

THE COMPREHENSIVE ZONING BY-LAW FOR THE MUNICIPALITY OF HIGHLANDS EAST

BY-LAW No. 2005-29

Amended by By-law 2008-46 (Housekeeping Amendments)

Approved by Council on June 14, 2005
Housekeeping Amendment and Consolidation
Approved by Council
July 8, 2008



EXPLANATORY NOTE TO BY-LAW NO. 2005-29
OF THE MUNICIPALITY OF HIGHLANDS EAST

Lands Affected:

By-law No. 2005-29 is a Comprehensive Zoning By-law that applies to all of the lands within the geographic limits of the Municipality of Highlands East. For this reason, no key map is attached to this notice.

Purpose and Effect:

By-law No. 2005-29 is intended to regulate the use of all lands, buildings and structures within the Township.

This By-law permits and regulates the use of land as shown on Schedule 'A', 'B' and 'C' to the Zoning By-law. Uses that legally existed prior to the date of adoption of this By-law will be permitted to continue. Any new use not specifically permitted by the By-law is prohibited. New development occurring after this By-law comes into effect must comply with the regulations set out in the By-law.

CORPORATION OF THE MUNICIPALITY OF HIGHLANDS EAST

BY-LAW NO. 2005-29

**A By-law to regulate the use of land and the character,
location and use of buildings or structures
in the Municipality of Highlands East.**

WHEREAS the Councils of the former geographic Townships of Cardiff, Bicroft and Monmouth and Glamorgan which now comprise the Corporation of the Municipality of Highlands East had passed By-laws to regulate the use of land and the character, location and use of buildings or structures in the former Townships of

AND WHEREAS the Council of the Corporation of the Municipality of Highlands East now deems it desirable and in the public interest to rescind Comprehensive Zoning By-laws 87-7, 22-97, 78-5 and 87-23 and all Amendments thereto, and enact a new Comprehensive Zoning By-law under Section 34 of the Planning Act, R.S.O. 1990, which will serve to regulate the use of the land and the character, location and size of buildings and structures within the boundaries of the Municipality of Highlands East;

NOW THEREFORE the Council of the Corporation of the Municipality of Highlands East enacts a By-law as follows:

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SECTION 1 ADMINISTRATION

1.1 TITLE

This By-law may be referred to as "The Zoning By-law for the Municipality of Highlands East".

1.2 AREA AFFECTED BY THIS BY-LAW

This By-law applies to all lands within the geographic Municipality of Highlands East.

1.3 BUILDING PERMITS

The requirements of the By-law must be met before a Building Permit is issued by the Municipality for the erection or alteration of any building or structure.

1.4 ENFORCEMENT

Any person convicted of a violation of this By-law is liable, at the discretion of the convicting Justice, on first conviction to a fine of not more than \$25,000 and on a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.

1.5 SEVERABILITY PROVISION

A decision of a Court stating that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other provisions or parts of the provisions of this By-law.

1.6 REPEAL OF EXISTING BY-LAWS

Upon this By-law coming into effect the following By-laws and all Amendments thereto are hereby repealed: By-law 87-7 (Monmouth), By-law 22-97 (Cardiff), By-law 78-5 (Bicroft) and By-law 87-23 (Glamorgan).

1.7 EFFECTIVE DATE

This By-law shall come into force the day that it was passed in accordance with the provisions of the Planning Act.

1.8 REFERENCE TO LEGISLATION

Where this Zoning By-law makes reference to legislation, then the references shall be deemed to mean that as presently existing, or as amended, replaced or re-enacted, from time-to-time by the Province, and shall be deemed to include, in addition to the statute itself, all regulations passed thereunder.

SECTION 2 ESTABLISHMENT OF ZONES

2.1 ZONES

For the purpose of this By-law the following zones are established and they may be referred to by the name or by the symbol set opposite the name of the zone as indicated below:

R1	General Residential
R2	Hamlet Residential
R3	Medium Density Residential
SR1	Shoreline Residential One
SR2	Shoreline Residential Two
LSR	Limited Service Residential
S	Shoreline
RR	Rural Residential
GC1	General Commercial One
GC2	General Commercial Two
CT	Tourist Commercial
CH	Highway Commercial
M1	Heavy Industrial
M2	General Industrial
MX	Extractive Industrial
MD	Disposal Industrial
I	Institutional
RU	Rural
OSC	Open Space Conservation
OSR	Open Space Recreation
EP	Environmental Protection
L	Lake
HZ	Hazard

2.2 ZONE SCHEDULES

The zones and zone boundaries are shown on Schedules A, B, and C, which form part of this By-law.

2.3 DETERMINING ZONE BOUNDARIES

- a) A zone boundary which is shown approximately at a lot line, street or lane is considered to be at the boundary of the lot line, street or road.
- b) A zone boundary shown approximately at the centre line of a street or lane is considered to be the centre line of the street or road.

- c) Unless the location of a zone boundary is specified by dimensions on the zoning map, a zone boundary which lies within a lot shall be fixed by the scale of the Schedule upon which it is shown.
- d) A zone boundary shown following approximately a shoreline or the centre line of a creek, stream or channel is considered to be the shoreline or centre line and moved with any natural changes to the waterbody or watercourse.
- e) All lands below the surface of a navigable waterbody or watercourse shall be deemed to be in the Open Space Conservation (OSC) Zone.

2.4 Compliance with Zoning By-law

No person shall change the use of any building, structure or lot or erect or use any building or structure or use or occupy any lot or building in whole or in part, except in conformity with the provisions of this By-law.

SECTION 3 GENERAL PROVISIONS

3.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

a) Permitted Uses

Where this By-law provides that a lot may be used and a building or structure may be erected or used for a purpose, that purpose shall include any accessory building or structure or accessory use provided that a valid building permit for the principal use is issued or that the principal building or structure is already in existence on the lot.

Accessory buildings shall not be used for:

- i) any occupation for gain or profit conducted within or accessory to a dwelling unit or lot except as specifically permitted in accordance with this By-law; or
- ii) human habitation except where specifically permitted by this By-law.

b) Setback Requirements

Except as otherwise provided by this By-law, any accessory building or structure shall comply with the yard requirement of the zone within which it is located. This provision shall not apply to prevent the construction of docks or marine rail facilities as may otherwise be permitted in this By-law.

c) Lot Coverage and Height

The total lot coverage of all accessory buildings and structures, excluding decks and swimming pools, shall not exceed 5 per cent of the lot area nor shall the height of any accessory building or structure exceed 4.5 metres.

d) Boat Dock or Launching Ramp

Notwithstanding the yard provisions of this By-law to the contrary, a boat launching ramp or a dock may be erected and used in any yard, or pertaining to a lot abutting on a navigable waterway, provided such ancillary structure is located no closer than 4.5 metres to the side lot line or the 90 degree projection of the side lot line where it meets the tangent of the front lot line at the shoreline.

e) Boathouses

Notwithstanding the yard and setback provisions for detached accessory buildings, a boathouse must comply with Section 3.31, Setback from High Water Mark.

f) Garages or Other Detached Accessory Buildings or Structures

Notwithstanding the yard and setback provisions of this By-law to the contrary, a detached private garage or other accessory building or structure may be only erected and used in an interior side or rear yard, provided that:

i) Interior Side Yard

Where such accessory building or structure is located in an interior side yard, it shall not be closer than 2.0 metres to the interior side lot line.

ii) Rear Yard

Where such accessory building or structure is located in a rear yard, it shall not be closer than 2.0 metres to the rear lot line except, where the rear lot line abuts a municipally maintained road or County or Provincial Road, it shall not be closer than 10 metres to the rear lot line.

iii) Commercial and Industrial Zones

Notwithstanding the foregoing provisions, no building or structure accessory to a use in the Commercial or Industrial zone shall be erected closer than 4.5 metres to an interior side or rear lot line.

iv) Shoreline – Front Yard

Within the SR1, LSR and S Zones detached accessory buildings and structures shall not be permitted in the front yard, unless otherwise specified in this By-law.

v) Shoreline and Settlements – Maximum Area

Within the SR1, SR2, LSR, S, R1, R2 and R3 Zones, the maximum area of any garage or boathouse shall be 70 m².

vi) Rural Zone

Notwithstanding 3.1 (g) a detached accessory structure is permitted in the front yard in the Rural zone, provided the lot has a minimum area of 2.0 hectares.

g) Decks, Steps, Porches, Balconies or Patios

(i) Notwithstanding the yard and setback provisions of this By-law to the contrary, decks, steps, porches, balconies and patios may project into any required yard or setback a maximum distance of 1.0 metre.

(ii) Notwithstanding (i), the minimum setback for a deck, patio, balcony or porch from the High Water Mark shall be 20 metres.

(iii) Screened in porches, decks, patios or balconies may be permitted subject to the provisions above and provided the total floor area of the screened in porch, deck, patio or balcony does not exceed 15m².

h) Gazebos or Trellises

Notwithstanding the yard and setback requirements of this By-law to the contrary, a gazebo or trellis may be permitted in the front yard of a lot which abuts a waterbody or shore road allowance provided that:

i) the maximum area is 10.0 square metres;

ii) it is setback at least 4.0 metres from the normal average or maintained high water mark;

iii) it complies with the applicable minimum interior or exterior side yard requirements of the zone which it is located; and,

iv) the height shall not exceed 2.5 metres.

i) Guest Cabins

Notwithstanding any other provision of this By-law to the contrary, a guest cabin is permitted on a lot in the SR1, LSR, S or SR2 Zones provided that:

i) no cooking facilities are located in the building;

ii) The ground floor area does not exceed 25 square metres;

iii) the lot has a minimum area of 0.8 hectares;

- iii) the building consists of a single storey and the height of the building does not exceed 4.0 metres; and,
- iv) the building complies with all of the setbacks that apply to the principal building on the lot.

3.2 ANTENNAE, TOWERS AND WIND TURBINES

Radio and television antennae, towers and wind turbines which are accessory to a permitted use and are less than 10 metres in height are permitted in any zone provided they meet the minimum requirements of the zone in which they exist and are not located in any front yard or exterior side yard.

3.2A TELECOMMUNICATIONS TOWERS

Telecommunications towers and accessory housing and infrastructure are permitted in all zones with the exception of the EP, L, S, HZ and OSC Zones.

3.3 BUFFER STRIPS

Where a buffer strip is required in any zone, it shall be located within that zone and shall be the minimum width as specified in the regulations for that zone. It shall not form part of any required landscaped open space or yard requirement. Within required buffer areas, a solid and continuous landscape screen shall be planted and maintained. The landscaping shall consist of such species so as to continually restrict a clear view beyond such buffer strip.

3.4 CONSTRUCTION USES

A tool shed, not exceeding 10 square metres, construction trailer, scaffold or other building or structure incidental to construction is temporarily permitted in all areas within the Municipality on the same lot as the worksite and only for as long as it is necessary to complete the work in progress or the worksite is abandoned. For the purpose of this Section, abandoned shall mean the discontinuation of work for more than 120 consecutive days or the failure to maintain a current building permit.

3.5 DWELLING UNITS ON A LOT

Unless permitted elsewhere in this By-law, no more than one dwelling unit shall be permitted on a lot.

3.6 ENCROACHMENTS IN REQUIRED YARDS

Architectural features such as sills, belt courses, cornices, drop awnings, eaves or gutters, chimney breasts, pilasters, roof overhangs, cantilevered window bays and other like features may encroach into any required yard a distance of no more than 0.6 metres.

3.7 ENVIRONMENTAL PROTECTION AREA

Lands zoned Environmental Protection (EP) may be included in the calculation of lot area and yard requirements except that, lands below the normal or maintained high water mark shall not be included as part of the lot area. Setback requirements in this By-law shall be measured from the limit of the normal or maintained high water mark.

3.8 ENVIRONMENTAL PROTECTION AREA - SETBACK

No building or structure shall be constructed within 20 metres from any Environmental Protection (EP) Zone boundary.

3.9 FRONTAGE ON IMPROVED PUBLIC ROAD, PRIVATE ROAD OR NAVIGABLE WATERWAY

a) Improved Public Road

No person shall erect any building or structure in any Zone after the date of passing of this By-law, unless the lot upon which such building or structure is to be erected has direct access to or abuts an improved public road.

The above provisions shall not apply to prevent the erection of a permitted building or structure on a lot in a Registered Plan of Subdivision where a Subdivision Agreement has been entered into with the Municipality, notwithstanding that the road or roads will not be assumed by the Municipality until the end of the maintenance period. This provision shall not prevent the enlargement, extension, renovation, reconstruction or other structural alteration of an existing building or structure, which is located on a lot which does not have direct access to or abuts an improved public road, provided the use of such building or structure does not change, is permissible within the Zone in which it is located and complies with all applicable yard and setback requirements if this By-law.

b) Frontage on Private Road or Right-of-Way

Notwithstanding the provision in 3.8 (a) where an existing lot of record has direct access to or abuts a private road or private right-of-way, a use, building or structure shall be permitted on such lot, in accordance with the applicable provisions of this By-law provided such lot and private road or private right-of-way existed as of the date of passing of this By-law.

c) Navigable Waterway

Notwithstanding the provisions of 3.8 (a) and (b) where an existing lot of record is only accessible by a navigable waterway, such lot may be used in accordance with the provisions of the applicable Zone category.

d) Hunt Camps

Notwithstanding the provisions of 3.8 (a) and (b), an existing Hunt Camp shall be permitted if it is located on a lot which has access onto an unimproved municipal road allowance or a private road but does not have access on a maintained municipal road.

3.10 HEIGHT EXCEPTIONS

Notwithstanding the height provisions of this By-law to the contrary, nothing in this By-law shall apply to prevent the erection, alteration, or use of a barn or silo, a church spire, a belfry, a flag pole, a clock tower, a chimney, a water tank, an air conditioner duct, a grain elevator, incidental equipment required for processing, external equipment associated with internal equipment or machinery and conveying equipment, which exceeds the maximum height requirements provided the main or principal use is permitted within the Zone in which it is located and provided all other applicable provisions of this By-law are complied with.

3.11 HOME OCCUPATION

Where a Home Occupation is a permitted use the following regulations shall apply:

- a) No person, other than a person living on the premises, shall be engaged in the occupation of providing merchandise and/or services to customers with the exception of one employee;
- b) There shall be no display, other than a sign having a maximum area of 0.5 square metres, to indicate that any part of the dwelling is being used for a purpose other than residential use.

- c) There shall be no goods, wares, or merchandise offered for sale or rent from the dwelling which are not manufactured or processed on the premises. The retailing of products not manufactured or processed on the property is prohibited;
- d) Not more than 25 per cent of the gross floor area of the dwelling shall be used for the purposes of home occupation, and such home occupation shall be conducted entirely within the dwelling;
- e) There shall be no outside animal enclosures or external storage of goods or materials in conjunction with the home occupation use; and,
- f) A home occupation shall not include a boarding or lodging house, an eating establishment, or a group home, but may include a bed and breakfast establishment or a day nursery.

3.12 HOME INDUSTRY

Where a Home Industry is a permitted use the following provisions shall apply:

- a) A maximum of three (3) persons may be engaged in the home industry;
- b) A home industry may be located in part of a dwelling, or in any detached accessory building located on a lot on which a dwelling is in existence, provided the total gross floor area utilized by the home industry does not exceed 150 square metres;
- c) There shall be no outside storage of goods, raw materials, machines or articles, except for display purposes;
- d) Notwithstanding Section 3.12 (c), a maximum of two currently licensed motor vehicles associated with the home industry may be parked or stored on the lot but only within an interior side or rear yard and such parking must comply with the setback requirements of the main dwelling;
- e) There shall be no emission of noise, odour or dust which is not normally attributed to the use of the land for residential uses; and,
- f) A home industry shall be clearly secondary and incidental to the main residential use and shall not change the residential character of the dwelling on the lot.

3.13 MINIMUM DWELLING UNIT SIZE

No dwelling unit shall have a ground floor area of less than 65m² unless specifically provided for by this By-law.

3.14 MINIMUM DISTANCE SEPARATION

No agricultural building shall be constructed in the Rural Zone which does not conform to the MDSII Formula.

3.15 MINIMUM OPENING ELEVATION – PAUDASH LAKE

On lots abutting Paudash Lake, no opening to a dwelling or addition to a dwelling which increases the floor area of the dwelling shall have an opening less than the minimum elevation of 342.8 CGD.

3.16 MOBILE HOMES

Mobile homes may be used as dwelling units where they meet the following requirements:

- a) The structure must be constructed to C.S.A. Standard Z240 or Z241;
- b) The structure is located on permanent foundations with the running gear and towing equipment removed;
- c) The structure shall have a ground floor area of at least 65 square metres;
- d) The structure shall be completely enclosed from the surface of the finished grade to the roof; and,
- e) The structure shall be fully serviced with running water, electricity and sanitary sewage facilities approved in accordance with OBC standards.

Building permits are required for the placement of mobile homes on any lands.

3.17 MOTOR VEHICLES AND ABANDONED EQUIPMENT

Unless otherwise permitted in this By-law, unused or derelict motor vehicles, farm implements and similar abandoned equipment shall not be located or stored on any lot on any zone, except that a maximum of two unused motor vehicles may be stored in a Rural (RU) Zone under cover so they are not visible from the street or from abutting lots.

3.18 MULTIPLE USES ON ONE LOT

Where any land, building or structure is used for more than one permitted use, the applicable Zone Provisions of this By-law which serve to regulate each such use shall be complied with.

3.19 MULTIPLE ZONES ON ONE LOT

Where a lot is divided into more than one Zone under the provisions of this By-law, each applicably zoned portion of the lot shall be used in accordance with the Zone provisions of this By-law as if it were a separate lot.

3.20 NATURAL VEGETATION AREA - SHORELINE

Where natural vegetation exists on a shoreline lot, the use of this lot shall not result in the removal of more than 30% of such natural vegetation in the required setback from the high water mark for the purpose of establishing access to or a view of the waterfront.

3.21 NON-COMPLYING LOTS, BUILDINGS AND STRUCTURES

a) Expansion of Legal Non-Complying Buildings and Structures

Where a building or structure has been lawfully erected on a lot having less than the minimum frontage and/or area, or having less than the minimum setback, and/or yard or any other provision required in this By-law, the said building or structure shall be deemed to comply with this By-law with respect to any deficiency or deficiencies; and further the said building or structure may be reconstructed, replaced or renovated provided that:

- (i) The, reconstruction, replacement or renovation does not further reduce such setback and or front yard and/or side yard and/or rear yard having less than the minimum required by this By-law; and,
- (ii) All other provisions of this By-law are complied with.
- (iii) Notwithstanding subsection a) (i) and (ii), a legal non-complying dwelling unit which is located in a required shoreline setback may expand its ground floor area by no more than 25% of the ground floor area of the dwelling which existed on the date this By-law was passed, within the required shoreline setback, provided the enlargement does not cause the existing shoreline setback to be further reduced and provided the expansion is compliant with all other provisions of this By-law. This provision shall not apply to permit the expansion of other detached structures such as boathouses, bunkies or storage buildings which encroach into the required shoreline setback.
- (iv) The 25% expansion provision provided in sub-section (iii) may be allocated in whole or in part to the expansion or establishment of

a deck, patio or balcony. However, the floor area of existing decks and patios shall not be used to determine existing ground floor area as set out in sub-section (iii).

