet) from the front lot line and meets the requirements of Section 3.1.19.1 (b) and (c).

3.2 Established Building Line

3.2.1 Where a permitted building or structure or addition is to be erected on a lot where there is an established building line extending on both sides of the lot, 50 metres (164 ft.) in either direction, such permitted building, structure or addition may be erected closer to the front lot line than required by this By-law, provided such building or structure is not erected closer to the front lot line than the average setback from the front lot line of those existing buildings or structures. This provision does not apply to lands abutting a watercourse.

3.3 Existing Lots

3.3.1 Where a lot having lesser frontage or area than is required by this By-law,

- a) is legally capable of being conveyed or held under separate ownership from abutting lots, or was legally created through an approval pursuant to the Planning Act, and
- b) has the following minimum requirements:

Type of Servicing	Frontage (metres)	Area (sq. metres)
Private well and septic	29 (95 ft.)	1350 (14531.8 sq. ft.)
Municipal water and sewer	12 (39.4 ft.)	370 (3982.8 sq. ft.)
Municipal water or sewer	18 (59 ft.)	745 (8019.3 sq. ft.)

such lot shall be deemed to conform to the lot frontage and area requirements of this By-law provided a Certificate of Approval for a septic system has been granted (where required) or the lot is approved for or is already connected to the respective public services and an entrance permit is approved by the applicable road authority having jurisdiction.

3.4 Fences

- 3.4.1 Landscaping and privacy fences as required by this By-law shall be provided, planted or located, and maintained in a healthy condition by the owner of the land on which the landscaping and privacy fences are located.

3.5 Fish Habitat

- 3.5.1 **Fish Habitat** means areas where known fish habitat have been identified and shown on Schedules to the By-law as Type 1 Fish Habitat. A minimum setback of 30 metres (98.4 feet) shall be maintained from the limits of any Type 1 Fish Habitat and any "Permitted Use" in the zone, save and except a dock.

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3.6 Flood Prone Lands

- 3.6.1 **Minimum Building Elevations:** The minimum elevation of doors, windows or other openings in habitable buildings or structures shall be located above the following Regulatory Flood Elevations for the following water bodies:

Watercourse	Elevation (metres)
Buck Lake	302.65
Clearwater lake	102.30 ⁽¹⁾
Devine Lake	101.79 ⁽²⁾
Fairy Lake	286.53
Fox Lake	296.36
Hunter's Bay	286.48
Lake of Bays	317.18

Lake Vernon	287.48
Mary Lake	282.95
Muskoka River between Hunter's Bay and Fairy Lake	286.30 ⁽³⁾
Peninsula Lake	286.46
Skeleton Lake	282.73
⁽¹⁾ Measured from the marking on the east end of the concrete abutment on the bridge, assumed at 100 metres. ⁽²⁾ Measured from the marking on the west end of the dam, assumed at 100 metres. ⁽³⁾ Lands zoned commercial and proposed to develop with either new or existing buildings shall be permitted to be constructed below the regulatory flood elevation subject to approved wet flood proofing techniques.	

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3.6.2 Big East River Floodplain: In Natural Resource Floodway (NR1) and Natural Resource Floodfringe (NR2) Zones the minimum elevation of doors, windows or other openings in habitable buildings or structures shall be located above the following Regulatory Flood Elevations as shown on Schedules D-9, D-9, D-10, E-6, E-7, E-8, E-9, F-7, F-7-1, F-7-2, F-7-3 and F-7-4.

3.7 Height Exceptions

3.7.1 No height provisions contained in any zone shall apply to prevent the erection, alteration or use of the following accessory buildings or structures, provided the main use is a permitted use with the zone in which is it located:

- a) church spire;
- b) windmill or wind turbine in a Rural Zone;
- c) radio or television tower or antenna;
- d) air conditioner duct;
- e) barn or silo used for farm purposes;
- f) flag poles.

3.7.2 Walkout Basements: A walkout from a basement shall be permitted to be 1.5 metres (4.9 feet) below the finished grade to a maximum width of 20% of the building width or 4 metres (13 ft.) whichever is lesser, and shall be in addition to the usual height requirements.

3.8 Home Occupation

3.8.1 The following regulations apply to regulate a home occupation where such a use is permitted:

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

- b) Such home occupation shall not be a nuisance, with regard to noise, vibration, etc., and not interfere with television or radio reception of others in neighbouring buildings or structures;
- c) Such home occupation shall not include a medical clinic, a private hospital, a nursing home, a boarding house, an eating establishment or a veterinary clinic, but may include a business or professional office that complies with the provisions of this subsection;
- d) There shall be no display to indicate that any part of the property is being used for other than residential uses except for an unlit sign of not more than 0.5 square metres (5.4 sq. ft.), except where a lot fronts on a District Road or Provincial Highway, in which case the requirements of the District or the Province shall be complied with;
- 2019-12 e) The home occupation use shall be conducted entirely within a detached dwelling or accessory building;
- 2019-12 f) In the case of a home occupation located in an accessory structure, such structure shall not be located within a shoreline yard, front yard or exterior side yard and shall not exceed a maximum floor area of 60 square metres (645.8sq.ft.);
- g) Not more than 25% of the gross floor area of the dwelling shall be used for the purposes of home occupation use;
- h) Such use is conducted by a person or persons residing in the dwelling and a maximum of one employee employed on site who does not live in the dwelling;
- i) There shall be no outside storage of equipment, goods or materials associated with the home occupation use; and,
- j) The lot fronts on and has access from a municipally owned, year round maintained road.

3.9 Home Industry

3.9.1 The following regulations apply to regulate a home industry where such a use is permitted:

- a) The home industry shall clearly be secondary to the main residential use of the property and shall not change the residential character of the dwelling;
- b) There shall be no emission of noise, odour or dust that is not normally attributable to the use of the land for other uses permitted in the Zone;
- c) Such home industry shall not be a nuisance to, nor interfere with, television or radio reception of others in neighbouring buildings or structures;
- d) There shall be no display to indicate that any part of the property is being used for other than residential or agricultural uses except for an unlit sign of not more than 0.8 metres square (8.6 sq. ft.), except

where a lot fronts on a District Road or Provincial Highway, in which case the more restrictive requirement shall be complied with;

- e) The home industry shall meet the same yard provisions as required for the principal residential use for the Zone in which it is located, with the exception of the interior side yard, which shall be a minimum of 10 metres (32.8 ft.);
- f) The use shall not occupy more than 25% of the gross floor area of a dwelling, or where located in an accessory building, shall not occupy more than 90 square metres (968.8 sq. ft.) of gross floor area;
- g) A maximum of two (2) employees who do not live in the dwelling may be employed on site in the home industry and additional employees may be employed off-site;
- h) A landscaped buffer shall be provided on the lot in accordance with the provisions of this By-law;
- i) There shall be no goods, wares or merchandise offered for sale or rent from the dwelling or an accessory building which are not manufactured or processed on the lot; and,
- j) The home industry shall be subject to site plan control to regulate storage and accessory buildings; and,
- k) The lot fronts on and has access from a municipally owned, year round maintained road.

3.10 Landscaping and Buffers

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3.10.1 A minimum 3 metre (9.8 feet) buffer shall be provided along a side or rear lot line of a commercial, mixed use or industrial zone where it abuts a residential zone, except where the minimum yard is < 3 metres, in which case the buffer shall be ½ the required yard.

3.10.2 Landscaping shall be provided, planted or located, and maintained in a healthy condition by the owner of the land on which the landscaping is located.

3.10.3 Where landscaping is required on a lot, such lot shall not be used for any purpose other than that which existed at the date of passing of this By-law, unless and until the required landscape strip/privacy fence is planted or located, unless as otherwise provided for in a registered site plan agreement.

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3.10.4 In all commercial, mixed use or industrial zones, and in Residential Three or Residential Four Zones,

- a) All portions of the front yard and the exterior side yard not occupied by parking spaces, driveways and aisles or by a walkway with a maximum width of 1.8 metres (5.9 ft.), or in the Central Business District where the front and exterior side yards not covered by porches or vestibules, must be landscaped with soft landscaping,

having a minimum width of 3 metres (9.8 feet), and

- b) all portions of any other yard not covered by buildings or by parking spaces, driveways or aisles shall be landscaped.
- c) A landscaped buffer shall be provided along the full outer perimeter of the parking lot in accordance with the following table. A driveway may cross the landscaped buffer.

Minimum Required Width of a Landscaped Buffer in a Parking Lot			
Location of Landscaped Buffer	Minimum Required Width of Landscaped Buffer		
	For a parking lot containing 10 or less spaces	For a parking lot containing more than 10 but less than 100 spaces	For a parking lot containing 100 or more parking spaces
Abutting a street	3 metres (9.8 ft.)	3 metres (9.8 ft.)	3 metres (9.8 ft.)
Not abutting a street	1 metre (3.3 ft.)	1.5 metres (4.9 ft.)	3 metres (9.8 ft.)

- d) Interior landscaping within parking lots containing 50 or more parking spaces shall be provided in the form of landscaped islands, landscaped medians, pedestrian pathways or public plazas.
- e) A reduction in the number of parking spaces, to a maximum of 10%, may be permitted in exchange for an equivalent or greater area of interior landscaping within a parking lot.

3.11 Lighting

- 3.11.1** The use of sensitive lighting practices that do not interfere with the view of the night sky or spill into surrounding properties is required for all land uses. Lighting fixtures shall be directed downward (not exceed 2% above horizontal).

3.12 Minimum Separation Distances for Farms

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- 3.12.1** Despite any yard provisions of this By-law to the contrary, no buildings or structures or lot adjustments or changes in use shall be approved, erected or expanded unless they comply with the Provincial Minimum Distance Separation I and II formulae, as written and in effect on the date of approval of this by-law.

3.13 Non Complying Buildings and Structures

- 3.13.1** Where a legal non-complying building is damaged, destroyed, or demolished, the reconstruction of the building will be restricted to its original footprint, building size, height and location.

3.13.2 The expansion of or addition to a legal non-complying building is permitted provided it is not more than the height of the original structure and it complies with all other provisions of the By-law.

3.13.3 Submission of an application for a building permit to replace a legal structure, relying upon Sections 3.13.1 and 3.13.2, must occur within two years of the damage or destruction, otherwise these sections do not apply.

3.14 Non Conforming Uses

3.14.1 Provided that there is no change in use, existing legal non-conforming uses and existing accessory uses thereto may continue. A legal non-conforming use shall be limited to the existing size of the facility (e.g. number of units, area, height).

3.14.2 Where a building containing a legal non-conforming use is damaged, destroyed or demolished, the reconstruction of the building will be restricted to no more than its original footprint, building size, height and location.

3.15 Outdoor Storage

3.15.1 Where outdoor storage is permitted, the area used for outdoor storage shall comply with the yard requirements for that zone, and shall be subject to the landscaping provisions of Section 3.10.

3.15.2 The following requirements apply to outside storage:

- a) In any Industrial zone, there shall be no outside storage of material, equipment, finished or unfinished products, except in accordance with the following outside storage requirements: 15 metre (49.2 ft.) setback from provincial highway and district road; 9 metres (29.5 ft.) from other streets.
- b) Where an Industrial zone abuts the boundary of a Residential zone, there shall be no outside storage unless screened from view from the abutting part of the residential zone.
- c) Where an industrial zone abuts a public street there shall be no outside storage unless screened from view from the abutting street or road.
- d) Outdoor storage is prohibited in front yards, or between the building and the limits of a provincial highway.

3.16 Permitted Uses in all Zones

3.16.1 The following uses are permitted in any zone:

- a) a telephone booth or public transit shelter;

- b) a tool shed, scaffold or other such building or structure incidental to any construction, provided it is located on the premises where such work is under way, until such construction has been finished or discontinued for sixty (60) days;
- c) a temporary sales office in a plan of subdivision or condominium description incidental to construction and sale of lots, units or buildings in such development until construction has been finished or discontinued for sixty (60) days, but no such sales offices shall be established within 30 metres (98.4 ft.) of any occupied dwelling.
- d) a guardhouse or gatehouse located in any industrial zone;
- e) a ticket office to serve a vehicle parking lot;
- f) a receiving/transmitting tower or any steel tower used for signalling purposes and associated buildings, provided the tower and buildings are located at a minimum distance of 150 metres (492 feet) from the boundary of a residential zone, and provided the minimum lot area is 2 hectares (4.9 acres);
- g) decorative walls, fences, planting strips, walkways and other landscaping structures subject to the regulations contained herein;
- i) recreational trails and minor associated structures including outdoor sports courts/fields;
- j) an aerodrome;
- k) the processing of firewood for private use;
- l) temporary special events licensed or approved by the Town of Huntsville;
- m) a wayside pit or quarry operated by or on behalf of a public authority;
- n) a conservation use;
- o) flood or erosion control facilities;
- p) a public park;
- q) a public use.

