

# TOWNSHIP OF NORTH KAWARTHA COMPREHENSIVE ZONING BY-LAW



By-law 26-2013  
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Consolidated July 2020

The Corporation of the Township of North Kawartha  
**By-Law #26-2013**

A by-law to regulate the use of lands and the character, location and use of buildings and structures in the Township of North Kawartha.

Whereas the Planning Act provides that the council of a municipal corporation may pass by-laws to regulate the use of lands and the character, location and use of buildings and structures;

Now Therefore the Council of the Corporation of the Township of North Kawartha Enacts as follows:

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# SECTION 1 – INTRODUCTION

## 1.1 TITLE OF BY-LAW

This By-law may be cited as the "The Zoning By-law of the Township of North Kawartha".

## 1.2 SCOPE OF BY-LAW

- (a) Official Plan  
The preservation of naturally – vegetated shoreline is encouraged in order to minimize destruction to the **shoreline** and wet beach habitat, minimize visual impact on the **water body**, maintain wildlife habitats and corridors and improve water quality.
- (b) Vision  
The North Kawartha vision is of a place where water, wild life habitat, natural beauty, recreational opportunities and peace and tranquility are improved and conserved in perpetuity for all human and wildlife generations to come.
- (c) Planning  
Good planning includes both a **building** plan and a vegetation inventory.
- (d) **Building Permit**  
A **building permit** is required for all **renovations/** enlargements/ new construction
- (e) Lands Subject to By-law:  
The provisions of this By-law shall apply to all lands within the corporate limits of the Township of North Kawartha comprised of the Anstruther, Burleigh and Chandos Wards including lands covered by water. The provisions of this by-law shall not apply to those lands which are under the jurisdiction of Ontario Parks and Parks Canada. For clarity, privately owned lands and municipal lands within Ontario Parks continue to be regulated by this By-law.
- (f) Provincial Lakes and Waterbodies  
All lakes and **waterbodies** within Ontario Parks are identified for information purposes only as Park Lakes (PL) on the schedules attached to and forming part of this by-law. Park Lakes include those within Kawartha Highlands Provincial Park which maintain private **shoreline** ownership, specifically

including Anstruther, Loon Call, Wolf, Long, Buzzard, Loucks, Crab, Cox and Cold Lakes. In addition, Park Lakes include numerous smaller lakes within Kawartha Highlands Provincial Park and Petroglyph Provincial Park. Within the Park Lakes, the provisions of this by-law shall not apply. For information regarding permitting requirements within Park Lakes, enquiries are to be directed to Ontario Parks.

- (g) **Federal Lakes and Waterbodies**  
All lakes and **waterbodies** under the jurisdiction of Parks Canada are identified for information purposes only as Federal Lakes (FL) on the schedules attached to and forming part of this by-law. Federal Lakes include the portion of Stoney Lake which is within the Township boundaries. Within the Federal Lakes, the provisions of this by-law shall not apply. For information regarding permitted requirements within Federal Lakes, enquiries are to be directed to Parks Canada.
- (h) **Conformity with By-law:**  
No **building** or **structure** shall hereafter be **erected** or **altered** nor shall the **use** of any **building, structure** or **lot** hereafter be changed, in whole or in part, except in conformity with the provisions of this By-law.
- (i) **Existing Uses Continued:**  
Nothing in this By-law shall prevent the **use** of any **lot, building** or **structure** for any purpose prohibited by this By-law if such **lot, building** or **structure** was lawfully used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose.
- (j) **Building permit Issued:**  
Nothing in this By-law shall prevent the **erection** or **use** of any **building** or **structure** for a purpose prohibited by this By-law if a complete application for a **Building permit** for such **building** or **structure** was submitted or a **Building permit** issued prior to the date of passing of this by-law, provided:
  - (i) when the building or structure is erected, it shall be used and shall continue to be used for the purpose for which the building permit was issued; and
  - (ii) the **erection** of such **building** or **structure** is commenced within 6 months of the date of the issuance of the **Building permit**



- (k) **Compliance with Other Restrictions:**  
This by-law shall not be effective to reduce, override or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions, including but not limited to the Trent Severn Waterway (Parks Canada), the Ministry of Natural Resources and Forestry under the authority of the Public Lands Act, and Ontario Parks, Ministry of the Environment, Conservation and Parks, under the authority of the Provincial Parks and Conservation Reserves Act, 2006.
- (l) **Committee of Adjustment Variance Approvals**  
With respect to any lands for which a minor variance from the provisions of By-Law 524-76 as amended and/or By-law 66-1996 as amended has been authorized by the Committee of Adjustment of the Township of North Kawartha. The provisions of By-Law 524-76 as amended and/or By-Law 66-1996 as amended, shall continue to apply to the extent necessary to give effect to such decision until the 30<sup>th</sup> of June, 2014.
- (m) **Island Zoning**  
All **islands** located within the boundaries of the Township of North Kawartha, under private ownership, unless otherwise noted will fall within the **Shoreline Residential Island zone**. All **islands** located within the boundaries of the Township of North Kawartha within public ownership, ie. provincially or federally, will fall within an open space **zone**.

### 1.3 INTERPRETATION OF BY-LAW

- (a) **Singular and Plural Words:**  
In this By-law, unless the context requires otherwise:
  - (i) words used in the singular number include the plural; and
  - (ii) words used in the plural include the singular number.
- (b) **Shall Is Mandatory:**  
In this By-law, the word "shall" means mandatory.
- (c) **Used and Occupied:**  
In this By-law, unless the context requires otherwise:
  - (i) the word "used" shall include "designed to be used"

and "arranged to be used"; and

- (ii) the word "occupied" shall include "designed to be occupied" and "arranged to be occupied".

(d) **Building, Structure and Use Classification:**

In this By-law all **buildings, structures** and **uses** named as permitted **uses** and classified under the headings "RESIDENTIAL **USES**" or "**ACCESSORY USES**" may be referred to as Residential or **accessory buildings, structures** or **uses** respectively.

- (e) In this By-law, metric **units** shall be utilized and prevail. Bracketed imperial **units** are indicated for reference purposes only.

- (f) An explanation of the words in bold type can be found in Section 2 – Definitions.

(g) **Zone** Boundaries

- (i) Where a roadway is indicated as a boundary, the limits of each **zone** shall be the centerline of the road allowance.
- (ii) Where a boundary is indicated as generally following **lot** lines, Township borders, or the extent of a registered plan, the limits of each **zone** shall follow such lines.
- (iii) **Zone** boundaries indicated as following **shorelines**, shall be interpreted to be the **high water mark**. **Zone** boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such centerlines.

(h) Zoning of Original Shore Road Allowance and Unopened Road Allowances

Any original shore road allowance or shoreline crown reserves located above the high water mark and not located in a zone category shall be deemed to be zoned in the same manner as the abutting upland Lot. Any unopened road allowance absent zoning that is stopped, closed and transferred for the purpose of a boundary adjustment shall be deemed to be zoned in the same manner as the lot it has been

transferred to.

#### **1.4 SCHEDULES TO BY-LAW**

The following Schedules which are **attached** hereto, are hereby made a part of this By-law as fully and to all intents and purposes as though recited in full herein:

**Zone** Maps A1 to A14

## SECTION 2 – DEFINITIONS

Any definition of any object, structure, item not encompassed herein shall be as defined in the current edition of a dictionary.

In this By-law, unless the context requires otherwise, the following definitions shall apply:

### 2.1 ACCESSORY BUILDING (See: BUILDING)

### 2.2 ACCESSORY DWELLING HOUSE (SEE: DWELLING HOUSE)

### 2.3 ACCESSORY DWELLING UNIT (SEE: DWELLING UNIT)

### 2.4 ACCESSORY USE (SEE: USE)

### 2.5 ALTER

"Alter", when used in reference to a **building**, **structure** or part thereof, means:

- (a) to change any one or more of the external dimensions of such **building** or **structure**; or
- (b) to change the type of construction of the exterior walls or roof of such **building** or **structure**; or
- (c) to change the **use** of such **building** or **structure**; or
- (d) to change the number of **uses** or **dwelling units** contained therein.

"Alter", when used in reference to a **lot**, means:

- (e) to change the boundary of such **lot** with respect to a **street** or land; or
- (f) to change any dimension or area, relating to such **lot**, which is covered herein by a **zone provision**; or
- (g) to change the **use** of such **lot**; or
- (h) to change the number of **uses** located thereon.

"Altered" and "alteration" shall have corresponding meanings.

### 2.6 \*ATTACHED

"Attached" shall mean a **building** otherwise complete in itself, which depends for structural support or complete enclosure upon a division wall or walls shared in common **use** with adjacent **building** comprised of a floor, walls, partial walls and roof system. For **building** additions, a common wall is considered to not be less than 50% of the total width of the addition.

### 2.7 AUDITORIUM

"**Auditorium**" means a **building, structure** or part thereof where facilities are provided for athletic, civic, educational, political, religious or social events. This definition may include an arena, assembly hall, community centre, gymnasium, stadium, theatre or similar **use**.

**2.8 BALCONY**

"**Balcony**" means a partially enclosed platform **attached** to and extending horizontally from one or more main walls of a **building**.

**2.9 BASEMENT (See: STOREY)**

**2.10 BED AND BREAKFAST ESTABLISHMENT**

"**Bed and breakfast establishment**" means a **dwelling house**, containing not more than three **guest rooms**, used or maintained for the temporary overnight accommodation of the travelling public, in which the proprietor supplies lodging, with or without meals, in return for monetary compensation. Such an establishment must be licensed by the municipality and operated by one or more persons residing in the **dwelling house**. A **Bed and breakfast establishment** shall not mean to include a **restaurant** or a **tourist establishment**.

**2.11 BEVERAGE ROOM**

"**Beverage room**" means a **building** or premises, other than a **restaurant**, licensed under The Liquor License Act.

**2.12 \*BOATHOUSE**

"**Boathouse**" means a single storey detached accessory building or structure with a roof and walls, designed and used to house, shelter, store or protect watercraft and/or related marine equipment; but shall not include any space for human habitation.

**2.13 BOATPORT**

"**Boatport**" shall mean an unenclosed, stand-alone roofed structure designed and used for the docking and storage of watercraft and equipment accessory to the use and operation of watercraft.

**2.14 BODY SHOP**

"**Body shop**" means a **building** or premises used for the painting or **repairing** of **motor vehicle** bodies, exteriors or undercarriages. **Accessory uses** may include a towing service and the rental of motor **vehicles** to customers whose **motor vehicles** are being **repaired**. This definition shall not include a **salvage yard** as defined herein.

## 2.15 BUILDING

"**Building**" means a **structure** consisting of a wall, roof and floor, or any one or more of them, or a structural system serving the function thereof, including all the works, fixtures and service systems appurtenant thereto, and includes such other **structures** as are designated in the regulations inclusive of a Septic System, but does not include a **structure** used directly in the extraction of ore from a mine.

(a) **Accessory building:**

"**Accessory building**" means a **detached building** which is incidental, subordinate and exclusively devoted to a **main building** or **main use** and located on the same lot therewith.

(b) **Main building:**

"**Main building**" means the **building** which contains the principal **use** of the **lot** on which such **building** is located.

## 2.16 BUILDING AREA

"**Building area**" means the percentage of a **lot area** covered by the perpendicular vertical projection of all **buildings** above **grade** onto a horizontal plane.

## 2.17 BUILDING BY-LAW

"**Building by-law**" means a by-law passed pursuant to Section 5 of the Ontario **Building Code Act** for the purpose of regulating the issuance of **building permits**.

## 2.18 BUILDING HEIGHT

(a) "**Height**" means, in the case of a **shoreline** or waterfront property, the vertical distance of a **building** measured from the **finished grade** of the front (lakeside) of a **building** to

- (i) The highest point of the roof surface of a flat roof;
- (ii) The mean level between the eaves and the ridge of a gabled, hip, gambrel, or other type of pitched roof.

and means in all other cases from the average **grade** around the perimeter of the **building** to

- (iii) The highest point of the roof surface of a flat roof;
- (iv) The mean level between the eaves and the ridge of a gabled, hip, gambrel, or other type of pitched roof.

(b) "**Height**" means in the case of a **boathouse** or **boatport**, the vertical distance measured between the **original grade**, in the case of an on-land **boathouse** or **boatport**, or the normal

**high water mark**, in the case of an in-water **boathouse** or **boatport**, and:

- (i) The highest point of the roof surface of a flat roof:
- (ii) The highest point of the roof surface of a gabled, hip, gambrel, or other type of pitched roof

**2.19 BUNKHOUSE**

**"Bunkhouse"** means an **accessory building** to a permitted **recreation dwelling house**, principally intended for **use** as sleeping quarters.

**2.20 BUILDING PERMIT**

**"Building permit"** means a permit required by the Ontario **Building Code Act** and any municipal by-laws authorized by this Act.

**2.21 BUILDING SEPARATION**

**"Building separation"** means the horizontal distance between the nearest portions of any **buildings** on a **lot**.

**2.22 BULK STORAGE TANK**

**"Bulk storage tank"** means a tank for the bulk storage of petroleum, petroleum products, chemicals, gases or similar substances. This definition shall not include a storage tank which is accessory to another **use** on the **lot** where such tank is located.

**2.23 BUSINESS OFFICE**

**"Business office"** means a **building** or part of a **building** where one or more persons are employed in administering, directing, managing or conducting the affairs of a private enterprise. This definition shall not include any manufacturing operation or any premises used for **repairing** equipment, goods, materials or **vehicles**.

**2.24 CAMPING GROUND**

**"Camping ground"** means an open area provided for the **use** of outdoor camping in tents or similar facilities. This definition shall not include a **tourist camp** or **mobile home park** for temporary accommodation and overnight **use**.

**2.25 CARPORT**

**"Carport"** means a roofed **structure**, supported by columns, piers or not more than 2 walls, encompassing more than 60% of the **building** perimeter which is used for the sheltering of permitted **vehicles**.

**2.26 CELLAR (See: STOREY)**

**2.27 CHIEF BUILDING OFFICIAL**

"**Chief building official**" means the officer or employee of the **Corporation** appointed under Section 3 of the **Building Code Act** charged with the duty of enforcing the provisions of The **Building Code Act**, together with any Regulations made hereunder and the provisions of the **Building by-law**.

**2.28 CHURCH**

"**Church**" means a **building** owned or occupied by a religious congregation or religious organization dedicated exclusively to worship and other religious activities.

**2.29 CLINIC**

"**Clinic**" means a **building** or part of a **building** used solely by medical doctors, dentists and/or drug less practitioners, as well as by their staff and their patients, for the purposes of consultation, diagnosis and office treatment. This definition shall not include a hospital or **home professions**.

**2.30 CLUB**

"**Club**" means a **building** or premises used as an athletic, recreational, service or social **club**, which is either private or public.

**2.31 COMMERCIAL GARAGE (See: GARAGE, COMMERCIAL)**

**2.32 COMMERCIAL GREENHOUSE**

"**Commercial greenhouse**" means a **building** used for the growing of flowers, vegetables, shrubs, trees and similar vegetation for wholesale or retail sale. This definition shall not include any premises used for the growing of mushrooms.

**2.32a CANNABIS PRODUCTION, COMMERCIAL:**

"**Cannabis Production, Commercial**" refers to a **building, structure** or area of land used for growing, producing, testing, destroying, storing or distribution of cannabis or cannabis products.

**2.33 CONSERVATION USE**

"**Conservation use**" means the **use** of land for a comprehensive management and maintenance program whose goal is the preservation, protection and improvement of the components of the natural environment.

**2.34 CONTRACTORS YARD**

"**Contractors yard**" means a **yard** of any **building** trade or contractor where equipment and material are stored or where a contractor performs shop or assembly work but does not include any



other **yard** or establishment otherwise defined or classified herein.

**2.35 CORNER LOT (See: LOT)**

**2.36 CORPORATION**

"**Corporation**" means the **Corporation** of the Township of North Kawartha.

**2.37 COUNCIL**

"**Council**" means the **Council** of the **Corporation** of the Township of North Kawartha.

**2.38 COUNTY**

"**County**" means the **Corporation** of the **County** of Peterborough.

**2.39 DECK**

"**Deck**" means an open platform **structure**, with or without ground support and without walls or a roof system, which may or may not be **attached** to a **building**, and is accessory to a permitted residential or seasonal residential **use**. A **deck** shall not be enclosed below finished floor level, by a wall or enclosure if it is located in the required **water setback**.

**2.40 DELIVERY SPACE**

"**Delivery space**" means an area provided for the temporary **parking** of **vehicles** delivering or picking up equipment, goods, materials or persons.

**2.41 DETACHED**

"**Detached**", when used in reference to a **building**, means a **building** which is not dependent on any other **building** for structural support or enclosure.

**2.42 DEVELOPMENT**

"**Development**" means the creation of a new **lot**, change in land **use**, or the **erection**, or placing of a **building** or **structure** of any kind or the making of an addition or **alteration** to a **building** or **structure** that has the effect of increasing the size or usability thereof, and includes such related activities as site grading and the placing or dumping of fill and/or other operations that disrupt the natural environment in, on, over or under land or water.

**2.43 DINING ROOM**

"**Dining room**" means that part of a **restaurant**, or other **building**, which is used for the consumption of food by persons seated at booths, counters, tables or a combination thereof.

**2.44 DOCK**

"**Dock**" means a **structure** without a roof or walls, **attached** to a **shoreline** and/or **marine facility** and/or the bed of a lake or **waterbody** on a permanent or seasonal basis, which projects into a **waterbody** with a finished surface above the level of the water, and which is primarily used for the mooring/docking of watercraft and to provide access from water to land and vice-versa. A **dock** as defined herein shall also include any **dock** ramp designed to secure a **dock** to land and provide a means of access between land and a **dock**.

**2.45 DRIVE-IN RESTAURANT (See: RESTAURANT, DRIVE-IN)**

**2.46 DRIVEWAY**

"**Driveway**" means an unobstructed passageway used to provide vehicular access from the **entrance** to a **delivery space**, loading space, **parking** space or **structure**.

**2.47 DRIVEWAY SETBACK**

"**Driveway setback**" means the least horizontal distance permitted between a **lot line** of a **lot** and the nearest portion of any **driveway** on such **lot**.

**2.48 DRY CLEANING OR LAUNDRY OUTLET**

"**Dry cleaning or laundry outlet**" means a **building** or part of a **building** used for the purpose of receiving articles or goods of fabric to be subjected elsewhere to a process of cleaning, drying or dyeing. Such establishment may also be used for pressing and/or distributing any articles or goods of fabric which have been received therein.

**2.49 DUPLEX (See: DWELLING, DUPLEX)**

**2.50 DWELLING, DUPLEX**

"**Duplex**" shall mean a separate **building** containing two (2) or more **storeys** that is divided horizontally into no more than two (2) dwelling units, each of which is completely on a separate **storey**, and each of which has an independent **entrance** either directly or through a common vestibule.

**2.51 DWELLING, SEMI-DETACHED**

"**Semi-detached**" shall mean a separate **building** containing two (2) single **dwelling units** separated vertically by a common wall, each unit having separate **entrance** and exit facilities.

**2.52 DWELLING HOUSE**

"**Dwelling house**" means a single **detached building** occupied or

capable of being occupied as the home or residence of one or more persons. This definition shall not include any part of any **vehicle** as defined herein. In no case shall there be more than one kitchen or area where food preparation can take place.

(a) **Accessory dwelling house:**

**"Accessory dwelling house"** means a **dwelling house** which is accessory to a permitted non-residential use. Such **dwelling house** shall be occupied by either the owner or by a person employed on the lot where such **dwelling house** is located.

(b) **Group home:**

**"Group home"** means a single housekeeping unit in a residential **dwelling house** in which three to eight residents live under responsible supervision of staff or a receiving family, consistent with the requirements of its residents. The home shall be licensed or approved under Provincial Statute. For the purpose of this by-law "residents" shall not include persons who have been referred from correctional or detention facilities.

(c) **Modular dwelling house:**

**"Modular dwelling house"** means a **detached dwelling house** which has been fabricated in two or more sections which cannot function independently from one another and are designed for transportation on **streets** on a flatbed or other **trailer**. Upon arrival at the site, the sections are placed on a foundation and are assembled to form one complete dwelling house and generally not intended to be dismantled and relocated but shall not include a **mobile home**.

(d) **Recreational dwelling house/cottage:**

**"Recreational dwelling house/cottage"** means a **dwelling house**, containing only one **dwelling unit**, which is constructed and used as a secondary place of residence, for vacation and recreational purpose.

## **2.53 DWELLING UNIT**

**"Dwelling unit"** means a suite of 2 or more **habitable rooms**, occupied by not more than one **family**, in which sanitary conveniences are provided and in which facilities are provided for cooking or for the installation of cooking equipment, and with an independent **entrance** either directly from outside the **building** or through a common corridor or vestibule inside the **building**. This definition shall not include any part of any **vehicle** as defined herein.

In no case shall there be more than one kitchen or area where food preparation can take place located with a **dwelling unit**.

- (a) **Accessory dwelling unit:**  
"Accessory dwelling unit" means a **dwelling unit** which is part of, and accessory to, a permitted non-residential **building**. Such **dwelling unit** shall be occupied by either the owner or by a person employed on the lot where such **dwelling unit** is located.
- (b) **Primary Dwelling Unit:**  
"Primary Dwelling Unit" means the principal **dwelling unit** as permitted in a residential or rural **zone**.
- (c) **Second Dwelling Unit:**  
"Second Dwelling Unit" means a **dwelling unit** which is self-contained, accessory to, and situated within a **primary dwelling unit** or within an accessory **structure** on the same lot as the **primary dwelling unit**.

#### 2.54 DWELLING UNIT AREA (See: FLOOR AREA)

#### 2.55 ENTRANCE

"Entrance", when used with reference to a **lot**, means an unobstructed passageway used to provide vehicular access from the traveled portion of a **street** or lane to a **driveway**.

#### 2.56 ENTRANCE SEPARATION

"Entrance separation" means the horizontal distance between the nearest portions of any **entrances** on a **lot**.

#### 2.57 ENTRANCE SETBACK

"Entrance setback" means the horizontal distance between an intersection of **street lines** and the nearest portion of any **entrance**, measured along the limit of the traveled portion of the **street** or lane.

#### 2.58 ENTRANCE WIDTH

"Entrance width" means the horizontal distance between the extremities of an **entrance**, measured along the limit of the traveled portion of the **street** or lane.

#### 2.59 ERECT

"Erect" means to build, construct, place, reconstruct or relocate and, without limiting the generality of the word, also includes:

- (a) **Altering** any **existing building** or **structure** by an addition,

enlargement, extension or other structural change; and

- (b) Any work which requires a **building permit**. "**Erected**" and "**Erection**" shall have corresponding meanings.

## **2.60 EXISTING**

"**Existing**" means **existing** in the former Burleigh/Anstruther wards on February 23, 1979 and in the former Chandos ward on November 1, 1976 for **non-conforming** and **non-complying structures** and uses.

- (a) For **docks** and **swim rafts**, "**existing**" means lawfully **existing** as of the date of passing of By-law No. 2019-078 (August 13, 2019).
- (b) For **boathouses** and **boatports**, "**existing**" means lawfully **existing** as of the date of passing of By-law No. 2019-095 (September 17, 2019)

## **2.61 EXISTING LOT (See: LOT)**

## **2.62 VACANT**

## **2.63 FARM**

"**Farm**" means land used for the tillage of soil or the growing of vegetables, fruits, grains, legumes, hays, tobacco or other crops. This definition may also apply to land used for livestock raising, dairying or woodlot.

- (a) **Specialized farm:**  
"**Specialized farm**" means land on which the predominant economic activity consists of raising chickens, turkeys or other fowl; the raising of fur bearing animals; the raising of swine or goats; the raising of cattle on feed **lots**; or the growing of mushrooms.