(v) In addition to the provisions noted above, the lateral expansion of any dwelling in the required shoreline setback shall not exceed 40% of the frontage of the lot to a maximum of 18 metres.

b) Existing Undersized Lots

Where a lot, having a lesser lot area and/or lot frontage than required herein, existed on the date of passing of this By-law, or where such a lot is created by a public authority or correction of title, such smaller lot may be used and a permitted building or structure may be erected and/or used on such a smaller lot provided that all other applicable provisions of this By-law are complied with and provided that a sewage system that complies with the regulations under Building Code can be installed on the lands.

c) Undersized Lots Resulting From Boundary Adjustment or Lot Addition

Lots which have been increased in frontage or area following adoption of this By-law as a result of a Planning Act approval, but still do not comply with minimum area or frontage requirements of this By-law, may also be used in accordance with Sub-section (b) and furthermore no zoning amendment shall be necessary to legalize the undersized lot.

d) Undersized Lots Subject to Expropriation or Transfer to Public Authority or Private Road Association

Existing undersized lots which have been decreased in frontage or area following adoption of this By-law as a result of an expropriation by public authority or transfer of land to a private road association, but still do not comply with minimum area or frontage requirements of this By-law, may also be used in accordance with Sub-section (b) and furthermore no zoning amendment shall be necessary to legalize the undersized lot.

3.22 LEGAL NON-CONFORMING USES

a) Continuation of Existing Uses

The provisions of this By-law shall not apply to prevent the use of any existing lot, building or structure for any purpose prohibited by this By-law if such existing lot, building or structure was lawfully used for such purposes prior to the effective date of this By-law and provided that the lot, building or structure continues to be used for that purpose. Where the use ceases to exist for a period of two years, the use will be deemed to have been discontinued.

b) Exterior Extension

The exterior of any building or structure which was lawfully used prior to the effective date of this By-law for a purpose not permissible within the Zone in which it is located, shall not be enlarged, extended, reconstructed or otherwise structurally altered, unless such building or structure is thereafter to be used for a purpose permitted within such Zone, and complies with all requirements of this By-law for such Zone unless these changes are necessary to provide for flood proofing or insulation of the building.

c) Interior Alteration

The interior of any building or structure which was lawfully used, prior to the effective date of the By-law, for a purpose not permissible within the Zone in which it is located, may be reconstructed or structurally altered for the existing purpose for which such building or structure was lawfully used.

d) Restoration

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any existing, legal non-conforming building or structure or part thereof, provided that the strengthening or restoration does not increase the building height, size or volume or change the existing, lawful use of such existing building or structure or unless these changes are necessary to provide for flood proofing or insulation of the building.

e) Re-establishment of Existing Building and Structures

Nothing in this By-law shall apply to prevent the re-establishment of any existing utilized non-conforming or non-complying building or structure which is damaged by causes beyond the control of the owner, other than flooding, provided a building permit is issued for the re-establishment of the building or structure within 8 months of the incident which rendered the building or structure unsafe or unusable. The building or structure may be re-established in the same location on which it existed on the date of passage of this By-law, but the extent of non-conformity or non-compliance may not be further increased.

Buildings and structures damaged or destroyed as the result of natural flooding shall not be re-established except in accordance with the provisions of this By-law.

f) Building Permit Issued

The provisions of this By-law shall not apply to prevent the use of any existing lot, building or structure for any purpose prohibited by this By-law for which the footings or foundations have been constructed prior to the passing of this By-law, so long as the building or structure, is substantially completed within one year after the date of the passing of this By-law and a building permit is issued by the Chief Building Official.

g) Effective Date for Legal Non-Conformity

The effective date for legal non-conformity is as follows:

Cardiff	December 31, 1979
Bicroft	December 19, 1978
Glamorgan	June 21, 1979
Monmouth	June 29, 1987

3.23 OBNOXIOUS AND HAZARDOUS USES

Unless otherwise specifically permitted in this By-law, no land shall be used and no building or structure shall be erected, altered or used for any purpose which is obnoxious or for any purpose that creates or is likely to become a nuisance or hazardous, or both:

- a) By the creation of noise or vibration; or,
- b) By reason of the emission of gas, fumes, smoke, dust or objectionable odour except in the case of agricultural uses operating in compliance with the Farming and Food Production and Protection Act; or,
- c) By reason of the unsightly or hazardous storage of goods, substances, wares, merchandise, salvage, refuse matter, motor vehicles, trailers or parts of vehicles or trailers, machinery or other such material; or,
- d) By any combination of these things described in clauses (a), (b), (c) of this subsection.

3.24 OUTDOOR STORAGE

No portion of a lot shall be used for the outdoor storage of goods or materials unless such storage is within a building, or unless the following provisions are complied with:

- a) such outdoor storage is accessory to the use of the main building on the lot;

- b) outdoor storage is behind the front or exterior wall of the main building facing any street or shoreline, and complies with all yard requirements for the main dwelling or use of the lot;
- c) such outdoor storage does not cover more than 15 percent of the lot area; and,
- d) any portion of a lot used for outdoor storage is screened from adjacent uses and streets adjoining the lot, by a building, planting strip, and/or fence.

3.25 PARKING AREA REGULATIONS

a) Parking Space Requirements

Parking spaces and areas are required under this By-law, in accordance with Table 1, the Parking Space Requirement Table. The owner of every building or structure erected or used for any of the purposes listed shall provide and maintain parking spaces and areas accordingly.

If any computation of parking space requirement as set forth in this section results in a number containing a fraction above 0.25, that remaining fraction shall be counted as one parking space.

b) Parking Area Surface

Parking spaces, areas and driveways connecting the parking space or area with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust. Such parking spaces or areas shall, before being used, be constructed of crushed stone, gravel, asphalt, concrete or similar material and shall include provisions for drainage facilities.

c) Ingress and Egress Provisions

- i) ingress and egress to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least 3.0 metres but not more than 12.0 metres in perpendicular width;
- ii) the maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 9.0 metres;
- iii) the minimum distance between any two driveways on one lot or between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 8.0 metres; and

iv) the minimum angle of intersection between a driveway and a street line shall be 60 degrees.

d) More Than One Use on a Lot

When a building or structure accommodates more than one type of use, the parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate types of use.

e) Parking Area Location on Lot

Notwithstanding the yard and setback provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted in the required yards or in the area between the street line and the required setback.

f) Additions To, or Changes In, the Use of Existing Buildings and Structures

The parking space requirements referred to herein shall not apply to any existing building or structure so long as the gross floor area is not increased. If any addition is made to a building or structure which increases its gross floor area, parking spaces for the addition shall be provided as required by Table 1, the Parking Space Requirement Table. Where a change in use occurs, parking spaces shall be provided for such new use in accordance with the requirements of the Parking Space Requirement Table.

The provision of this paragraph shall not apply to require the establishment of parking spaces for a dwelling which existed at the date of passing of this By-law.

g) Use of Parking Spaces and Areas

Parking spaces and areas required in accordance with this By-law shall be used for the parking of operative, currently licensed vehicles only, and for vehicles used in operation incidental to the permitted uses on the lot.

h) Winter Use

If the parking area is required to be used in the winter, an additional area equal to 20% of the required area shall be provided for snow storage.

TABLE 1
PARKING SPACE REQUIREMENT TABLE

Type of Use	Minimum Off-street Parking Requirements
Assembly Hall, Auditorium, Arena, Community Centre, Place of Worship, Private Club, Farmers Market or other similar places of assembly	1 parking space for each four persons that may be legally accommodated at any one time.
Business and/or Professional Office, Financial Establishment, Retail Commercial Establishment, Personal Service Shop including a Home Occupation or Home Industry.	1 parking space for each 20 m ² of gross floor area of the building directly related to the specified permitted use.
Restaurant	1 parking space for each 9 m ² of gross floor area of serving space, or 1 parking space for each 4 persons that may be legally accommodated at any one time, whichever is greater.
Golf Course	24 parking spaces for each 9 holes of golfing facilities.
Hotel, Motel, Resort, College or Cabin Establishment, Tourist Establishment, Camp Site, Camping Establishment	1 parking space for each guest room, cottage, cabin or camp site, plus such or parking facilities as are required for an eating establishment or entertainment lounge licensed in accordance with The Liquor License Act, as amended, should such exist.
Liquor Licensed Premises, exclusive of an eating establishment, but including an entertainment lounge, public house or lounge licensed in accordance with The Liquor License Act as amended, and the Regulations thereunder.	1 parking space for each 4 persons that may be legally accommodated at any one time.
Marina	2 parking spaces for every 1 boat slip and 1 parking space for every 8 m ² of gross floor area devoted to commercial use, exclusive of storage areas.
Medical, Veterinary or Dental Clinic, or Offices of a Drugless Practitioner	5 parking spaces per practitioner, plus 1 parking space for each examination room exceeding 5 rooms
Residential, Residential Mobile Home	2 parking spaces per dwelling.
Workshop	1 parking space per 35 m ² of gross floor area.
Uses Permitted by this By-law other than those listed in this Table	1 parking space per 35 m ² of gross floor area.

3.26 PITS, QUARRIES AND PEAT EXTRACTION

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

3.27 PUBLIC USES

a) Public Services

The provisions of this By-law shall not apply to prohibit the use of any lot or the erection or use of any building or structure for the purposes of public uses provided by the Municipality, or any Public Authority including any Department or Ministry of the Government of Canada or Ontario and, for the purposes of this Section, shall include Hydro One, any telephone, telegraph or cable TV company and any natural gas distribution system operated by a Company distributing gas to the residents of the Municipality, which company possesses all the necessary powers, rights, licenses and franchises.

b) Location Restrictions

Notwithstanding any other provision contained in this By-law to the contrary, where a public use is only permitted within a specific Zone classification, then such public use shall only be permitted within that Zone or Zones and shall comply with the Zone Provisions of the Zone or Zones in which the public use is permitted, save and except that there shall be no minimum lot area or lot frontage requirement. This provision does not apply to Crown Agencies.

c) Provisions

- i) no goods, materials or equipment shall be stored outside the building or structure located on the lot, except as may otherwise be permitted under this By-law; and
- ii) no building or structure erected in accordance with the provisions of this Section shall be used for the purposes of an office or maintenance or works depot.

d) Streets and Installations

Nothing in this By-law shall prevent a public authority from providing or using land as a street nor prevent the installation of a utility main including a water main, sanitary sewer, storm sewer, gas main, pipeline or overhead or underground hydro, telephone or other utility supply or communication line.

3.28 REDUCTION OF REQUIREMENTS

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

3.29 RESTRICTIONS ON DWELLING UNITS IN NON-RESIDENTIAL BUILDINGS

Notwithstanding any other provision of this By-law to the contrary, no dwelling unit shall be located within a portion of a non-residential building which has flammable fluids or chemical agents stored in bulk for commercial purposes, in conjunction therewith, and without limiting the generality of the foregoing, a dwelling unit shall not be permitted within a motor vehicle service station, a motor vehicle repair garage, a marina, a motor vehicle body shop or a marine sales and service shop.

3.30 SETBACK FROM RIVERS AND STREAMS

No building shall be located within 20 metres of any river, stream, creek or watercourse. This provision does not apply to a roadside drainage ditch.

3.31 SETBACK FROM HIGH WATER MARK

No building or structure, including septic systems, shall be located within 20 metres (66 feet) of the normal or maintained high water mark of any lake, river, stream or other watercourse. This provision shall not apply to docks, marine facilities, pumphouses, bridges, flood control devices or other like facilities.

3.32 SETBACKS FROM WASTE DISPOSAL AREAS

No use shall be permitted located within 500 metres of a licensed Waste Disposal Fill Area or 100 metres from a Sewage Lagoon or Sewage Treatment Facility licensed by the Ministry of Environment.

3.33 SIGNS

The provisions of this By-law shall not apply to prevent the erection, alteration or use of any sign provided such sign complies with the By-laws of the Municipality including the specific sign provisions for home occupations and home industries as provided in this By-law.

3.34 SWIMMING POOLS

Swimming pools shall comply with the setback requirements for accessory structures for the Zone in which they are located.

3.35 TEMPORARY HOUSING

Notwithstanding any other provision of this By-law, to the contrary, where a dwelling is destroyed, and a Building Permit for reconstruction of the dwelling has been issued by the Municipality for the subject lands, the residents may occupy a travel trailer on a temporary basis but only during the period which the dwelling is being reconstructed to a maximum of one year provided that the trailer is licensed by the Municipality.

3.36 THROUGH LOTS

Where a lot, which is not a corner lot, has lot frontage on more than one street, or more than one waterbody the setback and front yard requirements contained herein shall apply on each street or waterbody in accordance with the provisions of this By-law.

3.37 TRAILER AND/OR BOAT STORAGE

In conjunction with a single detached dwelling, the owner or occupant of any lot shall not store any boat, tourist trailer, motorized mobile, truck camper, or other similar vehicle in any yard except that two (2) such vehicles may be stored in the area between the principal structure on the lot and the required side yard or in the rear yard provided that in the case of a boat, such boat shall not exceed seven (7) metres (22.9 ft) in length and in the case of a tourist trailer, motorized mobile home, truck camper or similar vehicle, said vehicle shall not exceed ten (10) metres (32.8 ft.) and provided that such vehicle is not used for human habitation.

3.38 TRUCK, BUS AND COACH BODIES

No truck, bus, coach or streetcar body, or structure of any kind shall be used for human habitation or storage of goods and materials whether or not the same is mounted on wheels other than a dwelling unit erected and used in accordance with this By-law, The Ontario Building Code Act and Regulations passed thereunder.

3.39

ISLANDS

All islands in the Municipality, unless zoned otherwise on Schedule A, Maps 1 to 13, shall be zoned Limited Service Residential (LSR).

a) Duty to Confirm Boundaries and Setbacks

Where a provision in this By-law allows expansion or changes to a building with legal-non-compliant setbacks or yards, such provisions shall only be exercised where the landowner, applicant or agent can confirm existing setbacks and yards of building and structures with a reference plan prepared by an Ontario Land Surveyor.

SECTION 4 ZONE CATEGORIES AND PROVISIONS FOR SPECIFIC USES

Where this By-law permits specific uses in areas described below, only those uses specifically identified as permitted uses shall be permitted in those described areas. No building, structure or use of land shall be permitted unless specifically permitted.

4.1 RURAL RESIDENTIAL (RR) ZONE

No person shall within any Rural Residential Zone (RR) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.1.1 Permitted Uses

- i) single detached dwelling
- ii) home occupation

4.1.2 Regulations for Permitted Uses

	Metric
i) Minimum Lot Area	- 0.8 ha
ii) Minimum Lot Frontage	- 60 m
iii) Minimum Front Yard	- 15 m
iv) Minimum Interior Side Yard	- 6 m
v) Minimum Exterior Side Yard	- 15 m
vi) Minimum Rear Yard	- 8 m
vii) Maximum Total Lot Coverage	- 10%
viii) Maximum Height	- 10 m

4.1.3 Exceptions

4.1.3.1 Rural Residential Exception One (RR-1) Zone

Notwithstanding any other provisions of this By-law to the contrary, the lands in Part of Lot 24, Concession 6 (Glamorgan) shown as RR-1 on Schedule A shall have a minimum lot area of 2.8 hectares.

4.1.3.2 Rural Residential Exception Two (RR-2) Zone

Notwithstanding any other provisions of this By-law to the contrary, the lands in Part of Lot 5, Concession 6 (Glamorgan) shown as RR-2 on Schedule A shall have a minimum lot area of 1.6 hectares, including any lands shown as Environmental Protection (EP) Zone.

4.1.3.3 Rural Residential Exception Three (RR-3) Zone

Notwithstanding any other provision of this By-law to the contrary, the lands in Lots 27 and 28, Concession 5, (Glamorgan) shown as RR-3 on Schedule A, may be used for a maximum of three (3) lots for one detached dwelling on each lot, provided that the minimum opening elevation for all buildings and structures shall be 326.7 metres C.G.D.

4.1.3.4 Rural Residential Exception Four (RR-4) Zone

Notwithstanding the permitted uses of the Rural Residential Zone, on lands in the Rural Residential Exception Four (RR-4) Zone, an existing mobile home is a permitted use, in all other respects the provisions of the Rural Residential (RR) Zone shall apply.

4.1.3.5 Rural Residential Exception Five (RR-5) Zone

Notwithstanding the permitted uses of the Rural Residential (RR) Zone, on lands in the Rural Residential Exception Five (RR-5) Zone, located in Part of Lot 22, Concession 6, (Cardiff), two existing apartment dwelling units are permitted on the upper floor of a detached accessory building. In addition, a detached dwelling unit is also a permitted use on lands zoned RR-5.

4.1.3.6 Rural Residential Exception Six (RR-6) Zone

Notwithstanding any other provision of this By-law to the contrary, the lands in Part of Lot 14, Concession 6, (Glamorgan) shown as RR-6 on Schedule A may be used for a maximum of two (2) residential lots.

4.1.3.7 Rural Residential Exception Seven (RR-7) Zone

Notwithstanding any other provision of this By-law to the contrary, the lands in Part of Lot 1, Concession 6 (Glamorgan) shown as RR-7 shall be subject to the following additional provisions:

- a) The minimum elevation for any opening of any building or structure within the RR-7 Zone shall be 297.18 metres above sea level (C.G.D.)

4.1.3.8 Rural Residential Exception Eight (RR-8) Zone

Notwithstanding any other provision of this By-law to the contrary, the lands in Lot 1, Concession 15 (Glamorgan) shown as RR-8 on Schedule A may be used for a maximum of two (2) residential lots, and the minimum yard requirement for principal and accessory buildings shall be fifteen (15) metres.

4.1.3.9 Rural Residential Exception Nine (RR-9) Zone

Notwithstanding any other provision of this By-law to the contrary, the lands in Lot 7, Concession 6 (Glamorgan) shown as RR-9 on Schedule A may be used for a maximum of two (2) residential lots.

4.1.3.10 Rural Residential Exception Ten (RR-10) Zone

Notwithstanding any other provision of this By-law to the contrary, the lands in Lot 25, Concession 4 (Glamorgan) shown as RR-10 on Schedule A may also be used for a contractor's shop. A maximum of five (5) parking spaces and one (1) loading space for the contractor's shop and two (2) residential parking spaces may be permitted in the front yard.