3.16.2 Public Uses

- 3.16.2.1 Every public use shall comply with the provisions for the Zone in which it is located.
- 3.16.2.2 With the exception of skating rinks, swimming pools, tennis courts or similar uses, any above ground non-residential public use which is located in a Residential Zone must be enclosed in a building which is designed, located and maintained in general harmony with the permitted Residential buildings in such Zone.
- 3.16.2.3 Nothing in this By-law prevents the use of land for a public road or private road or prevents the installation of a water main,

sanitary sewer main, storm sewer main, gas main, pipeline, lighting fixture, transit shelter, or overhead or underground hydro or telephone lines.

3.17 Pits and Quarries

3.17.1 The making, establishment or operation of pits or quarries is prohibited, except in the locations specifically permitted by this By-law, and in accordance with the provisions of this By-law. No person shall use land or erect any building or structure for the purpose of processing, blasting, washing, screening, sorting or crushing rock, sand or gravel, except as expressly provided for in this By-law.

3.18 Prohibited Uses/Activities

3.18.1 External Design – building material: the following building material shall not be used for the exterior vertical facing on any wall of a building or structure

- Building paper
- Asphalt roll type siding.

3.18.2 Health Hazards: notwithstanding anything contained in this By-law, no land or building in any zone shall be used for any purpose, which from its nature or from the material used, is declared to be a health hazard under the Health Protection and Promotion Act without the consent of the local medical officer of health as provided in that Act.

3.18.3 The following uses are prohibited in any zone:

- An abattoir;
- A track for the racing of motor vehicles, motorcycles, snowmobiles or other motorized vehicles;
- A foundry;
- Sewage Lagoon and waste disposal facilities except where otherwise specifically permitted in this By-law.

3.18.4 Truck, Bus and Coach Bodies: no truck, bus, railroad car, caboose, coach or street car body shall be used for human habitation, whether or not the same is mounted on wheels.

3.19 Public Street, Private Road, Navigable Waterway or Condominium Access

3.19.1 Frontage on a Public Street: Except as otherwise permitted in this by-law, no person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected fronts upon and is directly accessible from a road maintained year

round by a public authority. This provision does not apply where there is an existing road use agreement with the Town granting use over the public road allowance, or where a woodland retreat is permitted and being constructed.

- 3.19.2 Unassumed Road:** The provisions of this By-law shall not apply to prevent the erection of a permitted building or structure on a lot in a Registered Plan of Subdivision where a properly executed subdivision agreement has been entered into with the Town where the street or streets will not be assumed by the Town until such time as specified in the agreement.
- 3.19.3 Seasonally Maintained Public or Private Road Access:** Notwithstanding the provisions of Subsection 3.19.1, where a lot is in a Shoreline Residential (SR) Zone and abutting or traversed by a seasonally maintained public or private road, a use, building or structure may be used on such lot in accordance with the provisions of the zone.
- 3.19.4 Access by a Navigable Waterway – Existing Lots:** Notwithstanding the provisions of this Section to the contrary, within a Shoreline Residential (SR) zone where a lot is accessible by means of a navigable waterway only, the erection, alteration of or use of a building or structure for a use permitted in a Shoreline Residential (SR) zone, is permitted and the lot shall not be required to provide parking facilities. For the purposes of this By-law, where a lot fronts upon a shore road allowance, the lot shall be deemed to front upon and be accessible from a navigable waterway.
- 3.19.5 Access by a Navigable Waterway – New Lot Creation:** Any lot creation after the passing of this By-law shall be required to have a minimum of 2 off-site parking spaces legally secured in perpetuity.
- 3.19.6 Condominium Access:** Where property is developed by condominium description, lot frontage and access for the individual units within the condominium description may be considered to be on a private internal road, or where parcels of land are tied to a private road created as a common element condominium, the lot frontage and access for the parcel of tied land (POTL) abutting the private road may be considered to be on said common element condominium.

3.20 Refuse Collection Areas

- 3.20.1** Centralized refuse collection areas located on an individual lot used for commercial, industrial or multiple residential purposes that is not located within a building must be:
- a) located a minimum of 9 metres (29.5 ft.) from a lot line abutting a public street;
 - b) located a minimum of 3 metres (9.8 ft.) from any other lot line, and
 - c) totally enclosed by walls and a roof.

3.21 Secondary Suite:

Where a Secondary Suite is permitted in a Residential Zone, the following provisions shall be complied with:

- a) a building permit is obtained from the Town for the secondary suite;
- b) parking is provided in accordance with the requirements of this By-law;
- 2019-12 c) a secondary suite shall be integrated into the principal dwelling, and maintain the character of the single detached or street townhouse dwelling.

3.22 Signs

A sign permit is required for the erection of any sign on private or public property, which shall only be issued if such sign is in conformity with the respective requirements of the Ministry of Transportation, the District of Muskoka or the Town of Huntsville Sign By-laws.

3.23 Special Watercourse Yard Requirements

3.23.1 On lands abutting a watercourse, the following special yard requirements apply:

3.23.1.1 Agricultural uses shall not be located within 30 metres (98.4 ft.) of any watercourse, and a physical barrier shall be provided to prevent livestock from accessing the watercourse.

3.23.1.2 Fences, planting strips, walkways (including landings less than 10 square metres (107.6 sq. ft.) and stairs) and other landscaping structures may be constructed within the required front yard;

3.23.2 The setbacks noted above may include all or a portion of an original unopened shore road allowance.

3.24 Special Yard requirements

3.24.1 Sewage Facilities: No new dwelling unit or other sensitive land use shall be permitted within:

- a) 200 metres (656 ft.) of a Sewage Treatment Plant for residential uses; 150 metres (492 ft.) for non-residential uses;
- b) 400 metres (1312.3 ft.) of a hauled sewage lagoon or waste stabilization pond;
- c) 500 metres (1640.4 ft.) of a waste disposal (landfill) site.

3.24.2 TransCanada Pipeline: No building or structure shall be located within 10 metres (32.8 ft.) of a TransCanada Pipeline right-of-way.

3.24.3 Extractive Industrial Uses: No new dwelling shall be located closer than 100 metres (328 ft.) of lands zoned M5 or M6.

3.24.4 Railway Right-of-Way: Where a building to be used for residential or institutional purposes is located on lands adjacent to a railway line, a minimum 30 metre (98.4 ft.) yard requirement shall be provided from the boundary of the railway lands, except that expansion or redevelopment of an existing building at the density previously existing in the building shall be permitted at less than the 30 metre (98.4 ft.) yard requirement, provided any expansion or redevelopment is setback from the boundary of the railway lands at a distance equal to the setback of the previously existing building, and provided such building or structure satisfies applicable requirements for noise and vibration mitigation.

~~**3.24.5 Steep Slopes:** All buildings and structures, except stairs, shall maintain a minimum setback from steep slopes. Building and structures located at the top of a steep slope shall be located a minimum of 15m from the top of a defined bank; buildings and structures located at the bottom of a steep slope shall be located a minimum of 5m from the defined toe of slope; no buildings or structures are permitted on a steep slope.~~

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3.25 Storage and Parking of Trailers and Boats

3.25.1 The following regulations apply to the parking of trailers, recreational vehicles and boats in residential and rural zones:

3.25.1.1 A trailer, recreational vehicle or boat must be stored to the rear of the minimum front yard requirement.

3.25.1.2 Notwithstanding the foregoing, such parking or storage is not permitted in a sight triangle, at street intersections and railway intersections, as defined in Section 3.29 of this By-law.

3.25.2 No semi-trailer may be stored in any zone except in an Industrial Zone where semi-trailer manufacture or repair is a primary use or where semi-trailer haulage or storage is the principal use or in a Commercial Zone where the storage of the semi-trailer sales or rental is the principal use.

3.26 Temporary Uses

3.26.1 A temporary building, structure or trailer incidental to the construction of a principal building on a lot is permitted in all Zones, but only for as long as it is necessary for the work in progress and until the work is completed or abandoned. In this case, 'abandoned' shall mean the failure to proceed with the work within a one year time period.

3.26.2 A garden suite is only permitted by way of a temporary use by-law, and shall only be approved in accordance with the following provisions:

- a) the floor area of a garden suite shall not exceed the floor area of the principal dwelling and at a maximum is 85 square metres (915 sq. ft.).
- b) once a garden suite is discontinued, it shall be removed from the site or converted to a permitted accessory use.

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3.26.3 A trailer, a temporary construction camp incidental to construction and used temporarily for office or storage purposes, is permitted in all Zones, provided that the trailer or camp is located on the same lot as the construction and in compliance with the yard requirements for the zone in which it is located and provided the trailer or camp shall not be located on the premises until a building permit for said construction has been issued and the trailer or camp shall be removed within 60 days of the completion or discontinuance of construction.

3.27 Tents, Trailers, Recreational Vehicles

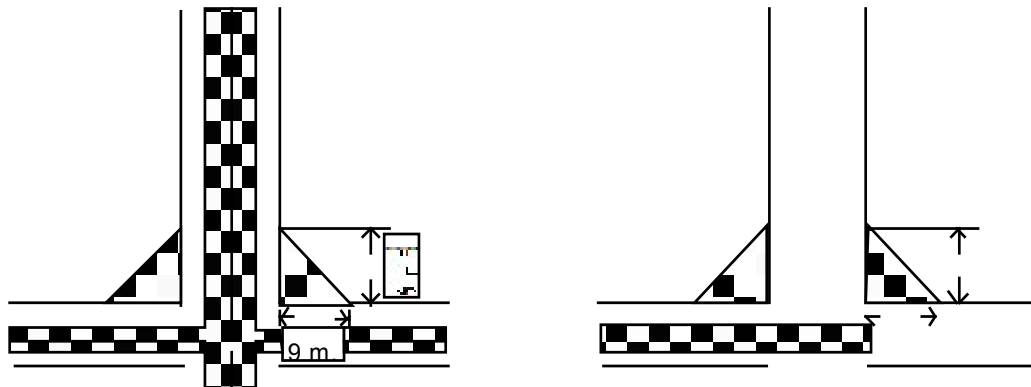
3.27.1 The use of tents, trailers and recreational vehicles for permanent or temporary human habitation shall be prohibited in all zones except;

- a) in a Rural One and Two Zone (RU1 and RU2), Shoreline Residential (SR) or a Rural Residential (RR) Zone, a recreational vehicle equipped with toilet facilities and a Ministry of the Environment approved sewage holding tank may be used for temporary human habitation during the construction of a dwelling unit on a lot, provided that such structure is located on the same lot as the dwelling unit under construction and in compliance with the setback provisions for the zone in which it is located and provided that:
 - i) no such structure shall be located on the premises until a building permit for said construction has been issued and construction commenced;
 - ii) such structure shall cease to be used for human habitation upon completion of the dwelling unit;
 - iii) where not elsewhere permitted in this By-law, such structure shall be removed from the premises upon completion of the dwelling unit, or in all cases, within 60 days of the discontinuance of construction.
- b) for the occasional accommodation of guests in any Rural, Residential or Shoreline Residential Zone provided that a detached dwelling exists on the property.
- c) the use of tents for children's play, picnics, weddings, family reunions, or other similar private functions.

3.28 Visibility Triangles

- 3.28.1** On a corner lot fronting on two roads, within the triangular space formed by the streetlines and a line drawn from a point on each streetline, each such point being 9 metres (29.5 ft.) measured along the street line from the point of intersection of the street lines, no motor vehicle shall be parked, no building or structure which would obstruct the vision of drivers or motor vehicles shall be erected, and no land shall be used for the purposes of growing shrubs or trees in excess of 0.6 metres (2.0 ft.) in height. Where the two street lines do not intersect at a point, the point of intersection of the two 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.
- 3.28.2** Where a railway line intersects with a street, within the triangular space formed by the street and railway line and a line drawn from a point on the street line to a point on the railway line, each such point being 9 metres (29.5 ft.) measured along the abutting lot lines no motor vehicle shall be parked, no building or structure which would obstruct the vision of drivers or motor vehicles shall be erected, and no land shall be used for the purposes of growing shrubs or trees in excess of 0.6 metres (2.0 ft.) in height.

Figure 5 - Illustration of Visibility Triangles



3.29 Water Supply and Sewage Disposal systems

- 3.29.1 Municipal Sewer and Water Services:** Within the full service boundary as shown on Schedules “S-1”, “S-2” and “S-3”, no person shall use any land or erect or use any building or structure, or part thereof, on a lot, unless municipal water and sanitary sewer services are available to service such land, building or structure as the case may be.
- 3.29.2 Single Detached dwellings on existing lots not on full municipal services.** Notwithstanding Section 3.30.1, for lands shown within the full service boundary as shown on Schedules “S-1”, “S-2” and “S-3”,

where municipal sanitary sewer service is not available, one single detached dwelling may be erected on an existing lot provided:

- a) municipal water service is available to service such lands, or single detached dwellings; and
- b) a single detached dwelling is a permitted use within the applicable zone and all the other relevant requirements of the By-law are met.

3.29.3 Single Detached dwellings on existing lots in water only area

For lands shown within the water only area as shown on Schedules "S-1", "S-2" and "S-3", where municipal sanitary sewage service is not available, one single detached dwelling may be erected on an existing lot provided:

- a) municipal water service is available to service such lands, or single detached dwelling; and
- b) a single detached dwelling is a permitted use within the applicable zone and all other relevant requirements of the By-law are met.