## **2.64 FARM PRODUCE OUTLET**

"**Farm produce outlet**" means a **use**, accessory to a **farm**, which consists of the retail sale of agricultural products.

## **2.65 FINANCIAL OFFICE**

"**Financial office**" means the premises of a bank, trust company, finance company, mortgage company, investment company or credit union.

## **2.65 FIRST STOREY (See: STOREY)**

## 2.66 FLOOD PLAIN

"**Flood plain**" means the area, usually low lands, adjoining a watercourse which has been, or may be covered by flood water.

## 2.67 FLOOR AREA

"**Floor area**" means the space on any **storey** of a **building** between exterior walls and required fire walls, including the space occupied by interior walls and partitions, but not including exits and vertical service spaces that pierce the **storey**.

(a) **Dwelling unit area:**

"**Dwelling unit area**" means the aggregate of the **floor areas** of all habitable rooms in a **dwelling unit**.

(b) **Gross floor area:**

"**Gross floor area**" means the aggregate of all **floor areas** of a **building or structure**.

(c) **Ground floor area:**

"**Ground floor area**" means the floor area of the **first storey** of a **dwelling unit**, excluding any portion of such **first storey** which is not a **habitable room** and which has no **habitable room**, or portion thereof, located there over.

(d) **Net floor area:**

"**Net floor area**" means that portion of the **gross floor area** of a **building** which is used by **accessory use** defined herein or specifically named elsewhere in this By-law, but excluding:

- (i) any part of such **building** used by another **accessory use** which is defined herein or specifically named elsewhere in this By-law;
- (ii) any part of such **building** used as a **dwelling unit**;
- (iii) any part of such **building** used for the **parking** or storage of **motor vehicles**;
- (iv) any part of such **building** used for equipment to heat such **building** or a portion thereof; and
- (v) the thickness of any exterior walls of such **building**.

## 2.68a FOOD TRUCK

"**Food Truck**" means a vehicle, trailer or portable apparatus

designed to prepare food.

**2.68 FORESTRY USE**

"**Forestry use**" means the management, **development** and cultivation of timber resources.

**2.69 FRONTAGE (See: LOT FRONTAGE)**

**2.70 FRONT LOT LINE (See: LOT FRONTAGE)**

**2.71 FRONT YARD (See: YARD)**

**2.72 FUEL PUMP ISLAND**

"**Fuel pump island**" means a **structure** which is an **accessory use** intended to provide fuel for **vehicles**.

(a) **Private fuel pump island:**

"**Private fuel pump island**" means a **fuel pump island** used to dispense fuel solely to **vehicles** owned or leased by the occupant of the **lot** where such **fuel pump island** is located. This definition shall not include an automobile service station or any other facility for the sale of fuels.

**2.73 FUNERAL HOME**

"**Funeral home**" means a **building** or premises used for the furnishing of funeral supplies and services to the public and may include facilities for the preparation of the human body for interment or cremation.

**2.74 GARAGE, COMMERCIAL**

"**Commercial garage**" means an establishment or premises where **vehicles** owned by the general public are **repaired** or maintained.

**2.75 GARAGE, MAINTENANCE**

"**Maintenance garage**" means an establishment or premises where **vehicles** owned or leased by the occupant of such premises are **repaired** or maintained.

**2.76 GARAGE, PRIVATE**

"**Private garage**" means an **accessory building (detached garage)** or portion of a **dwelling house (attached garage)** which is fully enclosed and used for the sheltering of permitted **vehicles**. and/or storage ancillary to a residential use and/or a home industry or home occupation where authorized by the regulations of this Zoning By-law. This definition shall not include a carport, bunkhouse, habitable room or other open shelter, except that the second storey of an

attached garage may be utilized as a habitable room.

**2.77 GAZEBO**

"**Gazebo**" means an accessory free standing roofed **structure** with open or screened walls enclosing a single area used for the purpose of relaxation. It may be located on a **deck**, it may be located on the ground as a non-permanent free-standing **structure**.

**2.78 GOLF COURSE**

"**Golf course**" means public or private premise which is used for the purpose of playing golf. This definition may include a par-3 golf course, a driving range, a miniature **golf course**, clubhouse or any similar **use**.

**2.79 GRADE**

(i) **Finished grade**

"**Finished grade**" means the average level of proposed or finished ground adjoining a **building** at all exterior walls.

(ii) **Original grade**

"**Original grade**" means the original grade that existed prior to construction adjoining a **building** at all exterior walls.

**2.80 GRAVEL PIT**

"**Gravel pit**" means any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral to supply such material for construction, industrial or manufacturing purposes. This definition shall not include:

- (a) Any excavation incidental to the **erection** of a **building** or **structure** for which a **building permit** has been issued;
- (b) Any excavation incidental to the construction of any public works;
- (c) Any asphalt plant, cement manufacturing plant or concrete batching plant; or
- (d) Any **wayside pit** as defined herein.

**2.81 GROSS FLOOR AREA (See: FLOOR AREA)**

**2.82 GROUND FLOOR AREA (See: FLOOR AREA)**

**2.83 GROUP HOME (See: DWELLING HOUSE)**

**2.84 GUEST ROOM**

"**Guest room**" means a room or suite of **rooms** which contains no facilities for cooking and which is used or maintained, for gain or profit, by providing accommodation to the public.



**2.85 HABITABLE ROOM**

"**Habitable room**" means a room designed to provide living, dining, sleeping or kitchen accommodation for persons. This definition may include a bathroom, den, library, office or enclosed sun room but shall not include any **private garage, carport, porch**, veranda, unfinished **attic**, unfinished **basement** or unfinished **cellar**.

**2.86 HEIGHT (See: BUILDING HEIGHT)**

**2.87 \*HIGH WATER MARK**

"**High water mark**" means the mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

**2.88 HOME INDUSTRY**

"**Home industry**" means any occupation or activity resembling a construction or industrial-type activity, conducted for gain or profit which is clearly incidental, subordinate and secondary to the principal **use** of the property. Such **uses** may include a carpentry shop, a craft shop, a metal working shop, a plumbing shop, an electrical shop, a welding shop, or other similar **use**. A **home industry** shall be conducted in whole, or in part, in an **accessory building** to a permitted **dwelling house**. Home industries shall be established in accordance with the provisions of Section 3.10 of this by-law.

**2.89 HOME OCCUPATION**

"**Home occupation**" means any business or service occupation or activity conducted for gain or profit which is clearly incidental, subordinate and secondary to the principle residential use of the property. Such **uses** may include, **but are not limited to**, hairdressing; instruction in arts, crafts, dancing or music to not more than 6 pupils at any one lesson; molding; painting; sculpting; a **bed and breakfast establishment** offering overnight accommodation in not more than 3 bedrooms of a **dwelling unit**, a **private home daycare**; a professional office, a bakery, or other similar **uses**. A **home occupation** shall be conducted wholly within a permitted **dwelling house**. **Home occupations** shall be established in accordance with the provisions of Section 3.11 of this by-law.

**2.90 HOTEL (See: TOURIST ESTABLISHMENT)**

**2.91 IMPROVED STREET (See: STREET)**

**2.92 INTERIOR LOT (See: LOT)**

**2.93 ISLAND**

"**Island**" means a land mass completely surrounded by water, which meets the definition of a Lot. This includes any land mass joining the mainland by any causeway or bridge.

**2.94 KENNEL**

"**Kennel**" means a **building, structure** or premises used for the raising, breeding or boarding of dogs, cats or other household pets. A **Kennel**, for the purposes of this By-Law, may include both a commercial and/or personal keeping of animals.

**\* 2.94.1 KITCHEN**

"**Kitchen**" means a room or part of a room where food is stored or prepared or cooked and which has cooking appliances.

**2.95 LANDSCAPING AREA**

"**Landscaping area**" means that portion of the **lot area** of a **lot** required for the growth and maintenance of grass, flowers, bushes, trees and other landscaping. This definition may include any surfaced walk, surfaced patio, **play facility**, or similar area but shall not include any **driveway** or ramp (whether surfaced or not) nor any curb, retaining wall, **parking area, delivery space, loading space** nor any open space beneath or within a **building** or **structure**.

**2.96 LAUNDROMAT**

"**Laundromat**" means a **building** or part of a **building** containing one or more washers, each having a capacity not exceeding 23 kilograms (50 pounds), and drying, ironing, finishing and incidental equipment, provided that only water and soaps or detergents are used and provided that no such operation shall emit any noise or vibrations which cause a nuisance or inconvenience within or without the premises. This definition may include a self-service **dry cleaning** outlet.

**2.97 VACANT**

**2.98 LOADING SPACE**

"**Loading space**" means an area provided for the temporary **parking** of **vehicles** loading or unloading animals, equipment, goods or materials.

**2.99 LODGE (See: TOURIST ESTABLISHMENT)**

## 2.100 LOT

"**Lot**" means a parcel of land which is capable of being legally conveyed in accordance with the provisions of The Planning Act.

- (a) **Corner lot:**  
"**Corner lot**" means a lot having 4 or fewer **lot lines** and situated at the intersection of 2 **street lines** which contain an angle of not more than 135 degrees.
- (b) **Existing lot/Lot of Record**  
"**Existing lot/lot of record**" means a **lot** which was held under distinct and separate ownership from abutting **lots** as shown by a registered conveyance in the records of the Registry Office or Land Titles Office or an **existing lot/lot of record** that has had lands removed through the consent process or a plan of sub-division or in the alternative, has been enlarged as a result of conveyance from another property, public or private.
- (c) **Interior lot:**  
"**Interior lot**" means a lot, other than a **corner lot** or a through **lot**, which has **street access** but has no **water access**.
- (d) **Standard waterfront lot:**  
"**Standard waterfront lot**" means a **lot** which has **water access** on one **shoreline** only.
- (e) **Through lot:**  
"**Through lot**" means a lot, other than a corner lot, which has street access on 2 or more **street lines** but has no **water access**.
- (f) **Through waterfront lot:**  
"**Through waterfront lot**" means a lot which has **water access** on more than one **shoreline**.
- (g) **Unserviced lot:**  
"**Unserviced lot**" means a lot which is served by neither a public water system nor a sanitary system.

## 2.101 LOT AREA

"**Lot area**" means the total area within the **lot lines** of a **lot** excluding the area of any Environmental Constraint (EC) **zoned** land or any area below the **normal high water mark** located on such **lot**.

## 2.102 LOT COVERAGE

"**Lot coverage**" is the percentage of the area of a property covered by all **buildings** inclusive of any **decks**, **porches** and attachments thereto.

## 2.103 LOT FRONTAGE

(refer to Appendix A at the end of the document)

"**Lot frontage**" means:

- (i) for a **lot** fronting on a road, the horizontal distance between the **side lot lines** measured at right angles. Where such **lines** are not parallel, the **lot frontage** shall be the distance between the side **lot lines** measured on a line 15 metres (49.2 feet) from the front **lot line**;
- (ii) for a **lot** which abuts two sides of a public **street**, the shorter **lot line** that so abuts shall be deemed the **lot frontage**;
- (iii) for a **corner lot** where the **street lines** are curved, the **lot frontage** shall be the lesser of the side **lot lines** produced to their point of intersection;
- (iv) for a **lot** directly abutting a navigable waterway and which does not abut a public **street**, the straight line distance between the two most widely separated points on any one **shoreline** of a **lot** shall be deemed the **lot frontage**; for a **lot** on a point or an **island** the **frontage** will be the circumference of the point or **island** at the **normal high water mark**
- (v) for a **lot** fronting on a **shoreline** road allowance, the horizontal distance between the **side lot lines** measured along a straight line between the points where the **side lot lines** meet the **shoreline** road allowance; or where applicable, the straight line distance between the two most widely separated points on any one **shoreline** road allowance of a **lot** shall be deemed the **lot frontage**;
- (vi) for a **lot** abutting a public **street** and a navigable waterway or a **shoreline** road allowance, the straight line distance between the two most widely separated points on any one **shoreline** or **shoreline** road allowance of a **lot** shall be deemed the **lot frontage**;
  - In this circumstance, where the **rear lot line** abuts a public **street**, lane or public or private right-of-way, the **frontage** of the **rear lot line** adjacent thereto shall be at least 15 metres

(50 feet).

#### **2.104 LOT LINE**

"**Lot line**" means any boundary of a **lot**.

#### **2.105 LOT LINE (FRONT)**

"**Front lot line**" shall be defined as a portion of property abutting a publicly maintained or private road but where a property abuts a body of water, other than Eels Creek or the Crowe River, the **frontage** will be the body of water.

#### **2.106 LOT LINE (REAR)**

"**Rear lot line**" means in the case of a lot having four or more lot lines, the lot line farthest from and opposite to the front lot line. If a lot has less than four lot lines, there shall be deemed to be no rear lot line.

#### **2.107 LOT LINE (SIDE)**

"**Side lot line**" will be the property lines at right angles or any angle to the front and rear property line.

#### **2.108 MAIN BUILDING (See: BUILDING)**

#### **2.109 MAINTENANCE GARAGE (See: GARAGE, MAINTENANCE)**

#### **2.110 MAIN USE (See: USE)**

#### **2.111 MARINA**

"**Marina**" means a commercial establishment or premises, where boats or boat accessories are berthed, stored, serviced, **repaired** or kept for sale or rent and where facilities for the sale of marine fuels, lubricants or refreshments may be provided.

#### **2.112 MARINA DOCKING SYSTEM**

"**Marina docking system**" means a series of **docks** associated with a commercial **marina** which are primarily intended to provide for the mooring/dockage of multiple watercraft.

#### **2.113 MARINE FACILITY**

"**Marine facility**" means an unenclosed **structure** without a roof or walls which is used to place a boat into or take a boat out of a **waterbody**; or to moor, to berth or to store a boat. This definition may include a boat launching ramp, boat lift, marine railway or similar structure, but shall not include a **dock, boathouse, boatport, marina** or any boat service, repair or sales facility, or any **building** used for human habitation.

**2.114 MERCHANDISE SERVICE SHOP (See: SERVICE SHOP, MERCHANDISE)**

**2.115 MINING**

"**Mining**" means the removal of sand, gravel, earth, rock, stone or mineral bearing substance from the ground for the purposes of obtaining any mineral there from.

**2.116 MOBILE HOME**

"**Mobile home**" means a prefabricated **building**, designed to be transported on its own chassis (Notwithstanding that its running gear is or may be removed), or by other means, and designed and equipped for year-round occupancy, containing therein facilities for cooking or for the installation of cooking equipment as well as sanitary facilities including a flush toilet and a shower or bathtub. This definition shall not include any **tourist vehicle** or any **trailer** which has a **gross floor area** of less than 60 square metres (645 square feet).

**2.117 MOBILE HOME PARK**

"**Mobile home park**" means land which has been provided and designed for the location thereon of two or more occupied mobile homes.

**2.118 MODULAR DWELLING HOUSE (See: DWELLING HOUSE)**

**2.119 MOTEL (See: TOURIST ESTABLISHMENT)**

**2.120 MOTOR HOME (See: TOURIST VEHICLE)**

**2.121 MOTOR VEHICLE (See: VEHICLE)**

**2.122 NAVIGABLE WATERWAY**

"**Navigable waterway**" is defined by the Provincial or Federal Government.

**2.123 NET FLOOR AREA (See: FLOOR AREA)**

**2.124 NON-COMPLYING**

"**Non-complying**", when used in reference to a **lot, building** or **structure**, means a **lot, building** or **structure** which does not comply with one or more of the **zone provisions** of the **zone** in which such **lot, building** or **structure** is located.

**2.125 NON-CONFORMING**

**"Non-conforming"**, when used in reference to a **use, building** or **structure**, means a **use, building** or **structure** which is not a permitted **use** in the **zone** where such **use, building** or **structure** is located.

#### **2.126 NOXIOUS USE**

**"Noxious use"** means a **use** which, by its nature or the materials used or produced therein, is declared to be a noxious trade, business or manufacture pursuant to The Public Health Act or any Regulations made hereunder.

#### **2.127 NURSERY**

**"Nursery"** means land used for the growing of sod, flowers, bushes, trees or other gardening, landscaping or orchard stock for wholesale or retail sale.

#### **2.128 ONE-HALF STOREY (See: STOREY)**

#### **2.129 OPEN STORAGE AREA**

**"Open storage area"** means land used for the outside storage of equipment, goods or materials. This definition shall not include a storage **use** located in a **building**, a **salvage yard**, a **parking area**, a **delivery space** or a **parking space**.

#### **2.130 PARK**

**"Park"** means an area, consisting largely of open space, which may include a recreational area, playground, play field or similar **use**, but shall not include a **mobile home park** or a **tourist camp**.

(a) **Public park:**

**"Public park"** means a park owned or operated by the **Corporation** or the **County**, any local board of the **Corporation** or the **County**, or any Authority, Board, Commission or Ministry established under any statute of Ontario or Canada.

(b) **Private park:**

**"Private park"** means a park other than a **public park**.

#### **2.131 PARKING AREA**

**"Parking area"** means an area or **structure** provided for the **parking** of **motor vehicles** and includes any related **driveways** and **parking spaces**, but shall not include any part of a **street** or lane. This definition may include a **carport** or **private garage**.

#### **2.132 PLAY FACILITY**

**"Play facility"** means a fenced or enclosed space, above ground, which is designed for **use** by children.

**2.133 PLAY FACILITY AREA**

**"Play facility area"** means that portion of the **lot area** of a **lot** required to be used for all play facilities on such **lot**.

**2.134 PORCH**

**"Porch"** means a roofed structure without walls located at the entry point to a dwelling or structure.

**2.135 VACANT**

**2.136 PRIVATE GARAGE (See: GARAGE, PRIVATE)**

**2.137 PRIVATE FUEL PUMP ISLAND (See: FUEL PUMP ISLAND)**

**2.138 PRIVATE HOME DAYCARE**

**"Private Home Daycare"** means the temporary care for reward or compensation of five children or less who are under 10 years of age where such care is provided in a private residence, other than the home of the parent or guardian of any child, for a continuous period not exceeding twenty-four hours.

**2.139 PRIVATE PARK (See: PARK)**

**2.140 PUBLIC PARK (See: PARK)**

**2.141 PUBLIC USE**

**"Public use"** means a **building, structure** or **lot** used for public services by the **Corporation** or the **County**, any local board of the **Corporation** or the **County**, any Authority, Board, Commission or Ministry established under any statute of Ontario or Canada or Ontario Hydro.

**2.142 PUMP HOUSE**

**"Pump house"** means an **accessory building** measuring not more than 1.2 metres (4 feet) in width, 1.2 metres (4 feet) in length and 1.2 metres (4 feet) in **height** and **erected** for the purpose of mechanically drawing water from a **waterbody** for **use** by residents of the **dwelling unit**, or for firefighting purposes.

**2.143 REAR LOT LINE (See: LOT LINE)**

**2.144 REAR YARD (See: YARD)**



#### **2.145 RECONSTRUCTION**

"**Reconstruction**" shall mean to replace a **structure** or portion of a **structure** in conformance with all General and **Zone** provisions as may be applicable.

#### **2.146 RECREATION CAMP**

"**Recreation camp**" means a **building** having a **net floor area** of less than 139.4 square metres (1500 square feet) **erected** for the purpose to provide temporary accommodation.

#### **2.147 RECREATIONAL ESTABLISHMENT**

"**Recreational establishment**" means a billiard or pool hall, bowling alley, curling or skating rink, or similar **use**.

#### **2.148 RECREATION DWELLING HOUSE (See: DWELLING HOUSE)**

#### **2.149 RENOVATE**

"**Renovate**" shall be defined as changes to a portion or portions of an **existing structure** to improve the conditions within a **structure** for human habitation and/or the **use** of the **structure**.

#### **2.150 RENTAL COTTAGE (See: TOURIST ESTABLISHMENT)**

#### **2.151 REPAIR**

"**Repair**" shall be defined as maintaining the minimum standards for Health and Safety for a **structure** that is utilized for human habitation on a permanent or seasonal basis as outlined in the Ontario **Building Code**.

#### **2.152 RESORT CONDOMINIUM**

"**Resort condominium**" shall mean a **building** or cluster of **buildings** consisting of freehold ownership vacation accommodation units together with undivided co-ownership interest in the common elements; which are designed for seasonal occupancy by either the owner or guests.

#### **2.153 RESTAURANT**

"**Restaurant**" means a **building** or part of a **building** where food is offered for sale or sold to the public for immediate consumption in the **dining room** of such **building** or for consumption off the premises.

#### **2.154 VACANT**

#### **2.155 RETAIL STORE**

"**Retail store**" means a **building** or part of a **building** in which

goods, wares, merchandise, substances, articles or things are offered or kept for retail sale to the public. This definition shall not include any establishment otherwise defined herein or specifically named elsewhere in this By-law.

**2.156 SALVAGE YARD**

**"Salvage yard"** means an establishment or premises where bottles, junk, scrap metals, white goods/appliances, wrecked **vehicles** or parts there from are stored wholly or partly in the open.

**2.157 SCHOOL**

**"School"** means a **school** under the jurisdiction of a Board as defined in The Education Act.

**2.158 SEMI-DETACHED (See: DWELLING, SEMI-DETACHED)**

**2.159 SERVICE SHOP, MERCHANDISE**

**"Merchandise service shop"** means an establishment wherein articles or goods such as appliances, furniture or similar items may be **repaired** or serviced. This definition shall not include any manufacturing operation or establishment used for the service or **repair of vehicles**.

**2.160 SERVICE SHOP, PERSONAL**

**"Personal service shop"** means an establishment wherein a personal service is performed. This definition may include a barber shop, a beauty salon, a dressmaking shop, a shoe **repair** shop, a tailor shop, a photographic studio or similar **use**.

**2.161 SEWER SYSTEM, SANITARY**

**"Sanitary sewer system"** means a system of underground conduits, operated by a private **corporation**, by the **Corporation** or by the Ministry of the Environment, which carries sewage to a sewage treatment facility.

**2.162 SHORELINE**

**"Shoreline"** means any **lot line** or portion thereof which abuts a **waterbody**.

**2.163 SIDE LOT LINE (See: LOT LINE)**

**2.164 SIDE YARD (See: YARD)**

**2.165 SIGHT TRIANGLE**

**"Sight triangle"** means the triangular space on a **lot** formed by 2 intersecting **street lines** and a line drawn from a point in one **street**

line across such **lot** to a point in the other **street line**, each such point being 7.5 metres (25 feet) from the point of intersection of the **street lines** (measured along the **street lines**). Where the 2 **street lines** do not intersect at a point, the point of intersection of the **street lines** shall be deemed to be the intersection of the projection of the **street lines** or the intersection of the tangents to the **street lines**.

## **2.166 VACANT**

## **2.167 SKI AREA**

"**Ski area**" means land used for snow skiing and may include ski lifts, tows, maintenance shops, ski equipment sales shops, **dining rooms**, **beverage rooms** and similar **accessory uses**. This definition shall not include a **tourist establishment**.

## **2.168 SOLID WASTE DISPOSAL SITE**

"**Solid waste disposal site**" means a municipally owned or operated place where garbage, refuse or domestic or industrial waste, exclusive of liquid industrial waste, is disposed of, deposited, dumped, and/or processed under controlled conditions, and, for the purposes of this By-Law, may include a sanitary landfill site.

### **(a) Accessory dwelling house:**

"**Accessory dwelling house**" means a **dwelling house** which is accessory to a permitted non-residential use. Such **dwelling house** shall be occupied by either the owner or by a person employed on the lot where such **dwelling house** is located.

## **2.169a SPECIAL EVENT**

"**Special Event**" means an event, the duration of which is temporary in nature and which is limited to one or more of the following uses: an exhibition, a fair, a carnival, a religious or music festival or a recreational competition.