4.1.3.11 Rural Residential Exception Eleven (RR-11) Zone

Notwithstanding any other provision of this By-law to the contrary, the lands in Part of Lot 8, Concession 7 (Glamorgan) shown as RR-11 on Schedule A may be used for a maximum of four (4) residential lots.

4.1.3.12 Rural Residential Exception Twelve (RR-12) Zone

Notwithstanding the provisions for accessory structures in the RR Zone, on lands located in Part of Lot 34, Concession 13 (Monmouth) and zoned RR-12, an existing detached garage may be located no closer than 0.30 metres to the front lot line.

4.2 SHORELINE RESIDENTIAL ONE (SR1) ZONE

No person shall within any Shoreline Residential One Zone (SR1) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.2.1 Permitted Uses

- i) single detached dwelling
- ii) home occupation
- iii) marine facility

4.2.2 Regulations for Permitted Uses

	Metric
i) Minimum Lot Area	- 0.6 ha
i) Minimum Lot Frontage	- 45 m
iii) Minimum Front Yard	- Refer to Section 3.31
iv) Minimum Interior Side Yard	- 6 m
v) Minimum Exterior Side Yard	- 8 m
vi) Minimum Rear Yard	- 8 m
vii) Maximum Lot Coverage	- 10%
viii) Maximum Height	- 10 m
ix) Minimum Ground Floor Area	- 65 m ²

4.2.2a Special Regulations for Marine Facilities

4.2.2a.1 No marine facility shall be located closer than 7.5 metres to the interior side lot line measured at the high water mark.

4.2.2a.2 One marine facility shall be permitted for every existing lot of record and one additional marine facility shall be permitted for every additional 100 metres of frontage beyond an original 45 metre frontage.

4.2.3 Exceptions

4.2.3.1 Shoreline Residential One Exception (SR1-1) Zone

Notwithstanding the permitted uses in the SR1 Zone, on lands located in Part of Lot 34, Concession 16 (Monmouth) and zoned SR1-1, a quadriplex or 4 unit townhouse shall be permitted uses in addition to all other permitted uses in the SR1 Zone. Furthermore, the minimum lot area shall be 0.52 hectares (1.29 acres) for a quadriplex or 4 unit townhouse and the maximum number of bedrooms shall not exceed 12 for the entire building. Nothing in this By-law shall prevent a quadriplex or 4 unit townhouse from being used on a fractional ownership basis.

4.2.3.2 Shoreline Residential One Exception Two (SR1-2) Zone

Notwithstanding the regulations of Section 4.2.2, on lands located in the SR1-2 Zone, described legally as Part 1, Plan 19R-5363 and Parts 4, 5, 6, 7, 8 and 9, Plan 19R-8676 (Cardiff), the minimum lot area shall be 0.31 hectares and the minimum shoreline frontage shall be 30 metres.

4.2.3.3 Shoreline Residential One Exception Three (SR1-3) Zone

Notwithstanding the regulations of Section 4.2.2, on lands located in the SR1-3 Zone, described legally as Part 1, 19R-6798 and Parts 1, 2 and 3, Plan 19R-8676, the minimum lot area shall be 0.43 hectares and the minimum shoreline frontage shall be 24 metres.

4.2.3.4 Shoreline Residential One Exception Four (SR1-4) Zone

Notwithstanding the regulations of Section 4.2.2, on lands located in the SR1-4 Zone, located in Part of Lot 21, Concession 7, including Parts 10, 11 and 12, Plan 19R-8676, (Cardiff) the minimum lot area shall be 1.85 hectares and the minimum shoreline frontage shall be 25 metres.

4.3 SHORELINE RESIDENTIAL TWO (SR2) ZONE

No person shall within any Shoreline Residential Two Zone (SR2) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.3.1 Permitted Uses

- i) single detached dwelling
- ii) home occupation

4.3.2 Regulations for Permitted Uses

	Metric
i) Minimum Lot Area	- 0.8 ha
iii) Minimum Lot Frontage	- 60 m
iii) Minimum Front Yard	- 8 m
iv) Minimum Interior Side Yard	- 6 m
v) Minimum Exterior Side Yard	- 8 m
vi) Minimum Rear Yard	- 8 m
vii) Maximum Total Lot Coverage	- 10%
viii) Maximum Height	- 10 m
ix) Minimum Ground Floor Area	- 65 m ²

4.3.3 Exceptions

4.4 LIMITED SERVICE RESIDENTIAL (LSR) ZONE

No person shall within any Limited Service Residential (LSR) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.4.1 Permitted Uses

- i) single detached dwelling
- ii) home occupation
- iii) marine facility

4.4.2 Regulations for Permitted Uses

	Metric
i) Minimum Lot Area	- 0.8 ha
iv) Minimum Lot Frontage	- 60 m
iii) Minimum Front Yard	- Refer to Section 3.31
iv) Minimum Interior Side Yard	- 6 m
v) Minimum Exterior Side Yard	- 8 m
vi) Minimum Rear Yard	- 8 m
vii) Maximum Lot Coverage	- 10%
viii) Maximum Height	- 10 m
ix) Minimum Ground Floor Area	- 65 m ²

4.4.3 Special Regulations

4.4.3.1 Where lands are zoned LSR and do not have shoreline frontage, the regulations of the RR Zone shall apply.

4.4.3.2 Notwithstanding the definition of home occupation in this By-law, a bed and breakfast or day nursery are not permitted uses in the LSR Zone.

4.4.3.3 No marine facility shall be located closer than 7.5 metres to the interior side lot line measured at the high water mark.

4.4.3.4 One marine facility shall be permitted for every existing lot of record and one additional marine facility shall be permitted for every additional 100 metres of frontage beyond an original 45 metre frontage.

4.4.4 Exceptions

4.4.4.1 Limited Service Residential Exception One (LSR-1) Zone

Notwithstanding the Setbacks – High Water Mark of this By-law to the contrary, on lands within the Limited Service Residential Exception One (LSR-1) Zone,

located in Part of Lot 28, Concession 5, (Glamorgan) the following provisions shall apply:

- a) the minimum setback from the high water mark shall be 30 metres.
- b) the maximum total width of all buildings and structures on a lot, measured at right angles from the side lot lines, shall be 15 metres.

4.4.4.2 Limited Service Residential Exception Two (LSR-2) zone

Notwithstanding the provisions of this By-law to the contrary, the lands in Lots 3 and 4, Concession 2, (Glamorgan) shown as LSR-2 on Schedule A, shall have a minimum lot area of 1.6 hectares and a minimum lot frontage of 240 metres.

4.4.4.3 Limited Service Residential Exception Three (LSR-3) Zone

Notwithstanding the provisions of this By-law to the contrary, on lands within the Limited Service Residential Exception Three (LSR-3) Zone, located in Part of Lot 8, Concession 3 and 4 (Cardiff), an accessory boat house building may be permitted in the front yard subject to the following regulations:

- a) minimum setback of accessory boat house building from high water mark 0.0 m
- b) minimum interior side yard of accessory boat house building 4.0 m
- c) maximum ground floor area for accessory boat house building 45.0 m²
- d) maximum floor area for accessory boat house building 90.0 m²
- e) maximum height of accessory boat house building 6.0 m
- f) the accessory boat house building shall not be used as a habitable dwelling, nor contain any toilet facilities, nor food preparation areas.

4.4.4.4 Limited Service Residential Exception Four (LSR-4) Zone

Notwithstanding the provisions of this By-law to the contrary, the lands in Part of Lot 14, Concession 5 (Glamorgan), shown as LSR-4 on Schedule A, shall have a minimum lot area of 1.9 hectares.

4.4.4.5 Limited Service Residential Exception Five (LSR-5) Zone

In addition to the provisions of this By-law, the lands in Part of Lot 15, Concession 5, (Glamorgan) shown as LSR-5 on Schedule A, shall have a minimum frontage of 116 metres along the original shore road allowance on the south shore of Contau Lake.

4.4.4.6 Limited Service Residential Exception Six (LSR-6) Zone

Notwithstanding any other provision of this By-law to the contrary, the lands in Part of lots 14 and 15, Concession 6 shown as LSR-6 on Schedule A, may be used for a maximum of six (6) lots for seasonal dwellings.

4.4.4.7 Limited Service Residential Exception Seven (LSR-7) Zone

Notwithstanding withstanding any other provision of this By-law, the lands in Part of Lot 11, Concession 5 within the Limited Service Residential Exception Seven (LSR-7) Zone may be used for a maximum of one lot for a seasonal dwelling.

4.4.4.8 Limited Service Residential Exception Eight (LSR-8) Zone

Notwithstanding the regulations for the permitted uses of the Island Residential Zone to the contrary, on lands within the Limited Service Residential Exception Eight (LSR-8) Zone, located in Part of Lot 20 and 21, Concession 7 (Cardiff), the following provisions shall apply.

a)	Lot Area	3390 m ²
b)	Minimum Setback	20 m
c)	Minimum Westerly Side Yard	35 m
d)	Minimum Easterly Side Yard	4.5 m
e)	Maximum Lot Coverage	5%

4.4.4.9 Limited Service Residential Exception Nine (LSR-9)

Notwithstanding any other provision of this By-law to the contrary, the lands in Lot 13, Concession 5 (Glamorgan), shown as LSR-9 on Schedule A, may be used for a maximum of one seasonal dwelling on the lot, and the following provisions shall also apply:

- a) Existing buildings on the lot shall not be expanded or enlarged and shall be considered accessory buildings to a new main building;
- b) Any new accessory buildings may only be erected in the yards of the main building which are not closer to Contau Lake than the closest building line of the main building; and,

- c) A maximum floor area of twenty (20) square metres within an existing log building may be used as a sleeping cabin, and the remainder of the floor area may only be used for storage purposes.

4.4.4.10 Limited Service Residential Exception Ten (LSR-10) Zone

Notwithstanding any other provision of this By-law to the contrary, the lands in Part of Lot 30, Concession 6 (Glamorgan), shown as LSR-10 on Schedule A, may be used for a use permitted in the Limited Service Residential (LSR) Zone, provided that the minimum lot area shall be 3.5 hectares.

4.4.4.11 Limited Service Residential Exception Eleven (LSR-11) Zone

Notwithstanding the provisions of this By-law to the contrary, the lands in Part of Lot 28, Concession 5, (Glamorgan) shown as LSR-11 on Schedule A which abut a public street, being Highway No. 503, may have their principal access as a residential lot from a private right-of-way providing legal ingress and egress to a public street. In addition, these lands shall have a minimum lot frontage of 35 metres.

4.4.4.12 Limited Service Residential Exception Twelve (LSR-12) Zone

Notwithstanding the provisions of this By-law to the contrary, the lands in Part of Lot 25, Concession 3, (Glamorgan) legally described as Parts 1, 2 and 3 on Reference Plan 19R-7839 and located in the LSR-12 on Schedule A, the gross floor area of the dwelling unit which existed on August 16, 2004 shall be deemed to comply with the provisions of this By-law.

4.4.4.13 Vacant

4.4.4.14 Limited Service Residential Exception Fourteen (LSR-14) Zone

Notwithstanding any other provision of this By-law to the contrary, on lands located in Part of Lot 1, Registered Plan 200, located in Part of Lot 9, Concession 15 in the former geographic Township of Glamorgan, now in the Municipality of Highlands East and placed in the LSR-14 Zone, the location of all existing structures is permitted and the maximum allowable lot coverage of the dwelling unit shall be 1.8%. This By-law shall not apply to accessory buildings, decks or stairs, provided that in no case shall any accessory building or deck encroach beyond the existing established building line at the water's edge of the lot.

4.4.4.15 Limited Service Residential Exception Fifteen (LSR-15) Zone

Notwithstanding any other provision of this By-law to the contrary, on lands located in Part of Lot 8, Concession 6 (Glamorgan) and located in the LSR-15 Zone, the minimum setback from the top of bank of the Burnt River for any building or structure shall be 30 metres

4.4.4.16 Limited Service Residential Exception Sixteen (LSR-16) Zone

Notwithstanding any other provision of this By-law to the contrary, on lands located in Part of Lot 14, Concession 5 (Glamorgan) and located in the LSR-16 Zone, the minimum lot area shall be 1.3 hectares and the minimum shoreline frontage shall be 45 metres.

4.4.4.17 Limited Service Residential Exception Seventeen (LSR-17) Zone

Notwithstanding any other provision of this By-law to the contrary, on lands located in Part of Lot 33, Concession 15 (Glamorgan), legally described as Part 13, Plan RD-33 and Part 4, Plan 19R-8488 and located in the LSR-17 Zone, the minimum lot area shall be 0.23 hectares, the minimum frontage shall be 48 metres and all buildings which existed on the date of passing of this By-law shall be permitted.

4.4.4.18 Limited Service Residential Exception Eighteen (LSR-18) Zone

Notwithstanding any other provision of this By-law to the contrary, on lands located in Part of Lot 33, Concession 15 (Glamorgan), legally described as Part 12, Plan RD-33 and Part 2, Plan 19R-8488 and located in the LSR-18 Zone, the minimum lot area shall be 0.25 hectares, the minimum lot frontage shall be 55 metres and all buildings which existed on the date of passing of this By-law shall be permitted.

4.4.4.19 Limited Service Residential Exception Nineteen (LSR-19) Zone

Notwithstanding, any other provision of this By-law to the contrary, on lands located in Part of Lot 8 and 9, Concession 11 (Cardiff), and zoned Limited Service Residential (LSR-19) the lands shall not be required to abut an assumed public road. Furthermore only the following uses shall be permitted in the LSR-19 Zone:

- a) Single detached dwelling;
- b) Home occupation and home industry;
- c) Agriculture;
- d) Farm;
- e) Hunt Camp;
- f) Kennel;
- g) Logging; and,
- h) Resource Management Uses.

4.4.4.20 Limited Service Residential Exception Twenty (LSR-20) Zone

Notwithstanding the regulations of Section 4.4.2, on lands located in the LSR-20 Zone, located in Part Lot 25, Concession 5 described legally as Part 3 and 4, Plan 19R-7821, (Cardiff) the minimum lot area shall be 0.40 hectares and the location of existing buildings and structures shall be permitted.

4.4.4.21 Limited Service Residential Exception Twenty One (LSR-21) Zone

Notwithstanding the regulations of Section 4.4.2, on lands located in the LSR-21 Zone, located in Part Lot 25, Concession 5, described legally as Part 1, 19R-1684, (Cardiff) the minimum lot area shall be 0.15 hectares and the minimum shoreline frontage shall be 20 metres and the location of existing buildings and structures shall be permitted.

4.4.4.22 Limited Service Residential Exception Twenty Two (LSR-22) Zone

Notwithstanding the regulations of Section 4.4.2, on lands located in the LSR-22 Zone, located in Lot 3, Plan 205, (Glamorgan) the minimum lot area shall be 0.56 hectares, the minimum shoreline frontage shall be 59.5 metres and the location of existing buildings and structures shall be permitted.

4.4.4.23 Limited Service Residential Exception Twenty Three (LSR-23) Zone

Notwithstanding the regulations of Section 4.4.2, on lands located in the LSR-23 Zone, located in Lot 2, Plan 205, (Glamorgan) the minimum lot area shall be 0.32 hectares and the minimum shoreline frontage shall be 27 metres and the location of existing buildings and structures shall be permitted.

4.4.4.24 Limited Service Residential Exception Twenty Four (LSR-24) Zone

Notwithstanding the regulations of Section 4.4.2, on lands located in the LSR-24 Zone, located in Part Lot 25, Concession 5 described legally as Parts 1 to 4, Plan 19R-8778, (Cardiff) the minimum lot area shall be 0.12 hectares, the minimum shoreline frontage shall be 40 metres and the location of existing buildings which existed on the date this By-law was passed and structures shall be permitted.

4.4.4.25 Limited Service Residential Exception Twenty Five (LSR-25) Zone

Notwithstanding the regulations of Section 4.4.2, on lands located in the LSR-25 Zone, located in Part Lots 25 and 26, Concession 5, described legally as Parts 5 to 8, Plan 19R-8778, (Cardiff) the minimum lot area shall be 0.13 hectares and the minimum shoreline frontage shall be 45 metres and the location of buildings and structures which existed on the date this By-law was passed shall be permitted.

4.4.4.26 Limited Service Residential Exception Twenty Six (LSR-26) Zone

Municipality of Highlands East Zoning By-law Approved June 14, 2005
Updated and Consolidated by By-law 2008-46 on July 8, 2008

Notwithstanding the regulations of Section 4.4.2, on lands located in the LSR-26 Zone, located in Part Lot 25, Concession 3 described legally as 19R-8723 (Glamorgan) and located in the LSR-26 Zone, the following provisions shall apply:

Minimum Lot Area – 0.46 hectares
Minimum interior side yard (one side) – 1.8 metres
Minimum Rear Yard – 7.6 metres
Minimum Ground Floor Area (Dwelling Unit) - 38 m²

Furthermore, notwithstanding Section 3.9 (Frontage of a Improved Public Road), lands located in the LSR-26 Zone may front on an existing private road and shall be permitted to be used in accordance with the permitted uses of the LSR Zone.

4.4.4.27 Limited Service Residential Exception Twenty Seven (LSR-27) Zone

Notwithstanding the regulations of Section 4.4.2, on lands located in the LSR-27 Zone, located in Part Lot 33, Concession 13 described legally as Part 1, Plan 19R-8754, (Glamorgan) the following provisions shall apply:

- i) Minimum Lot Area – 0.35 hectares
- ii) Minimum Shoreline Frontage (abutting a shore road) – 35 metres

Furthermore, notwithstanding Section 3.9 (Frontage of a Improved Public Road), lands located in the LSR-27 Zone may front on an existing private road and shall be permitted to be used in accordance with the permitted uses of the LSR Zone.

4.4.4.28 Limited Service Residential Exception Twenty Eight (LSR-28) Zone

Notwithstanding the regulations of Section 4.4.2, on lands located in the LSR-28 Zone, located in Part Lot 33, Concession 13 described legally as Part 2, Plan 19R-8754, (Glamorgan) the following provisions shall apply:

- i) Minimum Lot Area – 0.22 hectares
- ii) Minimum Shoreline Frontage (abutting a shore road) – 30 metres
- iii) Minimum Interior Side Yard (deck – one side) – 3.3 metres

Furthermore, notwithstanding Section 3.9 (Frontage of a Improved Public Road), lands located in the LSR-28 Zone may front on an existing private road and shall be permitted to be used in accordance with the permitted uses of the LSR Zone.