3.29.4 Existing lots not presently serviced: For lands shown within the "Future Service Area" on Schedule "S-1", where the District of Muskoka advises that municipal water and sewer services are not available and are not envisioned within the near future, one single detached dwelling may be erected on an existing lot on private services provided the lot is suitable for the installation of the private water supply and sewage disposal system and provided such dwelling is designed to be connected to services when they become available.

3.29.5 Availability of Services: For the purposes of this Section, a service is not available unless the District of Muskoka confirms that the service is available to service the lot in question.

3.29.6 Notwithstanding any other provisions of this By-law, no building or structure which requires a water supply or sewage disposal system shall be erected, altered or used on land which, by reason of its rocky, low lying, marshy or unstable characteristics, is unsuitable for the provision of the required water supply and/or sewage disposal system, as determined by the approval authority.

3.30 Woodland Retreat

3.30.1 The following Provisions apply to Woodland Retreats:

- a) The minimum lot area shall be 4 hectares (10 acres);
- b) The minimum setback from a watercourse shall be 100 metres (328 feet);

c) The maximum floor area shall be 60 square metres (645.8 sq. ft.);
and

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d) The property shall not have frontage on a maintained road.

3.31 Dwelling Units per Lot

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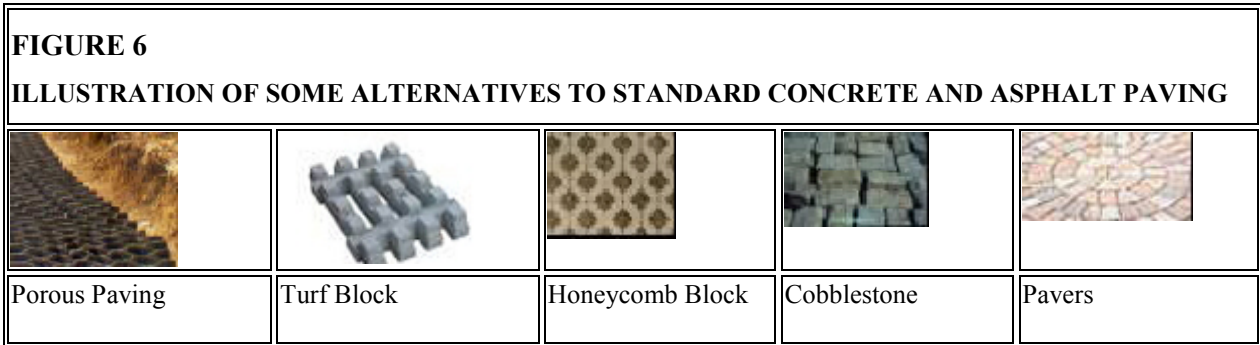
3.31.1 One single detached dwelling shall be permitted per legally conveyable lot, in those zoned where single detached dwellings are permitted, subject to minimum lot requirements being met.

4 Parking and Loading Requirements

4.1 General

- 4.1.1** Parking and loading spaces and all driveways and aisles leading to those spaces shall be provided for each land use in accordance with the provisions of this Section and:
- a) must be set aside for and used exclusively for that purpose,
 - b) must not be obstructed, and
 - c) must be located on:
 - i) the same lot as the use or building for which they are provided;
or
 - ii) located on a lot located within 150 metres (492 ft.) of the site, provided the parking facilities are legally secured for that use, to the satisfaction of the Town.
- 4.1.2** Where parking is proposed off site and within 150 metres (492 ft.) of the site, the following additional provisions apply:
- a) safe, direct pedestrian access is required between the parking area and the use;
 - b) adequate loading and drop off facilities are provided on site.
- 4.1.3** The provisions of Section 4.1.1c)(ii) shall not apply in the Highway Commercial Zone and Industrial Zones.
- 4.1.4** All motor vehicle parking spaces and queuing and loading spaces must have unobstructed access directly to a public street by:
- a) a driveway or private way
 - b) an aisle leading to a driveway, or
 - c) a public lane.
- 4.1.5** All motor vehicle parking spaces, queuing and loading spaces and aisles and driveways leading to those spaces must have a surface which is:
- a) hard, stable and dust preventative;
 - b) usable in all seasons where the use is conducted in all seasons.

- 4.1.6** The surface of every parking or loading space or access aisles/driveways in Commercial and Industrial Zones or the Residential Four Zone shall be graded and drained, and paved with asphalt or Portland cement concrete, so as to provide a permanent, durable and dustless surface. Permeable and semi-permeable surfaces are permitted, which include porous paving, turf block, honeycomb block, cobblestone and pavers (and as shown on the illustration in Figure 6).



- 4.1.7** Tandem parking is permitted for the required parking spaces for a single detached dwelling, duplex, semi-detached dwelling, secondary suite, and bed and breakfast establishment. For the purposes of this section, tandem parking refers to parking spaces that are located one behind the other, without access from a separate driveway or aisle.

4.2 Parking Space Requirements

- 4.2.1** Off-street motor vehicle parking shall be provided for any land use at the rate set out in Table 4.1 below.
- 4.2.2** For the purposes of this section, 0.5 metres (1.6 ft.) of fixed bench seating is equivalent to one fixed seat.

TABLE 4.1 – PARKING REQUIREMENT TABLE

Row	Land Use	Minimum number of parking spaces required
i	Dwelling unit (single detached, duplex, semi-detached, <u>street townhouses</u>)	2 parking spaces for each dwelling unit, one of which may be in an enclosed garage
ii	Dwelling unit (multiple dwelling, apartment)	1.5 parking spaces for each dwelling unit.
iii	Dwelling units in a commercial building; Secondary suite	1 parking space for each dwelling unit.
iv	Residential Care Facility, Senior Citizen's Home, Retirement Home Hospital, Nursing Home	1 parking space for each dwelling unit or rooming unit PLUS 1 parking space per 100 square metres (1076.4 sq. ft.) of gross floor area used for medical or personal services.
v	Institutional Uses, Places of assembly, Cinema/Theatre, health services	1 parking spaces for each 25 square metres of floor area (269 square feet) OR 1 parking space for each 4 seats in the facility, whichever is the greater.
vi	Bar	1 parking space for each 4 persons that can be accommodated on the premises at one time.
vii	Resort or other accommodation facility; bed and breakfast	1 parking space for each guest room in the facility PLUS 1 parking space per 100 sq. m (1076.4 sq. ft.) of gross floor area used for commercial purposes accessible by the public.
viii	Marina	1.5 spaces for each boat slip PLUS 1 space for each 25 square metres (269 square feet) of gross floor area of commercial space (excluding storage area).
ix	Mobile Home Park	1 parking space within the Mobile Home site PLUS 1 parking space for every two sites located within the park.
x	Driving Range; mini golf	1 parking space for each hole or tee.
xi	Golf Course	3 parking spaces for each hole or tee (PLUS required parking for banquet facilities)
xii	Bowling Alley	4 parking spaces for each lane
xiii	Restaurant, banquet facilities	1 parking space for each 4 persons that can be accommodated on the premises at one time; except (a) in the C2 zone, 1 parking space for each 5 persons that can be accommodated; and (b) where an accessory outdoor patio is developed within a restaurant, no additional parking spaces are required for the patio space.
xiv	Manufacturing or Processing building	1 space for each 37 square metres of gross floor area (398.2 sq. ft.)

Row	Land Use	Minimum number of parking spaces required
xv	Warehousing or other industrial building, contractor's establishment	1 space for each 100 square metres of gross floor area (1076.4 sq. ft.)
xvi	Retail store, home improvement centre, personal service shop, or furniture store, garden centre, adult entertainment parlour, motor vehicle dealership	1 space for each 25 square metres of gross floor area of commercial space (269 sq. ft.) PLUS 1 space for each 50 square metres (538 sq. ft.) of storage area
xvii	Freestanding Food Store, Convenience Store	1 parking space for each 15 square metres (161.5 sq. ft.) of gross floor area.
xviii	Shopping Centre	1 parking space for each 20 square metres (215.3 sq. ft.) of gross floor area.
xix	Camping Establishment	1 parking space for each tent or trailer site plus 1 visitor parking space for each 4 sites provided they are located within the establishment.
xx	Office, financial establishment	1 parking space for each 28 square metres (301.4 sq. ft.) of gross floor area.
xxi	Educational Institution: Elementary School	1.5 spaces for each teaching classroom plus 1 parking space for each 20 square metres (215.3 sq. ft.) of gymnasium or theatre space.
xxii	Educational Institution: Secondary School; College or University	4 parking spaces for each teaching classroom PLUS 1 parking space for each 20 square metres (215.3 sq. ft.) of gymnasium or theatre space.
xxiii	Group Home; Boarding house	2 spaces, one of which is accessible, PLUS 1 space for every five residents
xxiv	Farm	2 spaces per farm
xxv	Amusement Centre, Park	4 spaces per alley, court, ice sheet, game table or other game surface plus 1 space for each 10 square metres (107.6 sq. ft.) of gross floor area used for dining and assembly.
xxvi	Motor vehicle sales and service	2 spaces for each service bay
xxvii	Motor vehicle service station	1 space for each pump island
xxviii	Self storage facility	1 space for each 100 square metres (1076.4 sq. ft.) that accommodates the use
xxix	Pit, Quarry	10 spaces, or 1 space for each 20 square metres (215.3 sq. ft.) of gross floor area, whichever is greater
xxx	Ski Hill	1 parking space for each 4 spaces of approved lift capacity or the requirement for places of assembly, which ever is greater.
xxxi	Veterinary clinic	1 space for each 25 square metres (269 sq. ft.) of gross floor area
xxxii	Other uses not listed	1 space for each 25 square metres (269 sq. ft.) of gross floor area

4.2.3 A motor vehicle parking space shall have:

- a) a minimum width of 2.6 metres (8.5 ft.).
- b) a minimum length of 6 metres (19.7 ft.), except for parallel parking where a minimum length of 6.7 metres (22 ft.) is required.
- c) Except that a minimum of 20% of required parking spaces shall have a minimum width of 3 metres (9.8 ft.).

4.2.4 Where parking facilities are illuminated by lighting fixtures or standards, they shall be arranged so that the light from them is deflected away from any adjacent lots.

4.2.5 Entrance and exit ramps to underground or raised parking areas shall be at least 7 metres (23 ft.) from any street line which is not being used as access to the ramp.

4.2.6 The following regulations apply to parking lots and parking garages, whether a principal or accessory use:

- a) a driveway providing access to a parking lot or parking garage must have a minimum width of:
 - i) 3 metres (9.8 ft.) for a single traffic lane, and
 - ii) 6.7 metres (22 ft.) for a double traffic lane.
- b) all driveways and aisles providing access to or located within a parking lot or parking garage must have a minimum vertical clearance clear of obstructions such as signs and other structures of two metres for a parking lot, or as provided in the Ontario Building Code for parking garages.
- c) an aisle providing access to parking spaces in a parking lot shall comply with the minimum required width specified in the following table:

Angle of Parking (degrees)	Minimum required aisle Width (in metres)
0-40	3.5 m (11.5 ft.)
41-55	4.3 (14 ft.)
56-70	6.5 (21.3 ft.)
71-90	6.7 (22 ft.)

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- 4.2.7 No parking space shall be permitted within 3 metres (9.8 ft.) of a street line in any Residential Zone.
- 4.2.8 Any enclosed parking structure or building, is subject to the various yard requirements for a principal building or structure of the particular zone.
- 4.2.9 For non residential uses and multiple and apartment dwellings, no driveway or parking area shall be located within 4 metres (13 ft.) of any lot line abutting a residential zone. Driveways and parking areas may abut in multiple residential and commercial zones.
- 4.2.10 A maximum of 50% of the area of a front or exterior side yard may be used for driveways.

4.3 Several Uses on One Lot

- 4.3.1 When a lot, building or structure accommodates more than one type of use, the parking space requirement for the whole building or site shall be the sum of the requirement for the separate parts of the building occupied by the separate types of use, except where specifically provided for elsewhere in this By-law.

4.4 Designated Accessible Parking

- 4.4.1 A designated accessible parking space for motor vehicles shall be a minimum of 4.5 metres (14.8 ft) wide that includes an adjacent 1.5 metre (4.9 feet) wide aisle that is hatch marked on the parking lot.
- 4.4.2 The minimum length of a designated accessible parking space for motor vehicles shall be 6 metres (19.7 ft).
- 4.4.3 Two designated accessible parking spaces may share a single 1.5 metre (4.9 ft.) wide hatched aisle.
- 4.4.4 Designated accessible parking spaces shall have a firm, level surface.
- 4.4.5 The minimum designated accessible parking spaces requirements for new development shall be as noted in the following table:

Accessible Parking Space Requirements Table	
Total number of Parking Spaces required	Minimum Accessible Spaces
1-25	1
26-50	2
51-75	3
76 - 100	4
101 and beyond:	5 spaces plus 1 additional space for each 50 spaces beyond 150 spaces

- 4.4.6** In case of personal service establishments, restaurants, health services, the minimum number of designated accessible parking spaces noted in Table 4.2 shall be increased by one.
- 4.4.7** If the required number of parking spaces is reduced to accommodate designated accessible parking, this does not create a non-compliance with respect to Section 4.2.1.
- 4.4.8** Designated accessible parking spaces shall be located as near as possible to the main entrance, within 30 metres (98.4 ft.) of the entrance.