## **2.169 SPECIALIZED FARM (See: FARM)**

## **2.170 STANDARD WATERFRONT LOT (See: LOT)**

## **2.171 STONE QUARRY**

"**Stone quarry**" means any open excavation made for the removal of any limestone, sandstone, shale or consolidated rock or mineral to supply such material for construction, industrial or manufacturing purposes and Licensed under the Aggregate Resources Act. This definition shall not include:

- (a) Any excavation incidental to the **erection** of a **building** or **structure** for which a **building permit** has been issued;
- (b) Any excavation incidental to any public works; or
- (c) Any asphalt plant, cement manufacturing plant or concrete batching plant.

## 2.172 STOREY

**"Storey"** means that portion of a **building** which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

- (a) **Attic:**  
**"Attic"** means the space between the roof and the ceiling of the top **storey** or between a dwarf wall and a sloping roof.
- (b) **Basement:**  
**"Basement"** means that portion of a **building** between two floor levels which is completely or partly underground but which has at least one-half of its **height**, from finished floor to the underside of the floor joists of the next above **storey**, below the adjacent **finished grade** level adjacent to the exterior walls of the **building** and in which the **height** from **finished grade** to the underside of the floor joists of the next above **storey** is less than 1.2 metres (4 feet).
- (c) **Cellar:**  
**"Cellar"** means that portion of a **building** between two floor levels which is partly or wholly underground and which has more than one-half of its **height**, from finished floor to the underside of the floor joists of the **storey** next above, below the **finished grade** level adjacent the exterior walls of the **building**.
- (d) **First storey:**  
**"First storey"** means the **storey** with its floor closest to finished **grade** having its ceiling at least 1.8 metres above **finished grade**.
- (e) **One-half storey:**  
**"One-half storey"** means that portion of a **building** situated wholly or in part within the roof and having its floor level not lower than 1.2 metres (4 feet) below the line where roof and outer wall meet and in which there is sufficient space to provide a distance between finished floor and finished ceiling of at least 2.3 metres over a **floor area** equal to at least 50%

of the area of the floor next below.

(f) **Crawl Space:**

Means an enclosed space between the underside of a floor assembly and the interior finished floor grade where the height from finished floor grade to the underside of the floor assembly is less than 5'11".

## 2.173 STREET

**"Street"** means a public thoroughfare assumed by by-law for ownership, maintenance and liability and under the jurisdiction of the **Corporation**, the **County** of Peterborough or the Province of Ontario. This definition shall not include a lane, a private right-of-way, an unopened road allowance or an original shore road allowance.

**"Street Allowance"** shall have a corresponding meaning.

(a) **Provincial highway:**

**"Provincial highway"** means a **street** under the jurisdiction of the Province of Ontario.

(b) **County road:**

**"County road"** means a **street** under the jurisdiction of the **County** of Peterborough.

## 2.174 STREET ACCESS

**"Street access"** means, when referring to a **lot**, that such **lot** has a **lot line** or portion thereof which is also a **street line**.

## 2.175 STREET LINE

**"Street line"** means the limit of a **street** allowance and is the dividing line between a **lot** and a **street**.

## 2.176 STREET SETBACK

**"Street setback"** means the horizontal distance required between the edge of a private right-of-way and the nearest part of any **building** on a **lot**.

## 2.177 STRUCTURE

**"Structure"** means a **building** consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including **structures** designated in the **building** code. For clarity, a **dock** as defined herein shall be considered a **structure**.

## 2.178 SWIM RAFT

**"Swim raft"** means a seasonal in-water and non-motorized floating

platform fixed to the lake bed on a seasonal basis and intended for swimming and recreational purposes. Floating toys such as trampolines, foam pads and inflatables are not considered **swim rafts** or **structures** and therefore are not regulated by the Building Code Act or the provisions of this Zoning By-law.

#### 2.179 THROUGH LOT (See: LOT)

#### 2.180 THROUGH WATERFRONT LOT (See: LOT)

#### 2.181 TOURIST CAMP

"**Tourist camp**" means any land used to provide temporary accommodation for the public, or members of an organization, in tents, **tourist trailers** or **tourist vehicles** whether or not a fee is charged or paid for such accommodation.

#### 2.182 TOURIST ESTABLISHMENT

"**Tourist establishment**" means a **building** or **buildings** designed or used for the accommodation of the traveling or vacationing public.

(a) **Hotel:**

"**Hotel**" means a **tourist establishment** containing therein 5 or more **guest rooms** served by a common **building entrance**. **Accessory uses** may include accommodation for staff and one or more **beverage rooms**, **dining rooms**, meeting **rooms** or similar **uses**.

(b) **Lodge:**

"**Lodge**" means a **tourist establishment** containing therein 5 or more **guest rooms** served by a common **building entrance** while additional **guest rooms** may have separate **entrance** directly from outside the **building**. **Accessory uses** may include rental cabins, accommodation for staff and one or more **beverage rooms**, **dining rooms**, meeting **rooms**, recreational facilities or similar **uses**.

(c) **Motel:**

"**Motel**" means a **tourist establishment** containing therein 5 or more **guest rooms**, each **guest room** having a separate **entrance** directly from outside the **building**. **Accessory uses** may include accommodation for staff and one or more **beverage rooms**, **dining rooms**, meeting **rooms** or similar **uses**.

(d) **Rental cottage:**

"**Rental cottage**" means a **tourist establishment** designed

to accommodate persons in a **detached building**.

#### **2.183 TOURIST TRAILER (See: TRAILER)**

#### **2.184 TOURIST VEHICLE**

"**Tourist vehicle**" means a self-propelled **vehicle** capable of being used for the temporary living, sleeping or eating accommodation of persons. This definition may include a bus, **motor home**, truck or van. For the purposes of this By-law, "**tourist vehicle**" shall include a **tourist trailer**.

#### **2.185 TRAILER**

"**Trailer**" means any **vehicle** designed to be towed by a **motor vehicle**.

(a) **Tourist trailer:**

"**Tourist trailer**" means a **trailer** capable of being used for the temporary living, sleeping or eating accommodation of persons (notwithstanding that its running gear is or may be removed).

#### **2.186 TRANSFER STATION**

"**Transfer station**" means a temporary location for the placement of household garbage, recyclable materials and hazardous waste as defined by the **County** of Peterborough, all as approved for operation by the Minister of Environment by certificate of approval, prior to the transfer to other certified locations outside of the Township.

#### **2.187 UNSERVICED LOT (See: LOT)**

#### **2.188 USE**

"**Use**", when used as a noun, means the purpose for which a **lot**, **building** or **structure**, or any combination thereof, is designed, arranged, occupied or maintained.

"**Uses**" shall have a corresponding meaning.

"**Use**" (when used as a verb), "used" and "to **use**" shall have corresponding meanings.

(a) **Accessory use:**

"**Accessory use**" means a **use** which is incidental, subordinate and exclusively devoted to a **main building** or **main use** and located on the same **lot** therewith.

(b) **Main use:**

"**Main use**" means the principal use of a lot.

**2.189 VEHICLE**

"**Vehicle**" means an automobile, a boat, a commercial **motor vehicle**, a **farm** implement, a **mobile home**, a motorcycle, a snowmobile, a **tourist vehicle** or a **trailer**.

**2.190 VEHICLE AGENCY**

"**Vehicle agency**" means an establishment having as its **main use** the storage of **vehicles** for sale, rent or lease. **Accessory uses** may include facilities for the **repair** or maintenance of **vehicles**.

**2.191 WAREHOUSE**

"**Warehouse**" means a **building** or part of a **building** used only for the bulk storage of goods, wares, merchandise or materials and accessory office space and shall include a wholesale establishment.

**2.192 WATER ACCESS**

"**Water access**" means, when referring to a **lot**, that such **lot** has a **lot line** or portion thereof which is also a **shoreline** and/or access to the subject **lot** is via watercraft from a **parking area** and **dock** located elsewhere on the **waterbody**.

**2.193 WATERBODY**

"**Waterbody**" means any bay, lake, natural watercourse or canal, other than a drainage ditch or irrigation channel.

**2.194 \*WATER SETBACK**

"**Water setback** " means the straight line horizontal distance from the **high water mark** of a **waterbody** to the nearest part of any **building**, **structure** or **open storage area** on the **lot**. and for the purposes of this By-Law shall be an open, uncovered space which is unoccupied by **buildings** or **structures** except as may be expressly permitted in this by-law.

**2.195 WAYSIDE PIT**

"**Wayside pit**" means a temporary open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral, opened and used by a public road authority solely for the purpose of a particular project or contract of road construction.

**2.196 YARD**

"**Yard**" means an open, uncovered space on a **lot** appurtenant to a **building** and unoccupied by **buildings**, **structures** or any goods or materials thereon except as may be expressly permitted in this by-law, and in determining **yard** measurements minimum horizontal distance from the respective **lot lines** is to be used.



**2.197 YARD, FLANK**

"Yard, flank" means the **side yard** facing a publicly maintained road, **street** or highway.

**2.198 YARD, FRONT**

"Yard, front" means a **yard** extending across the full width of a **lot** between the **front lot line** and the nearest wall of any **building, structure** or attachment thereto on the **lot**.

**2.199 YARD, MINIMUM FRONT**

"Yard, minimum front" means the minimum depth of a **front yard** on a **lot** between the **front lot line** and the nearest wall of any **building, structure** or attachment thereto on the **lot**.

**2.200 YARD, REAR**

"Yard, rear" means a **yard** extending across the full width of a **lot** between the **rear lot line** and the nearest wall of any **building, structure** or attachment thereto on the **lot**.

**2.201 YARD, MINIMUM REAR**

"Yard, minimum rear" means the minimum depth of a **rear lot line** between the **rear lot line** and the nearest wall of any **building, structure** or attachment thereto on the **lot**.

**2.202 YARD, SIDE**

"Yard, side" means a **yard** extending from the **front yard** to the rear **yard** of a **lot**, and between a **side lot line** and the nearest wall of any **building, structure** or attachment thereto on the **lot**.

**2.203 YARD EXTERIOR SIDE**

"Yard exterior side" means a **side yard** immediately adjoining a **street** or right-of-way.

**2.204 YARD, INTERIOR SIDE**

"Yard, interior side" means a **side yard** other than an exterior side yard.

**2.205 YARD, MINIMUM SIDE**

"Yard, minimum side" means the minimum width of a **side yard** on a **lot** between a **side lot line** and the nearest wall of any **building, structure** or attachment thereto on the **lot**.

**2.206 YARD, WATER**

"Yard, water" means the **yard** extending from the **high water mark** on any body of water to the nearest wall of any **building, structure** or attachment thereto on the **lot**.

**2.207 ZONE**

"**Zone**" means a designated area of land **use** shown on the **attached** Zoning Schedules to this By-law.

**2.208 ZONE PROVISION**

"**Zone provision**" means any provision of this By-law which is listed under the heading "**ZONE PROVISIONS**" or "**SPECIAL PROVISIONS**" and includes anything contained in Section 3 hereof which is applicable to the **zone** or **use**.

**2.209 ZONED AREA**

"**Zoned area**" means all the lands within the corporate limits of the Township of North Kawartha.

**2.210 ZONING ADMINISTRATOR**

"**Zoning administrator**" means the officer or employee of the **Corporation** charged with the duty of enforcing the provisions of this By-law.

**Any definition of any object, structure, item not encompassed herein shall be as defined in the current edition of a dictionary.**

## SECTION 3 – GENERAL PROVISIONS

### 3.1 ACCESSORY USES, BUILDINGS AND STRUCTURES

(a) Permitted **Uses**

Any **use, building or structure** which is accessory to a permitted **use** in a **zone** shall be permitted in such **zone** except that none of the following **accessory uses** shall be permitted in any **zone** unless such **accessory use** is listed as a permitted **use** in such **zone**:

- (i) an accessory manufacturing **use**;
- (ii) a **building** or portion thereof used for human habitation;
- (iii) a **fuel pump island**;
- (iv) a livestock **building**
- (v) a **marine facility**;
- (vi) any occupation for gain or profit conducted within or accessory to a **dwelling unit**;
- (vii) an **open storage area**

Properties **zoned** Rural (RU) in hamlet areas shall be restricted to a **dwelling house** only and those legal **uses existing** at the date of passing of this by-law.

(b) Relation to **Street**

(i) Residential **Zones**

An **accessory building or structure**, which is not part of the principal or **main building** on the **lot**, shall be **erected** in conformity with the setback requirements of the respective **Zone** except as may otherwise be provided for herein.

(ii) Non-Residential **Zones**

No **accessory building or structure** shall be **erected** closer to the **street line** than the minimum required setback requirements of the respective Non-Residential **Zone** and further shall not be **erected** closer than 3 metres (10 feet) to a side or **rear lot line** except as may otherwise be provided for herein.

Notwithstanding the foregoing, a gatehouse or information kiosk or other similar accessory **structure** shall be permitted within a required front or side **building** setback or within the area between the **street line** and the required setback provided such facility does not have a **gross floor area** exceeding 10 square metres (108 square feet).

- (c) **Relation to Principal or Main building**  
Except as may otherwise be provided herein, any **accessory building** or **structure**, which is not part of the principal or **main building**, shall not be **erected** closer than 1.5 metres (5 feet) to the principal or **main building**.
- (d) **Building area and Height**  
(i) The total **building area** of all **accessory buildings** and **structures**, except swimming pools, shall not exceed five per cent (5%) of the **lot area**. No **accessory building** singularly shall be more than 5% of the **lot area** nor shall the **height** of any **accessory building** or **structure** exceed 4.9 metres (16 feet) from **grade** to the peak of the roof, nor exceed one **storey** except where expressly permitted otherwise in the by-law. In addition, no accessory building shall include a basement or cellar, but may include a crawl space.  
(ii) Notwithstanding the maximum **height** in item (i), in the case of a detached private garage, the maximum **height** shall be 7.3 metres (23.9 feet) measured from **grade** to peak of the roof and shall not exceed 1.5 **storeys**. Access to any upper **storey** shall be restricted to an internal, unenclosed stairway located inside the **building**.
- (e) **Accessory Structure Encroachments**  
Notwithstanding the **building** setback requirements of this By-law to the contrary, drop awnings, clothes poles, flag poles, garden trellises, retaining walls, fences, **signs** or similar **uses** which comply with the licensing and/or regulatory By-laws of the **Corporation**, shall be permitted in any required **building** setback or in the area between the **street line** or **shoreline** and the required setback.
- (f) **Pump houses**  
(i) Notwithstanding any other provision of this By-law to the contrary, a **pump house** may be **erected** and used in the required **yard** and **water setback** of a **lot** abutting a **waterbody** provided such **accessory building** or **structure** is not located closer than three metres to the **side lot line** and is in accordance with the provisions of Section 3.30.
- (g) **Fire Escapes**  
Notwithstanding the **building** setback provisions of this By-law to the contrary, unenclosed fire escapes may project into

any required setback a maximum distance of 1.2 metres (4 feet).

(h) **Private garages**

A **detached private garage** may be **erected** and used in a front, side or **rear yard** provided that:

- (i) where such **accessory building** is located in a **side yard**, it shall not be closer than 3.0 metres (10 feet) to the **side lot line**; or,
- (ii) where such **accessory building** is located in a **rear yard** it shall not be closer than 3.0 metres (10 feet) to the **side lot line** or **rear lot line**; or,
- (iii) where such an **accessory building** is located in a **rear yard** it shall not be closer than 3.0 metres (10 feet) to the **side lot line** or **rear lot line**, EXCEPT where a **detached private garage** is **erected** with a direct access from a lane, private road or right-of-way or public **street**, in which case the **structure** shall not be located closer than 3.0 metres (10 feet) to the **side lot line** or 6.0 metres (20 feet) to the **rear lot line** and shall comply with the minimum side **building** setback requirements of the respective **zone**.
- (iv) where such an **accessory building** is located in a front or flank **yard**, whether **attached to** or not attached to and forming part of the principal or **main building** or **detached** there from, such **accessory building** shall not be located closer to the **lot line**, than the required front or **side yard** set forth under the respective **zone**.
- (v) where the **lot** on which the **accessory building** is located has a deeded right-of-way or cottage road thereon the setback shall be 6.0 metres (20 feet) from said right-of-way or traveled cottage road.
- (vi) notwithstanding items (i) and (iii), in no case shall a **detached private garage** having a **height** greater than 4.9 metres (16 feet) to a maximum of 7.3 metres (23.9 feet) and/or one and a half storeys have a minimum **rear yard** and **side yard** that is less than 4.5 metres (15 feet).

(i) **Ornamental Structures**

Notwithstanding the **building** setback provisions of this By-law to the contrary, sills, bay windows, chimneys, cornices, eaves, gutters, parapets, pilasters, or other ornamental **structures** may project into any required **building** setback or the area between the **street line** and the required setback a maximum distance of 0.6 metres (2 feet).

- (j) **Swimming Pools**  
Private swimming pools, including in-ground and above-ground pools, may be constructed and maintained as **accessory uses** in accordance with the following provisions:
- (i) **Building Setbacks**  
Swimming pool locations shall comply with the applicable side, rear, front and **water setback** requirements for the **zones** in which they are located. The location of the swimming pool includes all unenclosed water circulating or treatment equipment such as pumps or filters.
  - (ii) **Water Setback**  
In addition to the above, outdoor swimming pools shall not be permitted in the **water setback** or 30 metres (100 feet) from the **high water mark**.
  - (iii) **Fencing**  
The pool shall be enclosed with a fence of not less than 1.52 metres (5 feet) in **height** from **grade**.
  - (iv) **Building Area**  
The maximum **building area** of an outdoor swimming pool shall be part of the allowable 15% **lot coverage**.
  - (v) **Height**  
The **height** of any swimming pool shall not exceed 1.75 metres (5.7 feet) above **grade**.
  - (vi) **Further Safety Requirements**  
If, in the future, **Council** passes any further safety requirements upon swimming pools within the Township, they shall be enforced without an amendment to this By-Law.
- (k) **Marine Facilities**  
Where permitted in this By-law, a **marine facility** may be **erected** and **used** subject to the following conditions:
- (i) **Marine facilities** shall be setback a minimum of 4.5 metres (15 feet) to a **side lot line** or the straight line projection of a **side lot line** into the abutting **waterbody**.
  - (ii) Notwithstanding any other provision of this By-law to the contrary, a **marine facility** may be **erected** and **used** with a 0 metre (0 foot) setback to the high-water mark.
- (l) **Boathouses and Boatports**  
**Boathouses** and **boatports** are prohibited on all lands and

**waterbodies** under the jurisdiction of the Township of North Kawartha. Notwithstanding, **existing boathouses** and **boatports** may be rebuilt, **repaired** or strengthened in accordance with the provisions of Section 3.19.

(m) **Docks and Swim Rafts**

Where permitted in this By-law, the construction of a **dock** and/or **swim raft** shall be subject to the following conditions:

- (i) **Docks** and **swim rafts** shall be setback a minimum of 4.5 metres (15 feet) from a **side lot line** or the straight line projection of a **side lot line** into the abutting **waterbody**;
- (ii) The maximum aggregate area of all **docks** and all structural supports and projections, shall be 56 square metres (603 square feet);
- (iii) The maximum aggregate area of all **swim rafts** shall be 9.3 square metres (100 square feet)
- (iv) **Docks** and **swim rafts** shall only be permitted to be constructed on a **navigable lake or waterway**.

Notwithstanding any other provision of this By-law to the contrary, the provisions of this section shall not apply to **docks** and **swim rafts** offered and intended for public use by a government authority.

(n) **Bunkhouses**

**Bunkhouse** shall not be located less than 4.5 metres (15 feet) to any **side lot line** and shall comply with the provisions of the **zone** in which it is situated.

(o) **Gazebo or detached deck**

- (i) Maximum ground floor area – 10 square metres (107.38 square feet);
- (ii) Maximum height – 3 metres (10 feet);
- (iii) Any lot zoned to permit a dwelling shall be permitted one gazebo and one detached deck as accessory uses;
- (iv) A gazebo or detached deck shall not be connected to each other and shall not be connected to any other accessory structure;
- (v) A gazebo or detached deck may encroach into the 30-metre setback but must maintain a minimum 9-metre (30 feet) setback from the high water mark; and,
- (vi) A gazebo may be located on an attached deck, but may not be directly accessible from the dwelling.

### 3.2 FRONTAGE REGULATIONS

- (a) **Frontage on streets:**  
No person shall **erect** any **building** or **structure** in any portion of the **zoned area** unless the **lot** upon which such **building** or **structure** is to be **erected** abuts a **street** as defined herein. This provision shall not apply to a **lot** on a registered plan of subdivision registered subsequent to the date of passing of this By-law.
- (b) **Exemption to Frontage Regulations on streets:**  
If a **lot** is located in a **Shoreline Residential (SR) Zone**, a **Shoreline Residential Island (SRI)**, a **Shoreline Commercial Zone (CS)**, a **Rural (RU) Zone**, or a **Crown Land (CL) Zone**, and if such **lot** does not abut a **street**, then the said **lot** shall be exempt from the provisions of clause (a) of this subsection, provided such **lot** has **water access** and/or private right-of-way access, and/or access over an existing forest road located on Crown land. For the purpose of the RU Zone, this exemption shall only apply to the construction of a recreation camp.

### 3.3 CONSTRUCTION USES

- (a) The following **uses** shall be permitted in any portion of the **Zoned area**:  
A **building** or **structure** incidental to construction such as a trailer, storage container and/or tourist trailer, on the **lot** where such **building** or **structure** is situated, but only for as long as it is necessary for the work in progress and until the work is completed or abandoned; but in no case shall the length of time exceed 12 months. For the purpose of this provision, any trailer, storage container or tourist trailer shall comply with the setback requirements of this zoning by-law for a dwelling or principle use.

### 3.4 DELIVERY SPACE REGULATIONS

- (a) **Size:**  
Each **delivery space** shall be at least 9 metres (29 feet) long, 3.5 metres (11 feet) wide and have a vertical clearance of at least 3 metres (10 feet).
- (b) **More Than One Use On A Lot:**  
When a **building**, **structure** or **lot** accommodates more than one **use**, the **delivery space** requirement for such **building**,



**structure** or **lot** shall be the sum of the requirements for the separate **uses** thereof.

- (c) Location:  
The required **delivery spaces** shall be provided on the **lot** occupied by the **building, structure** or **use** for which the said **delivery spaces** are required and shall not form a part of any **street, lane, parking** space or **loading space**. No portion of any **delivery space** shall be located closer than:
  - (i) 3 metres (10 feet) to any **street line**; or
  - (ii) 6 metres (20 feet) to any Residential **zone**.
- (d) Access:  
Access to **delivery spaces** shall be by means of a **driveway** at least 7.5 metres (25 feet) contained within the **lot** on which the **delivery spaces** are located and leading to a **street** or lane located within or adjoining the **zone** in which the **use** is located.
- (e) Surface:  
The **driveways** and **delivery spaces** shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.
- (f) Addition To Or Change of **Existing Use**:  
When a **building** or **structure** has insufficient **delivery spaces** on the date of passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition if such addition does not increase the gross floor area of such **building** or **structure** by more than 10%. However, no addition may be built and no change of **use** may occur if the effect of an addition or change of **use** would be to increase such deficiency.

### 3.5 DWELLING UNITS

- (a) Location of **Dwelling house**:  
No **dwelling house**, in its entirety, shall be located in a **basement** or **private garage**.

Only one **dwelling unit** per property is permitted unless otherwise permitted and no **accessory building/use** is permitted until the principal **building/use** has been established.