4.4.4.29 Limited Service Residential Exception Twenty Nine (LSR-29) Zone

Notwithstanding the regulations of Section 4.4.2, on lands located in the LSR-29 Zone, located in Part Lots 3 and 4, Concession 13 described legally as Part 2, Plan 19R8787, (Monmouth), the following provisions shall apply:

- i) Minimum Lot Area – 5.8 hectares
- ii) Minimum Shoreline Frontage – 65 metres

Furthermore, notwithstanding Section 3.9 (Frontage on an Improved Public Road), lands located in the LSR-29 Zone may front on an existing private road and shall be permitted to be used in accordance with the permitted uses of the LSR Zone.

4.4.4.30 Limited Service Residential Exception Thirty (LSR-30) Zone

Notwithstanding the regulations of Section 4.4.2, on lands located in the LSR-30 Zone, located in Part Lot 3, Concession 13 described legally as Part 1, Plan 19R8787 (Monmouth), the following provisions shall apply:

- i) Minimum Lot Area – 1.6 hectares
- ii) Minimum Shoreline Frontage – 61 metres

Furthermore, notwithstanding Section 3.9 (Frontage on an Improved Public Road), lands located in the LSR-30 Zone may front on an existing private road and shall be permitted to be used in accordance with the permitted uses of the LSR Zone.

4.4.4.31 Limited Service Residential Exception Thirty One (LSR-31) Zone

Notwithstanding the regulations of Section 4.4.2, on lands located in the LSR-31 Zone, on Lot 5, Plan 502 located in Part of Lot 4, Concession 2, (Cardiff) the minimum lot area shall be 0.50 hectares and the location of existing buildings and structures shall be permitted.

4.4.4.32 Limited Service Residential Exception Thirty Two (LSR-32) Zone

Notwithstanding the regulations of Section 4.4.2, on lands located in the LSR-32 Zone, on Lot 6, Plan 502 located in Part of Lot 4, Concession 2, (Cardiff) the minimum lot area shall be 0.45 hectares and the location of existing buildings and structures shall be permitted.

4.4.4.33 Limited Service Residential Exception Thirty Three (LSR-33) Zone

In addition to the permitted uses of Section 4.4.1, on lands located in the LSR-33 Zone, located in Part Lot 29, Concession 16, (Monmouth) all of the uses

permitted in the Rural (RU) Zone shall be permitted provided such uses maintain a minimum setback of 300 metres from the High Water Mark.

Furthermore, notwithstanding Section 3.9 (Frontage on an Improved Public Road), lands located in the LSR-33 Zone may obtain access from an existing private road.

4.4.4.34 Limited Service Residential Exception Thirty Four (LSR-34) Zone (Bark Lake)

Notwithstanding, Sections 4.4.1 and 4.4.2, on lands located in Part of Lots 11, 12, 13 and 14, Concession 10, and Part of Lots 14 and 15, Concession 11, located within the LSR-34 Zone, the following permitted uses and provisions shall apply:

(a) LSR-34

1) Permitted Uses

- i) A Plan of Subdivision consisting of up to 47 lots for single detached dwellings

2) Regulations for Permitted Uses

i) Minimum Lot Area	1,650 m ²
ii) Minimum Lot Frontage	25 m
iii) Minimum Setback from High Water Mark	30 m
iv) Minimum Interior Side Yard	3 m
v) Minimum Exterior Side Yard	6 m
vi) Minimum Rear Yard	6 m
vii) Maximum Lot Coverage	10%
viii) Maximum Height	10 m
ix) Minimum Ground Floor Area	65 m ²

(b) Frontage on a Private Road

Notwithstanding Section 3.6.1, all lands within the LSR-34 Zone may front on or have direct access to a private road or non-municipal maintained or assumed road.

(c) Holding Provisions

The lands subject to the LSR-34 Zone category are subject to a Holding (H) symbol. The Holding symbol shall not be removed in whole or in part until the following matters have been addressed to Council's satisfaction:

- a) A site plan agreement has been completed and all securities posted by the Owner and the site plan agreement has been executed by the Municipality;

- b) All technical work has been completed and statutory requirements fulfilled to the satisfaction of the MOE for upgrades to the water treatment plant and sewage treatment plan and the MOE confirms that Certificates of Approval can be issued, subject to a responsibility agreement, if required;
- c) The County of Haliburton has issued a Decision and Conditions of Draft Approval, if any, for a Plan of Subdivision and Common Element Plan of Condominium;
- d) The Owner has confirmed that the existing camp has ceased as a land use or an agreement has been entered into for the phased termination of the existing camp; and
- e) The Municipality has reimbursed for all costs associated with the processing and administration of the Bark Lake development applications.

4.4.4.35 Limited Service Residential Exception Thirty Five (LSR-35)

Notwithstanding any other provision in this By-law to the contrary, on lands located in Part of Lot 1, Registered Plan 200, located in Part of Lot 9, Concession 15 in the former geographic Township of Glamorgan, now in the Municipality of Highlands East and located within the LSR-35 Zone, the location of all existing structures is permitted and the maximum allowable lot coverage of the dwelling unit shall be 1.8%. This By-law shall not apply to accessory buildings, decks or stairs, provided that in no case shall any accessory building or deck encroach beyond the existing established building line at the water's edge of the lot.

4.5 SHORELINE (S) ZONE

No person shall within any Shoreline (S) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.5.1 Permitted Uses

- i) single detached dwelling
- ii) home occupation
- iii) marine facility
- iv) home industry

4.5.2 Regulations for Permitted Uses

	Metric
i) Minimum Lot Area	- 4.0 ha
ii) Minimum Lot Frontage	- 100 m
iii) Minimum Front Yard	- 15 m
iv) Minimum Setback from HWM	- See Section 3.31
v) Minimum Interior Side Yard	- 6 m
vi) Minimum Exterior Side Yard	- 15 m
vii) Minimum Rear Yard	- 15 m
viii) Maximum Lot Coverage	- 10%
ix) Maximum Height	- 10 m
x) Minimum Ground Floor Area	- 65 m ²

4.5.2a Special Regulations

4.5.2a.1 No marine facility shall be located closer than 7.5 metres to the interior side lot line measured at the high water mark.

4.5.2a.2 One marine facility shall be permitted for every existing lot of record and one additional marine facility shall be permitted for every additional 100 metres of frontage beyond an original 45 metre frontage.

4.5.2a.3 A home industry is a permitted use provided the lot has a minimum lot area of 4.0 hectares and the home industry is setback a minimum of 150 metres from the high water mark and 150 metres from any neighbouring lot line.

4.5.3 Exceptions

4.5.3.1 Shoreline Exception One (S-1) Zone

Notwithstanding the permitted uses in Section 4.5.1, in Part of Lot 22, Concession 7, (Cardiff) shown as Shoreline Exception One (S-1), a 6 unit apartment building shall also be a permitted use.

4.5.3.2 Shoreline Exception Two (S-2) Zone

Notwithstanding any other provision of this By-law to the contrary, the lands in Part of Lots 32 and 33, Concession 15, shown as Shoreline Exception Two (S-2) on Schedule A, shall have a minimum lot area of 2.4 hectares including any lands shown as Environmental Protection (EP) Zone.

4.5.3.3 Shoreline Exception Three (S-3) Zone

Notwithstanding the minimum lot frontage requirement, on lands located in Part of Lot 28, Concession 10, legally described as Part 2, Reference Plan 19R-7645 and located within the S-3 Zone, the minimum lot frontage shall be 35 metres.

4.5.3.4 Shoreline Exception Four (S-4) Zone

Notwithstanding any other provision in this By-law to the contrary, on lands located in Part of Lot 5, Concession 22, (Cardiff) and located in the Shoreline Exception (S-4) Zone, the minimum setback from high water mark for a private septic system shall be 30 metres and the requirement for frontage of a public road under Section 3.9 (a) shall not apply. In all other respects, the provisions of By-law 2005-29, as amended, shall apply.

4.6 GENERAL RESIDENTIAL (R1) ZONE

No person shall within any General Residential Zone (R1) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.6.1 Permitted Uses

- i) single detached dwelling
- ii) home occupation

4.6.2 Regulations for Permitted Uses

	Metric
i) Minimum Lot Area	- 0.6 ha
ii) Minimum Lot Frontage	- 30.0 m
iii) Minimum Front Yard	- 6.0 m
iv) Minimum Interior Side Yard	- 3.0 m
v) Minimum Exterior Side Yard	- 6.0 m
vi) Minimum Rear Yard	- 7.5 m
vii) Maximum Lot Coverage	- 10%
viii) Maximum Height	- 10 m

4.6.3 Exceptions

4.6.3.1 General Residential Exception One (R1-1) Zone

Notwithstanding the provisions of this By-law to the contrary, the lands in Lot 26, Concession 5, (Glamorgan) as shown as R1-1 on Schedule A, which are presently being used as a contractor's shop, may be continued to be so used.

4.6.3.2 General Residential Exception Two (R1-2) Zone

Notwithstanding any other provision of this By-law to the contrary, the lands in Lot 26, Concession 5, (Glamorgan) shown as R1-2 on Schedule A, may be used for a duplex dwelling with a maximum of two dwelling units, one containing a maximum of three bedrooms and the other containing a maximum of one bedroom. Any alteration, enlargement, extension or reconstruction of any use, building or structure, existing as of the date of passing of this By-law, or any new use, building or structure shall comply with the provisions or requirements as may be imposed by the Ministry of Natural Resources.

4.6.3.3 General Residential Exception Three (R1-3) Zone

Notwithstanding any other provision of this By-law to the contrary, the lands in Lot 25, Concession 5, (Glamorgan) shown as R1-3 on Schedule A, which are presently being used as a detached dwelling and a contractor's shop may

continue to be so used. The contractor's shop shall have a maximum gross floor area of 110 square metres, a minimum front yard of 50 metres and a minimum interior side yard from the northerly property line of 1.5 metres.

4.6.3.4 General Residential Exception Four (R1-4) Zone

Notwithstanding the permitted uses of the General Residential Zone, on lands in the R1-4 Zone an existing mobile home is a permitted use and in all other respects the provisions of the General Residential (R1) Zone shall apply.

4.6.3.5 General Residential Exception Five (R1-5) Zone

Notwithstanding the permitted uses of the General Residential Zone, on lands in the R1-5 Zone a multiple unit, ground-level apartment and townhouse complex is a permitted use.

4.6.3.6 General Residential One Exception Six (R1-6) Zone

Notwithstanding, Section 4.6.1, Permitted Uses, on lands located in Parts 6 and 7, R.P. 19R-1602, Part of Lot 1, Concession 22, (Cardiff) and located within the R1-6 Zone, a windprofiler weather station authorized by Federal regulation shall also be a permitted use. For the purpose of the R1-6 Zone, a windprofiler weather station or the other permitted uses under Section 4.6.1 shall be permitted.

For the purpose of the R1-6 Zone, a windprofiler weather station shall be defined as a facility, licensed and regulated by Industry Canada whose sole purpose is to emit and receive radar signals for the purpose of recording weather patterns in the upper atmosphere.

Furthermore, the following additional regulations shall apply to a windprofiler weather station:

- i) Minimum setback from any lot line – 10 metres
- ii) Maximum number of antennae – 155
- iii) Maximum height of any antenna – 3.5 metres

4.6.3.7 General Residential Exception Seven (R1-7) Zone

Notwithstanding the regulations of Section 4.6.1, on lands within the R1-7 Zone, located in Part Lots 24 and 25, Concession 21, (Cardiff) a retail store specializing in antique goods shall be a permitted accessory use in a detached accessory building having a maximum ground floor area not greater than 60 square metres.

4.7 HAMLET RESIDENTIAL (R2) ZONE

No person shall, within any Hamlet Residential Zone (R2), use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.7.1 Permitted Uses

- i) single detached dwelling
- ii) home occupation

4.7.2 Regulations for Permitted Uses

	Metric
i) Minimum Lot Area	- 464 m ²
ii) Minimum Lot Frontage	- 15 m
iii) Minimum Front Yard	- 6.0 m
iv) Minimum Interior Side Yard	- 3.0 m
v) Minimum Exterior Side Yard	- 6.0 m
vi) Minimum Rear Yard	- 7.5 m
vii) Maximum Lot Coverage	- 30%
viii) Maximum Height	- 10 m

4.7.3 Exceptions

4.8 MEDIUM DENSITY RESIDENTIAL (R3) ZONE

No person shall within any Medium Density Residential Zone (R3) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.8.1 Permitted Uses

- i) single detached dwelling
- ii) duplex dwelling
- iii) semi-detached dwelling
- vi) townhouse dwelling

4.8.2 Regulations for Permitted Uses

	Metric
i) Minimum Lot Area	- 650 m ²
ii) Minimum Lot Frontage	- 20 m
iii) Minimum Front Yard	- 6.0 m
iv) Minimum Interior Side Yard	- 3.0 m
v) Minimum Exterior Side Yard	- 6.0 m
vi) Minimum Rear Yard	- 7.5 m
vii) Maximum Lot Coverage	- 30%
viii) Maximum Height	- 10 m

4.8.3 Exceptions

4.9 RURAL (RU) ZONE

No person shall within any Rural (RU) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.9.1 Permitted Uses

- i) single detached dwelling
- ii) home occupation
- iii) home industry
- iv) agricultural uses and agricultural intensive uses
- v) farm
- vi) farm produce outlet accessory to a farm
- vii) nursery or greenhouse
- viii) group home
- ix) hunt camp
- x) kennel
- xi) logging
- xii) lodging or boarding house
- xiii) municipal or provincial offices or works garage
- xiv) public park
- xv) resource management uses
- xvi) riding school or boarding stables
- xvii) veterinary hospital
- xviii) hobby farm

4.9.2 Regulations for Permitted Uses

	Metric
i) Minimum Lot Area	- 4 ha
ii) Minimum Lot Frontage	- 100 m
iii) Minimum Front Yard	- 15 m
iv) Minimum Interior Side Yard	- 6 m
v) Minimum Exterior Side Yard	- 15 m
vi) Minimum Rear Yard	- 15 m
vii) Maximum Lot Coverage	- 25%
viii) Maximum Height	- 10 m
ix) Minimum Setback from HWM	- See Section 3.31

4.9.3 Regulations for Single Detached Dwellings and Home Occupations

i) Minimum Lot Area	- 0.8 ha
ii) Minimum Lot Frontage	- 60 m
iii) Minimum Front Yard	- 15 m
iv) Minimum Interior Side Yard	- 6 m
v) Minimum Exterior Side Yard	- 15 m

- vi) Minimum Rear Yard - 7.5 m
- vii) Maximum Lot Coverage - 10%
- viii) Maximum Height - 10 m
- ix) Minimum Setback from HWM - See Section 3.31

4.9.3a Regulations for Hobby Farms

- i) Minimum Lot Area - 1.5 ha
- ii) Minimum Lot Frontage - 100 m
- iii) Minimum Front Yard - 15 m
- iv) Minimum Interior Side Yard - 6 m
- v) Minimum Exterior Side Yard - 15 m
- vi) Minimum Rear Yard - 15 m
- vii) Maximum Lot Coverage - 10%
- viii) Maximum Height - 10 m
- ix) Minimum Setback from HWM - See Section 3.31

4.9.4 Exceptions

4.9.4.1 Rural Exception One (RU-1) Zone

Notwithstanding the uses permitted in the Rural (RU) Zone the Rural Exception One (RU1-1) Zone shall permit the use of a Dog Kennel with the following provisions:

- a) a minimum of 60 metres (200 feet) setback from Residential uses on another lot.
- b) a maximum of 4,046 sq. metres (43,552 sq. feet or one acre).

4.9.4.2 Rural Exception Two (RU-2) Zone

Notwithstanding any other provision of this By-law to the contrary, a seasonal dwelling may be permitted on the lands in part of Lot 26, Concession 2 and 3, (Glamorgan) shown as RU-2 on Schedule A, provided that the minimum lot area of 13 hectares includes lands within the Environmental Protection (EP) Zone.

4.9.4.3 Rural Exception Three (RU-3) Zone

Notwithstanding the permitted uses of the Rural Zone to the contrary, on lands within the Rural Exception Four (RU-3) Zone in Part of Lot 16, Concession 22, (Cardiff) a group home is also permitted. In all other respects the provisions of the Rural (RU) Zone shall apply.

4.9.4.4 Rural Exception Four (RU-4) Zone

Notwithstanding any other provision of this By-law to the contrary, the lands in Lot 9, Concession 7, (Glamorgan) shown as RU-4 on Schedule A, may only be used for a commercial garage, subject to the following provisions:

- a) A planting strip, shall be provided along the side lot lines in the RU-4 Zone;
- b) The yard and setback requirements shall be measured from the boundaries of the RU-4 Zone

4.9.4.5 Rural Exception Five (RU-5) Zone

Notwithstanding any other provision of this By-law to the contrary, the lands in Lot 1, Concession 5, (Glamorgan) shown as RU-5 on Schedule A, may only be used for a commercial garage, subject to the following provisions:

- a) A planting strip shall be provided along the exterior side and rear boundaries of the RU-5 Zone;
- b) The yard and setback requirements shall be measured from the boundaries of the RU-5 Zone.

4.9.4.6 Rural Exception Six (RU-6) Zone

Notwithstanding the permitted uses in the RU zone, on lands located in part of Lot 28, Concession 10 (Monmouth) and zoned RU-6, a motor vehicle body and repair shop shall be a permitted use in addition to all other permitted uses in the RU zone. Furthermore, the maximum floor area of the motor vehicle body and repair shop shall not exceed 148.6 m² (1,600 ft²), and no outside storage of derelict vehicles or car parts or other refuse shall be permitted in conjunction with a motor vehicle body and repair shop.

4.10 GENERAL COMMERCIAL ONE (GC1) ZONE

No person shall within any General Commercial One (GC1) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.10.1 Permitted Uses

- i) bank or financial institutions
- ii) business, professional and administrative offices
- iii) clinic
- iv) commercial nursery and/or greenhouse
- v) country market/ flea market
- vi) day nursery
- vii) light equipment sales and rental establishment
- viii) marine sales and service establishment
- ix) motel
- x) hotel
- xi) motor vehicle dealership
- xii) motor vehicle repair garage
- xiii) motor vehicle service station
- xiv) personal service shop
- xv) parking lot
- xvi) post office
- xvii) public or private club
- xviii) restaurant or tavern
- xix) retail store
- xx) residential dwelling units located on the second storey of a building or to the rear of the main building

4.10.2 Regulations for Permitted Uses

	Metric
i) Minimum Lot Area	- 0.6 ha
ii) Minimum Lot Frontage	- 30 m
iii) Minimum Front Yard	- 8 m
iv) Minimum Interior Side Yard	- 6 m
v) Minimum Exterior Side Yard	- 8m
vi) Minimum Rear Yard	- 8 m
vii) Maximum Lot Coverage	- 30%
viii) Maximum Height	- 10 m
ix) Minimum Setback from HWM	- See Section 3.31

4.10.3 Setbacks from Residential Lot

Where a commercial use abuts any lot used for residential purposes, the minimum setback from any residential lot boundary shall be 10.0 metres.