4.5 Additions to Buildings or Changes in Use of Buildings

- 4.5.1** The parking space requirements referred to herein 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 or so long as the zoning of said building is not changed. If an addition is made to the building or structure which increases the floor area or the zoning is changed, then parking spaces shall be provided for the proposed change, as required by the Parking Space Requirement Table. Notwithstanding the foregoing, where a site plan agreement is registered on title to the lands and has specific clauses regarding use and parking requirements and if the use of the building is changed, then parking spaces shall be provided for the new use, as required in **Table 4.1**.

4.6 Use of Parking Spaces and Areas

- 4.6.1** Parking spaces and areas required in accordance with this By-law, shall be used for the parking of operative, currently licensed vehicles only, and for vehicles used in operations incidental to the permitted uses in respect to which such parking spaces and areas are required or permitted.
- 4.6.2** However, no person shall use any parking area, in any residential zone, for the parking or storage of more than one of any commercial motor vehicle exceeding 2268 kilograms gross weight, except that one commercial motor vehicle, not exceeding 3538 kilograms gross vehicle weight, may be stored in a private garage.

4.7 Loading and Unloading

- 4.7.1** The owner of any building or structure used or erected for any purpose involving the receiving, shipping, loading or unloading of animals, goods, wares, merchandise or raw materials, other than a farm, shall provide and maintain on the same lot, facilities comprising one or more loading spaces in accordance with the following provisions:
 - a) one space for a floor area between 300 square metres (3,229 sq. ft.) and 2,300 square metres (24,757.8 sq. ft.);

- b) two spaces for a floor area of 2,300 square metres (24,757.8 sq. ft.) to 7,360 square metres (79,225 sq. ft.);
 - c) one additional space for each floor area increment of 9,200 square metres (99,031.2 sq. ft.) (or part thereof) over 7,360 square metres (79,225 sq. ft.).
- 4.7.2** No loading or unloading may take place within 4 metres (13 ft.) of the boundary of a Residential Zone.
- 4.7.3** A multiple dwelling containing 25 dwelling units or more shall provide at least 1 loading space.
- 4.7.4** Access to loading spaces shall be by means of a driveway at least 6 metres (19.7 ft.) wide contained on the lot in which the spaces are located and leading to a public street.
- 4.7.5** The location of a loading space shall be in the side or rear yard of any lot and for any lot abutting a Residential Zone not closer than 4 metres (13 ft.) to a lot line.
- 4.7.6** A loading space shall have a minimum width of 4 metres (13 ft.) and a length of 15 metres (49.2 ft.).

5 Zone Provisions

5.1 General

5.1.1 Using the Tables

The following provisions apply to the use and interpretation of the Zone provisions Tables in this Section.

5.1.2 General Prohibition

No person shall within any Zone, use any land, or erect, alter, enlarge, use or maintain any building or structures for any use other than as permitted in the Permitted Uses Tables, in accordance with the standards contained in the Lot Requirements Tables, and with all other applicable provisions of this By-law.

5.1.3 Permitted Uses – Principal Uses

Uses permitted in a specific zone are noted by the symbol (•) in the column applicable to that zone and corresponding with the row for a specified permitted use in the Permitted Uses – Principal Uses Tables; a letter following the symbol (•), zone heading, or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed as notes below the Permitted Uses – Principal Uses Tables.

Where permitted uses are listed in a table, such uses may be permitted in combination, provided they comply with applicable zone requirements, and do not exceed the maximum number of dwelling units permitted on the lot.

5.1.4 Permitted Uses – Accessory Uses

Specific Accessory Uses permitted in a Zone are noted by the symbol (•) in the column applicable to that zone and corresponding with the row for a specified permitted accessory use in the Permitted Uses – Accessory Uses Tables. Accessory uses are only permitted in association with a Principal Permitted Use noted in the Permitted Uses – Principal Uses Tables. A letter following the symbol (•), zone heading, or identified permitted accessory use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed as notes below the Permitted Uses – Accessory Uses Tables.

5.1.5 Lot Requirements

No person shall, within any zone, use any lot or erect, alter or use any building or structure except in accordance with the standards in the Lot Requirement Tables. A letter following the Lot Requirements, zone heading or description of the requirement, indicates an additional zone requirement. These additional zone requirements are listed as notes at the end of the Lot Requirements Tables.

5.1.6 Exceptions

Section 6 of this By-law provides special exceptions applicable to a specific property or properties. These are identified by a number that follows the Zone Identifier (e.g. RU1-0247). With the exception of the specific provisions noted, all other provisions that apply to that Zone continue to apply.

5.1.7 Minimum/Maximum

All zone requirements are minimum requirements, except where a maximum is specified.

5.1.8 For the purposes of this section, the following definitions apply:

- a) full services – refers to lots serviced with a municipal sanitary sewage system and a municipal water supply;
- b) partial services – refers to lots serviced with either a municipal sanitary sewage system or a municipal water supply;
- c) private services – refers to lots serviced with private individual sanitary sewage facilities and domestic water supply.

5.1.9 Where reference is made in the tables to “**as exists on the date of passing of this By-law**”, it refers to the lot, buildings, structures and uses (as applicable) as they lawfully existed on the day this By-law was passed.

5.1.10 Where a lot is divided into more than one zone, each portion of the lot shall be used in accordance with the provisions of the applicable zone; however,

- a) the zone boundary is not to be treated as a lot line;
- b) lot area and coverage shall be calculated within the limits of the zone; and
- c) only one detached dwelling shall be permitted per legally conveyable lot, where such dwelling is permitted in a residential zone.

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- 5.1.11** Where a zone boundary is co-terminus with the joint boundary between the Town of Huntsville and an abutting municipality, such zone boundary shall not be used to calculate any required yards, setbacks, minimum lot areas, coverage and minimum lot frontages rather the boundaries of the lot which lies in both jurisdictions shall be used for such purposes. This provision shall not apply if the zone boundary at issue defines any C (Conservation) or EP (Environmental Protection) zone.

5.2 Residential Zones

5.2.1 The Residential Zones established by the By-law are as follows:

Zone	Symbol	“description”
Residential One	R1	Single detached zone
Residential Two	R2	Single & semi detached
Residential Three	R3	Medium density area
Residential Four	R4	Multiple residential zone
Rural Residential	RR	Single detached / rural residential
Residential Mobile Home	RM	Mobile homes

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5.2.2 Permitted Uses – Principal Uses

Row	Table 5.2.2						
i		R1	R2	R3	R4	RR	RM
ii	Permitted Use (principal use)	Residential One	Residential Two	Residential Three	Residential Four	Rural Residential	Residential Mobile Home
iii	Dwelling, Duplex		•	•	•		
iv	Dwelling, Multiple			• (a)	•		
v	Dwelling, Semi-detached		•	•			
vi	Dwelling, Single Detached	•	•	•(b)		•	
vii	Dwelling, Street Townhouse			•(c)	•(c)		
viii	Group Home (residential)	•	•			•	•
ix	Mobile Home						•
x	Nursing Home				•		
xi	Residential Care Facility				•		
xii	Senior Citizens Home				•		
xiii	Dwelling, semi-detached duplex			•			
xiv	NOTES: (a) a maximum of four dwelling units is permitted in a multiple dwelling; (b) as existed on the date of passing of this by-law; (c) a minimum of three (3) to a maximum of eight (8) dwelling units may be attached to each other.						

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5.2.3 Permitted Uses – Accessory Uses

Row		Table 5.2.3					
i	Permitted Uses (accessory use)	R1	R2	R3	R4	RR	RM
ii		Residential One	Residential Two	Residential Three	Residential Four	Rural Residential	Residential Mobile Home
iii	Artisan's Studio	•(a)	•(b)	•(b)		•	
iv	Bed & Breakfast (a)			•		•	
v	Boarding House (a)			•			
vi	Day nursery	•(a)	•(b)	•(b)	•(b)	•(a)	
vii	Hobby Farm (a)					•(f)	
viii	Home Industry (a)(c)					•(g)	
ix	Home Occupation (b)(d)	•	•	•		•	
x	Private Park			•	•		
xi	Secondary Suite (a)	•	•	•		•	
xii	Tourist Home (a)					•(e)	
xiii	Hens, Backyard	•(h)	•(h)			•(h)	
xiv	NOTES: (a) Permitted in association with a single detached dwelling or street townhouse only. (b) Provided no activity related to the Home Occupation occurs within 30 metres (98.4 ft.) of watercourse. (c) Provided no activity related to the Home Industry occurs within 30 metres (98.4 ft.) of a watercourse. (d) Permitted in association with a single detached or semi-detached dwelling only. (e) a tourist home is only permitted on a lot with a minimum lot area of 2 hectares (4.9 ac.) and a minimum lot frontage of 90 metres (295.3 ft.). (f) a hobby farm is only permitted on a lot with a minimum lot area of 1 hectare (2.5 acres) and a minimum lot frontage of 60 metres (196.9 feet). (g) Open storage is permitted subject to it being screened from view. (h) Backyard hens are only permitted on lots that are 0.4ha (1ac) or more in size.						

xxii	Building Height (Max) of principal building	9 m (29.5 ft.)	9 m (29.5 ft.)	11m (36.1 ft.) or 9 m (29.5 ft.) (j)	11 m (36.1 ft.)	9 m (29.5 ft.)	6 m (19.7 ft.)
xxiii	Maximum number of enclosed or roofed accessory buildings or structures on a lot	2	2	1	1	3	1 per mobile home site
xxiv	Other provisions	(f) (g) (k)	(f) (g) (k) (l)	(f) (g) (k) (l)		(k)	(h)
xxv	<p>NOTES:</p> <p>(a) The minimum frontage for a street townhouse shall be:</p> <ul style="list-style-type: none"> • 7 metres (23.0 ft.) for an interior unit and; • 10 metres (32.8 ft.) for an end/exterior unit; <p>(b) The minimum lot area for a street townhouse shall be:</p> <ul style="list-style-type: none"> • 220 square metres (2,368 sq. ft.) per lot for an interior unit, and • 315 square metres (3,391 sq. ft.) for an end/exterior unit; <p>(c) For every five off-street parking spaces that are provided within the main building or underground, the maximum number of dwelling units may be increased by one dwelling unit.</p> <p>(d) for a semi detached or street townhouse and, where the units share a common wall, there shall be no required interior side yard on the side with a common wall.</p> <p>(e) as exists on the date of passing of this by-law.</p> <p>(f) maximum garage projection into the front yard or the exterior side yard beyond the front face of the dwelling:</p> <ul style="list-style-type: none"> • from the front wall of building where there is a front porch - 1.0 metres (3.3 ft.); <p>(g) Where an attached or detached accessory garage is located a minimum of 6.0 metres (19.7 ft.) beyond the minimum front yard requirement of the zone, the following provisions shall apply:</p> <ul style="list-style-type: none"> • minimum front yard for the dwelling is reduced to 4.0 metres (13.1 ft.) • minimum front yard to a front yard porch - 2.0 metres (6.6 ft.). <p>(h) Minimum area and frontage for each mobile home site within the mobile home park:</p> <ol style="list-style-type: none"> i) single-wide and double-wide mobile home units with public or communal piped water, and/or public or approved communal sewage disposal systems - 0.2 hectares (0.5 ac.) area and 30 metres (94.4 ft.) frontage per site. ii) single-wide and double wide mobile home units serviced by individual wells and sewage disposal systems - 0.4 hectares (1.0 acre) area with 36 metres (118.1 ft.) of frontage per site. <p>(i) On an arterial road, the minimum lot frontage shall be 150 m (492.1 ft.); on a collector road, the minimum lot frontage shall be 132 m (433 ft.).</p> <p>(j) 9 metres (29.5 ft.) for single detached, semi detached or street townhouse dwellings; 11 metres (36.1 ft.) for a multiple dwelling and other permitted principal uses.</p> <p>(k) Where the lot abuts Type 1 Fish Habitat, the minimum yard setback shall be 30m (98.4ft).</p> <p>(l) The minimum lot frontage for semi-detached units shall be 11m (36.1 ft) and the minimum lot area shall be 345m² (3,713 sq.ft.)</p>						

5.3 Shoreline Residential (SR) Zones

5.3.1 The Shoreline Residential Zones established by this By-law are as follows:

Zone	Symbol	“description”
Shoreline Residential One	SR1	Standard lot .4 ha, 60 m
Shoreline Residential Two	SR2	New lot standard 1.0 ha, 60 m
Shoreline Residential Three	SR3	Larger lot standard 120 m
Shoreline Residential Four	SR4	Existing lots – 20 m setback
Shoreline Residential Five	SR5	Existing lots – 30 m setback

5.3.2 Permitted Uses – Principal Uses:

Row	Table 5.3.2					
i		SR1	SR2	SR3	SR4	SR5
ii	Permitted Uses (principal use)	Shoreline Residential One	Shoreline Residential Two	Shoreline Residential Three	Shoreline Residential Four	Shoreline Residential Five
iii	Dwelling, single detached	•	•	•	•	•

5.3.3 Permitted Uses – Accessory Uses:

Row	Table 5.3.3					
i		SR1	SR2	SR3	SR4	SR5
ii	Permitted Uses (accessory use)	Shoreline Residential One	Shoreline Residential Two	Shoreline Residential Three	Shoreline Residential Four	Shoreline Residential Five
iii	Artisan’s Studio	•	•	•	•	•
iv	Bed & breakfast establishment (a)	•	•	•	•	•
v	Home Occupation (a)(b)	•	•	•	•	•
vi	NOTES: (a) On a lot having a minimum lot area of 1 hectare (2.5 ac.); (b) Provided no activity related to the home occupation occurs within 30 metres (98.4 ft.) of a watercourse.					