- (b) Location In **Cellar** or **Basement**:  
No **dwelling unit** shall be located in the **cellar** or **basement** of any **accessory building**. No part of any **dwelling unit**, except a bedroom, furnace room, laundry room, recreation room, storage room, washroom or similar room, shall be located in the **cellar** or **basement** of a Residential **building**.
- (c) Notwithstanding any other provisions in this By-Law, where a person wishes to retain an **existing** dwelling, permanent or seasonal, while a new dwelling, permanent or seasonal is being constructed, may do so upon entering into a formal agreement with the Municipality in respect to a maximum time frame for two main dwellings on a property with suitable security deposit as part of the agreement. Said agreement will be registered on title. All costs associated are the responsibility of the property owner.

### 3.6 FLOODPLAIN

No **building** or **structure** other than a flood control **use** or **shoreline** protection shall be **erected** in a floodplain as defined herein.

### 3.7 GRAVEL PITS AND STONE QUARRIES

No **gravel pit** or **stone quarry** shall be established or made in any portion of the **Zoned area** except in a **zone** where such **use** is a permitted **use**. No **gravel pit** or **stone quarry** shall be established or made in any landscaping area or planting strip required by this By-law.

### 3.8 GROUP HOMES

Notwithstanding any other provision of this by-law to the contrary, a **group home** as defined herein, shall be permitted in the General Residential (R) **Zone**, the Rural Residential (RR) **Zone** or the Rural (RU) **Zone** provided that:

- (a) The regulations for a **dwelling house** in the applicable **zone** are complied with;

### 3.9 HEIGHT EXCEPTIONS

The **building height** provisions of this By-law shall not apply to the following **uses**:

|                                                           |                                        |
|-----------------------------------------------------------|----------------------------------------|
| an air conditioner duct;                                  | a feed or bedding storage <b>use</b> ; |
| a barn;                                                   | a flag pole;                           |
| a belfry;                                                 | a power transmission tower;            |
| a bridge;                                                 | a radio antenna;                       |
| a <b>bulk storage tank</b> ;                              | a silo;                                |
| a chimney;                                                | a stack;                               |
| a <b>church</b> spire;                                    | a television antenna;                  |
| a clock tower;                                            | a ventilator;                          |
| a communications tower;                                   | a water storage tank;                  |
| a corn crib;                                              | a <b>farm</b> implement shed;          |
| a drying elevator;                                        | a windmill;                            |
| an electric power facility other than a <b>building</b> . |                                        |

### 3.10 HOME INDUSTRIES

No **home industry** shall be permitted in any portion of the **zoned area** unless such **home industry** is located in an **accessory building** and complies with the following provisions:

- (a) No more than two persons, other than those residing in the residence on the **lot** shall be employed in the **home industry**;
- (b) A **home industry** shall not occupy a total **floor area** in excess of 46 square metres (495 square feet) and at no time shall there be more than one (1) **home industry** permitted on a **lot**.
- (c) On any **lot** containing a **home industry**, there shall be no goods, wares or merchandise other than those produced on the premises offered for sale or rent outside of any **buildings**.
- (d) No part of any **lot** containing a **home industry** shall be used for open storage, accessory to that **home industry use**.
- (e) Prior to the implementation of a **home industry**, approval shall be granted from the following agencies: the authority having jurisdiction for waste disposal and higher potential occupant loads, the roads authority having jurisdiction over the entranceway requirements, and the North Kawartha Building Department for compliance with the Ontario **Building Code**.
- (f) The **home industry** shall be clearly secondary to the principle **use** on the **lot** and shall not change the character of the property nor create or become a public nuisance in regard to noise, vibration, noxious odours, glare, emissions of smoke, electrical interference, traffic or parking.

- (g) Any **vehicles** associated with such **home industry** shall be parked in an area other than a public **street** or a required front, side or **rear yard** in accordance with the provisions of the applicable **zone** and Section 3.21.

### 3.11 HOME OCCUPATIONS

No **home occupation** shall be permitted in any portion of the **zoned area** unless such **home occupation** is located within a permitted **dwelling unit** and complies with the following provisions:

- (a) No more than two persons, other than those residing in the residence on the **lot** shall be employed in the **home occupation**.
- (b) A **home occupation** shall not occupy more than 25% of the **dwelling unit area**, or a total **floor area** in excess of 46 square metres (495 square feet) within the **dwelling unit**, whichever is lesser. A home occupation may be established in both a dwelling unit and an accessory structure, provide the floor area utilized for a home occupation in the accessory structure does not exceed 28 square metres (301 square feet). At no time shall there be more than one (1) **home occupation** permitted on a **lot**.
- (c) On any **lot** containing a **home occupation** there shall be no goods, wares or merchandise, other than those produced on the premises, offered for sale or rent outside of any **buildings**.
- (d) No part of any **lot** containing a **home occupation** shall be used for open storage accessory to that **home occupation use**.
- (e) Prior to the implementation of a **home occupation**, approval shall be granted from the following agencies: the authority having jurisdiction for waste disposal and higher potential occupant loads, the roads authority having jurisdiction over the entranceway requirements, and the North Kawartha **Building Department** for compliance with the Ontario **Building Code**.
- (f) The **home occupation** shall be clearly secondary to the principle **use** on the **lot** and shall not change the character of the property nor create or become a public nuisance in regard to noise, vibration, noxious odours, glare, emissions of

smoke, electrical interference, traffic or parking.

- (g) Any **vehicles** associated with such **home occupation** shall be parked in an area other than a public **street** or a required front, side or **rear yard** in accordance with the provisions of the applicable **zone** and Section 3.21.

### 3.12 ILLUMINATION

Lighting fixtures, which are not **public uses** and which are designed for exterior illumination, shall be installed with the light directed downward and deflected away from adjacent **lots**, **street** and water bodies. Such lighting fixtures shall not be more than 9.25 metres above **finished grade** and no closer than 4.5 metres to any **street** or **lot line**; save and except for any fixture which exclusively serves as an aid to navigation.

### 3.13 KENNELS

Notwithstanding the minimum **yard** provisions of this By-Law to the contrary, no person shall **use** any land or **erect** or **use** any **building** or **structure** for a **kennel** as defined in this By-Law, except as provided herein.

A **kennel use** shall only be permitted to locate in a Rural (RU) or Rural Residential (RR) **Zone**:

- (a) A **kennel** cannot be located within 150 metres (492 feet) of any **lot line**.

### 3.14 LOADING SPACE REGULATIONS

- (a) Size:  
Each **loading space** shall be at least 14 metres long, 3.5 metres (11 feet) wide and have a vertical clearance of at least 4.5 metres (15 feet).
- (b) More Than One **Use** On A **Lot**:  
When a **building**, **structure** or **lot** accommodates more than one **use**, the **loading space** requirement for such **building**, **structure** or **lot** shall be the sum of the requirements for the separate **uses** thereof.
- (c) Location:  
The required **loading spaces** shall be provided on the **lot** occupied by the **building**, **structure** or **use** for which the said

**loading spaces** are required and shall not form a part of any **street**, lane, **parking** space or **delivery space**. No portion of any **loading space** shall be located closer to any **street line** than the minimum front **building** setback for such **building**, **structure** or **use** in the **zone** where it is located or closer than 7.5 metres (25 feet) to any other **lot line**.

- (d) Access:  
Access to **loading spaces** shall be by means of a **driveway** at least 7.5 metres (25 feet) wide contained within the **lot** on which the **loading spaces** are located and leading to a **street** or lane located within or adjoining the **zone** in which the **use** is located.
- (e) Surface:  
The **driveways** and **loading spaces** shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.
- (f) Addition To Or Change Of **Existing Use**:  
When a **building** or **structure** has insufficient **loading spaces** on the date of passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition, if such addition does not increase the gross **floor area** of such **building** or **structure** by more than 10%.

However, no addition may be built and no change of **use** may occur if the effect of an addition or change of **use** would be to increase such deficiency.

### 3.15 LOTS CONTAINING MORE THAN ONE USE

Where a **lot** contains more than one **use** which is not an **accessory use** as defined herein except for an accessory dwelling house or **dwelling unit**, the **lot area** requirement shall be the sum of the requirements for the separate **uses** thereof; however, the **lot frontage** requirement shall be the greatest of the **lot frontage** requirements for each individual **use** in the **zone** where such **lot** is located.

### 3.16 LOTS DIVIDED INTO MORE THAN ONE ZONE

Where a **lot** is divided into more than one **zone**, each such portion of the **lot** shall be used in accordance with the provisions of this By-

law for the **zone** where such portion of the **lot** is located. Notwithstanding the above, where there are two **zones** on a **lot** of record, the **lot of record** is restricted to one principle dwelling/use.

### 3.17 MINIMUM DISTANCE SEPARATION REQUIREMENTS

- (a) Notwithstanding any other **yard**, setback, or distance separation provisions of this By-law to the contrary, no non-**farm** residential, commercial, industrial, institutional or recreational **use**, located on a separate **lot** and permitted by this By-law, shall be **erected** or **altered** unless it complies with the minimum distance separation as shown on MDS data sheets available from the Ministry of Agriculture, Food and Rural Affairs ([www.omafra.gov.on.ca](http://www.omafra.gov.on.ca)).
- (b) Notwithstanding any other **yard**, setback, or distance separation provision of the By-law to the contrary, no livestock facility shall be **erected** or **altered** unless it complies with the minimum distance distance separation as shown on MDS data sheets available from the Ministry of Agriculture, Food and Rural Affairs ([www.omafra.gov.on.ca](http://www.omafra.gov.on.ca)).
- (c) The provisions of subsection 3.17(a) shall not apply to **lots existing** as of the date of the passing of this By-law which are less than 4 hectares (10 acres) in area.
- (d) Notwithstanding any other provisions of this By-law to the contrary, where a **dwelling house** is destroyed in whole or in part by a catastrophe, Minimum Distance Separation Formula 1 will not be applied when the **dwelling house** is rebuilt, provided it is built no closer to **existing** livestock facilities than before the catastrophe.

### 3.18 NON-COMPLYING BUILDINGS, STRUCTURES AND LOTS

- (a) Alterations To **Non-complying Buildings And Structures**: Nothing in this By-law shall prevent the enlargement, **reconstruction**, **renovation** or **repair** of an **existing**, non-complying **building** or **structure**, or a **building** or **structure** that was lawfully removed or damaged/destroyed, provided such enlargement, **reconstruction**, **renovation** or **repair** shall not:
  - (i) increase the portion of the **lot area** covered by **buildings**, if such coverage exceeds the applicable maximum **building** area permitted herein;

- (ii) reduce the size of any **yard** adjoining that portion of such **building** or **structure** which is less than the applicable minimum **building** setback required herein;
  - (iii) reduce the distance between 2 **buildings** if such distance is less than the applicable minimum **building separation** required herein;
  - (iv) increase the overall vertical dimension of such **building** or **structure** if such dimension exceeds the applicable maximum **building height** permitted herein;
  - (v) reduce the **dwelling unit area** of any **dwelling unit** if it is less than the applicable minimum **dwelling unit area** required herein;
  - (vi) reduce the **gross floor area** of any **building** or **structure** if it is less than the applicable minimum **gross floor area** required herein;
  - (vii) increase the **net floor area** of any **building** or **structure** if it exceeds the applicable maximum **net floor area** permitted herein;
  - (viii) reduce the portion of the **lot** used for landscaping purposes if such portion is less than the applicable minimum **landscaping area** required herein;
  - (ix) reduce the size of any planting strip required herein; or contravene any other **zone provisions**.
- (b) **Alterations to Non-Complying Docks and Swim Rafts**  
 Nothing in this By-law shall prevent the enlargement, **reconstruction, renovation or repair** of an **existing non-complying dock or swim raft** provided that the enlargement, **reconstruction, renovation or repair**:
- (i) does not create any new deficiency;
  - (ii) does not increase the degree of an existing deficiency; and
  - (iii) does not enlarge the **dock or swim raft** beyond the maximum size permitted; save and except where the original **dock or swim raft** was larger than the permitted size, in which case the **dock or swim raft** may be **reconstructed, renovated or repaired** to the original size.
- (c) **Existing Undersize Lots:**  
 Notwithstanding anything to the contrary in this By-Law, where a **lot** having a lesser **lot area** and/or **lot frontage** than that required herein is held under distinct and separate ownership from abutting **lots**, as shown by a registered



conveyance in the records of the Registry of Land Titles Office on the date of the passing of this By-law, or where such a **lot** is created as a result of an expropriation, the smaller **lot** may be used for a purpose permitted in the **zone** and a **building** or **structure** may be **erected**, **altered** or used on the smaller **lot**, provided such **erection**, **alteration** or **use** does not contravene any other provisions of this By-Law.

(d) **Existing Buildings and Structures on the Shoreline Road Allowance**

Notwithstanding the above, if a **building** or **structure** is partially or wholly located in the **Shoreline Road Allowance**, it may be **repaired** or **renovated** but in no case will this imply or permit the expansion of any **structure** unless the **Shoreline Road Allowance** has been conveyed to private ownership. For the purposes of clarification, **repair** shall be defined as maintaining the habitation on a permanent or seasonal basis as set out in the Ontario **Building Code**. Further, **renovated** shall be defined as changes to an **existing structure** to improve the conditions within a **structure** for human habitation.

### 3.19 NON-CONFORMING BUILDINGS AND STRUCTURES

(a) Rebuilding or **Repair** Permitted:

Nothing in this By-law shall prevent the rebuilding or **repair** of an **existing non-conforming building** or **structure** that is damaged or destroyed subsequent to the date of passing of this By-law, provided that the external dimensions of the original **building** or **structure** are not increased and the **use** of the **building** or **structure** is not **altered**, unless **altered** to a permitted **use**.

(b) Strengthening Permitted:

Nothing in this By-law shall prevent the strengthening to a safe condition of an **existing non-conforming building** or **structure**, provided that the external dimensions of the original **building** or **structure** are not increased and the **use** of the **building** or **structure** is not **altered**, unless **altered** to a permitted **use**.

(c) Discontinuation of **Use**

Where a **use**, **building** or **structure** which was established prior to the date of the passing of this By-Law has been used for a purpose not permitted in the **zone** in which it is situated

but said **use** has been discontinued for a period of twelve consecutive months or longer, the said **building** or **structure** may only be used again for a **use** that conforms to this By-Law.

- (d) **Prior Approval of Plan**  
The regulations of this By-Law shall not apply to prevent the **erection** or **use** of any land, **building** or **structure**, for a purpose prohibited by the By-Law of where the **building permit** has been issued prior to the date of the passing of the By-Law, so long as the **building** or **structure** when **erected** is used and continues to be used for the purpose for which it was **erected**, and provided the **erection** of such **building** or **structure** is commenced within six months after the date of the passing of the By-Law and such **building** is substantially completed within one year after the **erection** thereof is commenced.

### 3.20 NOXIOUS USES

No person shall, within the **Zoned area**, **use** any land or **erect, alter** or **use** any **building** or **structure** for any of the following purposes:

blood boiling **use**;  
a fertilizer manufacturing **use**;  
an animal or fish glue manufacturing **use**;  
a gas manufacturing **use**;  
a **noxious use**  
a tannery.

### 3.21 PARKING AREA REGULATIONS

- (a) **Size:**  
Each **parking** space shall be at least 6 metres (20 feet) long, 3 metres (10 feet) wide and have a vertical clearance of at least 2 metres (7 feet).
- (b) **More Than One Use on a Lot:**  
When a **building, structure** or **lot** accommodates more than one **use**, the **parking** space requirement for each **building, structure** or **lot** shall be the sum of the requirements for the separate **uses** thereof.
- (c) **Location:**  
The required **parking area** shall not form a part of any **street, lane, delivery space** or **loading space**. The required

**parking** area shall be provided on the **lot** occupied by the **building, structure** or **use** for which the said **parking area** is required.

- (d) Surface:  
Each **parking area, driveway** and **entrance** connecting the **parking area** with a **street** shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.
- (e) Addition To or Change of **Existing Use**:  
When a **building** or **structure** has insufficient **parking** spaces on the date of passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition, if such addition does not increase the gross **floor area** of such **building** or **structure** by more than 10%. However, no addition may be built and no change of **use** may occur if the effect of an addition or change of **use** would be to increase such deficiency.
- (f) Restrictions in Residential **Zones**:  
No person shall **use** any **parking area** or **parking** space in a Residential **zone** except in accordance with the following:
  - (i) Not more than one **vehicle** per **dwelling unit** shall be a commercial **motor vehicle** as defined in The Highway Traffic Act.
  - (ii) No commercial **vehicle** in excess of three tonnes (3,000 kilograms, 6,614 pounds) of gross **vehicle** weight shall be stored in a residential **zone**.
- (g) Special Needs **Parking**:  
Special needs **parking** spaces shall be provided for all commercial and **public uses** listed in this by-law and zoning schedules **attached** thereto at the rate of 1 space per 500 square metres (5,382 square feet) with a minimum of 2 spaces. Notwithstanding this provision any commercial or public **buildings** with an area of 232 square metres (2,497 square feet) or less will only require one special needs **parking area**. Special needs **parking** spaces should be a minimum of 3.5 metres (11 feet ) wide with a 1.2 metre (4 foot) aisle in between spaces and be located in close proximity to the commercial or public establishment.
- (h) Additions To or Change in **Use** of **Buildings**:

The **parking** space requirements referred to herein will apply to **existing buildings** where additions larger than 46 square metres (495 square feet) are undertaken and to any **building** where there is a change in occupancy to an occupancy that requires a higher standard for **parking area**, the **parking areas** will be added.

### 3.22 PLANTING STRIPS

- (a) **Landscaping area:**  
A planting strip referred to in this subsection may form part of any **landscaping area** required by this By-law.
- (b) **Interruption for Driveway or Walkway:**  
Where a **driveway** or walkway extends through a planting strip, it shall be permissible to interrupt the planting strip within 3 metres (10 feet) of the edge of such **driveway** or within 1.5 metres (5 feet) of the edge of such walkway.
- (c) **Vegetation Height in Sight triangle:**  
No vegetation within a **sight triangle** shall exceed a **height** of 1 metre (3 feet).

### 3.23 PUBLIC USES

- (a) **Streets and Installations:**  
Nothing in this By-law shall prevent the **use** of land for a **street** or prevent the installation of a water main, sanitary sewer main, storm sewer main, gas main, pipeline, lighting fixture, or overhead or underground electrical, telephone or other supply or communication line, or **structure** clearly ancillary to the foregoing, provided that the location of such **street**, main, line, fixture or **structure** has been approved by the **Corporation**. Notwithstanding the preceding sentence, this approval by the **Corporation** shall not be required for any public works project where the location of the **streets**, mains, **lines**, fixtures and **structures** which make up such project have been authorized pursuant to The Environmental Assessment Act.
- (b) **Zones Where Permitted:**  
The provisions of this by-law do not apply to prevent any public **use** as defined herein and such **use**, **building** or **structure** may be permitted provided that:
  - (i) The **lot area** and **frontage** and **building** setbacks required for the **zone** in which such land, **building** or

- (ii) **structure** is located are complied with;
  - (iii) No goods, material or equipment are stored in the open in a Residential **zone** or on a **lot** adjacent to a residential **zone**;
  - (iv) Any **parking** and/or loading requirements for the **use** are complied with; and
  - (v) Areas not used for **parking** or storage shall be maintained as landscaped open space.
- (c) Requirements in Residential **Zones**:  
Any above-ground non-recreational **public use** which is located in a Residential **zone** shall be enclosed in a **building** designed, located and maintained in general harmony with the Residential **buildings** permitted in such **zone**.

### 3.24 RENEWABLE ENERGY SYSTEMS

Reserved

### 3.25 TRUCK, BUS, COACH BODIES AND SHIPPING CONTAINERS

Except as otherwise specifically permitted in this By-Law, no truck, **trailer**, bus, coach, streetcar body, **mobile home**, portable commercial **structure**, moveable office, shipping containers or part thereof shall be used for residential, commercial, or industrial purposes or for accessory storage purposes, whether or not the same is mounted on wheels or other form of mounting or foundation.

### 3.26 SIGHT TRIANGLES

- (a) Size:  
The distance from the point of intersection of the **street lines** shall be 7.5 metres (25 feet).
- (b) **Uses** Prohibited:  
Within any area defined as a **sight triangle**, the following **uses** shall be prohibited:
  - (i) a **building, structure** or **use** which would obstruct the vision of drivers of **motor vehicles**;
  - (ii) a fence, tree, hedge, bush or other vegetation, the top of which exceeds 1 metres (3 feet) in **height** above the elevation of the **street**;
  - (iii) any portion of a **parking** space;
  - (iv) a berm or other ground surface which exceeds the elevation of the **street** by more than 0.5 metres (2 feet);
  - (v) a **sign**, other than a pole **sign**, the body of which is not

less than 4 metres (13 feet) above the elevation of the centerline of the **street**.

### 3.27 SECOND DWELLING UNITS

Notwithstanding any other provision of this By-law to the contrary, a **second dwelling unit** shall be permitted within a single **detached** dwelling, a **semi-detached** dwelling, a row house dwelling or within an accessory **structure** to these housing types where they are identified as a permitted **use**. The following provisions shall also apply:

- (a) Only one **second dwelling unit** per single **detached, semi-detached**, or row house dwelling is permitted;
- (b) The **second dwelling unit** may be contained within the **primary dwelling unit**, or in a **building** accessory to the residential use, but not in both;
- (c) The **second dwelling unit** must be clearly subordinate to the **primary dwelling unit**;
- (d) One off-street parking space shall be provided for the **second dwelling unit**, in addition to any parking space required by this by-law for the other residential unit(s). The off-street **parking** associated with the dwelling unit(s) may be stacked provided that the number of spaces so arranged does not exceed two (2);
- (e) The **second dwelling unit** must comply with the requirements of the Ontario Building Code and Fire Code.
- (f) **Second dwelling units** which are located in accessory **buildings** which are detached from the principal dwelling shall comply with the following:
  - (i) Be located no further than 30 metres from the principal dwelling;
  - (ii) Shall comply with the residential **zone** regulations of the respective **zone**;
  - (iii) Shall not be in the form of a **mobile home** or **tourist vehicle**;
  - (iv) If located in a serviced area is to be connected to the municipal water and sewer services through the existing dwelling;
- (g) That private amenity space to be situated outdoors, which is a minimum of 7.5 square metres with a dimension being no

less than 1.5 metres be provided. Such space may be provided in the form of a balcony, deck or patio;

- (h) That the **second dwelling unit** shall be registered with the Township of North Kawartha in accordance with the normal requirements of the Township;
- (i) Notwithstanding the above, **second dwelling units** shall not be permitted:
  - (i) Within a dwelling that is located in an Environmental Constraint (EC) **zone** or in a **floodplain**;
  - (ii) Within a dwelling that is permitted accessory to a permitted non-residential **use**;
  - (iii) On a lot containing a garden suite or sleeping cabin;
  - (iv) Within a building that is accessory to i) or ii) above.

### 3.28 STREET SETBACKS

No person shall **erect** any **building** in any portion of the **Zoned area** unless such **building** complies with the following **street setback** requirements:

- (a) **Provincial highway** - as required by the Ministry of Transportation or the minimum front **building** setback required for such **use** in the **zone** where it is located, whichever is greater.
- (b) Collector Road - as required by the **County** of Peterborough for roads under their jurisdiction, where applicable, or the minimum front **building** setback required for such **use** in the **zone** where it is located, whichever is greater.
- (c) Other **Street** - The minimum front **building** setback required for such **use** in the **zone** where it is located.
- (d) Deeded Private Right-of-way or Traveled Road - the applicable **building** setback.

Notwithstanding the above, where a right-of-way runs through a property under private ownership, the applicable setback requirements for the **main building** shall be reduced to 50% of those required by the **zone** provisions that would normally apply to the property.