4.10.4 Exceptions

4.10.4.1 General Commercial One Exception One (GC1-1) Zone

Notwithstanding the provisions of this By-law to the contrary, on lands within the General Commercial One Exception One (GC1-1) zone, as shown in Schedule A to this By-law, the following shall apply:

a) Permitted Uses:

A portable take-out food establishment,

b) For the purposes of this Exception the following definition shall apply.

i) Portable Take Out Food Establishment

A motorized mobile or other similar vehicle or structure of any kind, other than a permanently fixed structure, where food is prepared and offered for sale or sold to the public and which may include picnic tables and portables toilets as accessory uses.

4.10.4.2 General Commercial One Exception Two (GC1-2) Zone

Notwithstanding, Section 4.10.1, Permitted Uses, on lands located in Part of Lot 24 and 25, Concession 22, legally described as Part 1, 3, 4 Reference Plan 19R-8206 and Part 2 Plan 19R-1183, (Cardiff) and located within the GC1-2 Zone, a contractor's yard shall be permitted in addition to all other permitted uses.

4.11 GENERAL COMMERCIAL TWO (GC2) ZONE

No person shall within any General Commercial Two (GC2) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.11.1 Permitted Uses

- i) bank or financial institutions
- ii) business, professional and administrative offices
- iii) clinic
- iv) commercial nursery and/or greenhouse
- v) country market/ flea market
- vi) day nursery
- vii) light equipment sales and rental establishment
- viii) marine sales and service establishment
- ix) motel
- x) hotel
- xi) motor vehicle dealership
- xii) motor vehicle repair garage
- xiii) motor vehicle service station
- xiv) personal service shop
- xv) parking lot
- xvi) post office
- xvii) public or private club
- xviii) restaurant
- xiv) retail store
- xx) residential dwelling units located on the second storey of a building or to the rear of the main building

4.11.2 Regulations for Permitted Uses

	Metric
i) Minimum Lot Area	- 0.2 ha
ii) Minimum Lot Frontage	- 12 m
iii) Minimum Front Yard	- 3 m
iv) Minimum Interior Side Yard	- 0.0 m
v) Minimum Exterior Side Yard	- 3 m
vi) Minimum Rear Yard	- 7.5 m
vii) Maximum Lot Coverage	- 50%
viii) Maximum Height	- 10 m
ix) Minimum Setback from HWM	- See Section 3.31

4.11.3 Setbacks from Residential Lot

Where a commercial use abuts any lot used for residential purposes, the minimum setback from any residential lot boundary shall be 6.0 metres.

4.11.4 Exceptions

4.11.4.1 General Commercial Two Exception One (GC2-1) Zone

Notwithstanding the provisions of this By-law to the contrary, on lands within the General Commercial Two Exception One (GC2-1) zone, as shown in Schedule A to this By-law, the following shall apply:

a) Permitted Uses:

A take-out establishment on wheels not to exceed 23.225 square metres (250 sq. ft.) in area.

b) For the purposes of this Exception the following definitions shall apply.

i) Take Out Food Establishment on Wheels

A motorized mobile or other similar vehicle or structure of any kind that is mounted on wheels, other than a dwelling unit, where food is prepared and offered for sale or sold to the public.

4.12 TOURIST COMMERCIAL (CT) ZONE

No person shall within any Tourist Commercial (CT) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.12.1 Permitted Uses

- i) cabin establishment
- ii) camping establishment
- iii) cottage establishment
- iv) hotel
- v) marina
- vi) marine sales and service establishment
- vii) motel
- viii) restaurant
- ix) tourist resort
- x) accessory assembly hall
- xi) accessory convenience store or sub-post office
- xii) accessory single detached dwelling

4.12.2 Regulations for Permitted Uses

	Metric
i) Minimum Lot Area	- 4.0 ha
ii) Minimum Lot Frontage	- 60 m
iii) Minimum Front Yard	- 15 m
iv) Minimum Interior Side Yard	- 6 m
v) Minimum Exterior Side Yard	- 15 m
vi) Minimum Rear Yard	- 15 m
vii) Maximum Lot Coverage	- 20%
viii) Maximum Height	- 10 m
ix) Minimum Frontage on a Waterbody	- 6 m/unit
x) Minimum Setback from HWM	- See Section 3.31

4.12.3 Lot Coverage Regulation for Camping, Cottage, Cabin Establishments and Tourist Resorts

The maximum lot coverage for camping, cottage, cabin establishments and tourist resorts shall be 25% and shall exclude accessory buildings and owner's residence to a maximum of 464.5 m². The lot coverage regulation shall also exclude decks, landings and storage buildings which are accessory to a recreational unit.

4.12.4 Exceptions

**4.12.4.1 Commercial Tourist Exception (CT-1) Zone
The Bark Lake Recreation Community**

Notwithstanding, Sections 4.12.1, 4.12.2 and 4.12.3, on lands located in Part of Lots 11, 12, 13 and 14, Concession 10, and Part of Lots 14 and 15, Concession 11, and located within the CT-1A, CT-1B, CT-1C, CT-1D and CT-1E Zones, the following permitted uses and provisions shall apply:

(a) CT-1A

- 1) Permitted Uses in the CT-1A Zone
 - i) Up to 64 townhouse dwelling units used as a Commercial Timeshare Establishment
- 2) Regulations for Permitted Uses in the CT-1A Zone
 - i) Minimum Lot Area 230 m²
 - ii) Minimum Lot Frontage 7.5 m
 - iii) Minimum Front Yard 6 m
 - iv) Minimum Side Yard (Interior Unit) 0 m
 - v) Minimum Side Yard (End Unit) 3.0 m
 - vi) Minimum Exterior Side Yard 8.0 m
 - vii) Minimum Rear Yard 8.0 m
 - viii) Maximum Lot Coverage 55%
 - ix) Maximum Height 10 m
 - x) Minimum Gross Floor Area 55 m²

(b) CT-1B

- 1) Permitted Uses in the CT-1B Zone
 - i) A Hotel or Commercial Timeshare Establishment including accessory uses such as a convention centre, banquet hall and a restaurant;
- 2) Regulations for Permitted Uses in the CT-1B Zone
 - i) Minimum Lot Area 0.4 ha
 - ii) Minimum Lot Frontage 30 m
 - iii) Minimum Setback from High Water Mark 30 m
 - iv) Minimum Side Yard 3.0 m
 - v) Minimum Rear Yard 6.0 m
 - vi) Maximum Lot Coverage 75%
 - vii) Maximum Height 10 m

(c) CT-1C

- 1) Permitted Uses in the CT-1C Zone

- i) A private beach and outdoor recreation area and related accessory uses;
 - ii) A communal docking facility in Part of Lot 13, Concession 10.
- 2) Regulations for Permitted Uses in the CT-1C Zone
- i) The maximum number of boatslips permitted in a communal docking facility shall be 50.

(d) CT-1D

- 1) Permitted Uses
- i) A community centre
 - ii) An administrative building and meeting rooms
 - iii) A restaurant
 - iv) A storage or maintenance building
 - v) A laundromat or laundry facility
 - vi) Open storage of equipment or material may be used in Part of Lot 12, Concession 10.
- 2) Regulations for Permitted Uses
- i) Minimum Lot Area 0.4 ha
 - ii) Minimum Lot Frontage 15 m
 - iii) Minimum Front Yard 8.0 m
 - iv) Minimum Setback from High Water Mark 30 m
 - v) Minimum Side Yard 3.0 m
 - vi) Minimum Rear Yard 8.0 m
 - vii) Maximum Lot Coverage 25%
 - viii) Maximum Height 10 m

(e) CT-1E

- 1) Permitted Uses
- i) A water treatment plant
 - ii) A sewage treatment plant
 - iii) A maintenance yard and storage building
- 2) Regulations for Permitted Uses
- i) Minimum Lot Area 0.2 ha
 - ii) Minimum Lot Frontage 15 m
 - iii) Minimum Setback from High Water Mark 30 m
 - iv) Minimum Front Yard 8 m
 - v) Minimum Side Yard 6.0 m
 - vi) Minimum Rear Yard 8.0 m
 - vii) Maximum Lot Coverage 25%
 - viii) Maximum Height 10 m

(f) Frontage on a Private Road

Notwithstanding Section 3.6.1, all lands within the CT-1A to E Zones may front on or have direct access to a private road or non-municipal maintained or assumed road.

(g) Holding Provisions

The lands subject to the CT-1A to E Zone categories are subject to a Holding (h) symbol. The Holding symbol shall not be removed in whole or in part until the following matters have been addressed in Council's satisfaction:

- a) A site plan agreement has been completed and all securities posted by the Owner and the site plan agreement has been executed by the Municipality;
- b) All technical work has been completed and statutory requirements are fulfilled to the satisfaction of the MOE for upgrades to the water treatment plant and sewage treatment plant and the MOE confirms that Certificates of Approval can be issued, subject to a responsibility agreement, if required;
- c) The County of Haliburton has issued a Decision and Conditions of Draft Approval, if any, for a Plan of Subdivision and Common Element Plan of Condominium;
- d) The Owner has confirmed that the existing camp has ceased as a land use or an agreement has been entered into for the phased termination of the existing camp; and
- e) The Municipality has been reimbursed for all costs associated with the processing and administration of the Bark Lake development applications.

4.12.4.2 Tourist Commercial Exception Two (CT-2) Zone

Notwithstanding the permitted uses in Section 6.11.1, on lands located in Part of Lot 25, Concession 5 and zoned C2-2, the lot area shall be 1.5 hectares and the following additional uses shall be permitted:

- a) A retail store specializing in antiques, and;
- b) A coffee shop.

4.12.4.3 VACANT

4.12.4.4 Tourist Commercial Exception Four (CT-4) Zone

Notwithstanding any other provision of this By-law to the contrary, the lands in Lot 12, Concession 10, (Glamorgan) shown as CT-4 on Schedule A no residential or accommodation use shall be permitted. Also, any alteration, enlargement, extension or reconstruction of any use, building or structure, existing as of the

date of passing of this By-law, or any new use, building or structure, shall comply with the provisions of the CT Zone and with the provisions or requirements of the Ministry of Environment.

4.12.4.5 Tourist Commercial Exception Five (CT-5) Zone

Notwithstanding the provisions of this By-law to the contrary, the lands in Lots 6, Concession 7, (Glamorgan) shown as CT-5 on Schedule A, shall be used for a maximum of two detached dwellings providing year round accommodation for permanent staff and their families employed by a private camp located in Lots 11, 12, 13 and 14, Concession 10 and Lots 14 and 15, Concession 11.

Additional regulations for CT-5 Zone

- a) Minimum gross floor area per dwelling unit 70 m²

4.12.4.6 Tourist Commercial Exception Six (CT-6) Zone

Notwithstanding the permitted uses of the Tourist Commercial (CT) Zone to the contrary, on lands within Tourist Commercial Exception Six (CT-6) Zone, located in Part of Lot 18, Concession 14, (Cardiff) the permitted uses shall be restricted to the following:

- a) A single detached dwelling
- b) A summer camp

In all other respect the provisions of the Tourist Commercial (CT) Zone shall apply.

4.12.4.7 Tourist Commercial Exception Seven (CT-7) Zone

Notwithstanding the provisions of this By-law to the contrary, the lands in Lot 14 and 15, Concession 15 shown as CT-7 on Schedule A, shall be used only for a private camp, including year round accommodation for permanent staff and their families:

Additional regulations for CT-7 Zone

- a) Minimum gross floor area per dwelling unit 70 m²
- b) Minimum distance separation distance between a detached dwelling and a permitted non-residential use 15 metres

4.12.4.8 Tourist Commercial Exception Eight (CT-8) Zone

Notwithstanding the provisions of this By-law to the contrary, the lands in Lot 15, Concession 15 shown as CT-8 on Schedule A, shall be used only for a private camp operated on a seasonal basis only, including an outdoor recreation centre, and whose organized program of instruction may also include a hockey school and one seasonal dwelling where such is ancillary to the permitted non-residential use and is occupied by the owner, caretaker, watchman or other similar person and his family, provided that such person is employed on the lot on which such dwelling is located.

Additional regulations for the CT-8 Zone

a)	Minimum lot area	5 ha
b)	Minimum lot frontage	240 m
c)	Minimum yard requirements (all yards)	15 m
d)	Minimum gross floor area per dwelling unit	70 m ²
e)	Maximum lot coverage	5 %
f)	Maximum number of dwelling units per lot	1
g)	Minimum separation distance between a seasonal dwelling and a permitted non-residential use	15 m

The provisions of this By-law shall not apply to prevent the erection, alteration or use of land, buildings or structures for a permitted use within the CT-8 Zone, where the lands are accessible by means of a private right-of-way, registered on title, which provides ingress and egress to a public street or road allowance.

4.12.4.9 Tourist Commercial Exception Nine (CT-9) Zone

Notwithstanding the permitted uses of the Tourist Commercial (CT) Zone, on lands located in Lot 23 and 24, Concession 8 in the geographic Township of Cardiff and located in the Commercial Tourist Exception Nine (CT-9) Zone, only the following uses shall be permitted:

- a) a cottage and camping establishment with a maximum of 5 housekeeping cabins and 31 seasonal camp sites, which includes 2 camp sites for seasonal employees;
- b) a marina;
- c) an accessory dwelling unit; and,
- d) an accessory retail store.

4.13 HIGHWAY COMMERCIAL (CH) ZONE

No person shall within any Highway Commercial (CH) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.13.1 Permitted Uses

- i) building supply outlet
- ii) accessory detached dwelling unit
- iii) lumber yard
- iv) commercial nursery and/or greenhouse
- v) country market/ flea market
- vi) marina and recreation vehicle sales and service establishment
- vii) motel
- viii) hotel
- ix) motor vehicle body shop
- x) motor vehicle dealership
- xi) motor vehicle repair garage
- xii) motor vehicle service station
- xiii) motor vehicle car wash establishment
- xiv) real estate sales office
- xv) convenience retail store
- xiv) restaurant
- xv) service shop

4.13.2 Regulations for Permitted Uses

	Metric
i) Minimum Lot Area	- 0.6 ha
ii) Minimum Lot Frontage	- 30 m
iii) Minimum Front Yard	- 8 m
iv) Minimum Interior Side Yard	- 6 m
v) Minimum Exterior Side Yard	- 8 m
vi) Minimum Rear Yard	- 8 m
vii) Maximum Lot Coverage	- 50%
viii) Maximum Height	- 10 m
ix) Minimum Setback from HWM	- See Section 3.31

4.13.3 Setbacks from Residential Lot

Where a Highway Commercial use abuts any lot used for residential purposes, the minimum yard from the residential lot shall be 10.0 metres.

4.13.4 Exceptions

4.13.4.1 Highway Commercial Exception One (CH-1) Zone

Notwithstanding any other provision of this By-law to the contrary, the lands in Lot 23, Concession 6, (Glamorgan) shown as CH-1 on Schedule A, may be used for any uses permitted in the Highway Commercial Exception (CH-1) Zone excluding a car wash or commercial garage, subject to the following provisions:

- a) a treed buffer with a minimum width of 6 metres shall be provided along the west, north and east lot lines within the side and rear yards of the commercial building to be erected on the site;
- b) A planting strip, as set out in Section 3.21, shall be provided along the remaining lot lines, exclusive of the sight triangle, and including the diagonal of the sight triangle; and,
- c) Any outside storage area shall only be permitted in the rear yard.

4.13.4.2 Highway Commercial Exception Two (CH-2) Zone

Notwithstanding any other provision of this By-law to the contrary, the lands in Lot 25, Concession 6, (Glamorgan) shown as CH-2 on Schedule A, may be used only for a restaurant, with or without a liquor license, a take-out restaurant and a propane container refill centre. The minimum lot area shall be 4.7 hectares and the maximum capacity of the storage tank for the propane container refill centre shall be 1,900 litres. All buildings and structures, including propane refill facilities, shall be located within the building envelope shown on Schedule A.

4.13.4.3 Highway Commercial Exception Three (CH-3) Zone

Notwithstanding any other provision of this By-law to the contrary, the lands in Lot 20, Concession 11, (Monmouth) shown as CH-3 on Schedule B, may be used only for a laundromat and convenience store and related accessory uses.

4.14 LIGHT INDUSTRIAL (M1) ZONE

No person shall within any Light Industrial Zone (M1) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.14.1 Permitted Uses

- i) motor vehicle repair garage
- v) motor vehicle body shop
- vi) motor vehicle service station
- iii) building supply outlet
- iv) commercial self-storage establishments
- v) custom workshops and service shops
- vi) equipment sales and rental establishments
- vii) dry industrial uses
- viii) accessory retail outlet or wholesale outlet or business office accessory to a permitted use provided that it does not exceed 25 per cent of the gross floor area of the principal use

4.14.2 Regulations for Permitted Uses

	Metric
i) Minimum Lot Area	- 0.6 ha
ii) Minimum Lot Frontage	- 30 m
iii) Minimum Front Yard	- 15 m
iv) Minimum Interior Side Yard	- 6 m
v) Minimum Exterior Side Yard	- 15 m
vi) Minimum Rear Yard	- 15 m
vii) Maximum Lot Coverage	- 20%
viii) Maximum Height	- 10 m

4.14.3 Setback from Residential Zone

Where an industrial use abuts any Residential Zone, the minimum setback from the boundary of the Residential Zone shall be 10.0 metres.

4.14.4 Exceptions

4.14.4.1 Light Industrial Exception One (M1-1) Zone

Notwithstanding the uses in the Light Industrial (M1) Zone, the uses permitted on lands located in Part of Lot 30, Concession 11, (Monmouth) and Part of Lot 32, Concession 9 (Monmouth) and zoned M1-1 on the Schedules to this By-law, shall be restricted to that of a motor vehicle body shop, as herein defined, and such other accessory buildings or structures as are normally considered incidental and subordinate thereto provided all other provisions of this By-law are complied with.

4.14.4.2 Light Industrial Exception Two (M1-2) Zone

Notwithstanding any other provision of this By-law to the contrary, the lands in Lots 30 and 31, Concession 5, (Glamorgan) shown as M1-2 on Schedule A, shall have a minimum building opening elevation of 328.5 metres C.G.D. for all buildings and a minimum front yard of fifteen (15) metres.