2012-23 5.3.4 Lot Requirements:

Row	Table 5.3.4						
i		SR1	SR2	SR3	SR4	SR5	
ii	Lot Standards	Shoreline Residential One	Shoreline Residential Two	Shoreline Residential Three	Shoreline Residential Four	Shoreline Residential Five	
iii	Lot Frontage	60 m (196.9 ft.)	60 m (196.9 ft.)	120 m (393.7 ft.)	(a)	(a)	
iv	Lot Area	4,000 sq. m (1.0 ac)	1 ha (2.5 ac)	1 ha (2.5 ac)	(a)	(a)	
v	Lot Coverage (Maximum)	10%	5%	5%	5% (b)	5% (b)	
vi	Yard Requirements	Front Yard	20 m (65.6 ft.) (c)	20 m (65.6 ft.) (c)	30 m (98.4 ft.) (c)	20 m (65.6 ft.) (c)	30 m (98.4 ft.) (c)
vii		Interior Side Yard	6 m (19.7 ft.)	6 m (19.7 ft.)	6 m (19.7 ft.)	6 m (19.7 ft.)	6 m (19.7 ft.)
viii		Exterior Side Yard	7 m (23.0 ft.)	7 m (23.0 ft.)	7 m (23.0 ft.)	7 m (23.0 ft.)	7 m (23.0 ft.)
ix		Rear Yard	10 m (32.8 ft.)	10 m (32.8 ft.)	10 m (32.8 ft.)	10 m (32.8 ft.)	10 m (32.8 ft.)
x	Setback from streams (on site) – Cold water	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)	
xi	Setback from streams (on site) – Warm water	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)	
xii	Building Height (maximum)	9 m (29.5 ft.)	9 m (29.5 ft.)	9 m (29.5 ft.)	9 m (29.5 ft.)	9 m (29.5 ft.)	
xiii	Maximum Number of enclosed or roofed accessory buildings or structures on a lot	3	3	3	3	3	
xiv	Other provisions	(d)	(d)	(d)	(d)	(d)	
xiv	<p>NOTES:</p> <p>(a) As exists on the date of passing of this By-law, but not less than the requirements of Section 3.3.</p> <p>(b) The lot coverage shall be calculated on the portion of the lot that is located within 90 metres (295.3 ft.) of the shoreline.</p> <p>(c) Where a lot does not front on a navigable waterway, the frontage shall be determined to be on the road and the front yard setback shall be 12m (39.4 ft.).</p> <p>(d) Where the lot abuts Type 1 Fish Habitat, the minimum yard setback shall be 30m (98.4 ft.).</p>						

5.4 Commercial Zones

5.4.1 The Commercial Zones established by this By-law are as follows:

Zone	Symbol	“description”
Convenience Commercial	C1	Small scale neighbourhood commercial uses
General Commercial	C2	Traditional commercial areas
Highway Commercial	C3	Highway commercial uses
Tourist Commercial	C4	Tourist and resort commercial
Shopping Centre Commercial	C5	Enclosed shopping centres
Gateway Commercial Campus	C6	Commercial plaza
Central Business District	C7	Mixed Use

2009-82P, 2012-23 5.4.2 Permitted Uses – Principal Uses

Row	Table 5.4.2							
		C1	C2	C3	C4	C5	C6	C7
i								
ii	Permitted Uses (principal use)	Convenience Commercial (a)	General Commercial	Highway Commercial	Tourist Commercial	Shopping Centre Commercial	Gateway Commercial Campus	Central Business District Mixed Use
iii	Adult Entertainment Establishment		•	•				•
iv	Artisan’s Studio	•	•	•	•	•		•
v	Bar	•	•	•	•(b)	•	•(g)	•
vi	Cinema or Movie Theatre		•	•		•		•
vii	Contractor’s Establishment		•	•				
viii	DSTM Retail Store		•	•		•	•	•
ix	Educational Institution		•	•		•	•	•
x	Dwelling, Multiple							• (h)
xi	Financial Establishment	•	•	•		•	•(g)	•
xii	Food Store	•	•	•		•	•	•
xiii	Garden Centre		•	•		•	•	•
xiv	Health Services	•	•	•		•	•	•
xv	Heavy Equipment rentals		•	•				
xvi	Home Improvement Centre		•	•		•	•	•
xvii	Institutional tourist establishment				•(b)			
xviii	Kennel			•				
xix	Laundromat/ Dry Cleaners		•(b)	•(b)		•(b)	•(b)	• (b)
xx	Market	•	•	•	•	•	•	•
xxi	Marina		•	•	•(b)			•
xxii	Motor Vehicle Body Shop			•				
xxiii	Motor Vehicle Dealership		•	•			•	•
xxiv	Motor Vehicle Service Station		•	•		•	•	•
xxv	Motor Vehicle Washing Establishment		•	•				

Row	Table 5.4.2							
i	Permitted Uses (principal use)	C1	C2	C3	C4	C5	C6	C7
ii		Convenience Commercial (a)	General Commercial	Highway Commercial	Tourist Commercial	Shopping Centre Commercial	Gateway Commercial Campus	Central Business District Mixed Use
xxvi	Nursing Home		•					• (h)
xxvii	Office	•	•	•		•	• (g)	•
xxviii	Outdoor Recreational Use		•	•	•	•	•	•
xxix	Personal Service Establishment	•	•	•	•	•	•	•
xxx	Place of Assembly		•	•		•	•	•
xxxi	Private Park		•	•	•	•	•	•
xxxii	Recreational Establishment		•	•		•	•	•
xxxiii	Residential Care Facility		•					• (h)
xxxiv	Restaurant	• (e)	•	•	•(b)	•(e)	•(e)	•
xxxv	Retail store	•	•			•	•	•
xxxvi	Self Storage facility			•				
xxxvii	Senior Citizens Home							• (h)
xxxviii	Service Establishment	•	•	•		•	•	•
xii	Shopping Centre					•(d)		
xi	Tourist Camping Establishment				•(b)			
xli	Tourist Establishment		•	•	•(b)	•	•	•
xlii	Tourist Home		•	•	•	•	•	•
xliii	Transportation Services		•	•		•	•	•
xliv	Variety & Convenience Store	•	•	•	•(f)	•	•	•
xlv	Veterinary Clinic	•	•	•		•	•	•
xlvi	Other provisions					(c)		
xlvii	NOTES: (a) To a maximum of 200 square metres (2153 sq. ft.) per establishment, with a maximum of 3 establishments on any one property; (b) As exists on the date of passing of this By-law; (c) Prohibited uses: automotive and home improvement centre, art gallery; (d) The gross leasable floor area for the purposes other than a Department store and food store shall not exceed 16,500 sq. m (177,600 sq. ft.), with the total gross leasable floor area of not more than 28, 335 sq. m (305,005 sq. ft.); (e) Excluding a drive through restaurant; (f) To a maximum of 200 square metres (2153 sq. ft.); (g) Only permitted as an accessory use to an otherwise permitted use. (h) Multiple Dwelling, Nursing Home, Residential Care Facility and Senior Citizens Home uses are permitted only on the second or above floors; not permitted immediately above a commercial use that is fully or partially below grade. The following areas serving a Multiple Dwelling, Nursing Home, Residential Care Facility or Senior Citizens Home are excepted: lobby, lounge, and loading areas.							

5.4.3 Permitted Uses – Accessory Uses

Row	Table 5.4.3							
i		C1	C2	C3	C4	C5	C6	C7
ii	Permitted Uses (accessory use)	Convenience Commercial	General Commercial	Highway Commercial	Tourist Commercial	Shopping Centre Commercial	Gateway Commercial Campus	Central Business District Mixed Use
iii	Retail Store				•(a)			
iv	Outdoor Storage			•				
v	Dwelling Unit	• (d)	•(b)(c)(e)	•(b)(c)(e)	•(e)			•(b)(c)
vi	Other provisions							
vii	<p>NOTES:</p> <p>(a) to a maximum of 200 square metres (2153 sq. ft.);</p> <p>(b) except over a Motor Vehicle Service Station, where no accessory dwelling unit is permitted;</p> <p>(c) Dwelling units are permitted only on the second or above floors on all lands zoned commercial that abut: King William, High, Manominee, Chaffey, Cann, John, Cliff, Caroline, Queen, West, King, Lorne, Minerva, Brunel, Princess and Main Streets; Cairns Crescent, Crescent, Airport, Hanes and Peters Roads, Kitchen Road North and Coveside Drive;</p> <p>(d) A maximum of 3 dwelling units are permitted;</p> <p>(e) only one dwelling unit is permitted where full municipal water and sewer services are not available, otherwise a maximum of 1 dwelling unit for each 167 square metres (1,797.6 sq. ft.) of lot area is permitted.</p>							

5.4.4 Lot Requirements

Row	Table 5.4.4								
i	Lot Standards		C1	C2	C3	C4	C5	C6	C7
ii			Convenience Commercial	General Commercial	Highway Commercial	Tourist Commercial	Shopping Centre Commercial	Gateway Commercial Campus	Central Business District Mixed Use
iii	Lot Frontage	full services	30 m (98.4 ft.)	7 m (23.0 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)	60 m (196.9 ft.)	30 m (98.4 ft.)	7 m (23.0 ft.)
iv		partial or private services	60 m (196.9 ft.)	60 m (196.9 ft.)	60 m (196.9 ft.)	60 m (196.9 ft.)	n/a	n/a	n/a
v	Lot Area	full services	465 sq. m (5005 s.f.)	230 sq. m (2476 s.f.)	1400 sq. m (15070 s.f.)	1400 sq. m (15070 s.f.)	4 ha (9.9 ac)	4000 sq. m (1.0 ac)	230 sq. m (2476 s.f.)
vi		partial or private services	0.4 ha (1.0 ac)	0.4 ha (1.0 ac)	0.4 ha (1.0 ac)	0.4 ha (1.0 ac)	n/a	n/a	n/a
vii	Lot Coverage (Max) %	full services	25	80	25	40	40	40	80 (g)
viii		partial or private services	20	30	20	30	n/a	n/a	n/a
ix	Yard Requirements	Front Yard	6 m (19.7 ft.)	6 m (19.7 ft.)	15 m (49.2 ft.)	15 m (49.2 ft.) (c)	(a)	(i)	6 m (19.7 ft.) (f)
x		Interior Side Yard	1.5 m (4.9 ft.)	1.5 m (4.9 ft.)	5 m (16.4 ft.)	6 m (19.7 ft.) (c)	(a)	(i)	1.5 m (4.9 ft.) (d)
xi		Interior Side Yard (abutting a residential zone)	6 m (19.7 ft.)	6 m (19.7 ft.)	12 m (39.4 ft.)	12 m (39.4 ft.)	(a)	(i)	6 m (19.7 ft.) (d)
xii		Exterior Side Yard	1.5 m (4.9 ft.)	1.5 m (4.9 ft.)	5 m (16.4 ft.)	6 m (19.7 ft.) (c)	(a)	(i)	1.5 m (4.9 ft.) (d)
xiii		Rear Yard	7 m (23.0 ft.)	7 m (23.0 ft.)	7 m (23.0 ft.)	7 m (23.0 ft.) (c)	(a)	(i)	7 m (23.0 ft.) (e)
xiv		Rear Yard (abutting a residential zone)	10 m (32.8 ft.)	10 m (32.8 ft.)	15 m (49.2 ft.)	15 m (49.2 ft.) (c)	(a)	(i)	10 m (32.8 ft.)
xv	Setback from streams (on site)	Cold water	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)	n/a	30 m (98.4 ft.)	n/a
xvi		Warm water	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)	n/a	20 m (65.6 ft.)	n/a
xvii	Building Height (maximum)		11 m (36.1 ft.)	11 m (36.1 ft.)	11 m (36.1 ft.)	11 m (36.1 ft.)	11 m (36.1 ft.)	11 m (36.1 ft.)	11 m (36.1 ft.)
xvii	Minimum Landscaped Area (%)		20	5	20	20	10	10	5
xviii	Other Provisions						(b,h)	(j)	(k)