### 3.29 TOURIST VEHICLES AND MOBILE HOMES

- (a) Location of **Tourist vehicles**:  
No **tourist vehicle** shall be **erected, altered** or used in any portion of the **Zoned area** except in a permitted **tourist camp**.
- (b) Location of **Mobile homes**:  
No **mobile home** shall be **erected, altered** or used in any portion of the **Zoned area** except in a permitted **mobile home park**.

### 3.30 WATER SETBACKS

All new **development** and sewage system leaching beds shall be setback at least 30 metres (100 feet) from the ordinary high water marks of all water bodies.

- (a) Permitted Exceptions  
Notwithstanding anything in this Section to the contrary, **structures** such as pump houses, **docks**, boat launching ramps, boat lifts, marine railways, holding tanks, septic tanks and other treatment **units** shall be a permitted **use** and may encroach into the 30 metre setback without a Minor Variance or Zoning By-Law Amendment provided that the property owner can demonstrate to the Township's satisfaction and, if appropriate, the authority having jurisdiction over the waterway, that it does not negatively affect the waterfront environment and the **use** is permitted within that geographical area of the Township.

**Structures** that are legally **existing** that do not comply with the required setback provisions that require replacement due to structural defects or destruction by fire or other natural causes or by permitted demolitions will be permitted to be replaced on the same footprint and may only be enlarged in accordance with the provisions of this By-law and where the enlargement does not further encroach into the 30 metre setback.

Sewage system leaching beds, septic system pumping chambers, and holding tanks requiring replacement due to structural damage or malfunction should be setback a minimum of 30 metres from the **high water mark** if possible or to the greatest setback that is achievable to the satisfaction of the authority having jurisdiction. Due to their importance in ensuring public health and/or safety, a Minor Variance or Zoning By-Law Amendment may not be required in the case where the replacement system must be located within the 30



metre setback.

- (b) Vacant **Lots** of Record  
Vacant **lots** of record as of October 22, 2008 shall attempt to have **structures** and septic systems setback a minimum of 30 metres from the **high water mark**. Where it is not possible to achieve the 30 metre setback, then new **buildings** and **structures** shall be setback as far as possible from the **high water mark**. In this regard, a Minor Variance or Zoning By-Law Amendment for a reduced setback for the **existing** vacant **lots** may be permitted provided that the relief is minor in nature, maintains the intent of the Official Plan regarding environmental objectives and is desirable and appropriate for the area.
- (c) Stairs and Landings  
Notwithstanding the above, stairs and landings which are intended to provide safe access to land near the water's edge are exempted from **yard** setbacks provided that such stairs are not more than 1.25 metre (4.1 feet) in width and such landings are not more than 1.52 metres (5 feet) by 1.25 metres (4.1 feet) in dimension

### 3.31 PROVINCIALY SIGNIFICANT WETLANDS

All new development on lands located within 120 metres of any Provincially Significant Wetland as identified on the schedules to this By-law shall be subject to a Holding (H) Provision which shall not be lifted until the applicant has prepared an Environmental Impact Study to Council's satisfaction demonstrating that development or site alteration will not impact the wetland or its function. This provision shall not apply to the expansion, replacement or renovation of an existing dwelling.

## SECTION 4 – HAMLET RESIDENTIAL (HR)

### Apsley & Woodview

#### 4.1 USES PERMITTED

No person shall within any (HR) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** for any purpose except one or more, of the following (HR) **uses**, namely

- (a) **Residential Uses:**
  - a **dwelling house**;
  - one unit of a **semidetached dwelling** on one **lot**;
  - one **semi-detached dwelling** on one **lot**;
  - one **duplex dwelling** on one **lot**
- (b) **Accessory Uses:**
  - a **home occupation**;
  - a **second dwelling unit**

#### 4.2 ZONE PROVISIONS

No person shall within any (HR) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):
  - a **dwelling house**: 4,000 square metres (43,057 square feet)
  - one unit of a **semi-detached dwelling**: 3,000 square metres (32,292 square feet)
  - one **semi-detached dwelling** or **duplex dwelling**: 6,000 square metres (64,585 square feet)
- (b) **Lot frontage** (minimum):
  - single-**detached** dwelling: 30 metres (100 feet)
  - one unit of a **semi-detached dwelling**: 22.5 metres (75 feet)
  - one **semi-detached dwelling** or **duplex dwelling**: 45 metres (148 feet)
- (c) **Dwelling Unit Per Lot** (maximum):
  - 1 only for **dwelling house**
  - 2 units for a **duplex** or **semi-detached**
- (d) **Building area** and **Floor area**

- **Building area:** 20% maximum
  - **Floor area** (minimum): Per unit – 45 square metres (484 square feet)
  - Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% coverage of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).
- (e) **Front yard** (minimum):
- 9 metres (30 feet)
- (f) **Interior side yard** (minimum):
- 4.5 metres (15 feet) for a **dwelling house, semi-detached** dwelling on one **lot** or a duplex
  - no **interior side yard** shall be required between the common vertical wall dividing one **dwelling unit** from another for a semi-**detached** dwelling
- (g) **Exterior side yard** (minimum):
- 9 metres (30 feet)
- (h) **Rear yard** (minimum):
- 9 metres (30 feet)
- (i) **Water setback:**  
Except as otherwise provided in Section 3.30, a water setback of at least 30 metres (100 feet) shall be required for all **buildings** and **structures** from the **high water mark** of a **waterbody**.
- (j) **Building separation** (minimum):
- 1.5 metres (5 feet)
- (k) **Building height** (maximum):
- 10 metres (33 feet)
- (l) **Entrance setback** (minimum):
- 3 metres (10 feet)
- (m) **Parking Spaces** (minimum):
- (i) Residential **uses**  
2 for each **dwelling unit** and 2 for each additional **dwelling unit**
  - (ii) **Accessory Uses**

The greater of: 2 per **lot**; or 1 for each 20 square metres (215 square feet) of **net floor area** or portion thereof and one for each employee not residing on the property

- (n) **Parking area:**
  - (i) No **parking** space shall be located within 3 metres (10 feet) of a **lot line**
- (o) Outside Storage is prohibited in the Hamlet Residential **Zone**
- (p) General Provisions:  
In accordance with the provisions of Section 3 hereof.

## SECTION 4.5 – GENERAL RESIDENTIAL ZONE (R)

### 4.5.1 USES PERMITTED

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

- (a) **Residential Uses:**
  - a **dwelling house**
  - a **semi-detached dwelling**
  - a **duplex dwelling**
- (b) **Accessory Uses:**
  - a **home occupation**;
  - a home profession;
  - a **second dwelling unit**

### 4.5.2 ZONE PROVISIONS

No person shall within any (R) **zone use** any **lot** or **erect, alter,** locate or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum)
  - 4,000 square metres (43,057 square feet)
- (b) **Lot Frontage** (minimum)
  - 45 metres (148 feet)
- (c) **Dwelling Houses Per Lot** (maximum)
  - 1 only
- (d) **Building Area and Floor Area**
  - (i) **Building area** (maximum) - 15%
  - (ii) **Floor area** (minimum) – 45 square metres (484 square feet)
  - (iii) Notwithstanding any provisions in this By-Law where the **main building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).
- (e) **Front Yard** (minimum)
  - 9.0 metres (30 feet)

- (f) **Interior Side Yard** (minimum)  
- 4.5 metres (15 feet)
- (g) **Exterior Side Yard** (minimum)  
- 9.0 metres (30 feet)
- (h) **Rear Yard** (minimum)  
- 9.0 metres (30 feet)
- (i) **Water Setback**  
Except as otherwise provided for in Section 3.30 a water setback of at least 30 metres (100 feet) shall be required from the **high water mark** of a **waterbody**.
- (j) **Building Separation** (minimum)  
- 1.5 metres (5 feet)
- (k) **Building Height** (maximum)  
- 10 metres (33 feet)
- (l) **Entrance Setback** (minimum)  
- 3 metres (10 feet)
- (m) **Parking Spaces** (minimum)
  - (i) Residential **uses**  
- 1 for each **dwelling unit**
  - (ii) Non-Residential **uses**  
- the greater of: 2 per **lot**; or 1 for each 20.0 square metres (215 square feet) of **net floor area** or portion thereof
- (n) General Provisions  
In accordance with the provisions of Section 3 hereof

#### 4.5.3 R-1 ZONE

R-1 **Zone** left blank for future **use**.

#### 4.5.4 R-2 ZONE

Notwithstanding Section 4.5.1 and 4.5.2, hereof to the contrary, no person shall in any "General Residential Two **Zone** (R-2)" in **Lot** 34, Concession 1, Township of Anstruther and shown on **Zone** Map A-13, **use** any land, or **erect, alter** or **use** any **building** or **structure**

except in accordance with the following provisions:

- (a) **Uses Permitted in R-2 Zones:**
  - two, six – unit apartment **buildings**
- (b) **Parking Spaces:**
  - 18 spaces provided
- (c) **Special Provisions for R-2 Zones:**

For the purposes of this section, apartment **building** shall mean the whole of the **building** that contains more than four apartment dwellings which have a common corridor.

#### **4.5.5 R-3 ZONE**

Notwithstanding Section 4.5.1 and 4.5.2, hereof to the contrary, no person shall in any “General Residential Three **Zone** (R-3)” in **Lot** 14, Concession 11, Township of Burleigh (North) and shown on **Zone** Map A-6; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Special Provisions for R-3 Zones:**

No **existing building** or **structure** shall be extended nor enlarged nor shall any new **building** or **structure** be **erected**.

#### **4.5.6 R-4 ZONE**

Notwithstanding Section 4.5.2 and 3.2 (a), hereof to the contrary, no person shall in any “General Residential Four **Zone** (R-4)” in **Lot** 3, Concession 5 (western portion), Township of Burleigh (South) and shown on **Zone** Map A-2; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot Area** (minimum)
  - 1.2 hectares (3.06 acres)
- (b) **Frontage on Improved Streets**

Said **lot** is exempt from the provisions of Section 3.2 (a) of this By-Law.

#### **4.5.7 R-5 ZONE**

Notwithstanding Section 4.5.1 and 4.5.2, hereof to the contrary, no person shall in any “General Residential Five **Zone** (R-5)”, **Lot** 25, Concession 15, Township of Burleigh (North) and shown on **Zone**

Map A-13; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Special Provisions for R-5 Zones:**  
Refer to Freestanding Zoning By-Law No. 16-1979 for specific provisions.

#### **4.5.8 R-6 ZONE**

Notwithstanding Section 4.5.1 and 4.5.2, hereof to the contrary, no person shall in any "General Residential Six **Zone** (R-6)", **Lot** 25, Concession 15, Township of Burleigh (North) and shown on **Zone** Map A-13; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Uses Permitted in R-6 Zones**  
a **group home** of a class providing support care of up to eight (8) senior citizens
- (b) **Special Provisions for R-6 Zones**  
Such home shall include accommodation for up to 8 persons, plus any necessary care givers and shall include common areas for eating, recreation, washing, laundry and other day to day functions as are necessary. This home, inclusive of the accommodation units, shall be considered as a **dwelling house**.



## SECTION 5 – RURAL RESIDENTIAL ZONE (RR)

### 5.1 USES PERMITTED

No person shall within any (RR) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** for any purpose except one or more of the following (RR) **uses**, namely:

- (a) **Residential Uses:**  
a **dwelling house**.
- (b) **Accessory Uses:**  
a **home industry**; or  
a **home occupation**;  
a **second dwelling unit**

### 5.2 ZONE PROVISIONS

No person shall within any (RR) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):  
1 hectare (2.47 acres)
- (b) **Lot frontage** (minimum):  
60 metres (200 feet)
- (c) **Dwelling houses** Per **Lot** (maximum):  
1 only
- (d) **Building area** and **Floor area**
  - (i) **Building area** (maximum): 15%
  - (ii) **Floor area** (minimum)  
Single **Storey**: 45 square metres (484 square feet)  
1-1/2, Split or 2 **Storey**: 55 square metres (600 square feet of **ground floor area**)
  - (iii) Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).
- (e) **Front yard** (minimum):  
15 metres (50 feet)

- (f) **Interior side yard** (minimum):  
9 metres (30 feet)
- (g) **Exterior side yard** (minimum):  
15 metres (50 feet)
- (h) **Rear yard** (minimum):  
9 metres (30 feet)
- (i) **Water setback:**  
Except as otherwise provided in Section 3.30 a **water setback** of at least 30 metres (100 feet) shall be required from the high water mark of a **waterbody**.
- (j) **Building separation** (minimum):  
1.5 metres (5 feet)
- (k) **Building height** (maximum):  
11 metres (36 feet)
- (l) **Entrance setback** (minimum):  
9 metres (30 feet)
- (m) Parking Spaces (minimum):
  - (i) **Residential uses**  
1 for each **dwelling unit**
  - (ii) **Accessory uses**  
the greater of: 2 per **lot**; or 1 for each 20 square metres (215 square feet) of **net floor area** or portion thereof.
  - (iii) 1 for each employee
- (n) **General Provisions:**  
In accordance with the provisions of Section 3 hereof.

### 5.3 RR-1 ZONE

All of the provisions and regulations of Section 5.1 and 5.2 shall apply to the 'Rural Residential One **Zone** (RR-1)' in **Lot 3**, Concession 5, Township of Burleigh (South) and shown on **Zone Map A1**; and the following special provision shall also apply:

- (a) **USES PERMITTED IN RR-1 ZONES:**  
a small engine **repair** and sales outlet

#### 5.4 RR-2 ZONE

The RR-2 **zone** does not exist in the present document. However, a space has been left should this **zone** be required at a later time.

#### 5.5 RR-3 ZONE

All of the provisions and regulations of Section 5.1 and 5.2 shall apply to the "Rural Residential Three **Zone** (RR-3)' in **Lot** 4, Concession 5, Township of Burleigh (South) and shown on **Zone** Map A1; and the following special provision shall also apply:

- (a) The operation of an automotive and marine **repair** facility in an **existing** 223 square metres (2,400 square foot) accessory **building**.

#### 5.6 RR-4 ZONE

The RR-4 **zone** does not exist in the present document. However, a space has been left should this **zone** be required at a later time.

#### 5.7 RR-5 ZONE

All of the provisions and regulations of Section 5.1 and 5.2 shall apply to the 'Rural Residential Five **Zone** (RR-5)' in **Lot** 21, Concession 16, Township of Burleigh (North) and shown on **Zone** Map A8; and the following special provision shall also apply:

- (a) **USES PERMITTED IN RR-5 ZONES:**  
a landscape contraction business and retail outlet for the sale of shrubs, trees, plants, silk plants, and landscape products.

## SECTION 6 – SHORELINE RESIDENTIAL ZONE (SR)

### 6.1 USES PERMITTED

No person shall within any SR **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** for any purpose except one or more of the following SR **uses**, namely:

- (a) **Residential Uses:**  
a **recreation dwelling house**;
- (b) **Recreational Uses:**  
a **dock**;
- (c) **Accessory Uses:**  
a **bunkhouse**;  
a **private park**;  
a **home occupation**, excluding a bed and breakfast establishment;  
a **marine facility**;

### 6.2 ZONE PROVISIONS

No person shall within any SR **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):  
0.5 hectares (1.2 acres)
- (b) **Lot frontage** (minimum):  
46 metres (150 feet)
- (c) **\*Recreational Dwellings Houses per Lot** (maximum):  
1 only
- (d) **Bunkhouse per Lot** (maximum):  
1 only having a maximum area of 37 square metres (400 square feet) in measurement outside dimensions inclusive of all area (**porches/open decks/etc.**). Washroom facilities may be permitted in **bunkhouses**, with the approval of the authority having jurisdiction for a sleeping area with waste disposal. No cooking facilities are permitted.
- (e) Vacant
- (f) **Building area and Floor area**

- (i) **Building area** (maximum)
  - Main **Dwelling unit**: 10% of **lot area**
  - **Accessory buildings, Structures and Uses**: 5% of **lot area**
- (ii) **Floor area** (minimum)
  - Single **Storey**: 45 square metres (484 square feet)
  - 1-1/2, Split or 2 **Storey** – 55 square metres (600 square feet) of **ground floor area**
- (g) **Front yard** (minimum)  
9 metres (30 feet)
- (h) **Interior side yard** (minimum):  
4.5 metres (15 feet)
- (i) **Exterior side yard** (minimum):  
9 metres (30 feet)
- (j) **Rear yard** (minimum):  
9 metres (30 feet)
- (k) **Water setback**:  
Except as otherwise provided in Section 3.30 and 6.2 (q), a **water setback** of at least 30 metres (100 feet) shall be required from the **high water mark** of a **waterbody**.
- (l) **Building separation** (minimum):  
1.5 metres (5 feet)
- (m) **Building height** (maximum):  
7.6 metres (25 feet)
- (n) **Vacant**
- (o) **Entrance setback** (minimum):  
9 metres (30 feet)
- (p) **Parking Spaces** (minimum):  
2 for each **dwelling unit** plus 1 per private cabin, behind established **building line**
- (q) **Shoreline Building Enlargements**  
The enlargement of main or **accessory buildings** into or further into the **water setback**, and towards the **waterbody**, than that which already exists is not permitted.

Notwithstanding Sections 3.18(a)(ii) and 3.30, **existing** main **buildings** situated within the **water setback** may be enlarged towards the **side lot lines** provided such final enlarged **main building**, including **decks** is not wider across the front than forty percent (40%) of the **existing shoreline lot frontage** to a maximum of 18.3 metres (60 feet) provided however new, open, **attached decks** and enlargements to **existing decks** will not be permitted within 9 metres (30 feet) of the **high water mark** inclusive of a free standing **screened porch** or **gazebo**, 12 square metres (144 square feet) in area separate from the cottage and located on the **deck**. The definition of the front of the **building** is inclusive of any front portion/face of the **building** or attachment thereto that is facing the water.

Applicable **side yard** requirements as stated for this **zone** must be complied with, provided however no **building** enlargement shall take place within 9 metres (30 feet) of the high water mark.

\*Notwithstanding Sections 3.18(a) (ii) and 3.30 new, open, **attached decks** and enlargements to **existing decks** will be permitted in the **water setback** up to a total finished maximum of 3.7 metres (12 feet) in depth from (1) the main building existing as of the date of OMB approval of this by-law, (2) a main building located outside of the water setback that replaces a main building that was previously located within the water setback and was demolished pursuant to a demolition permit issued by the Township of North Kawartha, and (3) a main building located outside of the water setback that was relocated from within the water setback.

For the purpose of this section, open **decks** shall not be supported by permanent walls or a perimeter foundation nor shall they have a permanent roof. This section shall not apply to **boathouses**.

## **SR-P ZONES**

All of the provisions and regulations of Section 6.1 and 6.2 shall apply to the 'Shoreline Residential (SR-P) Zone.

## **6.3 SR-1 ZONES**

All of the provisions and regulations of Section 6.1 and 6.2 shall apply to the '**Shoreline Residential One Zone (SR-1)**' in west Part **Island 16**, on Grassy **Island** in the Township of Burleigh (South) and shown

on **Zone** Map A1; and the following special provisions shall also apply:

- (a) **Uses** permitted in SR-1 **Zones**:  
a second private cabin  
a **marine facility**
- (b) **Gross floor area** of second private cabin (maximum):  
27 square metres (300 square feet)
- (c) Special provisions for second private cabin  
The cabin shall not contain sanitary conveniences, or cooking facilities.

#### 6.4 SR-2 ZONES

6.4.1 Notwithstanding Section 6.1 and 6.2, hereof to the contrary, no person shall in any 'Shoreline Residential Two Zone (SR-2)' in Lot 3, Concession 7 (Northern portion, parts 1 & 4), Township of Burleigh (South) and shown on Zone Map A2; use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) **Uses** permitted in SR-2 **Zones**:  
a garage only
- (b) **Lot area** (minimum):  
0.21 hectares (0.5 acres)
- (c) **Gross Floor Area** of garage (maximum):  
60.38 square metres (650 square feet)

6.4.2 Notwithstanding Section 6.1 and 6.2, hereof to the contrary, no person shall in any '**Shoreline** Residential Two **Zone** (SR-2)' in **Lot** 3, Concession 7 (Southern portion, part 3), Township of Burleigh (South) and shown on **Zone** Map A2; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Uses** permitted in SR-2 **Zones**:  
a single car **park**
- (b) **Lot area** (minimum):  
39 square metres (420 square feet)
- (c) **Lot frontage** (minimum):

6 metres (20 feet)

## 6.5 SR-3 ZONES

All of the provisions and regulation of Section 6.1 and 6.2 shall apply to the “**Shoreline Residential Three Zone (SR-3)**” in **Lot 3**, Concession 8, Township of Burleigh (South) and shown on **Zone Map A2**; and the following special provision shall also apply:

- (a) **Gross Floor Area** of a private cabin (maximum)  
- 66.88 square metres (720 square feet)
- (b) Special provisions for a private cabin:  
The cabin shall not contain sanitary conveniences, or cooking facilities.

## 6.6 SR-4 ZONES

Notwithstanding Section 6.1 and 6.2, hereof to the contrary, no person shall in any ‘**Shoreline Residential Four Zone (SR-4)**’ in **Lot 3**, Concession 10, Township of Burleigh (South) and shown on **Zone Map A2**; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) Special Provisions for SR-4 **Zones**  
Refer to Freestanding Zoning By-Law No. 18-1980 for specific provisions.

## 6.7 SR-5 ZONES

Notwithstanding Section 6.1 and 6.2, hereof to the contrary, no person shall in any ‘**Shoreline Residential Five Zone (SR-5)**’, being a portion of a plan of subdivision in **Lot 8**, Concession 5, Township of Burleigh (South) and shown on **Zone Map A3**; **use** any land, or **erect, alter** or **use** any **building** except in accordance with the following provisions:

- (a) **Uses** permitted in SR-5 **Zones**:  
**a dwelling house**
- (b) **Lot area** (minimum):  
0.34 hectares (1 acre)
- (c) **Lot frontage** (minimum):  
38 metres (125 feet)



- (d) **Water setback**  
30 metres (100 feet) from the **high water mark** of a water body.

## 6.8 SR-6 ZONE

No person shall within any **Shoreline Residential Zones** (SR-6) **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Permitted uses:**  
a recreation dwelling
- (b) **Lot requirements:**  
Minimum **Lot** area – 4 Ha (10 acres)  
Minimum **Lot Frontage** on a navigable waterway – 90 metres (300 ft)
- (c) **Minimum floor area**  
Single **storey** – 70 45 sq. metres (750 sq. ft.)  
1-1/2 **storey**, split level or 2 **storey** – minimum 55 sq. metres (600 sq. ft.) of **ground floor area**
- (d) **Maximum floor area**  
232 sq. metres (2500 sq. ft.)
- (e) **Maximum height**  
9 metres (30 feet)
- (f) **Minimum front yard**  
- 15 m (50 feet), save and except where a **lot** fronts on a watercourse, **waterbody** or **shoreline** road allowance, the front **yard** requirement shall be 30 metres (100 feet). The latter distance to be measured from the **high water mark**, including **lots** which abut the **shoreline** road allowance
- (g) **Minimum interior side yard**  
4.5 metres (15 feet)
- (h) **Minimum exterior side yard**  
6 metres (20 feet)
- (i) **Minimum rear yard**  
6 metres (20 feet)
- (j) **Parking** spaces (minimum)

2 for each **dwelling unit** plus 1 per private cabin, behind established **building line**

## 6.9 SR-7 ZONE

All of the provisions and regulations of Section 6.1 and 6.2 shall apply to the '**Shoreline Residential 7 Zone (SR-7)**' and the following special provisions shall also apply:

- (a) **Uses** permitted in SR-7 **Zones**:  
a private camp defined as a youth camp for recreational activities of private camp patrons including sleeping cabins, dining hall and kitchen facilities, washroom facilities, craft **buildings**, workshop, an office, **accessory uses buildings** including a residence for the owner, caretaker or watchman.
- (b) Water **frontage** (minimum)  
76 metres (250 feet)
- (c) **Lot area** (minimum)  
23 ha (56.8 acre)
- (d) Minimum **yard** requirement from the **high water mark**  
60 metres (200 feet)
- (e) **Side yard** (minimum)  
15 metres (50 feet)
- (f) Minimum **yard** requirements for camp **buildings** and **structures** from the Balmer Road but excluding a residence for the owners, caretaker or watchman  
30 metres (98 feet)
- (g) **Lot coverage** (maximum)  
15%

## 6.10 SR-8 ZONE

All of the provisions and regulations of Section 6.1 and 6.2 shall apply to the '**Shoreline Residential 8 Zone (SR-8)**' and the following:

- a) Water **frontage** (minimum)  
135.076 metres (481 feet)
- b) **Lot area** (minimum)

Note: On the properties **zone** SR-8 and SR-9 the Environmental Impact Study (EIS) dated January, 2006 by Niblett and Associates are applicable and all requirements and recommendations apply.