4.15 HEAVY INDUSTRIAL (M2) ZONE

No person shall within any Heavy Industrial Zone (M2) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.15.1 Permitted Uses

- i) bulk fuel depot
- ii) cartage, express truck, transport or bus terminal or yard
- iii) contractors' yard
- iv) lumber mill
- v) manufacturing, processing, assembling and/or fabricating plant
- vi) retail outlet or wholesale outlet or business office accessory to a permitted use provided that it does not exceed 25 per cent of the gross floor area of the principal use
- vii) sawmill
- viii) salvage or wrecking yard
- ix) warehouse
- x) wood products or planing mill
- xi) wood yard
- xii) custom workshop
- xiii) accessory single detached dwelling
- xiv) open storage use of goods or materials if accessory to another permitted use

4.15.2 Regulations for Permitted Uses

	Metric
i) Minimum Lot Area	- 1 ha
ii) Minimum Lot Frontage	- 60 m
iii) Minimum Front Yard	- 30 m
iv) Minimum Interior Side Yard	- 15 m
v) Minimum Exterior Side Yard	- 30 m
vi) Minimum Rear Yard	- 30 m
vii) Maximum Lot Coverage	- 50%
viii) Maximum Height	- 10 m

4.15.3 Planting Strips

Where lands used for Heavy Industrial purposes abut a Residential lot, a planting strip at least 10.0 metres (33 feet) wide shall be provided and maintained along that lot line so abutting.

Where a salvage or wrecking yard is permitted, a 6.0 metre wide planting strip and a solid fence at least 3.0 metres high shall be provided along that portion of the lot which abuts a residential zone

4.15.4 Setback from Residential Zone

Where a Heavy Industrial use abuts any Residential Zone, the minimum setback from the boundary of the Residential Zone shall be 30.0 metres.

4.15.5 Exceptions

4.15.5.1 Heavy Industrial Exception One (M2-1) Zone

Notwithstanding the uses in the Heavy Industrial (M2) Zone, the uses permitted on lands located in Part of Lot 33, Concession 16, (Monmouth) and zoned M2-1 on Schedule B to this By-law, shall be restricted to that of a manufacturing plant engaged in the production of lumber and wood products such as veneer, a retail sales office and business office facilities, and, open storage of goods and materials, together with such other accessory buildings or structures as are normally considered incidental and subordinate thereto provided that all other provisions of this By-law are complied with.

4.15.5.2 Heavy Industrial Exception Two (M2-2) Zone

Notwithstanding the uses in the Heavy Industrial (M2) Zone, the uses permitted on lands located in Part of Lot 32, Concession 16, (Monmouth) and zoned M2-2 on Schedule B to this By-law, shall be restricted to that of a saw and/or planning mill, as herein defined, open storage of goods and materials, a retail sales office and business office facilities, and such other accessory buildings or structures as are normally considered incidental and subordinate thereto, provided that all other provisions of this By-law are complied with.

4.15.5.3 Heavy Industrial Exception Three (M2-3) Zone

Notwithstanding the non-residential use permitted within the Heavy Industrial (M2) Zone, the uses permitted on lands located in Part of Lot 12, Concession 8, (Monmouth) and zoned M2-3 on Schedule B to this By-law, shall be restricted to that of a salvage yard and motor vehicle shop, and such other accessory buildings or structures as are normally considered incidental and subordinate thereto provided that all other provisions of this By-law are complied with.

4.15.5.4 Heavy Industrial Exception Four (M2-4) Zone

Notwithstanding the non-residential use permitted within the Heavy Industrial (M2) Zone, the uses permitted on lands located in Part of Lot 33, Concession 10, (Monmouth) and zoned M2-4 on Schedule B to this By-law, shall be restricted to that of Bulk Storage Tanks and such other accessory buildings or structures as are normally considered incidental and subordinate thereto provided that all other provisions of this By-law are complied with.

4.15.5.5 Heavy Industrial Exception Five (M2-5) Zone

Notwithstanding the provisions of this By-law to the contrary, on lands in Lot 26, Concession 5, (Glamorgan) shown as M2-5 on Schedule A to this By-law, any alteration, enlargement, extension or reconstruction of any use, building or structure, existing as of the date of passing of this By-law, or any new use, building or structure, shall comply with the provisions or requirements of the Ministry of Natural Resources.

4.15.5.6 Heavy Industrial Exception Six (M2-6) Zone

Notwithstanding the provisions of this By-law to the contrary, the lands in Lot 26, Concession 5, (Glamorgan) shown as M2-6 on Schedule A to this By-law shall be used only for a saw mill and/or planning mill.

4.15.5.7 Heavy Industrial Exception Seven (M2-7) Zone

Notwithstanding the provisions of this By-law to the contrary, the lands in Lot 20, Concession 6, (Glamorgan) and shown as M2-7 on Schedule A, shall be used only for a transportation terminal and one detached dwelling, provided such dwelling is occupied by the owner, caretaker, watchman or other similar person and his family, and provided further that such person is employed on the lot on which such dwelling is located. Such single family dwelling shall be erected in accordance with the provisions of the General Residential (R1) Zone and shall not be erected closer than fifteen (15) metres of any non-residential building or structure permitted on the lands shown as M2-7.

4.15.5.8 Heavy Industrial Exception Eight (M2-8) Zone

Notwithstanding the provisions of this By-law to the contrary, the lands in Lot 35, Concession 6, shown as M2-8 on Schedule A may be used only for a contractor's shop and yard, a motor vehicle wrecking yard and the storage and salvage of scrap iron and large household appliances such as stoves, refrigerators, freezers, clothes washers and dryers subject to the following provisions:

- i) Any outside storage of derelict motor vehicles or parts, scrap iron or large household appliances shall only be permitted within the rear 100 metres of the lands zoned M2-5;
- ii) The yard and setback requirements for buildings and outside storage shall be measured from the boundaries of the M2-8 Zone; and,
- iii) The decommissioning and storage of all freezers and refrigerators shall be in accordance with applicable MOE regulations.

4.16 EXTRACTIVE INDUSTRIAL (MX) ZONE

No person shall within any Extractive Industrial (MX) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.16.1 Permitted Uses

- i) pits and quarries
- ii) the processing of natural materials including screening, sorting, washing and crushing operations
- iii) peat extraction
- iv) agricultural uses, buildings and structures accessory thereto but excluding dwellings
- v) logging
- vi) resource management uses
- vii) contractor's yard

4.16.2 Regulations for permitted uses

	Metric
i) Minimum Lot Area	- 10 ha
ii) Minimum Lot Frontage	- 60 m
iii) Minimum Front Yard	- 30 m
iv) Minimum Interior Side Yard	- 30m
v) Minimum Exterior Side Yard	- 30m
vi) Minimum Rear Yard	- 30 m

4.16.3 Additional regulations for pits and quarries

- i) No processing facility related to a pit or quarry operation shall be located within 215 metres of any abutting lot in a Residential Zone.
- ii) No pit or quarry shall be located closer than 120 metres to an existing dwelling or 30 metres from a municipal road allowance or watercourse.

4.16.4 Planting Strip Requirements

A planting or natural vegetative buffer strip shall be maintained along each front and exterior side lot line and any lot line that abuts a Residential lot. The planting strip shall have a minimum width of 15 metres.

4.16.5 Exceptions

4.16.5.1 Extractive Industrial Exception One (MX-1) Zone

Notwithstanding any other provisions in this By-law to the contrary, on lands located in the MX-1 Zone on Schedule A to this By-law, only existing uses are permitted. The development of new uses is not permitted until these lands have been declassified in accordance with applicable regulations.

4.16.5.2 Extractive Industrial Exception Two (MX-2) Zone

Notwithstanding any other provisions in this By-law to the contrary, lands located in the MX-2 Zone are abandoned uranium mines and may not be used for any use in accordance with this By-law until such lands have been decommissioned in accordance with Provincial and/or Federal regulation.

4.16.5.3 Extractive Industrial Exception Three (MX-3) Zone

Notwithstanding any other provisions in this By-law to the contrary, lands located in the MX-3 Zone may be used for existing uses which includes a concrete products manufacturing facility and related accessory uses.

4.16.5.4 Extractive Industrial Exception Four (MX-4) Zone

Notwithstanding any other provisions in the By-law to the contrary, lands located in Part of Lot 23, Concession 6 (Cardiff) and placed in the MX-4 Zone on Schedule C to this By-law may be used for aggregate extraction in the manner that existed on the date this By-law was passed.

4.17 DISPOSAL INDUSTRIAL (MD) ZONE

No person shall within any Disposal Industrial (MD) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.17.1 Permitted Uses

- i) solid waste land-fill site or management facility
- ii) recycling facility
- iii) transfer station
- iv) open storage
- v) sewage lagoon

4.17.2 Regulations for permitted uses

	Metric
i) Minimum Lot Area	- 10 ha
ii) Minimum Lot Frontage	- 60 m
iii) Minimum Front Yard	- 30 m
iv) Minimum Interior Side Yard	- 30m
v) Minimum Exterior Side Yard	- 30m
vi) Minimum Rear Yard	- 30 m
vii) Maximum Lot Coverage (including any open storage use)	- 35%
viii) Maximum Height	- 12 m
ix) Setback from residential uses	- 500 m
x) Setback from municipal road allowances and watercourses	- 500 m
xi) Minimum landscaped open space	- 20%

4.17.3 Planting Strip and Fencing Requirements

A planting strip or natural vegetative buffer and fence shall be required along each front and exterior side lot line and any lot line that abuts a Residential lot. The planting strip shall have a minimum width of 15 metres. A solid fence at least 3.0 metres high shall also be provided along that portion of the lot.

4.17.4 Exceptions

4.17.4.1 Disposal Industrial Exception One (MD-1) Zone

Notwithstanding any other provisions in this By-law to the contrary, on lands located in Part of Lot 6, Concession 13, and zoned MD-1, the permitted uses shall be a septic waste disposal site and/or the spreading of sludge all of which is regulated in accordance with Certificate of Approval No's HL CA 06 03 01 and HL CA 06 03 02 granted by the Ministry of the Environment. In addition, on lands

zoned MD-1, buildings and structures accessory to a septage waste disposal site shall also be permitted.

4.18 INSTITUTIONAL (I) ZONE

No person shall within any Institutional (I) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.18.1 Permitted Uses

- i) ambulance station
- ii) arena
- iii) business, professional and administrative offices
- iv) community centre
- v) cemetery
- vi) banquet hall
- vii) day nursery
- viii) fire station
- ix) hospital or medical centre
- x) library
- xi) municipal office
- xii) museum
- xiii) public works yard
- xiv) nursing home
- xv) place of worship
- xvi) police station
- xvii) public park
- xviii) school
- xix) retirement home
- xx) municipal water works and pumphouse facilities

4.18.2 Regulations for permitted uses

	Metric
i) Minimum lot area	- 0.3 ha
ii) Minimum Lot Frontage	- 30 m
iii) Minimum Front Yard	- 6 m
iv) Minimum Interior Side Yard	- 3 m
v) Minimum Exterior Side Yard	- 6 m
vi) Minimum Rear Yard	- 7.5 m
vii) Maximum Lot Coverage	- 35%
viii) Minimum Landscaped Open Space-	10%

4.18.3 Regulations for Nursing Homes and Retirement Homes

A retirement home or nursing home, shall be permitted in the Institutional (I) Zone subject to the following provisions:

- i) Minimum Open Space - 20%
- ii) Maximum unit size - 150 m²

iii) All entrances to residential units shall be at grade

4.18.4 Planting Strip

In any yard abutting a Residential Zone a planting strip having a minimum width of 3.0 metres shall be required.

4.18.5 Exceptions

4.19 OPEN SPACE RECREATION (OSR) ZONE

No person shall within any Open Space Recreation (OSR) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.19.1 Permitted Uses

- i) public park
- ii) community centre, athletic fields or arena
- iii) fairground
- iii) golf course
- iv) golf course driving range
- v) public beach, docks and/or boat launch
- vi) public trails
- vii) resource management uses

4.19.2 Regulations for Permitted Uses:

No buildings or structures including accessory buildings or structures with the exception of pump houses and buildings and structures for flood and erosion control are permitted in the Open Space Recreation (OSR) Zone unless specifically provided for in this By-law.

4.19.3 Regulations for Golf Courses:

A golf course and accessory structures such as a club house and equipment storage, but not including an accommodation facility, shall be permitted in the Open Space Recreation (OSR) Zone subject to the following provisions:

- i) Minimum Lot Area - 20 ha
- ii) Minimum Yard Requirement (All) - 10 m

4.19.4 Regulations for the OSR Zone on the Shoreline:

Where the OSR Zone abuts a shoreline of a lake, the only permitted uses are a public park, beach, boat launch or conservation use.

4.19.5 Exceptions

4.20 OPEN SPACE CONSERVATION (OSC) ZONE

No person shall within any Open Space Conservation (OSC) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.20.1 Permitted Uses

- i) Provincial Park
- ii) public or private lands used for flood control or conservation
- iii) public beach, docks and/or boat launch
- iv) resource management uses

4.20.2 Regulations for Permitted Uses:

No buildings or structures including accessory buildings or structures with the exception of pump houses and buildings and structures for flood and erosion control are permitted in the Open Space Conservation (OSC) Zone unless specifically provided for in this By-law.

4.20.3 Exceptions

4.21 ENVIRONMENTAL PROTECTION (EP) ZONE

No person shall within any Environmental Protection (EP) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.21.1 Permitted Uses

- i) resource management uses

4.21.2 Regulations for Permitted Uses

No buildings or structures including accessory buildings or structures with the exception of pump houses and buildings and structures for flood and erosion control are permitted in the Environmental Protection (EP) Zone.

4.21.3 Floating Docks

Where the frontage of a residential lot is zoned Environmental Protection (EP) in its entirety, a floating dock, having a maximum width of 0.8 m (6 ft) shall be permitted in accordance with Ministry of Natural Resources and/or Department of Fisheries regulations.

4.21.4 Exceptions

4.21.4.1 Environmental Protection Exception (EP-1) Zone The Bark Lake Recreation Community

Notwithstanding, Section 4.21.1, on lands located in Part of Lot 14 Concession 10 and located within the EP-1 Zone, the following additional permitted uses and provisions shall apply:

(a) EP-1

- 1) Permitted Uses in the EP-1 Zone
 - ii) a bridge with maximum spans of about 20 metres

(b) Holding Provisions

The lands subject to the EP-1 Zone categories are subject to a Holding (H) symbol. The Holding symbol shall not be removed in whole or in part until the following matters have been addressed to Council's satisfaction:

- a) A site plan agreement has been completed and all securities posted by the Owner and the site plan agreement has been executed by the Municipality;
- b) All technical work has been completed and statutory requirements fulfilled to the satisfaction of the MOE for upgrades to the water treatment plan and sewage treatment plant and the MOE confirms that Certificates of Approval can be issued, subject to a responsibility agreement, if required;
- c) The County of Haliburton has issued a Decision and Conditions of Draft Approval, if any, for a Plan of Subdivision and Common Element Plan of Condominium;
- d) The Owner has confirmed that the existing camp has ceased as a land use or an agreement has been entered into for the phased termination of the existing camp; and
- e) The Municipality has been reimbursed for all costs associated with the processing and administration of the Bark Lake development applications.

4.22 LAKE (L) ZONE

No person shall within any Lake (L) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.22.1 Permitted Uses

- i) Provincial Park
- ii) public or private lands used for flood control or conservation
- iii) public or private beach
- iv) marine facility
- v) resource management uses
- vi) existing marinas
- vii) raft

4.22.2 Regulations for Permitted Uses:

- i) No marine facility shall be located closer than 7.5 metres to the interior side lot line measured at the high water mark.
- ii) One marine facility shall be permitted for every existing lot of record and one additional marine facility shall be permitted for every additional 100 metres of frontage beyond an original 45 metre frontage.

4.22.3 Exceptions

4.23 HAZARD (HZ) ZONE

No person shall within any Hazard (HZ) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.23.1 Permitted Uses

- i) public or private lands used for flood control or conservation
- iv) resource management uses

4.23.2 Regulations for Permitted Uses:

No buildings or structures including accessory buildings or structures with the exception of pump houses and buildings and structures for flood and erosion control are permitted in the Hazard (HZ) Zone unless specifically provided for in this By-law.

4.23.3 Exceptions

SECTION 5 DEFINITIONS

5.1 ABATTOIR

A building and site specifically designed to accommodate the penning and slaughtering of live animals and the freezing and processing of animal carcasses which may include packing, cutting, processing and sale of the product on the premises.

5.2 ACCESSORY

A use, separate building or structure, which is incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, building or structure but not including a building or structure which is used as a dwelling unless specifically permitted.

5.3 AGGREGATE

Gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock, other than metallic ores, or other prescribed materials under the Aggregate Resource Act.

5.4 AGRICULTURAL BUILDING

Any building or structure customarily used in connection with a farm or agricultural use or agricultural intensive other than a residence.

5.5 AGRICULTURE, INTENSIVE

Lands on which the predominant economic activity consists of the raising of livestock, chickens or other fowl, the raising of fur bearing animals, the raising of swine, sheep or goats, the raising of cattle or dairying of cattle primarily within enclosed agricultural buildings.

5.6 AGRICULTURAL PRODUCE OUTLET

The use of land, buildings or structures for the purposes of buying or selling or the processing, storage and supply of commodities and services that support agricultural operations.

5.7 AGRICULTURAL USE

Any agricultural use or uses, structures or buildings accessory thereto, including field crops, animal husbandry, tree nurseries, maple sugar operations, and any

other use customarily carried on in the field of general agriculture, including the sale on the premises, of produce grown or raised on the premises.

5.8 AIRFIELD, HOBBY

Any land, lot or building used by a club for the purpose of landing, storing or flying of model airplanes.

5.9 AIRPORT HANGER

A building or structure designed and used for the shelter of aircrafts.

5.10 AIRSTRIP, PRIVATE

Lands used for the purpose of landing, storing, taxiing or taking-off of private aircrafts.

5.11 AISLE

The area used by motor vehicles for access to and from all off-street parking spaces, but does not include an access driveway.

5.11A ASPHALT PLANT

Means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bitumous asphalt paving material, and includes stockpiling and storage of bulk materials used in the process, and which is of permanent construction.

5.12 ASSEMBLY HALL

A building or part of a building used for the gathering of groups of persons for a specific function. Full kitchen facilities shall not be provided.

5.13 ATTACHED

When used in reference to a dwelling unit or enclosed buildings, means a building otherwise complete in itself, which depends, for structural support or complete enclosure, upon a division wall or walls shared in common with adjacent building or buildings. When used in reference to accessory structures such as a patio, means a structure which depends for structural support upon the exterior wall or walls of an enclosed building.

5.14 AUTOMOBILE SERVICE STATION

A building or place where gasoline, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, sparkplugs and batteries for motor vehicles are

stored or kept for sale, or where motor vehicles may be oiled, greased or washed or have their ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed.

5.15 BALCONY

A partially enclosed or roofed platform attached to or extended horizontally from one or more of the main walls above the first floor of a building.