xix	<p>NOTES:</p> <p>(a) Yard requirements are a minimum of 3 m (9.8 ft.) from King William Street; 14 m (45.9 ft.) from Highway 60; 15 m (49.2 ft.) from any residential zone; and 5 m (16.4 ft.) from any other zone boundary.</p> <p>(b) If a shopping centre is located on more than one lot, or parts thereof are owned by different owners, the entire site on which the shopping centre is located shall be deemed to be one lot for the purpose of applying the various regulations.</p> <p>(c) For a marina, where the front yard, side yard or rear yard abuts a shoreline, no front yard, side yard or rear yard requirement applies. However, no gasoline storage or septic tile bed shall be located within 30 m (98.4 ft.) of the high water mark.</p> <p>(d) All Side Yards: for lots fronting on Main and King William Streets from Highway No. 60 to Lorne Street - none required</p> <p>(e) Rear Yard: for lots fronting Main and King William Streets, from Highway No. 60 to Lorne Street – none required</p> <p>(f) Front yard: for lots fronting on Main and King William Streets, from Highway No. 60 to Lorne Street - none required.</p> <p>(g) Lot Coverage: for buildings fronting on Main and King William Streets between Lorne Street and the Muskoka River –100%, and provided all parking and landscaping requirements are met.</p> <p>(h) The following provisions apply:</p> <p>i) The minimum “gross floor area” of a “DSTM retail store” outside of the enclosed portion of the “Shopping Centre” shall be 464.5 m² (5,000 ft²). The maximum combined “gross floor area” or all “DSTM retail stores” shall be 7896.5 m² (85,000 ft²).</p> <p>ii) The maximum combined “gross floor area” of all buildings outside of the enclosed portion of the “Shopping Centre” shall be 5202 m² (56,000 ft²).</p> <p>iii) Parking shall be provided at a ratio of not less than 5.6 spaces per 100 sq. m. of gross leasable floor area.</p> <p>iv) “Gross leasable floor area” shall mean the aggregate of the horizontal areas of each floor measured between the exterior faces of the exterior walls or from the centre line of a common interior wall, but excluding:</p> <ul style="list-style-type: none"> • areas used for common facilities for heating, ventilating, air-conditioning or other mechanical purposes. • public washrooms, checkrooms or storage lockers for the use of the public. • maintenance, operation, common storage and garbage collection areas, when designated for the common or mutual operation of the shopping centre. • enclosed mall areas, ramps, stairways, sitting areas or other facilities for the circulation and amenity of the public, and; • mezzanine areas in conjunction with the Department store and food store but being non-selling areas. <p>(i) The minimum Yard from the lot lines shall be as follows:</p> <table style="margin-left: 20px;"> <tr> <td>i) Howland Drive</td> <td style="text-align: right;">3 m (9.8 ft.)</td> </tr> <tr> <td>ii) Highway 60</td> <td style="text-align: right;">14 m (45.9 ft.)</td> </tr> <tr> <td>iii) Highway 11</td> <td style="text-align: right;">14 m (45.9 ft.)</td> </tr> <tr> <td>iv) Lands Zoned Open Space (OS)</td> <td style="text-align: right;">3 m (9.8 ft.)</td> </tr> </table> <p>(j) The following provisions apply:</p> <p>i) The maximum “gross floor area” on the lands shall be 24,154 m² (260,000 sq.ft.).</p> <p>ii) The maximum “gross floor area” for a department store shall be 11,613 m² (125,000 sq.ft.).</p> <p>iii) The maximum “gross floor area” for a supermarket shall be 8,557 m² (92,110 sq.ft.) of which the “ground floor area” shall be not more than 7,488 m² (80,602.8 sq.ft.). Any “gross floor area” located above the ground floor shall not exceed 1,069 m² (11,507 sq.ft.) and shall not contain any retail uses. The “gross floor area” above the ground floor shall not be considered part of the maximum “gross floor area” for the lands as outlined in Section (h) above.</p> <p>iv) The minimum “gross floor area” for a department store and a supermarket shall be 4,645 m² (50,000 sq.ft.).</p> <p>v) Food store shall have a gross leasable floor area of not less than 2,300 sq. m (24,757.8 sq. ft.) and no more than 4,200 sq. m (45,210 sq. ft.);</p> <p>vi) The minimum “gross floor area” of a “DSTM retail store” shall be 464.5 m² (5,000 sq. ft.).</p> <p>vii) The maximum combined “gross floor area” of all “DSTM retail stores” shall be 3,275 m² (35,253 sq.ft.).</p> <p>viii) The minimum number of parking spaces shall be 5.0 spaces for each 93 m² (1001 sq.ft.) of “gross floor area” or part thereof.</p> <p>(k) Minimum Height: For buildings fronting on Main and King William Streets, between Lorne Street and the Muskoka River, the minimum building height shall be 8 metres (26.2 ft.).</p>	i) Howland Drive	3 m (9.8 ft.)	ii) Highway 60	14 m (45.9 ft.)	iii) Highway 11	14 m (45.9 ft.)	iv) Lands Zoned Open Space (OS)	3 m (9.8 ft.)
i) Howland Drive	3 m (9.8 ft.)								
ii) Highway 60	14 m (45.9 ft.)								
iii) Highway 11	14 m (45.9 ft.)								
iv) Lands Zoned Open Space (OS)	3 m (9.8 ft.)								

5.5 Shoreline Commercial Zones

5.5.1 The Shoreline Commercial Zones established by this By-law are as follows:

Zone	Symbol	“description”
Shoreline Commercial One	CS1	Standard lot
Shoreline Commercial Two	CS2	Larger minimum frontage & area
Institutional Camp	CS3	Camp properties
Marina	CS4	marinas

5.5.2 Permitted Uses - Principal Uses:

Row	Table 5.5.2				
i		CS1	CS2	CS3	CS4
ii	Permitted Uses (principal use)	Shoreline Commercial One	Shoreline Commercial Two	Institutional Camp	Marina
iii	Contractor’s establishment				•(a)
iv	Institutional Tourist Establishment			•(b)	
v	Marina				•
vi	Tourist Establishment	•(b)	•(b)		
vii	Tourist Home	•	•	•	•
viii	NOTES: (a) As exists on the date of passing of this by-law. (b) Uses, buildings, and structures as existed on the date of passing of this by-law.				

5.5.3 Permitted Uses - Accessory Uses:

Table 5.5.3											
Row											
i											
ii	Permitted Uses (accessory use)										
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;"></th> <th style="width: 25%; text-align: center;">CS1</th> <th style="width: 25%; text-align: center;">CS2</th> <th style="width: 25%; text-align: center;">CS3</th> <th style="width: 25%; text-align: center;">CS4</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Shoreline Commercial One</td> <td style="text-align: center;">Shoreline Commercial Two</td> <td style="text-align: center;">Institutional Camp</td> <td style="text-align: center;">Marina</td> <td></td> </tr> </tbody> </table>		CS1	CS2	CS3	CS4	Shoreline Commercial One	Shoreline Commercial Two	Institutional Camp	Marina	
	CS1	CS2	CS3	CS4							
Shoreline Commercial One	Shoreline Commercial Two	Institutional Camp	Marina								
iii	Day Nursery										
iv	Dwelling unit										
v	Educational Institution										
vi	Home Occupation (b)										
vii	Golf Course										
viii	Marina										
ix	Outdoor Storage										
x	Personal Service Establishment										
xi	Place of Assembly										
xii	Private Park										
xiii	Restaurant										
xiv	Retail store										
xv	Staff quarters										
xvi	Variety or Convenience store										
xvii	<p>NOTES: (a) 200 square metres (2153 sq. ft.) maximum; (b) Accessory to a permitted single detached dwelling only; (c) Uses, buildings, and structures as existed on the date of passing of this by-law.</p>										

5.5.4 Lot Requirements:

Row		Table 5.5.4				
i		CS1	CS2	CS3	CS4	
ii		Shoreline Commercial One	Shoreline Commercial Two	Institutional Camp	Marina	
iii	Lot Frontage	Full services	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)	60 m (196.9 ft.)
iv		Private services	60 m (196.9 ft.)	120 m (393.7 ft.)	60 m (196.9 ft.)	60 m (196.9 ft.)
v	Lot Area	Full services	1400 sq m (15,070 s.f.)	0.4 ha (1.0 ac)	0.4 ha (1.0 ac)	0.4 ha (1.0 ac)
vi		Private services	0.4 ha (1.0 ac)	1 ha (2.5 ac)	1 ha (2.5 ac)	1 ha (2.5 ac)
vii	Lot Coverage (Maximum)	Full services	40%	40%	40%	50%
viii		Private services	30%	30%	30%	40%
ix	Yard Requirements	Front Yard	20 m (65.6 ft.) (b)(c)	30 m (98.4 ft.) (b)(c)	30 m (98.4 ft.)	20 m (65.6 ft.) (a)
x		Interior Side Yard	7 m (23.0 ft.)	7 m (23.0 ft.)	7 m (23.0 ft.)	7 m (23.0 ft.) (a)
xi		Interior Side Yard (abutting a residential zone)	12 m (39.4 ft.)	12 m (39.4 ft.)	12 m (39.4 ft.)	12 m (39.4 ft.)
xii		Exterior Side Yard	15 m (49.2 ft.)	15 m (49.2 ft.)	15 m (49.2 ft.)	15 m (49.2 ft.)
xiii		Rear Yard	7 m (23.0 ft.)	7 m (23.0 ft.)	7 m (23.0 ft.)	7 m (23.0 ft.) (a)
xiv		Rear Yard (abutting a residential zone)	12 m (39.4 ft.)	12 m (39.4 ft.)	12 m (39.4 ft.)	12 m (39.4 ft.)
xv		Setback from the shoreline – tile fields	30 m (98.4 ft.)	45 m (147.6 ft.)	45 m (147.6 ft.)	45 m (147.6 ft.)
xvi		Setback from streams (on site)	Cold water	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)
xvii	Warm water		20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)
xviii	Building Height (maximum)		11 m (36.1 ft.)	11 m (36.1 ft.)	11 m (36.1 ft.)	11 m (36.1 ft.)
xix	<p>NOTES: (a) Where the front, side or rear yard abuts a shoreline, no front yard, side yard or rear yard requirement applies. However, no gasoline storage or sewage system shall be located within 30 metres (98.4 ft.) of the high water mark. (b) an outdoor patio attached to a restaurant is permitted to the water's edge, provided it has a maximum area of 60 square metres (645.8 sq. ft.). (c) the minimum front yard for a restaurant shall be 5 metres (16.4 ft.).</p>					

5.6 Industrial Zones

5.6.1 The Industrial Zones established by this By-law are as follows:

Zone	Symbol	“description”
Light Industrial	M1	General industrial zone
Muskoka Commerce Park	M2	Muskoka Commerce Park Area
Rural Special Industrial	M3	Low effluent uses industrial area
Heavy Industrial	M4	Heavy industrial zone
Sand and Gravel	M5	Sand and gravel pits zone
Pit and Quarry	M6	Pit or quarry zone

2012-23 5.6.2 Permitted Uses - Principal Uses:

Row		Table 5.6.2					
i	Permitted Uses (principal use)	M1	M2	M3	M4	M5	M6
ii		Light Industrial	Muskoka Commerce Park	Rural Special Industrial	Heavy Industrial	Sand and Gravel	Pit and Quarry
iii	Adult Entertainment Establishment	•	•				
iv	Concrete or Asphalt Product Mfr				•	•	•
v	Contractors Establishment	•	•	•	•		
vi	Educational Institution	•	•				
vii	Fuel Storage Facilities	•		•	•		
viii	Garden Centre	•	•	•			
ix	Health Services	•	•				
x	Heavy Equip Sales & service			•	•		
xi	Heavy Industrial Use				•		
xii	Home Improvement Centre	•	•				
xiii	Kennel	•			•		
xiv	Laundromat /Dry Cleaner	•	•		•		
xv	Light industrial use	•	•	•	•		
xvi	Material Recovery Facility				•		
xviii	Motor Vehicle Body Shop	•			•		
xix	Motor Vehicle Dealership	•	•				
xx	Motor Vehicle Service Station	•	•	•			
xxi	Motor Vehicle Washing Establishment	•(a)	•				
xxii	Office	•	•				
xxiii	Personal Service Establishment	•	•				
xxiv	Pit					•	•
xxv	Place of assembly	•	•				
xxvi	Restaurant	•	•				
xxvii	Salvage Yard				•		
xxviii	Quarry						•
xxix	Self Storage facility	•	•	•			
xxx	Service Establishment	•	•	•			
xxxi	Tourist Establishment	•	•				
xxxii	Transportation Depot	•	•	•	•		
xxxiii	Veterinary clinic	•	•				
xxxiv	Warehouse	•	•	•	•		
xxxv	NOTES: (a) As existed on the date of passing of this by-law.						