#### 6.11 SR-9 ZONE

All of the provisions and regulations of Section 6.1 and 6.2 shall apply to the '**Shoreline Residential 9 Zone (SR-9)**' and the following:

- a) Water **frontage** (minimum)  
151.077 metres (491 feet)
- b) **Lot area** (minimum)  
11.74 hectares (29 acres)

Note: On the properties **zoned** SR-8 and SR-9 the Environmental Impact Study (EIS) dated January, 2006 by Niblett and Associates are applicable and all requirements and recommendations apply.

#### 6.12 SR-10 ZONE

All of the provisions and regulations of Section 6.1 and 6.2 shall apply to the "**Shoreline Residential 10 Zone (SR-10)** and the following:

- (a) Notwithstanding any other provisions in this by-law, stairs and landings are not permitted in the 30 metre (97.5 foot) water **yard** setback which will be classified as a Vegetation Buffer **zone**.
- (b) Notwithstanding the **Shoreline Building** Enlargement of **zone** provisions in a **Shoreline Residential Zone**, a 3.7 metre (12 foot) in width open **deck** is not permitted in the 30 metre (97.5 foot) **water setback** setback which will be classified as a Vegetation Buffer **zone**.
- (c) Site Plan control will be applicable to the properties subject to Consent Applications B-190-04 and B-191-04 and the approved Environmental Impact Study by Curry Jefferson & Associates as ordered by the Ontario Municipal Board (OMB).

#### 6.13 Shoreline Residential Exception (SR-81) Zone

Notwithstanding Section 3.5 (a) of By-law 26-2013, as amended, on lands located in the SR-81 Zone, legally described as Part 1, Plan 42R-12035, located in Part of Lot 3, Concession 11 S.D, in the geographic Township of Burleigh, now in the Township of North

Kawartha, a primary and a secondary dwelling unit shall be permitted in the SR-81 Zone subject to the following regulations:

- (a) The minimum lot area shall be 0.465 hectares;
- (b) The maximum ground floor area of the primary dwelling shall be 156.08 square metres;
- (c) The maximum height of the primary dwelling unit shall be 4.9 metres;
- (d) The maximum ground floor area of the secondary dwelling shall be 91.8 square metres;
- (e) The maximum floor area of a boathouse shall be 88 square metres;
- (f) The maximum ground floor area of an attached open deck on the secondary dwelling shall be 92 square metres;
- (g) The maximum ground floor area of an attached screened-in porch on the secondary dwelling shall be 58.1 square metres;
- (h) The minimum shoreline setback for the primary dwelling shall be 18.3 metres;
- (i) The minimum shoreline setback for an attached deck to the primary dwelling shall be 13 metres;
- (j) The minimum shoreline setback for the attached deck to a secondary dwelling shall be 16.92 metres and shall be 21.18 metres for the exterior wall;
- (k) The maximum height of a secondary dwelling shall be 7.01 metres;
- (l) The maximum total lot coverage for all buildings and structures shall not exceed 9.6%.

For the purpose of the SR-81 Zone, the secondary dwelling shall be used exclusively in an accessory manner to the principle residence and shall not be used for commercial purposes or as a bed and breakfast.

## SECTION 7 – SHORELINE RESIDENTIAL ISLAND ZONE (SRI)

### 7.1 USES PERMITTED

No person shall within any (SRI) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** for any purpose except one or more of the following (SRI) **uses**, namely:

- (a) **Residential Uses:**  
a **recreation dwelling house**;
- (b) **Recreational Uses:**  
a **dock**;
- (c) **Accessory Uses:**  
a **bunkhouse**  
a **marine facility**;

### 7.2 ZONE PROVISIONS

No person shall within any (SRI) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):  
0.5 hectares (1.2 acre)
- (b) **Lot frontage** (minimum):  
46 metres (150 feet)
- (c) **Recreation dwelling houses Per Lot** (Maximum):  
1 only
- (d) **Bunkhouse per Lot** (maximum):  
1 only having a maximum area of 37 square metres (400 square feet) in measurement outside dimensions inclusive of all area (**porches/open decks/etc.**). Washroom facilities may be permitted in **bunkhouses**, with the approval of the authority having jurisdiction for a sleeping area with waste disposal. No cooking facilities are permitted.
- (e) Vacant
- (f) **Building area and Floor area**
  - (i) **Building area** (maximum)

- Main **Dwelling unit**: 10%
- **Accessory buildings, Structures & Uses** - 5%
- (ii) **Floor area** (minimum)
  - Single **Storey**: 45 square metres (484 square feet)
  - 1-1/2, Split or 2 **Storey** – 55 square metres (600 square feet) of **ground floor area**

(g) **Interior side yard** (minimum):  
4.5 metres (15 feet)

(h) **Exterior side yard** (minimum):  
9 metres (30 feet)

(i) **Rear yard** (minimum):  
9 metres (30 feet)

(j) **Water setback**:  
Except as otherwise provided in Section 3.30 and 6.2(o), a water setback of at least 30 metres (100 feet) shall be required from the **high water mark** of a **waterbody** at any location on the circumference of the **island**.

(k) **Building separation** (minimum):  
1.5 metres (5 feet)

(l) **Building height** (maximum):  
7.6 metres (25 feet)

(m) **Vacant**

(n) **Parking Spaces** (minimum):  
1 per each **dwelling unit** plus 1 per **bunkhouse**. It must be shown that adequate mainland parking and docking is provided.

Adequate mainland parking is a mainland property within the ownership of the **island** property owner or a designated spot for parking and dockage at a commercial or private property holding on the mainland.

(o) **Shoreline Building Enlargements**:  
The enlargement of main or **accessory buildings** into or further into the **water setback** and towards the **waterbody**, than that which already exists is not permitted.

Notwithstanding Sections 3.18(a) (ii) and 3.30 **existing** main

**buildings** situated within the **water setback** may be enlarged towards the **side lot lines** provided such final enlarged main **building**, including **decks** is not wider across the front than forty percent (40%) of the **existing shoreline lot frontage** to a maximum of 18.3 metres (60 feet). The definition of the front of the **building** is inclusive of any front portion/face of the **building** or attachment thereto that is facing the water.

Applicable **side yard** requirements as stated for this **zone** must be complied with, provided however no **building** enlargement shall take place within 9 metres (30 feet) of the high water mark.

\*Notwithstanding Sections 3.18(a) (ii) and 3.30 new, open, **attached decks** and enlargements to **existing decks** will be permitted in the **water setback** up to a total finished maximum of 3.7 metres (12 feet) in depth from 1) the main building existing as of the date of OMB approval of this by-law, (2) a main building located outside of the water setback that replaces a main building that was previously located within the water setback and was demolished pursuant to a demolition permit issued by the Township of North Kawartha, and (3) a main building located outside of the water setback that was relocated from within the water setback.

For the purpose of this section, open **decks** shall not be supported by permanent walls or a perimeter foundation nor shall they have a permanent roof.

- (p) General Provisions:  
In accordance with the provisions of Section 3 hereof.

## SECTION 8 – INSTITUTIONAL ZONES (I)

### 8.1 USES PERMITTED

No person shall within any (I) **zone use** any **lot** or **erect, alter**, locate or **use** any **building** or **structure** for any purpose except one or more of the following (I) **uses**, namely:

- (a) **Residential Uses:**  
a **dwelling house** or **dwelling unit** accessory to a **church**.
- (b) **Permitted Uses:**
  - an **auditorium**;
  - a cemetery;
  - a **church**;
  - a **clinic**;
  - a **club**;
  - a fire hall;
  - an arena
  - a community centre
  - a municipal office;
  - a municipal parking **lot**;
  - a museum;
  - a post office;
  - a public library;
  - a **school**;
  - a **financial office**

### 8.2 ZONE PROVISIONS

No person shall within any (I) **zone use** any **lot** or **erect, alter**, locate or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):  
2,040 square metres (21,959 square feet)
- (b) **Lot frontage** (minimum):  
38 metres (125 feet)
- (c) **Building area** (maximum): 30%  
- Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).
- (d) **Front yard** (minimum):  
15 metres (50 feet)
- (e) **Interior side yard** (minimum):  
4.5 metres (15 feet)



- (f) **Exterior side yard** (minimum):  
15 metres (50 feet)
- (g) **Rear yard** (minimum):  
9 metres (30 feet)
- (h) **Water setback:**  
Except as otherwise provided in Section 3.30 a **water setback** of a least 30 metres (100 feet) shall be required from the high water mark of a **waterbody**.
- (i) **Building separation** (minimum):  
3 metres (10 feet) (unless otherwise required by the Ontario **Building** Code or Fire Code)
- (j) **Building height** (maximum):  
11 metres (36 feet)
- (k) **Dwelling unit Floor area:**  
The minimum **floor area** requirement for accessory **dwelling units** shall be 45 square metres (484 square feet).
- (l) **Planting Strip Location:**  
A planting strip shall be required along any portion of a rear **lot** line or any portion of a **side lot line** which abuts a Residential **zone** or which abuts a **lot** having a Residential **use** situated thereon.
- (m) **Planting Strip Width** (minimum):  
3 metres (10 feet)
- (n) **Entrances per Lot** (maximum):  
2
- (o) **Entrance setback** (minimum):  
6 metres (20 feet) unless a greater distance is required by the appropriate road authority
- (p) **Entrance separation** (minimum):  
22.5 metres (75 feet)
- (q) **Entrance width** (minimum):  
3 metres (10 feet)
- (r) **Entrance width** (maximum):

9.5 metres (30 feet)

- (s) **Driveway setback** (minimum):  
1.5 metres (5 feet) provided that where a **lot line** abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon, the minimum **driveway setback** from such **lot line** shall be 4.5 metres (15 feet).
- (t) **Parking Spaces** (minimum)
  - (i) **Residential uses**  
1 for each **dwelling unit**.
  - (ii) **auditorium or church**  
the greater of: 1 for each 5 fixed seats or fraction thereof; or 1 for each 9 square metre (97 square feet) of **net floor area** or portion thereof.
  - (iii) **Clinic**  
the greater of: 4 for each practitioner; or 1 for each 10 square metres (108 square feet) of **net floor area** or portion thereof.
  - (iv) **Club**  
the greater of: 1 for each 18 square metres (194 square feet) of **net floor area** or portion thereof; or 1 for each 4 persons design capacity.
  - (v) fire hall, museum, post office or public library  
1 for each 45 square metres (484 square feet) of net floor area or portion thereof.
  - (vi) municipal office  
1 for each 30 square metres (322 square feet) of net **floor area** or portion thereof.
  - (vii) **school**, elementary (up to **grade 8**)  
2 for each classroom.
  - (viii) other **accessory uses**  
not applicable
  - (ix) community centre  
the greater of: 1 for each 18.0 square metres (194 square feet) of **net floor area** or portion thereof; or 1 for each 4 persons design capacity
  - (x) arena

the greater of: 1 for each 18.0 square metres (194 square feet) of **net floor area** or portion thereof; or 1 for each 4 persons design capacity

- (u) **Parking Space Location:**  
No part of any parking space shall be located closer than:
  - (i) 1.5 metres (5 feet) to any **street line**; or
  - (ii) 4.5 metres (15 feet) to any **lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon; or
  - (iii) within the **water setback**
- (v) **Delivery spaces** (minimum):
  - (i) Residential **uses**  
not applicable
  - (ii) **auditorium**, cemetery, **church** or **clinic**  
2 per **lot**
  - (iii) **club**, museum, post office or public library  
1 per **lot**
  - (iv) **school**  
4 per **lot**
  - (v) other permitted **uses**  
not applicable
- (w) **General Provisions:**  
In accordance with the provisions of Section 3 hereof.

## SECTION 9 – GENERAL COMMERCIAL ZONE (C)

### 9.1 USES PERMITTED

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

- (a) **Residential Uses:**
  - an **accessory dwelling house** or
  - an **accessory dwelling unit** (apartment)
- (b) **Permitted Uses:**

|                                                  |                                  |
|--------------------------------------------------|----------------------------------|
| an <b>auditorium</b> ;                           | a <b>personal service shop</b> ; |
| a <b>business office</b> ;                       | a post office;                   |
| a professional office;                           | a <b>funeral home</b> ;          |
| a <b>financial office</b> ;                      | a <b>restaurant</b> ;            |
| a <b>recreational establishment</b> ;            | a <b>parking area</b> ;          |
| a <b>retail store</b> ;                          | a telephone exchange;            |
| a <b>merchandise service shop</b> ;              |                                  |
| a <b>dry cleaning</b> or <b>laundry outlet</b> ; |                                  |
| a <b>food truck</b>                              |                                  |

### 9.2 ZONE PROVISIONS

No person shall within any (C) **zone use** any **lot** or **erect, alter,** locate or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):  
3,000 square metres (32,280 square feet)
- (b) **Lot frontage** (minimum):  
38 metres (125 feet)
- (c) **Dwelling units Per Lot** (maximum):  
1 only
- (d) **Building area** (maximum): 25%
  - Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).

- (e) **Front yard** (minimum):  
15 metres (50 feet)
- (f) **Interior side yard** (minimum):  
4.5 metres (15 feet), provided that where a **side lot line** abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon, the **minimum side yard** requirement shall be 7.5 metres (25 feet).
- (g) **Exterior side yard** (minimum):  
15 metres (50 feet)
- (h) **Rear yard** (minimum):  
12 metres (40 feet) provided that where a **lot line** abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon, the **minimum rear yard** requirement shall be 15 metres (50 feet).
- (i) **Water setback**  
Except as otherwise provided in Section 3.30 a **water setback** of at least 30 metres (100 feet) shall be required from the high water mark of a **waterbody**.
- (j) **Building separation** (minimum):  
3 metres (10 feet) (unless otherwise required by the Ontario **Building Code** and the Fire Code)
- (k) **Building height** (maximum):  
11 metres (36 feet)
- (l) **Dwelling unit areas** (minimum):  
45 square metres (484 square feet)
- (m) **Planting Strip Location**:  
A planting strip shall be required along any portion of a rear **lot line** or any portion of a **side lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon.
- (n) **Planting Strip Width** (minimum):  
3 metres (10 feet)
- (o) **Entrances per Lot** (maximum):  
2
- (p) **Entrance setback** (minimum):

15 metres (50 feet)

- (q) **Entrance** separation (minimum):  
22.5 metres (75 feet) unless a greater distance is required by the appropriate road authority
- (r) **Entrance width** (minimum):  
3 metres (10 feet)
- (s) **Entrance width** (maximum):  
9.5 metres (30 feet)
- (t) **Driveway setback** (minimum):  
15 metres (50 feet)
- (u) Parking Spaces (minimum):
  - (i) Residential **uses**  
1 for each **dwelling unit**.
  - (ii) **auditorium/arena**  
1 for each 5 fixed seats or fraction thereof.
  - (iii) business/**financial office** or professional office  
1 for each 30 square metres (323 square feet) of net **floor area** or portion thereof.
  - (iv) **funeral home**  
1 for each 10 seats or fraction thereof.
  - (v) **Restaurant**  
the greater of: 1 for each 15 square metres (161 square feet) of **net floor area**; or 1 for each 4 persons design capacity of all **dining rooms**.
  - (vi) other **accessory uses**  
1 for each 30 square metres (320 square feet) of net **floor area** or portion thereof.
- (v) Parking Space Location:  
No part of any parking space shall be located closer than:
  - (i) 1.5 metres (5 feet) to any **street line**; or
  - (ii) 4.5 metres (15 feet) to any **lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon; or
  - (iii) within the **Water setback**
- (w) **Delivery spaces** (minimum):
  - (i) Residential **uses**  
not applicable
  - (ii) **auditorium**

- 1 per lot
  - (iii) other permitted **uses**  
not applicable
- (x) **Loading spaces** (minimum):
  - (i) Residential **uses**  
not applicable
  - (ii) business/**financial office, personal service shop, professional office or restaurant**  
not applicable
  - (iii) other permitted **uses**  
1 for each 2,400 square metres (25,834 square feet) of **net floor area** or portion thereof in excess of 200 square metres (2,153 square feet).
- (y) General Provisions:  
In accordance with the provisions of Section 3 hereof.

### 9.3 C-1 ZONES

All of the provisions and regulations of Section 9.1 and 9.2 shall apply to the 'General Commercial One **Zone** (C-1)' in **Lot** 9, Concession 10, Township of Burleigh (North) and shown on **Zone** Map A5; and the following special provisions shall also apply:

- (a) **Uses** permitted in C-1 **Zones**:  
a licensed **restaurant**  
recreation **uses** that do not need permanent **structures**; including but not limited to hunting, fishing, canoeing and camping

### 9.4 C-2 ZONE

Notwithstanding Section 9.1 and 9.2, hereof to the contrary, no person shall in any 'General Commercial Two **Zone** (C-2)' in **Lot** 7, Concession 5, Township of Burleigh (South) and shown on **Zone** Map A1; **use** any land, or **erect, alter or use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Uses** permitted in C-2 **Zones**:  
a woodworking shop  
a retail outlet  
a shop and retail outlet for automotive parts and five (5) antique **vehicles**  
a **dwelling house**

## 9.5 C-3 ZONES

All of the provision and regulations of Section 9.1 and 9.2 shall apply to the 'General Commercial Three **Zone (C-3)**' in **Lot 34**, Concession 2, Township of Anstruther and shown on **Zone Map A8**; and the following special provision shall also apply:

- (a) **Uses** permitted in C-3 **Zones**:  
a garden centre for the sale of plants, vegetables and landscaping products

## 9.6 C-4 ZONE

All of the provisions and regulations of Section 9.1 and 9.2 shall apply to the 'General Commercial Four **Zone (C-4)**' in **Lot 24**, Concession 14, Township of Burleigh (North) and shown on **Zone Map A8**; and the following special provisions shall also apply:

- (a) **Uses** permitted in C-4 **Zones**:  
The housing of domestic pets accessory to a veterinary **clinic**

## 9.7 C-5 ZONES

All of the provisions and regulation of Section 9.1 and 9.2 shall apply to the 'General Commercial Five **Zone (C-5)**' in **Lot 34**, Concession 1, Township of Anstruther and shown on **Zone Map A8**; and the following special provision shall also apply:

- (a) **Uses** permitted in C-5 **Zones**:  
15 self contained apartment **units**;  
**retail stores**;  
a **restaurant**.

## 9.8 C-6 ZONES

The C-6 zone does not exist in the present document. However, a space has been left should this zone be required at a later time.

## 9.9 C-7 ZONE

All of the provisions and regulations of Section 9.1 and 9.2 shall apply to the 'General Commercial Seven **Zone (C-7)**' in **Lots 11 & 12**, Concession 11, Township of Burleigh (North) and shown on **Zone Map A5**; and the following special provision shall also apply:

- (a) **Uses** permitted C-7 **Zones**:



retail sales of bait and pet food  
one **dwelling house**

## SECTION 10 – SERVICE COMMERCIAL ZONE (CH)

### 10.1 USES PERMITTED

No person shall within any (CH) **zone use** any **lot** or **erect, alter,** locate or **use** any **building** or **structure** for any purpose except one or more of the following (CH) **uses**, namely:

- (a) **Residential Uses:**
  - an **accessory dwelling unit** (apartment); or
  - an **accessory dwelling house**.
- (b) **Permitted Uses:**
  - an automobile service station;
  - a **commercial garage**;
  - a **drive-in restaurant**;
  - an equipment or machinery sales and/or service establishment;
  - a **farm** implement sales and/or service establishment;
  - a **fuel pump island**;
  - a **hotel**;
  - a manufacturing **use** accessory to a permitted (CH) **use**;
  - a **merchandise service shop**;
  - a **motel**;
  - an **open storage area** accessory to a **vehicle agency**;
  - an outside display or sales area accessory to a (CH) **use**;
  - a **restaurant**;
  - a **retail store**;
  - a **vehicle agency**;
  - a **marina** & recreational equipment sales and service establishment
  - a **food truck**

### 10.2 ZONE PROVISIONS

No person shall within any (CH) **zone use** any **lot** or **erect, alter,** locate or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):
  - 3,000 square metres (32,280 square feet)
- (b) **Lot frontage** (minimum):
  - 38 metres (125 feet)
- (c) **Dwelling units Per Lot** (maximum):

1 only

- (d) **Building area** (maximum): 30%  
- Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).
- (e) **Front yard** (minimum):  
15 metres (50 feet)
- (f) **Interior side yard** (minimum):  
4.5 metres (15 feet) not beside residential **zone**  
7.5 metres (25 feet) beside residential **zone**
- (g) **Exterior side yard** (minimum):  
15 metres (50 feet)
- (h) **Rear yard** (minimum):  
12 metres (40 feet) provided that where a **rear lot line** abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon, the **minimum rear yard** requirement shall be 15 metres (50 feet).
- (i) **Water setback**  
Except as otherwise provided in Section 3.30 a **water setback** of at least 30 metres (100 feet) shall be required from the high water mark of a **waterbody**.
- (j) **Building separation** (minimum):  
3 metres (10 feet)
- (k) **Building height** (maximum):  
11 metres (36 feet)
- (l) **Dwelling unit areas** (minimum):  
45 square metres (484 square feet)
- (m) **Planting Strip Location**:  
A planting strip shall be required along any portion of a **rear lot line** or any portion of a **side lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon.

- (n) Planting Strip Width (minimum):  
3 metres (10 feet)
- (o) **Entrances per Lot** (maximum):  
2
- (p) **Entrance setback** (minimum):  
15 metres (50 feet)
- (q) **Entrance separation** (minimum):  
22.5 metres (75 feet)
- (r) **Entrance width** (minimum):  
3 metres (10 feet)
- (s) **Entrance width** (maximum):  
9.5 metres (30 feet)
- (t) **Driveway setback** (Minimum):  
15 metres (50 feet)
- (u) Parking Spaces (minimum):
  - (i) Residential **uses**  
1 for each **dwelling unit**
  - (ii) **drive-in restaurant**  
the greater of: 10 per establishment; or 1 for each 2.5 square metres (27 square feet) of **gross floor area** or portion thereof.
  - (iii) automobile service station, **commercial garage** or gasoline pump **island**  
10 per **lot**
  - (iv) **hotel or motel**  
1 per **guest room** plus 1 for each 5 square metres (54 square feet) of **net floor area** in all **beverage rooms** plus 1 for each 30 square metres (323 square feet) of net floor area in all **dining rooms** and meeting **rooms**.
  - (v) **open storage area** or outside display area  
none
  - (vi) **restaurant**  
the greater of: 1 for each 15 square metres (161 square feet) of **net floor area**; or 1 for each 4 persons design capacity of all **dining rooms**.
  - (vii) other permitted **uses**  
1 for each 30 square metres (320 square feet) of gross **floor area** or portion thereof.