5.16 BANQUET HALL

A building or part thereof, used for the gathering of groups of people for a specific function including the consumption of food and drink and shall include full kitchen facilities

5.17 BASEMENT

That portion of a building partly underground, but having less than one-half of its clear height below the average lot grade.

5.18 BED AND BREAKFAST

A small-scale accommodation service within a single family dwelling wherein no more than 3 guest rooms are made available for temporary accommodation of the traveling or vacationing public. Such an establishment may offer light meals to those persons temporarily residing at the establishment. A Bed and Breakfast Establishment shall not include a Restaurant or a Tourist Establishment.

5.19 BOARD WALK

An elevated public pedestrian walkway constructed over a public street, over a water feature or along a shoreline.

5.20 BOATHOUSE

A detached accessory building or enclosure in which one or more boats, ships or float planes and/or related marine equipment are stored, kept or repaired, where there is no habitable living quarters included, nor sanitary or cooking facilities.

5.21 BOAT SLIP

Shall mean any facility to which marine craft are intended to be or are customarily attached and include a dock, pier or wharf.

- 5.21a BREEZEWAY
- A roofed, open or semi-open passage connecting two or more buildings
- 5.22 BUILDING
- A structure whether temporary or permanent, used or built for the shelter, accommodations or enclosure of persons, animals, materials or equipment. Any tent, awning, bin, bunk, platform, vessel or vehicle used for any of the said purposes shall be deemed a building.
- 5.23 BUILDING SUPPLY AND LUMBER OUTLET
- A building or structure in which building or construction and home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials related to home improvements but does not include any use or activity otherwise defined or classified herein.
- 5.24 BULK FUEL DEPOT
- Lands, buildings and structures for the storage, distribution of fuels and oils but not including retail sales except key lock operations.
- 5.25 BULK WATER EXTRACTION FACILITY
- An industrial use which extracts surface or ground water as a commodity to be processed on-site or transported off-site to a processing or distribution facility.
- 5.26 BUSINESS, PROFESSIONAL OFFICE OR ADMINISTRATIVE OFFICE
- A building or part of a building in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment and may include the administrative offices of a non-profit or charitable organization.
- 5.27 CABIN
- A single storey structure or building which is maintained for the accommodation of an individual or individuals where facilities for cooking are not provided.
- 5.28 CABIN ESTABLISHMENT
- A tourist establishment comprised of two (2) or more cabins arranged singled or in pairs and which does not provide cooking facilities.

- 5.29 CAMP SITE
- An area within a camping establishment of at least 150 square metres that is occupied on a temporary basis only, by the trailer, motorized home, truck camper, camper or tent, but not a mobile home.
- 5.30 CAMPING ESTABLISHMENT
- A tourist establishment consisting of at least five (5) camping sites and comprising land used or maintained as grounds for the camping or temporary parking of trailers, motorized mobile homes, truck campers, campers or tents, and licensed under the Tourism Act.
- 5.31 CARPORT
- A structure whose roof is structurally dependant upon the main building and which has not more than 50% of the structure enclosed by walls and is used for parking or storage of a motor vehicle.
- 5.32 CEMETERY
- The land that is set apart or used as a place for the internment of the deceased or in which human bodies have been buried.
- 5.33 CHIEF BUILDING OFFICIAL
- An official employed by the Municipality appointed under the Building By-law or pursuant to the provisions of The Building Code Act, as amended, and shall include any Inspector likewise employed and appointed.
- 5.34 CLINIC
- An establishment in which medical, dental or other professional healing treatment is given to human beings.
- 5.35 CLUB
- Shall mean a meeting place for members of an organization and/or community with athletic, social or recreational interests and which is not operated as a commercial business.
- 5.36 COMMUNITY CENTRE
- Any tract of land, or building, or any part of any building used for community activities without commercial intent.

5.36A CONCRETE PLANT

Means a building or structure with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process, and which is of permanent construction.

5.37 CONTRACTOR'S YARD

A yard of any general contractor or builder where equipment and materials 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.

5.38 CORPORATION

The Corporation of the Municipality of Highlands East.

5.39 COTTAGE

A building within a cottage establishment to accommodate one (1) or more guests which contains at least two (2) rooms; which is at least partially furnished; and, which provides plumbing and cooking and facilities.

5.40 COTTAGE ESTABLISHMENT

A tourist establishment comprising of two (2) or more cottages owned or leased by the same person.

5.41 COUNCIL

The Council of the Corporation of the Municipality of Highlands East.

5.42 COUNTRY MARKET/ FLEA MARKET

A building or track of land used for the temporary exhibit, storage and temporary retail sale of merchandise, goods, wares, produce, crafts and arts for the utilization and consumption of the general public provided that any temporary exhibit, storage and temporary retail sales occurring does not include the sale of livestock and auction sales

5.43 DAY NURSERIES

A day nursery operated for pre-school age children within the meaning of the Day Nurseries Act, as amended.

- 5.44 DECK
- Is an elevated structure used as an outdoor living area which may or may not be attached to a building without walls or roof.
- 5.45 VACANT
- 5.46 DWELLING
- A building or part of a building occupied or capable of being occupied, in whole or in part as the home, residence or sleeping place of one or more persons either continuously, permanently, temporarily or transiently but shall not include a mobile home having less than 65 square metres in area. For the purposes of this definition, a sunroom or mudroom shall be deemed to be part of a dwelling and not an accessory structure.
- 5.47 VACANT
- 5.48 DWELLING, APARTMENT
- A building containing three or more dwelling units, sharing a common hall and common entrance at grade.
- 5.49 DWELLING, SINGLE DETACHED
- Means one detached building containing one dwelling unit. .
- 5.50 DWELLING, DUPLEX
- A building that is divided horizontally into separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.
- 5.51 DWELLING, SEMI-DETACHED
- A building that is divided vertically into two separate dwelling units, each of which has a separate entrance at grade.
- 5.52 DWELLING, TOWNHOUSE
- A dwelling unit in a building divided vertically into no less than three nor more than eight dwelling units attached by common walls extended from the base of the foundation to the roof line, each dwelling unit having a separate entrance at grade.

5.53 DWELLING, FOUR-PLEX

The whole of a building that is divided vertically by common party walls into four separate dwelling units, each of which has two common party walls.

5.54 DWELLING UNIT

A domicile comprised of a kitchen, living quarters and sanitary facilities which may be separated by interior walls. A Dwelling Unit is used for residential occupancy and has at least one private entrance from outside the building or from a common internal hallway or stairway.

5.55 DWELLING UNIT, ACCESSORY

A separate dwelling unit which is contained in a building which was originally designed as a detached dwelling and continues to be occupied by the owner.

5.55A DWELLING UNIT, HORIZONTALLY ATTACHED

A single detached dwelling unit where one or more of the kitchen, living quarters, sanitary facilities and other rooms are attached by a horizontal hallway greater than 2 metres in length and which may be entered from the exterior or from an access hallway or from an internal common space.

5.56 FARM

Any farming or agricultural use accessory to a rural residential use including but not limited to apiaries; aviaries; berry or bush crops; breeding, raising, training or boarding of horses or cattle; commercial greenhouses; farms devoted to the hatching, raising and marketing of chickens, turkeys, or other fowl or game birds, animals, fish or frogs; farms for grazing; flower gardening; field crops; goat or cattle dairies; growing, raising, picking, treating and storing of vegetables or fruit produce produced on the premises; nurseries; orchards; riding stables; the raising of sheep or goats; the raising of swine; tree crops; market gardening; bee keeping; wood lots; such uses or enterprises as are customarily carried on in the field of general agriculture. "Farm" includes a single-family dwelling house, and such principal or main buildings and structure as a barn or silo, as well as accessory buildings and structures which are incidental to the operation of the farm.

5.57 FARM, INTENSIVE

Any 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, goats, horses, or cattle on feed lots, the raising or boarding of dogs or cats or the growing of mushrooms.

- 5.58 FARM PRODUCE OUTLET
- A seasonal building or roadside stand, in which local farm produce, exclusive of meat or poultry, is offered for sale.
- 5.59 FINISHED GRADE
- The average elevation of the finished surface of the ground at ground level on any one side of a building or structure.
- 5.60 FLOOD FRINGE
- Those lands being part of the flood plain which delineates the area beyond the floodway, which includes the remaining lands susceptible to flooding.
- 5.61 FLOOD PLAIN
- The flood-prone area, usually lowlands, adjoining the channel of a river, stream or watercourse which are susceptible to being inundated by water from any source.
- 5.62 FLOODWAY
- The channel of a river or other watercourse and the adjacent land areas where the flood waters are in excess of 1.0 metres deep and are moving at greater than 1.0 metres cubed per second.
- 5.63 FLOOR AREA, GROSS
- The total floor area, as hereinafter defined, exclusive of any portion of the building or structure below finished grade measured between the exterior faces of the exterior walls which is used for heating, the storage of goods or personal effects, laundry facilities, recreational areas, the storage or parking of motor vehicles, exclusive of any private garage, carport, basement, walkout basement, cellar, porch, verandah, deck or sunroom unless such sunroom is habitable during all seasons of the year.
- 5.64 FLOOR AREA, GROUND
- The maximum ground floor area of a building measured by the outside walls, excluding, in the case of a dwelling house, any private garage, carport, porch, verandah or deck.

5.65 GARAGE, PRIVATE

A detached accessory building or portion of a dwelling house which is designed or used for the sheltering of a private motor vehicle and storage of household equipment incidental to the residential occupancy and which is fully enclosed and roofed and excludes a carport or other open shelter.

5.66 GARDEN SUITE

A single storey detached dwelling unit that does not exceed 70 m² in ground floor area and is used for temporary accommodation, and is accessory to an existing dwelling unit.

5.67 GAZEBO

A free standing, roofed accessory structure which is not enclosed and which is utilized in conjunction with a residential dwelling but shall not include any other use or activity otherwise defined by this By-law.

5.68 GOLF COURSE

A public or private area operated for the purpose of playing golf, and may include a par 3 executive golf course, a club house, a golf course driving range and accessory storage buildings.

5.69 GOLF COURSE DRIVING RANGE

A public or private area used for the practice of golf by providing a facility to drive golf balls from fixed tees.

5.70 GROUP HOME

A single-detached dwelling unit in which not more than 10 persons, having physical, social or mental handicaps reside in a household under the appropriate supervision of supervisory personnel, who may also reside in the dwelling unit, and which is licensed and/or approved for funding under provincial statutes and in compliance with municipal by-laws. A dwelling unit occupied for the purpose of providing shelter for persons on parole or released from penal institutions, or for persons ordered to reside there as a result of a conviction of a criminal offence is not a group home.

5.71 GUEST CABIN

A single storey detached accessory structure which is not a dwelling unit and which is maintained for the accommodation of an individual or individuals where facilities for cooking are not provided.

5.72 HEIGHT OF BUILDINGS

The vertical distance, measured between the finished grade at the front of the building as determined by the location of the front lot line, and:

- a) In the case of a flat roof, the highest point of the roof surface;
- b) In the case of a mansard roof, the deck roof line; or,
- c) In the case of a gable, hip or gambrel roof, the average height between the eaves and ridge.

Accessory roof constructions, such as chimneys, towers, steeples or television antennas, shall be disregarded in calculating the height of a building.

5.73 HIGH WATER MARK (HWM) SETBACK

The setback will be measured from the normal average or maintained water level of the lake or river.

5.73A HOBBY FARM

Means an area of land on which a barn, shed or animal shelter may be erected to house no more than two horses and no more than five sheep, cows, goats or similar domestic animals, kept for recreational purposes or for personal consumption by the occupant(s) of a dwelling unit on the same lot.

5.74 HOME INDUSTRY

A small-scale occupation of an industrial nature conducted entirely within a building or part of a building accessory to a single-detached dwelling house but does include the repairing, storage or recycling of motor vehicles, mobile homes, boats or heavy equipment.

5.75 HOME OCCUPATION

Shall mean the use of part of a residential dwelling unit for skilled or professional work that is compatible within a domestic household and that is undertaken by the owners or tenants of the dwelling. A home occupation may include a day nursery but shall not include accommodation uses or the trade of any commodity.

5.76 HOTEL

A part of a building, building or group of buildings where sleeping accommodations (with or without meals) is provided to the public, but where no individual private cooking facilities are provided.

5.77 HUNT CAMP

Shall mean a single-storey building or structure having a floor area between 65m² and 93m² consisting of one or more rooms which is at least partially furnished and may include facilities for the preparation of food and overnight accommodation on a temporary basis for use only during the hunting or fishing seasons but shall not include any other establishments or use as may be defined or classified in this By-law.

5.78 IMPROVED PUBLIC ROAD

A street, road or highway under the jurisdiction of the Province of Ontario or the Municipality, which has been assumed by By-law and which is maintained so as to allow normal vehicular access to adjacent properties and which, in the case of a Municipal Road, is a road for which the Municipality may receive construction and maintenance subsidies from the Ministry of Transportation and Communications.

5.79 INDUSTRIAL USE

The use of land, building or structure for the manufacturing, processing, fabrication or assembly of raw materials or goods, warehousing or bulk storage of goods and related accessory uses.

5.80 INDUSTRIAL USE, LIGHT

An industrial use which is wholly enclosed with a building except for parking and loading facilities and outside storage accessory to the permitted uses and which in its operation does not result in the emission of odours, fumes, noise, cinder, vibrations or electrical interference.

5.81 INN

A building which contains more than three guest rooms for overnight accommodation and where one or more meals are provided to guests or where individual or communal cooking facilities are provided.

5.82 KENNEL

Shall mean a building or structure where dogs, including dog-sled teams, are kept, raised and/or boarded as part of a commercial operation.

5.83 LANDSCAPED OPEN SPACE

The open unobstructed space from ground to sky at grade on a lot accessible by walking and which is suitable for the growth and maintenance of grass, flowers,

trees, bushes and other landscaping and includes any surfaced walk, patio or similar area but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.

5.84 LIGHT EQUIPMENT SALES AND RENTAL ESTABLISHMENT

A building or structure or part of a building or structure in which light machinery and equipment such as air compressors and related tools and accessories; augers; automotive tools; cleaning equipment; light compaction equipment; concrete and masonry equipment; electric tools and accessories; fastening devices such as staplers and tackers; floor and carpet tools; gasoline generators; jacks and hydraulic equipment; lawn and garden tools; ladders; moving equipment; painting and decorating equipment; pipe tools and accessories; plumbing tools and accessories; pumps; hoses; scaffolding; welding equipment; and, other similar tools and appurtenances are offered or kept for rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

5.85 LODGING HOUSE/ BOARDING HOUSE

A dwelling in which the proprietor provides for a fee, long term sleeping accommodations with board for two to ten people exclusive of the proprietor and members of the proprietors family.

5.86 LOGGING

The removal or cutting of logs from harvestable timber for commercial purposes, either by selective, strip or clear-cutting operations.

5.87 LOT

A parcel or tract of land described in a deed or other legal document which is legally capable of being conveyed.

5.88 LOT AREA

The total horizontal area within the lot lines of a lot above the normal or maintained high water mark.

5.89 LOT, CORNER

A lot situated at the intersection of two or more streets, or at the intersection of a street and a railway right-of-way, or a lot abutting on one or more parts of the same street, in which an interior angle of less than one hundred and thirty-five (135) degrees is contained, between the front and side lot lines abutting by the said street or streets.

5.90 LOT COVERAGE

The percent of the lot area covered by buildings or structures, including porches, verandas and any other roofed area but excluding parking areas, driveways balconies, overhanging eaves and uncovered decks less than 1.0 metres in height, and walkways.

5.91 LOT FRONTAGE

The horizontal distance between the side lot lines measured at right angles. Where the side lot lines are not parallel, the lot frontage shall be the distance between the side lot lines measured on a line 15 metres from the front lot line. Where two sides of a lot abut a public street (corner lot), the shorter lot line that so abuts shall be deemed the lot frontage. Where a lot abuts a navigable waterway, the shoreline so abutting the navigable waterway shall be deemed the lot frontage and such lot frontage shall be determined by measuring a line between the side lot lines 15 metres from the high water mark.

5.92 LOT LINE

Any boundary of a lot.

5.93 LOT LINE, EXTERIOR SIDE

The side lot line which abuts an improved public street or an unopened road allowance on a corner lot.

5.94 LOT LINE, FRONT

Lot line, Front means in the case of an interior lot, the line dividing the lot from the road. In the case of a corner lot, the shorter lot line abutting a road shall be deemed to be the front lot line and the longer lot line abutting the road shall be deemed to be a side lot line. In the case of a through lot, the front lot line shall be where the principal access to the lot is provided.

In the case of a lot with water frontage on a navigable waterway, the front lot line shall be the high water mark of such navigable waterway. In the case of a lot fronting on a road allowance or Crown Reserve along the shore of a navigable waterway, the front lot line shall be the inner limit of the shoreline road allowance or Crown Reserve.

5.95 LOT LINE, INTERIOR SIDE

A lot line other than a front or rear lot line.

- 5.96 LOT LINE, REAR
The lot line farthest from or opposite to the front lot line.
- 5.97 LOT, THROUGH
A lot bounded on opposite sides by streets or navigable waterways.
- 5.98 LUMBER YARD
A building, structure or yard in which wood materials are stored for wholesale purposes and may include the fabrication of lumber products as an accessory use.
- 5.99 MANUFACTURING, PROCESSING, ASSEMBLY AND/OR FABRICATING PLANT
A building used for the purpose of manufacturing, assembly, making, preparing, inspecting, finishing, treating, altering, repairing, warehousing, or storing or adapting for sale of any goods, substance, article, or product.
- 5.100 MARINA
An establishment or premises, containing docking facilities, 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 and lubricants may be provided.
- 5.101 MARINE FACILITY
An open and non-roofed structure which is attached to or rests upon the ground above and/or below the high water mark and is used primarily to take a boat into or out of a navigable waterway, or to moor a boat. This definition includes a launching ramp, boat lift, or dock or any combination thereof but does not include any building or any boat servicing, repair, or sales facility.
- 5.102 MARINE SALES AND SERVICE ESTABLISHMENT
A building or part of a building and associated lands where a dealer displays new and used boats and boat accessories for sale at retail or for rental, and where marine equipment is services or repaired and may include boat storage facilities.
- 5.103 MINIMUM OPENING ELEVATION
The lowest elevation on a habitable building that is constructed to withstand flooding.