5.6.3 Permitted Uses - Accessory Uses:

Row		Table 5.6.3					
i		M1	M2	M3	M4	M5	M6
ii	Permitted Uses (accessory use)	Light Industrial	Muskoka Commerce Park	Rural Special Industrial	Heavy Industrial	Sand & Gravel	Pit and Quarry
iii	Dwelling Unit	•(b) (c)		•(b) (c)			
iv	Retail	•(a)	•(a)				
v	Outdoor Storage	•	•	•	•	•	•
vi	Office			•(b)	•	•	•
vii	NOTES: (a) To a maximum 200 square metres (2,153 sq. ft.). (b) One accessory dwelling unit is permitted on the 2nd floor of a building. (c) No accessory dwelling is permitted on a lot used for fuel storage facility, motor vehicle body shop, or motor vehicle service station.						

2009-82P **5.6.4 Lot Requirements:**

Row		Table 5.6.4						
i		M1	M2	M3	M4	M5	M6	
ii		Lot Standards	Light Industrial	Muskoka Commerce Park	Rural Special Industrial	Heavy Industrial	Sand & Gravel	Pit and Quarry
iii	Lot Frontage	Full services	20 m (65.6 ft.)	30 m (98.4 ft.)	n/a	45 m (147.6 ft.)	90 m (300 ft.)	90 m (300 ft.)
iv		Private services	60 m (196.9 ft.)	n/a	60 m (196.9 ft.)	60 m (196.9 ft.)	90 m (300 ft.)	90 m (300 ft.)
v	Lot Area	Full services	0.2 ha (0.5 ac)	1000 sq.m (10760 s.f.)	n/a	0.4 ha (1.0 ac)	0.4 ha (1.0 ac)	0.4 ha (1.0 ac)
vi		Private services	0.4 ha (1.0 ac)	n/a	2.0 ha (4.9 ac)	2.0 ha (4.9 ac)	0.4 ha (1.0 ac)	0.4 ha (1.0 ac)
vii	Lot Coverage (Max) %		40	50	30	30	30	30
viii	Yard Requirements	Front Yard	(a)	6 m (19.7 ft.)	15 m (49.2 ft.)	15 m (49.2 ft.)	(b)	(b)
ix		Interior Side Yard	5 m (16.4 ft.)	5 m (16.4 ft.)	7.5 m (24.6 ft.)	7.5 m (24.6 ft.)	(b)	(b)
x		Interior Side Yard (abutting a residential zone)	15 m (49.2 ft.)	15 m (49.2 ft.)	15 m (49.2 ft.)	15 m (49.2 ft.)	(b)	(b)
xi		Exterior Side Yard	6 m (19.7 ft.)	6 m (19.7 ft.)	15 m (49.2 ft.)	7.5 m (24.6 ft.)	(b)	(b)
xii		Rear Yard	7 m (23.0 ft.)	6 m (19.7 ft.)	7.5 m (24.6 ft.)	7.5 m (24.6 ft.)	(b)	(b)
xiii		Rear Yard (abutting a residential zone)	15 m (49.2 ft.)	15 m (49.2 ft.)	15 m (49.2 ft.)	15 m (49.2 ft.)	(b)	(b)
xiv	Setback from streams (on site)	Cold water	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)
xv		Warm water	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)
xvi	Building Height (maximum)		11 m (36.1 ft.)	11 m (36.1 ft.)	11 m (36.1 ft.)	11 m (36.1 ft.)	11 m (36.1 ft.)	11 m (36.1 ft.)
xvii	Other Provisions		(c)(e)	(c)(d)	(c)(d)(e)	(c)	(b)	(b)
xviii	<p>NOTES:</p> <p>(a) 15 metres (49.2 ft.) (Provincial Highway and District road); 9 metres (29.5 ft.) for other streets.</p> <p>(b) No building, structure, or outside storage of materials, equipment, finished or unfinished products, or parking or stage of trucks or cranes or any other mechanical equipment is permitted: i) Within 60 m (196.9 ft.) of a public street or road; ii) Within 30 m (98.4 ft.) of a zone boundary.</p> <p>(c) Accessory display and sales area must be within the same building as the use to which it is accessory and shall not exceed 25% of the gross leasable area</p> <p>(d) Uses shall be limited to low water using and low effluent producing uses. Such uses are characterized as uses that: i) use a water supply or sewage disposal not greater than domestic requirements; ii) do not use water for processing; iii) do not create discharge which would be a hazard to ground or surface water, or negatively affect the operation of the sewage disposal system.</p> <p>(e) Uses not on full services shall be limited to low water using and low effluent producing uses. Such uses are characterized as uses that: i) use a water supply or sewage disposal not greater than domestic requirements; ii) do not use water for processing; iii) do not create discharge which would be a hazard to ground or surface water, or negatively affect the operation of the sewage disposal system.</p>							

5.7 Mixed Use Zones

5.7.1 The Mixed Use Area Zones established by this By-law are as follows:

Mixed Use Area Zones	Symbol	“description”
Main Street West	MU1	Mixed Residential/Commercial zone
Muskoka Road 3	MU2	Mixed Residential/Service Commercial zone
Highway 60	MU3	Mixed Residential/Commercial zone
Centre Street	MU4	Mixed Commercial/Multiple Residential zone
Muskoka Rd. 3 North	MU5	Mixed Institutional/Multiple Residential zone

2012-23, 2019-12

5.7.2 Permitted Uses – Principal Uses

Row	Table 5.7.2					
i		MU1	MU2	MU3	MU4	MU5
ii	Permitted Uses (principal use)	Main St West Mixed Use Area	Muskoka Road 3 Mixed use Area	Highway 60 Mixed Use Area	Centre Street Mixed Use Area	Muskoka Rd 3 North Mixed Use Area
iii	Dwelling, Duplex	•	•	•		
iv	Dwelling, Multiple	•		•	•	•(b)
v	Dwelling, Semi-detached	•	•	•		
vi	Dwelling, Single Detached	•	•	•		
vii	Dwelling, Street Townhouse	•(a)		•(a)	•(a)	•(a)(b)
viii	Group Home (Residential)	•	•	•		
ix	Health Services	•	•	•	•	
x	Marina	•		•		
xi	Nursing Home	•		•	•	•(b)
xii	Office	•	•		•	
xiii	Private Park	•	•	•	•	•
xiv	Recreational Establishment	•		•	•	
xv	Restaurant	•	•	•	•	•
xvi	Senior Citizens Home	•		•	•	•(b)
xvii	Service Establishment	•	•	•	•	
xviii	Tourist Establishment	•		•	•	
xix	Tourist Home	•		•	•	
xx	Variety & Convenience Store	•	•	•	•	•
xxi	Special Trade Contractors					• (c)
xxii	Dwelling, semi-detached duplex	•	•	•		
xxiii	<p>NOTES:</p> <p>(a) Minimum of three (3) to a maximum of eight (8) dwellings may be attached to each other.</p> <p>(b) Residential uses are prohibited pending removal of the (H) symbol on the properties.</p> <p>(c) Special Trade Contractors includes heating and cooling contractors, plumbers and electricians with an accessory showroom, training facility and storage within the existing buildings only shall be an additional permitted use.</p>					

2012-23, 2019-12

5.7.3 Permitted Uses – Accessory Uses

Row	Table 5.7.3					
i	Permitted Uses (accessory use)	MU1	MU2	MU3	MU4	MU5
ii		Main St West Mixed Use Area	Muskoka Road 3 Mixed use Area	Highway 60 Mixed Use Area	Centre Street Mixed Use Area	Muskoka Rd 3 North Mixed Use Area
iii	Bed & Breakfast (a)	•	•	•		
iv	Boarding House (a)	•	•	•		
v	Day nursery (a)	•	•	•	•	
vi	Home Occupation	•	•	•		
vii	Secondary Suite (a)	•	•	•		
viii	Dwelling Unit	•	•	•	•	•
ix	NOTE: (a) Permitted in association with a single detached or street townhouse dwelling only.					

2009-82P **5.7.4 Lot Requirements**

Row	Table 5.7.4						
i		MU1	MU2	MU3	MU4	MU5	
ii	Lot Standards	Main St West Mixed Use Area	Muskoka Rd 3 Mixed Use Area	Highway 60 Mixed Use Area	Centre Street Mixed Use Area	Muskoka Rd 3 North Mixed Use Area	
iii	Lot Frontage	15 m (49.2 ft.)(b)	15 m (49.2 ft.)	18 m (59.0 ft.)(b)	30 m (98.4 ft.)(b)	30 m (98.4 ft.)(b)	
iv	Lot Frontage abutting a watercourse	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)	
v	Lot Area	465 sq. m (5,005 s.f.)	465 sq. m (5,005 s.f.)	1000 sq. m (10,760 s.f.)	1400 sq. m (15,070 s.f.)	1400 sq. m (15,070 s.f.)	
vi	Lot Coverage (%) (Maximum)	35	35	35	40	35	
vii	Yard Requirements	Front Yard	7 m (23.0 ft.)	7 m (23.0 ft.)	10 m (32.8 ft.)	10 m (32.8 ft.)	7 m (23.0 ft.)
viii		Front Yard abutting a watercourse	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)
ix		Interior Side Yard	3 m (9.8 ft.) (a)	3 m (9.8 ft.) (a)	3 m (9.8 ft.) (a)	5 m (16.4 ft.) (a)	3 m (9.8 ft.) (a)
x		Exterior Side Yard	3 m (9.8 ft.)	3 m (9.8 ft.)	3 m (9.8 ft.)	5 m (16.4 ft.)	3 m (9.8 ft.)
xi		Rear Yard	7.5 m (24.6 ft.)	7.5 m (24.6 ft.)	7.5 m (24.6 ft.)	5 m (16.4 ft.)	7.5 m (24.6 ft.)
xii	Setback from Streams (on site)	Cold Water	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)
xiii		Warm Water	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)
xiv	Building Height (Max) of principal building	11 m (36.1 ft.)	11 m (36.1 ft.)	11 m (36.1 ft.)	11 m (36.1 ft.)	11 m (36.1 ft.)	
xv	Max number of dwelling units in a multiple dwelling	1 per 167 sq. m of lot area	1 per 167 sq. m of lot area	1 per 167 sq. m of lot area	1 per 167 sq. m of lot area	1 per 167 sq. m of lot area	
xvi	Maximum number of accessory buildings or structures on a lot	1	1	1	1	1	
xvii	Other provisions						
xviii	<p>NOTES:</p> <p>(a) For a semi detached or street townhouse and, where the units share a common wall, there shall be no required interior side yard on the side with a common wall.</p> <p>(b) The minimum frontage for a street townhouse shall be:</p> <p>i) 7 metres (23.0 ft.) for an interior unit and;</p> <p>ii) 10 metres (32.8 ft.) for an end/exterior unit.</p>						

5.8 Miscellaneous Zones

2013-120 5.8.1 The Miscellaneous Zones established by the By-law are as follows:

Other Zones	Symbol	“description”
Rural One	RU1	General Rural zone
Rural Two	RU2	Backlot Rural zone
Institutional	IN	Institutional zone
Open Space Water	O1	Lands covered by water
Open Space	O2	Public or private open space
Open Space – Golf Course	O3	Golf course
Tent & Trailer Park	O4	Tent and trailer park

2013-120 **5.8.2 Permitted Uses - Principal Uses:**

Row	Table 5.8.2							
i	Permitted Uses (principal use)	RU1	RU2	IN	O1	O2	O3	O4
ii		Rural One	Rural Two	Institutional	Open Space	Open Space	Open Space – Golf Course	Tent & Trailer Park
iii	Arena or Curling Rink			•		•		
iv	Cemetery	•	•	•		•		
v	Club, Private			•			•	
vi	Educational Institution			•		•		
vii	Equestrian Establishment	• (b)	• (b)(c)					
viii	Farm	• (b)	• (b)(c)					
ix	Forestry Operation	• (a)						
x	Golf Course						•	
xi	Group Home (Institutional)			•				
xii	Group Home (Residential)	•	•	•				
xiii	Hobby Farm (d)	• (b)	• (b)(c)					
xiv	Health Services			•				
xv	Kennel	•						
xvi	Nursing Home			•				
xvii	Outdoor recreational use						•	
xviii	Park, Private	•	•	•		•	•	
xix	Park, Public			•	•	•		
xx	Place of Assembly			•			•	
xxi	Residential Care Facility			•				
xxii	Senior Citizens' Home			•				
xxiii	Single Detached Dwelling	•	•					
xxiv	Tourist Camping Establishment							•
xxv	Veterinary clinic	•						
xxvi	Water Conservation Use				•			
xxvii	Woodland Retreat	•	•					
xxviii	NOTES: (a) no building or structure shall be permitted within 30 metres (98.4 feet) of a watercourse (b) no farm activity shall be permitted within 30 (98.4 feet) metres of a watercourse (c) existing facilities only (d) a hobby farm is only permitted on a lot with a minimum lot area of 1 hectare (2.5 acres) and a minimum lot frontage of 60 metres (196.9 feet).							