- (v) **Parking Space Location:**  
No part of any parking space shall be located closer than:
- (i) 1.5 metres (5 feet) to any **street line**; or
  - (ii) 4.5 metres (15 feet) to any **lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon; or
  - (iii) within the **water setback**
- (w) **Delivery spaces** (minimum):
- (i) Residential **uses**  
not applicable
  - (ii) **drive-in restaurant** or **restaurant**  
1 per **lot**
  - (iii) **hotel** or **motel**  
1 per **lot**
  - (iv) other **accessory uses**  
not applicable
- (x) **Loading spaces** (minimum):
- (i) Residential **uses**  
not applicable
  - (ii) **drive-in restaurant** or **restaurant**  
not applicable
  - (iii) **commercial garage** or **fuel pump island**  
1 per **lot**
  - (iv) other permitted **uses**  
1 for each 2,400 square metres (25,835 square feet) of **gross floor area** or portion thereof in excess of 200 square metres (2,153 square feet).
- (y) **Fuel pump island** location:  
No part of any **fuel pump island** shall be located closer than:
- (i) 6 metres (20 feet) to any **lot line**; or
  - (ii) 3 metres (10 feet) to any **sight triangle**.
- (z) **Outside Display or Sales Area Regulations:**  
No outside display or sales area shall be permitted except in accordance with the following provisions:
- (i) no outside display or sales area shall be permitted in a rear **yard** adjacent to a **rear lot line** of such **lot** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon; and
  - (ii) no outside display or sales area shall be permitted in a side **yard** adjacent to a **side lot line** of such **lot** which abuts a Residential **zone** or abuts a **lot** having a

Residential **use** situated thereon.

(aa) **Open storage area** Regulations:

No **open storage area** shall be permitted except in accordance with the following provisions.

- (i) no **open storage area** shall be permitted in a **rear yard** adjacent to a **rear lot line** of such **lot** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon;
- (ii) no **open storage area** shall be permitted in a **side yard** adjacent to a **side lot line** of such **lot** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon;
- (iii) every **open storage area** or **lot** having an **open storage area** situated thereon shall be enclosed by a wall or fence not less than 2 metres (7 feet) in **height** and constructed of uniform material; and
- (iv) no portion of any **open storage area** for combustible materials shall be located closer than 6 metres (20 feet) to any **lot line**.

(bb) General Provisions

In accordance with the provisions of Section 3 hereof.

### 10.3 CH-1 ZONES

All of the provisions and regulations of Section 10.2 shall apply to the 'Service Commercial One **Zone** (CH-1) in **Lot** 11, Concession 6, Township of Burleigh (South) and shown on **Zone** Map A-3; and the following special provision shall also apply:

(a) **Uses** permitted in CH-1 **Zones**:

- a marine and recreational equipment sales and/or service establishment
- an automobile and marine refinishing establishment
- a boat storage facility
- a dry land **marina**

### 10.4 CH-2 ZONE (MEHARG STORAGE)

Notwithstanding Sections 10.1 and 10.2 hereof to the contrary, no person shall in any Service Commercial Special – 2 (CH-2) **Zone**, **Lot** 7, Concession 5, former Township of Burleigh (South), and shown on **Zone** Map A-3, **use** any land or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions;

- (a) **Uses** permitted in CH-2 **Zone**
- (i) **Residential Uses:**
    - an **accessory dwelling unit**
  - (ii) **Non-Residential Uses:**
    - a **retail store** for the sales of camping equipment and supplies
    - self-storage rental **building**
    - an **open storage area** only for boats, **trailers**, recreational **vehicles**, **motor homes**, snowmobiles, all-terrain **vehicles**, and similar items
    - a **business office**
- (b) Special provisions for CH-2 **Zone**
- (i) **Front yard** (minimum)  
15 metres (50 feet)
  - (ii) **Interior Side Yard** (minimum)  
15 metres (50 feet)
  - (iii) **Rear yard** (minimum)  
15 metres (50 feet)
  - (iv) **Floor area** for a **retail store** (maximum)  
93 square metres (1000 sq. ft.)
  - (v) Maximum number of self-storage rental **buildings**  
12
  - (vi) **Building Area** (maximum)  
30%
  - (vii) Parking spaces for self-storage rental **buildings** (minimum)  
not applicable
  - (viii) Special Regulations for an **Open Storage Area**:  
No **Open Storage Area** shall be permitted except in accordance with the following special provisions:
    - Minimum setback from **front lot line**  
100 metres (328 feet)
    - Minimum setback from side and **rear lot lines**  
15 metres (50 feet)
    - Maximum **lot coverage**  
20%
    - Every **Open Storage Area** or **lot** having an Open Storage Area situated thereon shall be enclosed by a wall or fence not less than 2 metres (6.5 feet) in **height** and constructed of uniform material
    - No portion of any **Open Storage Area** for materials shall be located closer than 15 metres (50 feet) to any **lot line**
  - (ix) For the purposes of the CH-3 **Zone**, the term “self-storage rental **building**” shall mean a **building** or

**buildings** containing separate, individual self-storage units divided from the floor to the ceiling by a wall with an independent **entrance** from the exterior of the **building**, designed to be rented or leased to the general public for private storage of personal goods, materials, or equipment

#### 10.5 CH-3 ZONE

The CH-3 **zone** does not exist in the present document. However, a space has been left should this **zone** be required at a later time.

#### 10.6 CH-4 ZONE

All of the provisions and regulations of Section 10.2 shall apply to the 'Service Commercial Four **Zone** (CH-4)' in **Lot** 12, Concession 11, Township of Burleigh (North) and shown on **Zone** Map A5; and the following special provisions shall also apply:

- (a) **Uses** permitted in CH-4 **Zones**:
  - a display area for model homes
  - a marine sales, service and storage establishment
- (b) Special provisions for CH-4 **Zones**:
  - The chemical treatment of lumber and lumber products shall not be permitted.

#### 10.7 CH-5 ZONE

The CH-5 **zone** does not exist in the present document. However, a space has been left should this **zone** be required at a later time.

#### 10.8 CH-6 ZONE

The CH-6 **zone** does not exist in the present document. However, a space has been left should this **zone** be required at a later time.

#### 10.9 CH-7 ZONE

All of the provisions and regulations of Section 10.2 shall apply to the 'Service Commercial Seven **Zone** (CH-7)' in **Lot** 22, Concession 13, Township of Burleigh (North) and shown on **Zone** Map A-5; and the following special provisions shall also apply:

- (a) **Uses** permitted in CH-7 **Zones**:
  - a **dwelling house**



a combination workshop/storage **building**

- (b) Special provisions for CH-7 **Zones**:  
Open Storage - prohibited

#### **10.10 CH-8 ZONE**

All of the provisions and regulations of Section 10.2 shall apply to the 'Service Commercial Eight **Zone** (CH-8)' in **Lot** 34, Concession 2, Township of Anstruther and shown on **Zone** Map A8; and the following special provision shall also apply:

- (a) **Uses** permitted in CH-8 **Zones**:
  - an apartment dwelling
  - a professional office
  - a commercial recreation establishment
  - a general office
  - an institution

#### **10.11 CH-9 ZONE**

All of the provisions and regulations of Section 10.2 shall apply to the 'Service Commercial Nine **Zone** (CH-9)' in **Lot** 25, Concession 15, Township of Burleigh (North) and shown on **Zone** Map A-7; and the following special provision shall also apply;

- (a) **Uses** permitted in CH-9 **Zones**:
  - a marine and sport products retail sales establishment
  - a marine and sport products **repair** and storage facility

## SECTION 11 – SHORELINE COMMERCIAL ZONE (CS)

### 11.1 USES PERMITTED

No person shall within any (CS) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** for any purpose except one or more of the following (CS) **uses**, namely:

- (a) **Residential Uses:**
  - an **accessory dwelling house** or
  - an **accessory dwelling unit** (apartment)
- (b) **Permitted Uses:**
  - a **fuel pump island** accessory to a **marina**;
  - a **marina**;
  - a **marine facility**;
  - an **open storage area** accessory to a **marina**;
  - a **private park**;
  - a **recreational establishment**;
  - a **restaurant**;
  - a **retail store** accessory to a (CS) **use**;
  - a **tourist establishment**;
  - a **parking area**;
  - a **food truck**

### 11.2 ZONE PROVISIONS

No person shall within any (CS) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot areas** (minimum):
  - (i) **Residential uses**  
4,800 square metres (1.2 acres)
  - (ii) **Marina**  
4,800 square metres (1.2 acres)
  - (iii) **tourist establishment**  
the greater of: 1,390 square metres (14,962 square feet); or 278 square metres (2,992 square feet) for each guest room or **rental cottage**.
  - (iv) other **accessory uses**  
2,040 square metres (21,959 square feet)
- (b) **Lot frontages** (minimum):
  - (i) **Residential uses**  
46 metres (150 feet)

- (ii) **tourist establishment**  
46 metres (150 feet)
  - (iii) **other permitted uses**  
46 metres (150 feet)
- (c) **Multiple Uses on One Lot:**  
Notwithstanding Section 3.15, where any **lot** is used for more than one **use** as contained in Section 12.1, then the applicable minimum **lot area** and **lot frontage** requirements for each **use** shall be complied with.
- (d) **Dwelling units Per Lot** (maximum):  
1 only
- (e) **Building area** (maximum): 30%  
- Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).
- (f) **Front yard** (minimum):  
15 metres (50 feet)
- (g) **Interior side yard** (minimum):  
4.5 metres (15 feet), provided that where a **side lot line** abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon, the **minimum side yard** requirement shall be 7.5 metres (25 feet).
- (h) **Exterior side yard** (minimum):  
15 metres (50 feet)
- (i) **Rear yard** (minimum):  
12 metres (40 feet), provided that where a **rear lot line** abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon, the **minimum rear yard** requirement shall be 15 metres (50 feet).
- (j) **Water setback**  
Except as provided in Section 3.30 a **water setback** of at least 30 metres (100 feet) shall be required from the **high water mark** of any **waterbody**.
- (k) **Building separation** (minimum):

- (i) between **tourist establishment buildings**  
6 metres (20 feet)
  - (ii) between other **buildings**  
3 metres (10 feet)
- (l) **Building height** (maximum):  
- from **finished grade** to the peak of the roof on the front of a **building** facing the **waterbody**  
11 metres (36 feet)
- (m) **Dwelling house** Area (minimum):  
45 square metres (484 square feet)
- (n) **Dwelling unit area** (minimum):  
45 square metres (484 square feet)
- (o) **Planting Strip Location**:  
A planting strip shall be required along any portion of a rear **lot** line or any portion of a **side lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon.
- (p) **Planting Strip Width** (minimum):  
3 metres (10 feet)
- (q) **Parking Spaces**:
  - (i) Residential **uses**  
1 for each **dwelling unit**
  - (ii) **Marina**  
1 for each boat mooring space
  - (iii) **tourist establishment**  
1 for each **guest room** or **rental cottage**.
  - (iv) **Restaurant**  
the greater of: 1 for each 15 square metres (161 square feet) of **net floor area**; or 1 for each 4 persons design capacity of all **dining rooms**.
  - (v) other permitted **uses**  
1 for each 30 square metres (320 square feet) of gross **floor area** or portion thereof
- (r) **Parking Space Location**:  
no part of any parking space shall be located closer than:
  - (i) 1.5 metres (5 feet) to any **street line**; or
  - (ii) 4.5 metres (15 feet) to any **lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon; or

- (iii) within the **Water setback**
- (s) **Delivery spaces** (minimum):
  - (i) Residential **use**  
not applicable
  - (ii) **tourist establishment**  
1 for each 20 **guest rooms** or **rental cottages** or portion thereof in excess of 5.
  - (iii) other permitted **uses**  
not applicable
- (t) **Loading spaces** (minimum):
  - (i) Residential **uses**  
not applicable
  - (ii) **Marina**  
1 per **lot**
  - (iii) **tourist establishment**  
1 for each 2,040 square metres (21,959 square feet) of **net floor area** or portion thereof in excess of 200 square metres (2,153 square feet).
  - (iv) other permitted **uses**  
not applicable
- (u) **Fuel pump island** Location:  
No part of any **fuel pump island** shall be located closer than:
  - (i) 3 metres (10 feet) to any **shoreline**;
  - (ii) 4.5 metres (15 feet) to any **street line**; or
  - (iii) 6 metres (20 feet) to any other **lot line**.
- (v) **Open storage area** Regulations:  
No **open storage area** shall be permitted except in accordance with the following provisions:
  - (i) no **open storage area** shall be permitted in a **rear yard** adjacent to a **rear lot line** of such **lot** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon.
  - (ii) no **open storage area** shall be permitted in a **side yard** adjacent to a **side lot line** of such **lot** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon;
  - (iii) every **open storage area** or **lot** having an **open storage area** situated thereon shall be enclosed by a wall or fence not less than 2 metres (6.5 feet) in **height** and constructed of uniform material; and
  - (iv) no portion of any **open storage area** for combustible

materials shall be located closer than 6 metres (19.6 feet) to any **lot line**.

- (w) General Provisions:  
In accordance with the provisions of Section 3 hereof.

### 11.3 CS-1 ZONE

Notwithstanding Section 11.1 and 11.2, hereof to the contrary, no person shall in any '**Shoreline Commercial One Zone (CS-1)**' in **Lot 3**, Concession 5, Township of Burleigh (South) and shown on **Zone Map A1**; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) Number of **buildings** (maximum):  
**8 rental cottages**
- (b) 54 square metres (600 square feet) in area

### 11.4 CS-2 ZONE

Notwithstanding Section 11.1 (b), hereof to the contrary, no person shall in any '**Shoreline Commercial Two Zone (CS-2)**' in **Lot 12**, Concession 7, Township of Chandos, Roll #010-201-18100, accessory to West Bay Narrows Marine through agreement #D606640

- (a) Permitted **uses**:  
Boat storage facility for the off season storage of water craft
- (b) Maximum **building area**  
20%
- (c) Minimum **yard** setback  
15 metres (49.2 feet)
- (d) Maximum **building height**  
8 metres (26.2 feet)

### 11.5 CS-3 ZONE

Notwithstanding Sections 11.1 and 11.2, hereof to the contrary, no person shall in any '**Shoreline Commercial Three Zone (CS-3)**' in **Lot 13**, Concession 2 and 3, former Township of Anstruther, and as shown on Map A-7; **use** any land or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions.

### 11.5.1 Permitted uses:

- (a) Residential **uses**  
a **resort condominium**
- (b) Non-residential **uses**  
an accessory **gazebo**  
an accessory parking **lot**  
boat **docks**

### 11.5.2 Zone provisions

- (a) Minimum **lot area**  
1.61 hectares (4 acres)
- (b) Minimum **frontage (shoreline)**  
613 metres (2011 feet)
- (c) Special provisions for residential **uses**:
  - (i) **Dwelling Units Per Lot** (maximum)  
25
  - (ii) **Building area** (maximum)  
10%
  - (iii) Minimum **yard setbacks**  
**Front yard** – 15 metres (49 feet)  
**Interior side yards** – 7.5 metres (25 feet)  
**Water**– 21.33 metres (70 feet)
  - (iv) Maximum **height**  
11 metres (36 feet)
  - (v) **Floor area** (minimum per unit)  
55 square metres (592 square feet)
- (d) Special provisions for accessory **gazebo**
  - (i) Minimum **water setback**  
6.1 metres (20 feet)
  - (ii) Maximum **floor area**  
25 square metres (269 square feet)
- (e) Parking spaces (minimum)
  - (i) 1 for each **dwelling unit**
  - (ii) 1 for each boat docking space not associated with on-site **dwelling units**
- (f) Parking space location  
No parking space shall be located closer than:
  - (i) 1.5 metres (5 feet) to any **street line**; or
  - (ii) 4.5 metres (15 feet) to any **lot line** which abuts a

- Residential **zone** or abuts a **lot** having a residential **use** situated thereon; or
- (iii) 21.33 metres (70 feet) of the high water mark



## SECTION 12 – GENERAL INDUSTRIAL ZONE (M)

### 12.1 USES PERMITTED

No person shall within any (M) **zone use** any **lot** or **erect, alter,** locate or **use** any **building** or **structure** for any purpose except one or more of the following (M) **uses**, namely:

- (a) **Permitted Uses:**
  - an assembly plant;
  - a **motor vehicle body shop**,
  - a bulk storage, except hazardous waste, fuels, explosives, fossil fuels;
  - a **business office**;
  - a **commercial garage**;
  - a communications tower (public or private);
  - a contractor's **yard**;
  - an electric power substation;
  - an equipment storage **building**;
  - a **fuel pump island**;
  - a **building** supply **yard**;
  - a **maintenance garage**;
  - a manufacturing plant;
  - a **merchandise service shop**;
  - open storage of goods or materials;
  - a **parking area**;
  - a **warehouse**;
  - a truck or transportation terminal;
  - an **existing** dwelling;
  - a commercial **use** accessory to a permitted (M) **use**.

### 12.2 ZONE PROVISIONS

No person shall within any (M) **zone use** any **lot** or **erect, alter,** locate or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):  
2 hectares (5 acre)
- (b) **Lot frontage** (minimum):  
60 metres (200 feet)
- (c) **Building area** (maximum): 30%
  - Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet)

setback will be limited to a maximum of 15% of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).

- (d) **Front yard** (minimum):  
30 metres (100 feet)
- (e) **Interior side yard** (minimum):  
7.5 metres (25 feet), provided that where a **side lot line** abuts a **zone** other than an Industrial **zone**, the minimum side **yard** requirement in addition to the width of any **driveways** shall be 15 metres (50 feet).
- (f) **Exterior side yard** (minimum):  
30 metres (100 feet)
- (g) **Rear yard** (minimum):  
15 metres (50 feet)
- (h) **Water setback**:  
Except as provided in Section 3.30 a **water setback** of at least 30 metres (100 feet) shall be required from the **high water mark** of any **waterbody**.
- (i) **Building separation** (minimum):  
3 metres (10 feet) unless otherwise required by the Ontario **Building Code**
- (j) **Building height** (maximum):  
11 metres (36 feet)
- (k) **Planting Strip Location**:  
A planting strip shall be required along any portion of a side **lot** or any portion of a **rear lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon.
- (l) **Planting Strip Width** (minimum):  
4.5 metres (15 feet)
- (m) **Driveway setback** (minimum):  
None except where, a **lot line** abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon, the minimum **driveway setback** from such **lot line** shall be 9 metres (30 feet).

- (n) **Parking Spaces (minimum):**
- (i) **body shop or commercial garage**  
1 for each 5 square metres (54 square feet) of gross floor area or portion thereof.
  - (ii) **business office** or merchandise service shop  
1 for each 20 square metres (215 square feet) of net floor area or portion thereof.
  - (iii) **manufacturing plant**  
1 for each 40 square metres (430 square feet) of net floor area or portion thereof.
  - (iv) **Warehouse**  
1 for each 90 square metres (969 square feet) of net floor area or portion thereof.
  - (v) **other permitted uses**  
the greater of: 5 per **lot**; or 1 for each 90 square metres (969 square feet) of **gross floor area** or portion thereof; or 1 for each 3 employees.
- (o) **Parking Space Location:**  
No part of any parking space shall be located closer than:
- (i) 1.5 metres (5 feet) to any **street line**; or
  - (ii) 6 metres (20 feet) to any **lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon; or
  - (iii) within the **water setback**
- (p) **Delivery spaces (minimum):**
- (i) **body shop or commercial garage**  
1 per **lot**
  - (ii) **other permitted uses**  
not applicable
- (q) **Loading spaces (minimum):**
- (i) **body shop, business office or commercial garage**  
not applicable
  - (ii) **other permitted uses**  
the greater of: 1 per **lot**; or 1 for each 2,400 square metres (25,834 square feet) of **gross floor area** or portion thereof in excess of 200 square metres (2,153 square feet).
- (r) **Fuel pump island Location**  
No part of any **fuel pump island** shall be located closer than:
- (i) 9 metres (30 feet) to any **street line**; or
  - (ii) 9 metres (30 feet) to any other **lot line**.

- (s) **Open storage area Regulations:**  
No **open storage area** shall be permitted except in accordance with the following provisions:
- (i) no **open storage area** shall be permitted in a **front yard** or **side yard**;
  - (ii) no **open storage area** shall be permitted in a **rear yard** adjacent to a **rear lot line** of such **lot** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon;
  - (iii) no **open storage area** shall be permitted in a **side yard** adjacent to a **side lot line** of such **lot** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon;
  - (iv) every **open storage area** or **lot** having an **open storage area** situated thereon shall be enclosed by a wall or fence not less than 2 metres (7 feet) in **height** and constructed of uniform material; and
  - (v) no portion of any **open storage area** for combustible materials shall be located closer than 6 metres (20 feet) to any **lot line** or 30 metres (100 feet) to any **building**.
- (t) **General Provisions:**  
In accordance with the provisions of Section 3 hereof.

### 12.3 M-1 ZONES

- (a) **Uses** permitted in M-1 **Zones**:  
a small office **building**  
a facility for the outdoor storage and sale of sand, gravel and topsoil products which includes government inspected weigh scales  
a single **family** dwelling
- (b) The regulations of sub-section 12.2 shall apply to the uses in (a).

### 12.4 M-2 ZONE

'General Industrial Two **Zone** (M-2)' in **Lot** 22, Concession 13, Township of Burleigh (North) and shown on **Zone** Map A8; the following provision shall apply:

- (a) **Uses** permitted M-2 **Zones**:  
a wood product processing facility  
a furniture manufacturing and assembly establishment  
a **warehouse** for storing furniture manufactured or assembled on the premises

a **warehouse** for storing lumber for **use** on the premises  
a retail or wholesale outlet or **business office** accessory to the **uses** permitted in this section  
a **dwelling house** if occupied by a caretaker, watchman or other similar person employed fulltime on the **lot** on which such **dwelling house**

- (b) The regulations of sub-section 12.2 shall apply to the uses in (a).

## 12.5 M-3 ZONE

'General Industrial Three **Zone** (M-3)' in Part **Lot** 1, Concession 17 lying west of the King's Highway No. 28 and south of Chandos Township Road No. 18 and shown on **Zone** Map A13; the following provisions shall apply:

- (a) **Uses** permitted in M-3 **Zones**;  
a machine shop  
a machinery **repair** and parts fabrication operation  
a plant for the assembly and/or manufacture of goods and/or products  
a cartage, express truck transport terminal or **yard**  
a contractor's **yard**  
a fuel storage tank or supply **yard**  
a **warehouse**  
a retail outlet or wholesale outlet or **business office** accessory to a permitted **use**  
a **detached** single-family **dwelling house** if occupied by a caretaker, watchman or other similar person employed full time on the **lot** on which such **dwelling house** is located
- (b) The regulations of sub-section 12.2 shall apply to the uses in (a).

## SECTION 13 – AGGREGATE RESOURCE ZONE (MA)

The **uses** permitted in this section also require a license from the Ministry of Natural Resources (MNR) under the Aggregate Resources Act.

### 13.1 USES PERMITTED

No person shall within any (MA) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** for any purpose except one or more of the following (MA) **uses**, namely:

- (a) **Permitted Uses:**
  - an aggregate crushing and screening operation;
  - a **gravel pit**;
  - an **open storage area** accessory to an (MA) **use**;
  - an enclosed storage area accessory to an (MA) **use**;
  - a **stone quarry**;
  - a **business office** accessory to a permitted (MA) **use**

### 13.2 ZONE PROVISIONS

No person shall within any (MA) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):  
10 hectares (25 acres)
- (b) **Lot frontage** (minimum):  
300 metres (985 feet)
- (c) **Building area** Of Enclosed Storage Area/Storage Shed or **Business Office** (maximum):  
105 square metres (1,138 square feet)  
- Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).
- (d) **Front yard** (minimum):  
30 metres (100 square feet)
- (e) **Interior side yard** (minimum):  
30 metres (100 feet), except where a **side lot line** abuts a Residential **zone**, the **minimum side yard** shall be 90 metres

(295 feet).