- 5.104 MOBILE HOME
- Any dwelling that is designed to be mobile, and constructed or manufactured to provide a permanent residence for one or more persons certified in accordance with C.S.A. Standard Z240 or 241, but does not include a travel trailer or tent trailer or trailer otherwise designed.
- 5.105 MOBILE HOME PARK
- A parcel of land which is developed and managed as a unit where individual lots are made available on a rental basis for the placing of a mobile home, where the ownership and responsibility for the maintenance of private internal roads, services, communal areas and buildings, including snow plowing and removal, garbage collection, together with general park management rests with management.
- 5.106 MOBILE HOME SITE
- A portion of land used for the placement of a single mobile home and the exclusive use of its occupants.
- 5.107 MOTEL
- A structure containing a series of living or sleeping units with individual interior sanitary conveniences, including motor courts or tourist courts. All required parking is at grade and direct access is available from the parking area to the individual units.
- 5.108 MOTOR VEHICLE
- An automobile, truck, motorcycle, and any other vehicle propelled or driven otherwise than by human power, but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of The Highway Traffic Act, as amended.
- 5.109 MOTOR VEHICLE, COMMERCIAL
- Any commercial motor vehicle within the meaning of The Highway Traffic Act, as amended.
- 5.110 MOTOR VEHICLE BODY SHOP
- A building or structure used for the painting or repairing of motor vehicle bodies, exterior and undercarriage, and in conjunction with which there may be towing service and motor vehicle rentals for customers while the motor vehicle is under

repair, but shall not include any other establishment otherwise defined or classified in this By-law.

5.111 MOTOR VEHICLE DEALERSHIP

A building or structure where a franchised dealer displays motor vehicles for sale or rent and in conjunction with which there may be used motor vehicle sales or rentals, a motor vehicle repair garage, a motor vehicle service station, a motor vehicle gasoline bar or a motor vehicle body shop, but shall not include any other establishment otherwise defined or classified in this By-law.

5.112 MOTOR VEHICLE REPAIR GARAGE

A building or structure where the exclusive service performed or executed on motor vehicles for compensation shall include the installation of exhaust system, repair of the electrical system, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use and in conjunction with which there may be a towing service, a motor vehicle service station and motor vehicle rentals for the convenience of the customer while the motor vehicle is being repaired, but shall not include any other establishment otherwise defined or classified in this By-law.

5.113 MOTOR VEHICLE SERVICE STATION

A building or structure where gasoline, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, sparkplugs, batteries and automotive accessories for motor vehicles and new retail goods are stored or kept for sale to the general public, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, and where mechanical or running repairs essential to the actual operation of motor vehicles are executed or performed. Such shall require public washrooms.

5.114 MOUNTAIN BIKE FACILITY

Means a commercial facility with trails used by non-motorized mountain bikes and which may include accessory uses such as a club house, a fitness centre, equipment storage buildings and bicycle sales and service shop.

5.115 MUNICIPAL, PROVINCIAL WORKS GARAGE

Any land, building and/or structure owned by the Corporation of the Municipality of Highlands East or the Province of Ontario and used for the storage, maintenance and/or repair of material, equipment, machinery and/or motor vehicle used in connection with civic works.

- 5.116 MUNICIPALITY
The Corporation of the Municipality of Highlands East
- 5.117 NATURAL VEGETATION AREA
Land which is maintained in a natural vegetative state in the interest of aesthetics, environmental stewardship or buffering.
- 5.118 NAVIGABLE
Navigable means any body of water which is capable, in its natural state or normal water level, of being navigated by floating vessels of any description for the purposes of transportation, recreation or commerce, so long as such navigation does not negatively impact the aquatic environment of that body of water, as well as any waterway where the public right of navigation exists by dedication of the waterway for public purposes or by the public having acquired the right to navigate through long use.
- 5.119 NON-COMPLYING
A lot, building or structure on a lot that is not consistent with the requirements of the zone provisions for the zone in which the lot, building or structure is located.
- 5.120 NON-CONFORMING
An existing use or activity of any land, building or structure which does not conform with the permitted uses, or activities of this By-law for the Zone in which such existing land, building or structure is located, so long as it continues to be used or enjoyed for that purpose.
- 5.121 NURSERY OR GREENHOUSE, COMMERCIAL
A building or structure, and lands associated therewith, for the growing of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation together with gardening tools and implements which are sold at retail from such building or lot to the general public.
- 5.122 NURSING HOME
Any premises maintained and operated for persons requiring nursing care.
- 5.123 NUTRIENT MANAGEMENT PLAN
A technical document which specifies how an agricultural operation is to store, manage and distribute agricultural nutrients (manure) in accordance with the Nutrient Management Act.

5.124 OBNOXIOUS USE

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

5.125 OPEN OR OUTSIDE STORAGE

Any accessory storage outside of a principal or main building or structure on the lot.

5.126 OUTDOOR LIVING AREA

Means an area defined by open and unenclosed accessory structures to a residential use such as a porch, patio, deck or balcony.

5.127 OUTDOOR RECREATION AREA

A place designed and/or equipped for the conduct of sports, leisure time activities and other recreational activities, but shall not require buildings. It may include accessory structures to the principle use. It may include such items as signs, benches, goal posts.

5.128 PAINTBALL FACILITY

A commercial business that provides the premises, facilities and accessories for participants to engage in recreational games of combat using paintball pellets ejected from air rifles or pistols.

5.129 PARK, PRIVATE RECREATION

An open space or recreational area, other than a public park, operated on a commercial and/or private member basis, and which includes one or more of the following facilities or activities:

- a) Areas for walking, riding and cross-country skiing but does not include the racing of animals, motor vehicles, motor cycles or snowmobiles;
- b) Swimming and wading areas;
- c) Accessory recreational or playground areas such as picnic areas, tennis courts, lawn bowling greens, outdoor skating rinks, athletic fields, swimming pools and similar uses;

- d) Buildings and structures accessory to the foregoing including a refreshment booth or pavilion, and administrative offices; and,
- e) An accessory club house; and
- f) Parking lots accessory to the foregoing.

5.130 PARK, PUBLIC

Any open space or recreational area, owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario and may include therein neighbourhood, community, and special parks or areas and may include one or more athletic fields, field houses, fair grounds or similar uses.

5.131 PARKING AREA

An area or areas of land or a building or part thereof which is provided and maintained upon the same lot or lots upon which the principal use is located for the purpose of parking motor vehicles.

5.132 PARKING LOT

A parking area forming the principal use of a lot.

5.133 PARK MODEL TRAILER

Any vehicle so constructed that is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or that its running gear is removed. A Park model trailer shall not include any trailer used primarily for the purpose of sale or storage.

5.134 PARKING SPACE

An area, for the parking or storage of motor vehicles, having a minimum width of 3 metres (10 feet) and a minimum area of 18.5 square metres (200 sq. ft.), exclusive of any aisles, ingress or egress lanes.

5.135 PATIO

An ground oriented platform or surfaced area without a roof or walls, which may or may not be attached to a main dwelling or other accessory building and is used as an outdoor living area to accommodate outdoor living accessories such as bar-be-ques, patio furniture and hot tubs and may contain a landing or stair.

- 5.136 PERSON
- Any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executor or other legal representatives of a person to whom the context can apply according to law.
- 5.137 PERSONAL SERVICE SHOP
- A building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons and includes barber shops, hair salons or spas.
- 5.138 PIT
- A place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit.
- 5.139 PLACE OF WORSHIP
- Includes churches, chapels, temples, parish halls and synagogues including offices for the administration of the religious institution, convents, seminaries, monasteries, rectories, parsonages and parish houses.
- 5.140 PLANTING STRIP
- An open unobstructed space free of buildings or structures which is used for the growing and maintenance of grass, flowers, shrubs, natural vegetation or other landscaping.
- 5.141 PORCH
- A roofed structure without walls which is used as to define and provide entry to a dwelling which may also function as an outdoor living area. For the purposes of this definition a porch may be comprised of a knee-wall or partial wall to support a roof but shall remain unenclosed.
- 5.142 PORTABLE ASPHALT PLANT
- Means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bitumous asphalt paving material, and includes stockpiling and storage of bulk materials used in the process, and which is not of permanent construction, but which is to be dismantled at the completion of a construction project.

5.142A PORTABLE CONCRETE PLANT

Means a building or structure with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process, and which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

5.143 PORTABLE PROCESSING PLANT

Any equipment for the crushing, screening or washing of sand and gravel aggregate materials, but not including a concrete batching plant or an asphalt plant, of which the equipment is capable of being readily drawn or readily propelled by a motor vehicle and which equipment is not permanently affixed to the site.

5.144 PRINCIPAL OR MAIN BUILDING

Any building which is carried on the principal purpose for which the building lot is used and shall include a barn or silo used in conjunction with a farm.

5.145 PRIVATE CLUB

A non-profit, non-commercial organization, which carries on social, cultural, athletic and/or recreational activities.

5.146 PRIVATE ROAD

A private right-of-way over private property which affords access to abutting lots.

5.147 PROVINCIAL HIGHWAY

A street under the jurisdiction of the Ministry of Transportation and Communications.

5.148 PUBLIC AUTHORITY

Any Federal, Provincial, County or Municipal agencies, and includes any commission, board, authority or department established by such agency.

5.149 PUMPHOUSE, SHORELINE

A structure having an floor area less than 3 m² which is used to house pumps and equipment necessary for the transmission of a water supply for a single residential lot on the shoreline.

- 5.150 QUARRY
- A place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit metal mine.
- 5.150A RAFT
- A non-roofed structure used for recreational purposes on a lake which is attached to or rests upon land below the high water mark. For the purpose of this By-law, a raft shall not have a floor area greater than 10 m².
- 5.150B RECONSTRUCTION
- Shall mean the act of repairing, restoring or renovating an existing building to a safe or better condition but shall not constitute the demolition and replacement of a building or structure.
- 5.151 RECREATIONAL AREA
- A place designed and/or equipped for the conduct of sports, leisure time activities and other recreational activities, but shall not include buildings. It may include accessory structures to the principle use. It may include such items as signs, benches and goal posts.
- 5.152 RECREATIONAL DWELLING
- A single detached dwelling that is used for temporary occupation on a seasonal basis by persons who maintain a permanent residence in another location.
- 5.153 RECREATIONAL VEHICLE
- A self propelled vehicle used as a temporary accommodation for seasonal recreational purposes and equipped with sanitary and cooking facilities.
- 5.154 RESORT
- A tourist establishment that operates throughout all or part of the year and that has facilities for serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting, camping or recreational purposes and may include a Liquor Licensed Premises.
- 5.155 RESOURCE MANAGEMENT USE
- The preservation, protection and improvement of the components of the natural environment through a comprehensive management and maintenance program

administered by a public authority for individual or public use, including forestry and wildlife management areas.

5.156 RESTAURANT

A building or part of a building where food and/or liquor is offered for sale or sold to the public primarily for immediate consumption.

5.157 RETAIL STORE

A building where goods, wares, merchandise, substances or articles, are offered or kept for sale at retail or rental and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, or articles sufficient only to service such stores but does not include any retail outlet otherwise classified or defined in this By-law.

5.158 RETIREMENT HOME

A residential development consisting of a group of self-care units, either attached or detached, with ancillary facilities that provides social and recreational activities for use by its inhabitants, such facilities and forms of housing being designed for, and offered to persons who are at or near retirement area. Ancillary facilities may include nursing and medical facilities, chapels, meeting rooms, recreational facilities, therapy rooms, kiosk facilities and the like.

5.159 RIDING SCHOOL OR BOARDING STABLE

An area of land which is used as an educational centre for horse training, handling, care, or for the lodging of horses and which include a room or rooms within a barn or shed for accessory office space or tack storage.

5.160 SALVAGE OR WRECKING YARD

A place where motor vehicles and parts are wrecked, disassembled, repaired and resold, where second-hand goods, including waste paper, bottles, automobile tires, clothing, other scrap materials and salvage are collected to be sorted and where used lumber and used building materials are stored for sale or resale.

5.161 SAWMILL

A building, structure or area where timber is cut or sawed, either to finished limber or as an intermediary step.

- 5.162 SCHOOL
- A public school, a separate school, a university, a community college or a private school authorized by the Province of Ontario.
- 5.163 SELF STORAGE ESTABLISHMENT
- A building 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 on a short-term basis to the general public, for the private storage of personal goods, materials and equipment.
- 5.164 SERVICE SHOP
- A building or part of a building, not otherwise defined or classified in this By-law, for the servicing or repairing of articles, goods or materials, as well as facilities for accessory retail sales, but shall not include the servicing, repairing or sales of motor vehicles.
- 5.165 SETBACK
- The horizontal distance from the centre line of the street right-of-way, measured at right angles to such centre line, or in the case of a lot having frontage on a navigable waterway take the horizontal distance from the high water mark to the nearest part of any building or structure or excavation on the lot.
- 5.166 SHORELINE
- Shall mean any lot or portion thereof which abuts a navigable waterway or which abuts a twenty (20) metres road or shoreline allowance adjacent to a navigable waterway.
- 5.167 STREET
- A highway as defined under The Highway Traffic Act, or the Municipal Act or a road which has been assumed and is maintained by the Corporation of the Municipality of Highlands East.
- 5.168 STREET LINE
- The limit of the street or road allowance and is the dividing line between a lot and street or road.

5.169 STRUCTURE

Anything man-made that is fastened to or into the earth or rests on the earth by its own mass or is attached to something having location on the ground, or is attached to a building including a septic system, holding tanks, satellite receiving dishes, and heat pumps. A floating dock or boardwalk shall be considered a structure, however a retaining wall or interlock driveway or landing shall not be considered to be a structure for the purposes of this By-law.

5.170 SUMMER CAMP

A camp which is privately owned and operated, or a camp which is operated by a charitable corporation approved under The Charitable Institutions Act, as amended, or a camp within the meaning of the regulations made under The Public Health Act, as amended. For the purposes of this By-law a Camping Establishment and Summer Camp shall be synonymous.

5.171 TENT

Any kind of temporary shelter for sleeping that is not permanently affixed to the site and that is capable of being easily moved and is not considered a structure.

5.172 TIMESHARE ESTABLISHMENT - COMMERCIAL

Means a commercial use or that contains accommodation units that are owned and used by more than one owner and also offers accommodation units to the traveling public.

5.173 TIMESHARE ESTABLISHMENT - PRIVATE

Means a private resort community that contains accommodation units that are owned and used by more than one owner.

5.174 TOURIST RESORT

Any premises operated to provide sleeping accommodation for the traveling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided including a resort and a cottage establishment but does not include:

- a) A camp operated by a charitable corporation approved under The Charitable Institutions Act, as amended;
- b) A summer camp within the meaning of the regulations made under The Health Protection and Promotion Act, as amended; or

c) A club owned by its own members and operated without profit or gain.

5.175 TRAILER

A vehicle that is at any time drawn upon a highway by a motor vehicle and for the purposes of this By-law does not include a mobile home.

5.176 TRAILER, CONSTRUCTION

Any trailer designed to be temporarily located on a parcel of land during the construction of a building or the development of land utilized for temporary shelter and/or the storage of equipment related to the construction occurring on the land and having the running gear and towing equipment permanently attached.

5.177 TRAILER, TRAVEL OR TENT

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

5.178 TRELLIS

A cross-barred structure or panel used to screen the sun or support vines or flowers which may be used in conjunction with a deck, patio or balcony.

5.179 TRUCK CAMPER

Any unit so constructed that it may be attached upon a motor vehicle, as a separate unit, and capable of being temporarily utilized for the living, sleeping or eating accommodation of persons.

5.180 USE

a) Any purpose for which a building or other structure or a parcel of land may be designed, arranged, intended, maintained, or occupied; or,

b) Any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a parcel of land.

5.181 UTILITY PROVIDER

Any agency, which under public or private ownership, provides the public with electricity, gas, heat, rail, transportation, water, sewage, collection or other public service.

- 5.182 VEHICLE
- A motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or the cars of electric or steam railways running only upon rails.
- 5.183 VETERINARY HOSPITAL
- The premises of a veterinary surgeon where animals are treated or kept.
- 5.184 WALL
- A structural component of a building or structure which supports a roof or canopy and serves to create enclosed space.
- 5.185 WASTE DISPOSAL AREA
- A place where garbage, refuse, domestic or industrial waste, exclusive of liquid industrial waste, is disposed of or dumped.
- 5.186 WATERBODY
- A navigable river or lake have a surface area in excess of 10 hectares (25 acres).
- 5.187 WATERCOURSE
- The natural channel for a perennial or intermittent stream of water including a river or stream, but shall not include roadside ditch or man-made drainage canal or waterway.
- 5.188 WAREHOUSE
- A building or part of a building used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for a wholesale or retail commercial outlet, but shall not include facilities for a truck or transport terminal or yard.
- 5.189 WAYSIDE PIT OR QUARRY
- A temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

- 5.190 WIND FARM
Means two or more wind turbines constructed for the purpose of generating electricity for public consumption.
- 5.191 WIND TURBINE
A tower like structure affixed to a propeller or turbine designed to harness wind power to generate electricity, pump water or like mechanical function for private use.
- 5.192 WOODCHIPPER
A machine that processes logs into wood chips
- 5.193 WOOD YARD
An area used to store, or ship raw timber.
- 5.194 WORKSHOP
A building or structure where manufacturing is performed by tradesmen requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a commercial welder's shop, or similar uses.
- 5.195 WRECKING YARD
An area outside of an enclosed building where motor vehicles are disassembled, dismantled or junked, or where vehicles not in operable condition, or used parts of motor vehicles, are stored.
- 5.196 YARD
Any open unoccupied space appurtenant to a building measured from the closest supporting structure of the building to the lot line.
- 5.197 YARD, EXTERIOR SIDE
A yard extending from the front yard to the rear yard between the exterior side lot line and the nearest wall of any building on the lot for which the yard is required.
- 5.198 YARD, FRONT
A yard extending across the full width of the lot between the front lot line and the nearest wall of any building or structure on the lot for which the yard is required.

5.199 YARD, REAR

A yard extending across the full width of the lot between the rear lot line and the nearest wall of any building on the lot for which the yard is required.

5.200 YARD, REQUIRED

The minimum yard required by the provisions of the By-law.

5.201 YARD, INTERIOR SIDE

A yard extending from the front yard to the rear yard between the interior side lot line and the nearest wall of any building on the lot for which the yard is required.

5.202 ZONE

The category of use or activity of land, buildings, structures or activities permitted by this By-law.

5.203 ZONE PROVISIONS

The permissible uses, the minimum area and dimensions of lots, the minimum dimensions of yards, the maximum lot coverage, the minimum setback, gross floor area, the minimum landscaped open space, the maximum height of buildings, minimum parking requirements, and all other Zone provisions are set out within the By-law for the respective Zones.

SECTION 6
ENACTMENT

This By-law shall come into effect upon the date of passage hereof, subject to the provisions of Section 34 (30) and (31) of the Planning Act (Ontario).

BY-LAW READ A FIRST AND SECOND TIME THIS 14th DAY OF JUNE, 2005.

BY-LAW READ A THIRD AND FINAL TIME AND PASSED THIS 14th DAY OF JUNE, 2005.

REEVE

CLERK