5.8.3 Permitted Uses - Accessory Uses:

Row	Table 5.8.3							
i		RU1	RU2	IN	O1	O2	O3	O4
ii	Permitted Uses (accessory use)	Rural One	Rural Two	Institutional	Open Space	Open Space	Open Space – Golf Course	Tent & Trailer Park
iii	Artisan Studio	•	•					
iv	Bed and Breakfast	•(a)	• (a)					
v	Boarding House	•(a)		•(a)				
vi	Boathouse				•(b)			
vii	Day Nursery	•(a)	•(a)	•				
viii	Dock				•(b)			
ix	Dwelling Unit			•				
x	Home Occupation	•	•					
xi	Home Industry	• (e)	• (e)					
xii	Secondary Suite (a)	•	•					
xiii	Small Wind Turbine (d)	•	•					
xiv	Tourist Home (a)	•	•(c)					
xv	<p>NOTES:</p> <p>(a) in a single detached dwelling only</p> <p>(b) accessory to a permitted principal use on the same property on the abutting zone, and subject to the lot requirements of the abutting zone.</p> <p>(c) a tourist home is only permitted on a lot with a minimum lot area of 2 hectares (4.9 ac.) and a minimum lot frontage of 90 metres (295.3 ft.).</p> <p>(d) limited to a maximum of two small wind turbines on a property, and provided the wind turbine is setback a minimum of 30 metres (98.4 ft.) from any property line.</p> <p>(e) Open storage is permitted subject to it being screened from view.</p>							

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5.8.4 Lot Requirements:

Row	Table 5.8.4								
i	Zone Provisions		RU1	RU2	IN	O1	O2	O3	O4
ii			Rural One	Rural Two	Institutional	Open Space	Open Space	Open Space - Golf Course	Tent & Trailer Park
iii	Lot Frontage	Full Services	n/a	n/a	20 m (65.6 ft.)	n/a	0	20 m (65.6 ft.)	60 m (196.9 ft.)
v	Lot Frontage private services	Arterial Road	150 m (492.1 ft.)	150 m (492.1 ft.)	150 m (492.1 ft.)	n/a	0	60 m (196.9 ft.)	120 m (393.7 ft.)
vi		Collector Road	132 m (433 ft.)	132 m (433 ft.)	132 m (433 ft.)	n/a	0	60 m (196.9 ft.)	120 m (393.7 ft.)
vii		Local road	120 m (393.7 ft.)	132 m (433 ft.)	120 m (393.7 ft.)	n/a	0	60 m (196.9 ft.)	120 m (393.7 ft.)
viii	Lot Area	Full services	n/a	n/a	465 q.m (5,005 s.f.)	n/a	465 sq. m (5,005 s.f.)	30 ha (74.1 ac)	4000 m ² (1.0 ac)
ix		Private services	4 ha (9.9 ac)	4 ha (9.9 ac)	1 ha (2.5 ac)	n/a	465 sq. m (5,005 s.f.)	30 ha (74.1 ac)	1 ha (2.5 ac)
x	Lot Coverage (Max) %	Full services	n/a	n/a	45	n/a	n/a	5	20
xii		Private Services	10	10	20	n/a	n/a	5	
xiii	Yard Requirements	Front Yard	15 m (49.2 ft.)	15 m (49.2 ft.)	7 m (23.0 ft.) (d)	n/a	15 m (49.2 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)
xiv		Front Yard abutting a watercourse	30 m (98.4 ft.)	30 m (98.4 ft.)	20 m (65.6 ft.)	n/a	15 m (49.2 ft.)	30 m (98.4 ft.)	
xv		Interior Side Yard	7 m (23.0 ft.) (e)	7 m (23.0 ft.) (e)	3 m (9.8 ft.) (a)	n/a	15 m (49.2 ft.) (b)	20 m (65.6 ft.)	7 m (23.0 ft.)
xvi		Interior Side Yard (abutting a residential zone)	n/a	n/a	15 m (49.2 ft.)	n/a	15 m (49.2 ft.) (b)	20 m (65.6 ft.)	12 m (39.4 ft.)
xvii		Exterior Side Yard	10 m (32.8 ft.)	10 m (32.8 ft.)	7 m (23.0 ft.) (a)	n/a	15 m (49.2 ft.) (b)	20 m (65.6 ft.)	15 m (49.2 ft.)
xviii		Rear Yard	10 m (32.8 ft.) (e)	10 m (32.8 ft.) (e)	7 m (23.0 ft.) (a)	n/a	15 m (49.2 ft.) (b)	20 m (65.6 ft.)	7 m (23.0 ft.)
xix		Setback from streams (on site)	Cold water	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)	n/a	30 m (98.4 ft.)	30 m (98.4 ft.)
xx	Warm water		20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)	n/a	20 m (65.6 ft.)	20 m (65.6 ft.)	15 m (49.2 ft.)
xxi	Building Height (maximum)		11 m (36.1 ft.)	11 m (36.1 ft.)	11 m (36.1 ft.)	n/a	11 m (36.1 ft.)	11 m (36.1 ft.)	5 m (16.4 ft.)
xxii	Other provisions			(f)					(d)

xxiii	<p>NOTES:</p> <ul style="list-style-type: none">(a) 15 m (49.2 ft.) for hospitals, schools or churches place of assembly from any lot line/5 m (16.4 ft.) for Senior Citizen Home.(b) exception playground structures & equip. or boathouse - 6 m (19.7 ft.) lot line abut single family detached or 7 m (23.0 ft.) lot line abut any other zone.(c) as existed on the date of passing of this by-law.(d) For each trailer site within the tent and trailer park, the minimum area shall be 400 sq. metres (4306 sq. ft.) and the minimum frontage on an internal roadway shall be 15 m (49.2 ft.).(e) 15 metres (49.2 ft.) for all non-residential structures or buildings.(f) Where the lot abuts Type 1 Fish Habitat, the minimum yard setback shall be 30m (98.4 ft.).
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5.9 Conservation and Natural Resources Zones

5.9.1 The Conservation or Natural Resources Zones established by the By-law are as follows:

Other Zones	Symbol	“description”
Conservation	C	Conservation zone
Natural Resource	NR	Flood zone
Natural Resource Floodway	NR1	Floodway zone
Natural Resource Floodfringe	NR2	Floodfringe zone

5.9.2 Permitted Uses - Principal Uses:

Row	Table 5.9.2				
i		C	NR	NR1	NR2
ii	Permitted Uses (principal use)	Conservation	Natural Resource	Natural Resource Floodway	Natural Resource Floodfringe
iii	Flood or erosion control facilities	•	•	•	•
iv	Outdoor recreational use	•(c)	•(c)		
v	Park, private	•(c)	•(c)	•(c)	•(a)
vi	Park, public	•(c)	•(c)	•(c)	•(a)
vii	Single Detached Dwelling	•(b)	•(b)	•(b)	•(a)
viii	NOTES: (a) subject to any building or structure being floodproofed. (b) as existed on the date of passing of this by-law. (c) provided no building or structure is permitted within the area zoned.				

5.9.3 Permitted Uses - Accessory Uses:

Row	Table 5.9.3				
i		C	NR	NR1	NR2
ii	Permitted Uses (accessory use)	Conservation	Natural Resource	Natural Resource Floodway	Natural Resource Floodfringe
iii	Boathouse		•(a)		•(a)
iv	Dock		•(a)	•(a)	•(a)
v	Home Occupation				•(b)
vi	Home Industry				•(b)
vii	NOTES: (a) accessory to a permitted principal use on the same property on the abutting zone, and subject to the lot requirements of the abutting zone (b) subject to being flood proofed				

2009-82P 5.9.4 Lot Requirements:

Row	Table 5.9.4					
i		C	NR	NR1	NR2	
ii	Zone Provisions	Conservation	Natural Resource	Natural Resource Floodway	Natural Resource Floodfringe	
iii	Lot Frontage	0	0	0	(a)	
iv	Lot Area	0	0	0	(a)	
v	Lot Coverage (Max) %	(a)	(a)	(a)	5	
vi	Yard Requirements	Front Yard	(a)	(a)	20 m (65.6 ft.)	
vii		Front Yard abutting a watercourse	20 m (65.6 ft.)	(a)	(a)	20 m (65.6 ft.)
viii		Interior Side Yard	(a)	(a)	(a)	6 m (19.7 ft.)
ix		Exterior Side Yard	(a)	(a)	(a)	7 m (23.0 ft.)
x		Rear Yard	(a)	(a)	(a)	10 m (32.8 ft.)
xi	Setback from streams (on site)	Cold water	30 m (98.4 ft.)	(a)	(a)	30 m (98.4 ft.)
xii		Warm water	20 m (65.6 ft.)	(a)	(a)	20 m (65.6 ft.)
xiii	Building Height (maximum)	4 m (13.1 ft.)	9 m (29.5 ft.)	9 m (29.5 ft.)	9 m (29.5 ft.)	
xix	NOTES: (a) as existed on the date of passing of this by-law.					

6 Special Exceptions

7 Holding Provisions

8 Land Use Schedules

Schedules A-1 to M-11

9 Property Detail Schedules

Property Detail Schedules to Exceptions (Section 6)

Property Detail Schedule No.	Zone Exception	By-law	By-law Schedule No.
9-1	R4-0332	85-41P	G8-2
9-2	C2-0335	85-46P	G8-2
9-3	M1-0403	86-73P	J-8
9-4	R4-0454	87-45P	F9-3
9-5	RU1-0470	87-83P & 2007-21P	I-4 & J-4
9-6	C3-0507	88-18, 2000-9 & 2005-65	F-7
9-7	C2-0589	88-172	F8-3 & G8-1
9-8	R3-H-0717	92-103P	G8-2
9-9	IN-0722	90-83P	F9-3
9-10	M1-0830	91-58P	G7-1
9-11	NR1-0989 NR2-0989	93-80P	F7-1, F7-2
9-12	NR1-0991	93-80P	E-8
9-13	NR1-0995 NR2-0995	93-80P	D-9
9-14	SR4-1029	94-49P	B-5
9-14	NR-1034	94-49P	A-5, B-5
9-15	C2-1053	94-70P	G8-1
9-16	SR1-1112	95-70	A-10
9-17	RU1-1156	2005-80P	K-1
9-18	C2-1194	97-59P	F8-4
9-19	RU1-1450	2002-27P	H-5
9-20	R3-1512	2003-56P	G8-1
9-21	SR4-1584	2004-37P	D-5
9-22	R1-1597	2004-88P	G-10
9-23	R4-H-1610	2004-117P	F8-3
9-24	SR1-1616	2004-107P	E-6
9-25	RU1-1628	2004-146P	G-6
9-26	SR4-1726 to 1728 NR-1729	2006-86P	K-2
9-27	SR2-1761, 1764, 1766 NR-H-1765, NR-1765	2007-38P	K-8
9-28	RU1-1774 RR-1774	2007-66P	B-6, B-7
9-29	R3-1784	2007-95P	F-8-3
9-30	SR1-1785 & 1786	2007-96P	F-1

Property Detail Schedule No.	Zone Exception	By-law	By-law Schedule No.
9-31	RR-1796	2008-10P	A-8
9-32	SR4-1799	2008-37P	I-9
9-33	SR3-1804	2008-51P	H-8
9-34	RM-1806	2008-70P	E-7
9-35	R3-0010	2009-27P	F-8-3
9-36	C2(H)-1792	2007-130P	F-8-4
9-37	R2-0016, 0017	2009-41P	F-8-3
9-38	SR1-0023	2009-63P	M-9
9-39	SR1-0028	2009-76P	G-1
9-40	SR4-0033	2009-83P	K-2
9-41	RU1-0056	2010-10	H-8
9-42	SR5-0059	2010-14	B-7
9-43	NR2, C4-0351,0064	2010-49	F-11
9-44	R3-0075	2010-81	G-8-1
9-45	SR4-0071	2010-69	G-1
9-45	RU1-0080, NR-0082	2010-90	M-2, M-3
9-46	SR1-0089	2010-95	H-8
9-47	SR2-0146	2012-89	H-6; I-6
9-48	CS1-1692, 0097	2011-59	L-10, M-10
9-49	C4, NR-0122	2011-82	F-11
9-49 (2)	SR1-0119	2012-54	K-5
9-52	R4-1455, 1812, 249	2015-45	F-8-1
9-53	CS1-1692	2015-98	L-10; M-10
9-54	CS3-0372	2018-21	M-10; M-11
9-55	NR-1339	2018-118	F-9-3; F-9-4
9-56	SR4-H-0003	2018-144	E-4; E-5; F-4; F-5
9-57	C4-0409	2018-139	I-5
9-58	C4-0228	2019-30	G-10
9-59	R3-H-0414	2019-32, 2019-88	G-8-3
9-60	SR1-0003, C, O2	2019-33	E-4; E-5; F-4; F-5
9-61	R3-H-0415, R4-H-0416	2019-36	F-8-3
9-62	CS3-0418	2019-38	L-5
9-63	RR-0436, RR-0437	2019-102	F-5

10 Service Area Schedules

Schedules S-1, S-2 and S-3

11 Enactment

By-law passed this 2nd day of June, 2008.

Mayor

Clerk