- (f) **Exterior side yard** (minimum):  
30 metres (100 feet)
- (g) **Rear yard** (minimum):  
30 metres (100 feet) provided that where a **rear lot line** abuts a Residential **zone**, the **minimum rear yard** shall be 90 metres (295 feet).
- (h) **Water setback**  
A **water setback** of a least 90 metres (295 feet) shall be required from the **high water mark** of a **waterbody**.
- (i) **Building separation** (minimum):  
30 metres (100 feet)
- (j) **Building height** (maximum):  
7.6 metres (25 feet)
- (k) **Planting Strip Location**:  
A planting strip shall be required along any **front lot line** plus any portion of a **side lot line** or any portion of a **rear lot line** which abuts a Residential **zone**.
- (l) **Planting Strip Width** (minimum):  
15 metres (50 feet)
- (m) **Entrance per Lot** (maximum):  
2
- (n) **Entrance setback** (minimum):  
30 metres (100 feet)
- (o) **Entrance separation** (minimum):  
30 metres (100 feet) unless a greater distance is required from the appropriate road authority
- (p) **Entrance width** (maximum):  
13.5 metres (44 feet)
- (q) **Parking Spaces** (minimum):  
the greater of: 5 per **lot**; or 1 for each 90 square metres (969 square feet) of **gross floor area** or portion thereof.
- (r) **Parking Space Location**:

No part of any **parking** space shall be located closer than:

- (i) 3 metres (10 feet) to any **street line**; or
- (ii) 9 metres (30 feet) to any **lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon.

- (s) **Loading spaces** (minimum):  
the greater of: 3 per **lot**; or  
1 for each 4 hectares (10 acres) of **lot** area or portion thereof.
- (t) **Open storage area** Regulations:  
No part of any **open storage area** shall be located closer than 30 metres (100 feet) to any **lot line** or 90 metres (295 feet) to any **lot line** which abuts a Residential **zone**.
- (u) General Provisions:  
In accordance with the provisions of Section 3 hereof.



## SECTION 14 – DISPOSAL INDUSTRIAL ZONE (MD)

The Ministry of Environment is responsible for the licensing of **uses** permitted in this **zone**.

### 14.1 USES PERMITTED

No person shall within any (MD) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** for any purpose except one or more of the following (MD) **uses**, namely:

- (a) **Permitted Uses:**  
an approved **solid waste disposal site** or **transfer station** or a former approved **solid waste disposal site** that has been closed as required by the Ministry of Environment

### 14.2 ZONE PROVISIONS

No person shall within any (MD) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):  
20 hectares (50 acres)
- (b) **Lot frontage** (minimum):  
100 metres (328 feet)
- (c) **Building area** (maximum): 10%  
- Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) high water mark setback will be limited to a maximum of 15% of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).
- (d) **Front yard** (minimum):  
90 metres (295 feet)
- (e) **Interior side yard** (minimum):  
90 metres (295 feet)
- (f) **Exterior side yard** (minimum):  
90 metres (295 feet)
- (g) **Rear yard** (minimum):

90 metres (295 feet)

- (h) **Water setback** (minimum): shall be required for all **buildings, structures** and waste disposal sites from the **high water mark** of a **waterbody**.
- (i) **Building separation** (minimum):  
3 metres (10 feet)
- (j) **Building height** (maximum):  
11 metres (36 feet)
- (k) **Planting Strip**:  
Where any (MD) **Zone** abuts a Residential, Commercial, Institutional or Open Space **Zone**, a planting strip shall be provided and maintained along that **lot line** so abutting in accordance with the provisions of Sections 2 and 3 of this By-law.
- (l) **Fencing**:  
A 1.8 metre (6 foot) solid board fence shall be provided and maintained along any portion of a (MD) **Zone** which abuts a public **street**.
- (m) **Entrance per Lot** (maximum):  
2
- (n) **Entrance setback** (minimum):  
150 metres (493 feet)
- (o) **Entrance separation** (minimum):  
22.5 metres (74 feet)
- (p) **Entrance width** (maximum):  
9.5 metres (31 feet)
- (q) **Driveway setback** (minimum):  
30 metres (100 feet) except where a **lot line** abuts an (MD) or (MA) **zone**, the minimum **driveway** setback from such **lot line** shall be 9 metres (30 feet).
- (r) **Parking Spaces** (minimum):  
1 for each 0.4 hectares (43,055 square feet) of **lot area** or portion thereof.
- (s) **Parking Space Location**:

No part of any parking space shall be located closer than:

- (i) 3 metres (10 feet) to any **street line**; or
- (ii) 9 metres (30 feet) to any **lot line** which abuts a **zone** other than an (MD) or (MA) **zone**.

(t) **Loading spaces** (minimum):  
2 per **lot**

(u) **Special Provisions:**  
Notwithstanding any other provisions of this By-law to the contrary, no **solid waste disposal site** shall be located within 500 metres (1640 feet) of any Residential or Commercial **use**.

(v) **General Provisions:**  
In accordance with the provisions of Section 3 hereof.

## SECTION 15 – MAJOR RECREATION OPEN SPACE ZONE (OS)

### 15.1 USES PERMITTED

No person shall within any (OS) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** for any purpose except one or more of the following (OS) **uses**, namely:

- (a) Permitted **Uses**:
  - a beach;
  - a **conservation use**;
  - a **forestry use**;
  - a **private park**;
  - a public forest;
  - a **public park**;

### 15.2 ZONE PROVISIONS

No person shall within any (OS) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):  
2,300 square metres (24,758 square feet)
- (b) **Lot frontage** (minimum):  
30 metres (100 feet)
- (c) **Water setback** Except as otherwise provided in Section 3.30 a **water setback** of at least 30 metres (100 feet) shall be required from the high water mark of a **waterbody**.
- (d) **Building separation** (minimum):  
3 metres (10 feet)
- (e) **Building height** (maximum):  
11 metres (36 feet)
- (f) **Parking Spaces** (minimum):  
One for each picnic area/table and one for each ten feet on a **waterbody** that is utilized by the public or one for each 1 hectare (2.2 acres) of land, whichever is greater.
- (g) **Parking Space Location**:  
No part of any parking space shall be located closer than:

- (i) 1.5 metres (5 feet) to any **street line**; or
- (ii) 4.5 metres (15 feet) to any **lot line** which abuts a Residential **zone** or abuts a **lot** having a Residential **use** situated thereon.

- (h) General Provisions:  
In accordance with the provisions of Section 3 hereof.

## **SECTION 16 – ENVIRONMENTAL CONSTRAINT ZONE (EC)**

### **16.1 USES PERMITTED**

No person shall within any (EC) **zone use** any **lot** or **erect, alter,** locate or **use** any **building** or **structure** for any purpose except one or more of the following (EC) **uses**, namely:

- (a) Permitted **Uses**:  
a **conservation use**;  
a flood control **use**;

### **16.2 ZONE PROVISIONS**

No person shall within an (EC) **zone use** any **lot** or **erect, alter,** locate or **use** any **building** or **structure** except as set out in 16.1 (a) unless for **conservation use** or flood control **use** or **structures** that may be necessary to support these permitted **uses**.

- (a) General Provisions:

In accordance with the provisions of Section 3 hereof.

## SECTION 17 – RURAL ZONE (RU)

### 17.1 USES PERMITTED

No person shall within any (RU) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** for any purpose except one or more of the following (RU) **uses**, namely:

- (a) **Residential Uses:**  
a **dwelling house**.
- (b) **Permitted Uses:**  
a **farm** equipment storage **building**;  
a **farm**;  
a **conservation use**;  
a **farm produce outlet**;  
a **forestry use**;  
a **home industry**;  
a **home occupation**;  
a livestock **building**;  
a produce **building**;  
a woodlot;  
a **recreation camp**;  
a riding **school** or boarding stables;  
an animal hospital;  
a second dwelling unit

### 17.2 ZONE PROVISIONS

No person shall within any (RU) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):  
10 hectares (25 acres)  
20 hectares (50 acres) (for a recreational camp)
- (b) **Lot frontage** (minimum):  
90 metres (295 feet)
- (c) **Dwelling houses** Per **Lot** (maximum):  
1 only
- (d) **Building area** and **Floor area**
  - (i) **Building area** (maximum): 15%
  - (ii) **Floor area** (minimum):

- Single **Storey** – 45 square metres (484 square feet)
- 1-1/2, Split or 2 **Storey** – 55 square metres (600 square feet) of **ground floor area**
- (iii) - Notwithstanding any provisions in this By-Law where the main **building/use** is located within the 30 metre (100 feet) setback will be limited to a maximum of 15% of the land area on that property encompassed within the area that is the width of the property by the depth of the required setback ie 30 metres (100 feet).
- (e) **Front yard** (minimum):  
30 metres (100 feet)
- (f) **Interior side yard** (minimum):  
15 metres (50 feet)
- (g) **Exterior side yard** (minimum):  
15 metres (50 feet)
- (h) **Rear yard** (minimum):  
15 metres (50 feet)
- (i) **Water setbacks**  
Except as otherwise provided in Section 3.30 a **water setback** of at least 30 metres (100 feet) shall be required from the high water mark of a **waterbody**.
- (j) **Building separation** (minimum):
  - (i) between **main building** and **detached accessory building**, garage or storage shed  
1.5 metres (5 feet)
  - (ii) between detached accessory buildings  
11 metres (36 feet)
- (k) **Building height** (maximum):  
11 metres (36 feet)
- (l) **Parking Spaces** (minimum):
  - (i) **Residential uses**  
1 for each **dwelling unit**
  - (ii) **home industry, home occupation** or home profession  
the greater of: 2 per **lot**; or 1 for each 20 square metres (215 square feet) of **net floor area** or portion thereof.
  - (iii) **other accessory uses**  
not applicable



- (m) **Dwelling house** Location:
  - (i) No Residential **building** shall be **erected** within any distance of any manure storage area or any livestock **building** or **structure**, except in accordance with Section 3.17 herein, unless such Residential **building** is located on the same **lot** therewith.
  - (ii) No Residential **building** shall be **erected** within 60 metres (200 feet) of an MA **zone**.
- (n) **Farm Building** and Storage Locations:  
No livestock **building** or **structure** and no manure storage area shall be located within any distance of any **lot line** or a residential **building** on another **lot**, except in accordance with Section 3.15 herein.
- (o) Consent Given By Land Division Committee for Residential **Lot** Outside of Areas Designated Hamlet or **Shoreline** Area:  
  
Notwithstanding any provisions of Section 17.2(a) and 17.2(b) to the contrary, where a consent is given by the Approval Authority to create a residential **lot**, such **lot** may be used for a **dwelling house** provided such **lot** and **use** has a minimum **lot area** and **frontage** of 2 hectares (4.9 acres) and 60 metres (200 feet) respectively and complies with the other provisions of Section 6.2 of this By-law, and provided the residual **lot** complies with the provisions of Section 17 of this By-law.
- (p) General Provisions:  
In accordance with the provisions of Section 3 hereof.
- (q) Properties **zoned** Rural (RU) in hamlet areas shall be restricted to a **dwelling house** only and those **uses existing** at the date of passing of this by-law.

### 17.3 RU-1 ZONES

Notwithstanding Section 17.1 and 17.2, hereof to the contrary, no person shall in any 'Rural One **Zone** (RU-1)' in **Lot** 9, Concession 1, Township of Burleigh (South) and shown on **Zone** Map A6; **use** any land, or **erect**, **alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Dwelling house** per **lot** (maximum):  
2 only

#### 17.4 RU-2 ZONE

Notwithstanding Section 17.1 and 17.2, hereof to the contrary, no person shall in any 'Rural Two **Zone** (RU-2)' in **Lot** 3, Concession 6, Township of Burleigh (South) and shown on **Zone** Map A1; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Uses** permitted in RU-2 **Zones**:  
a **recreation camp**
- (b) **Lot frontage** (minimum):  
20.1 metres (66 feet)

#### 17.5 RU-3 ZONE

Notwithstanding Section 17.1 and 17.2 hereof to the contrary, no person shall in a 'Rural – Site Specific **Zone** (RU-3) in part of **Lot** 6 & 7, Concession 6, formerly Township of Burleigh (South) and shown on **zone** Map A3, **use** any land or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Uses** permitted in RU-3 **Zone**:
  - (i) Nine (9) Hole **Golf Course**
  - (ii) **Uses, building** and **structures** accessory to **golf course** including:

|                        |                                   |
|------------------------|-----------------------------------|
| Pro Shop               | max 185.88 m. sq. (2,000 sq. ft.) |
| <b>Pump House</b>      | max 9.3 m. sq. (100 sq. ft.)      |
| Storage Shed           | max 74.35 m. q. (800 sq. ft.)     |
| Chipping/Driving Range |                                   |

Site Plan Control is applicable in the RU-3 **Zone**.

#### 17.6 RU-4 ZONES

All of the provisions and regulations of Section 17.1 and 17.2 shall apply to the 'Rural Four **Zone** (RU-4)' in **Lot** 15, Concession 11, Township of Burleigh (North) and shown on **Zone** Map A4; and the following special provision shall also apply:

- (a) **Uses** permitted RU-4 **Zones**:  
a **home occupation** taxidermy business

#### 17.7 RU-6 ZONE

Notwithstanding Section 17.1 and 17.2, hereof to the contrary, no

person shall in any 'Rural Six **Zone** (RU-6)' in **Lot** 16, Concession 12, Township of Burleigh (North) and shown on **Zone** Map A4; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Uses** permitted in RU-6 **Zones**  
a private cabin
- (b) **Building area** of accessory guest dwelling (maximum):  
44.5 square metres (480 square feet)

#### 17.8 RU-8 ZONE

All of the provisions and regulation of Section 17.1 and 17.2 shall apply to the 'Rural Eight **Zone** (RU-8)' in **Lot** 36, Concession 1, Township of Anstruther and shown on **Zone** Map A-13; and the following special provision shall also apply:

- (a) **Uses** permitted in RU-8 **Zones**:  
a **home occupation** for baking and the sale of baked goods

#### 17.9 RU-9 ZONE

All of the provisions and regulations of Section 17.1 and 17.2 shall apply to the 'Rural Nine **Zone** (RU-9)' in **Lot** 25, Concession 16, Township of Burleigh (North) and shown on **Zone** Map A-13; and the following special provision shall also apply:

- (a) **Uses** permitted in RU-9 **Zones**:  
the outside storage of materials and the parking of **vehicles** and equipment and automotive **repair**
- (b) Special provisions for RU-9 **Zones**:  
these lands are subject to site plan control

#### 17.10 RU-11 ZONE

Notwithstanding Section 17.1 and 17.2, hereof to the contrary, no person shall in any 'Rural Eleven **Zone** (RU-11)' being a portion of a plan of subdivision in **Lot** 8, Concession 5, Township of Burleigh (South) and shown on **Zone** Map A3; **use** any land, or **erect, alter** or **use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Lot area** (minimum):  
0.8 hectares (2 acres)

- (b) **Lot frontage** (minimum):  
45.7 metres (150 feet)
- (c) **Front yard** (minimum):  
15 metres (50 feet)
- (d) **Interior side yard** (minimum):  
15 metres (50 feet)
- (e) **Exterior side yard** (minimum):  
15 metres (50 **yards**)
- (f) **Rear yard** (minimum):  
9 metres (feet)

## SECTION 18 – CROWN LAND ZONE (CL)

### 18.1 USES PERMITTED

No person shall within any (CL) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** for any purpose except one or more of the following (CL) **uses**, namely:

- (a) Permitted **Uses**:
  - a **conservation use**;
  - a **forestry use**;
  - a **public park**;
  - a **wood lot**;
  - a **wayside pit** or quarry;
  - an **existing** mine;
  - an **existing gravel pit** or quarry;
  - a hunt camp;
  - a private **recreation camp**

### 18.2 ZONE PROVISIONS

No person shall within any (CL) **zone use** any **lot** or **erect, alter, locate or use** any **building** or **structure** except in accordance with the following provisions:

- (a) **Front yard** (minimum):  
30 metres (100 feet)
- (b) **Interior side yard** (minimum):  
15 metres (49 feet)
- (c) **Exterior side yard** (minimum):  
30 metres (100 feet)
- (d) **Rear yard** (minimum):  
15 metres (49 feet)
- (e) **Water setback**  
Except as otherwise provided in Section 3.30 a **water setback** of at least 30 metres (100 feet) shall be required from the high water mark of a **waterbody**.
- (f) **Building separation** (minimum):  
1.5 metres (5 feet)
- (g) **Building height** (maximum):

11 metres (36 feet)

- (h) General Provisions:  
In accordance with the provisions of Section 3 hereof.

## **SECTION 18B – PROVINCIALY SIGNIFICANT WETLAND (PSW) ZONE**

### **18B.1 USES PERMITTED**

No person shall within any (PSW) **zone use** any **lot** or **erect, alter,** locate or **use** any **building** or **structure** for any purpose except one or more of the following (EC) **uses**, namely:

- (a) Permitted **Uses**:  
a **conservation use**

## SECTION 19 – LAKE ZONE (L)

This **zone** shall apply to all lakes and **waterbodies** in the Township which do not form part of Kawartha Highlands Provincial Park, Petroglyph Provincial Park or the Trent Severn Waterway. The **zone** shall not apply in areas zoned Provincially Significant Wetland Zone (PSW) or Environmental Constraint Zone (EC).

### 19.1 USES PERMITTED

No person shall within any Lake (L) Zone use any lake or **waterbody** or **erect, alter**, locate or **use** any **building** or **structure** for any purpose except one or more of the following (L) uses, namely:

- (a) Permitted Uses:
  - a **dock**;
  - a **swim raft**;
  - marina docking system**;
  - a **marine facility**

### 19.2 ZONE PROVISIONS

The permitted uses in any Lake (L) Zone shall only be established in accordance with the provisions of Section 3.1(m) of this By-law and in accordance with the following provisions:

- (a) **Accessory Uses:**
  - (i) **Marina docking systems** shall only be permitted in the Lake (L) Zone accessory to a legally **existing marina** which is located on the abutting land above the **high-water mark**. Approval of any new **marina docking facilities** will be subject to consideration on a site-specific basis.



## SECTION 20 – SPECIAL DISTRICT ZONE

Lists all by-law amendments to date to be recorded in new comprehensive **zone**, SP-1 and SP-2 and continues for all amendments rather than listing in each **zone** category.

## SECTION 21 – ADMINISTRATION

### 21.1 ZONING ADMINISTRATOR

This By-law shall be administered by the **Zoning administrator**.

### 21.2 APPLICATION FOR BUILDING PERMITS

In addition to the requirements of the **Building by-law**, every application for a **building permit** shall be accompanied by a plan in duplicate, drawn to scale and showing the following:

- (i) the true shape and dimension of the **lot** to be used or upon which it is proposed to **erect** any **building** or **structure**;
- (ii) the proposed location, **height** and dimensions of any **building**, **structure** or **use** proposed for such **lot**;
- (iii) proposed locations and dimensions of any **yards**, setbacks, backfill/**grade**, vegetation buffer **zones** where applicable, off-**street** parking spaces or off-**street** loading facilities required by this By-law;
- (iv) the location of all **existing buildings**, **structures** or private right-of-way on the **lot** and **existing** vegetation within the affected area; and
- (v) a statement signed by the owner or his agent duly authorized there unto in writing, filed with the **building** inspector, disclosing the current and intended **use** of each **building** and **structure** or part thereof, the sanitary facilities available and all information necessary to determine whether or not such proposed or **existing building structure** or **use** conforms to the requirements of the By-law.

### 21.3 ISSUANCE OF BUILDING PERMITS

Notwithstanding any provision of the Ontario **Building** Code Act, the **Corporations Building by-law** or another by-law of the **Corporation** to the contrary, no **building permit** shall be issued where the proposed **building**, **structure** or **use** would be in violation of any provision of this By-law.

### 21.4 CERTIFICATE OF OCCUPANCY

No land is to be used or occupied, and no **building** or **structure**

which has been **erected** or **altered** is to be used or changed in **use**, in whole or in part, until a Certificate of Occupancy has been issued by the Municipality stating that the proposed **use** and occupancy of such land, **building** or **structure** complies with the provisions of this By-law.

## 21.5 REQUESTS FOR AMENDMENTS

Every request for an amendment to this By-law shall be accompanied by 3 (three) copies of the **Corporation's** "APPLICATION FOR AMENDMENT TO ZONING BY-LAW".

## 21.6 INSPECTION

- (a) Conditions for Entry  
Subject to clause (b) of this subsection, the **Zoning administrator**, the **Chief building official** of the **Corporation**, acting under the direction of **Council**, is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purpose of carrying out his duties under this By-law.
- (b) Restrictions For Entry of **Dwelling units**:  
Notwithstanding any provision of clause (a) of this subsection to the contrary, no officer or employee of the **Corporation** shall enter any room or place being used as a **dwelling unit** or part thereof without the consent of the occupant except under the authority of a search warrant issued pursuant to The Summary Convictions Act.

## 21.7 REMEDIES

Where any **building** or **structure** is or is proposed to be **erected**, **altered**, reconstructed, extended or enlarged, or any **building** or **structure** or part thereof is or is proposed to be used, or any land is or is proposed to be used, in contravention of the provisions of this By-law, the same may be restrained by action at the instance of any ratepayer, or of the **Council** of the Municipality pursuant to the provisions of The Planning Act.

## 21.8 VIOLATION AND PENALTY

- (i) Every person who contravenes this By-law is guilty of an offence and on conviction is liable. On a first conviction, to a fine of not more than \$20,000.00; and on a subsequent conviction, to a fine of not more than \$10,000.00 for each day

or part thereof upon which the contravention has continued after the day on which he was first convicted.

- (ii) Where a **corporation** is convicted, the maximum penalty that may be imposed is: on a first conviction, a fine of not more than \$50,000.00; and on a subsequent conviction, a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the **corporation** was first convicted, and not as provided in Subsection (i).
- (iii) Where a conviction is entered in addition to any other remedy or any penalty provided by law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.

Every fine imposed under the provisions of this Section is recoverable under the Provincial Offences Act.

## 21.9 VALIDITY

If any section, clause or provision of this By-law, including anything contained in Schedule "A" **attached** hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

## 21.10 APPROVAL

THAT, subject to notice of the passing of this By-law in accordance with the provisions of Section 34(17) of the Planning Act, this By-law shall come into force on the date of passing by the **Council** of the Township of North Kawartha where no notice of appeal or objection is received pursuant to the provisions of Section 34(19) of the Planning Act, R.S.O. 1990, Chap P.13. Where notice of an appeal or objection is received as a result of the circulation of the notice of passing of the By-law, this By-law does not come into force until all such appeals have been disposed of whereupon the By-law shall be deemed to have come into force on the day it was passed pursuant to Section 34 of the Planning Act, R.S.O. 1990, Chap. P.13.

READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN  
**COUNCIL** THIS 5TH DAY OF MARCH, 2013.

\_\_\_\_\_  
MAYOR:

\_\_\_\_\_  
CLERK:

I, Connie Parent, Clerk of the **Corporation** of the Townships of North  
Kawartha do hereby certify that the foregoing is a true copy of By-law No.  
26-2013 passed by **Council** of the said **Corporation** on the 5<sup>th</sup> day of  
March, 2013; and amendments thereto.

\_\_\_\_\_  
Clerk