

DRAFT BY-LAW AUGUST 2025



**CONSOLIDATED VERSION OF**

**COMPREHENSIVE ZONING**

**BY-LAW A2000-07,**

**as amended**

**Passed June 22, 2007**

**(Consolidated April 28<sup>th</sup>, 2025)**

**Consolidated Version**  
**(April 28<sup>th</sup>, 2025)**

**Comprehensive Zoning By-law A2000-07 was passed by Council on June 22, 2007.**

**This consolidated document contains the following Zoning By-law Amendments which have been enacted by Council:**

| <b>Amendment No.</b>           | <b>Date Enacted</b> |
|--------------------------------|---------------------|
| A2001-07                       | Defeated            |
| A2002-07                       | November 16, 2007   |
| A2003-07                       | November 16, 2007   |
| A2004-07                       | November 16, 2007   |
| A2005-08 (Housekeeping By-law) | February 22, 2008   |
| A2006-08                       | March 14, 2008      |
| A2007-08                       | March 14, 2008      |
| A2008-08                       | April 18, 2008      |
| A2009-08                       | April 18, 2008      |
| A2010-08                       | June 20, 2008       |
| A2011-08                       | July 25, 2008       |
| A2012-08                       | November 21, 2008   |
| A2013-08                       | November 21, 2008   |
| A2014-08                       | September 19, 2008  |
| A2015-08                       | December 5, 2008    |
| A2016-09                       | February 20, 2009   |
| A2017-09 (Housekeeping By-law) | June 12, 2009       |
| A2018-09                       | June 12, 2009       |
| A2019-09                       | March 20, 2009      |
| A2020-09                       | November 20, 2009   |
| A2021-10                       | May 21, 2010        |
| A2022-10                       | March 19, 2010      |
| A2023-10                       | May 21, 2010        |
| A2024-10                       | June 25, 2010       |
| A2025-10                       | May 21, 2010        |
| A2026-10                       | August 20, 2010     |
| A2027-10                       | July 16, 2010       |
| A2028-10                       | August 20, 2010     |
| A2029-10                       | August 20, 2010     |
| A2030-10                       | September 17, 2010  |
| A2031-10                       | October 15, 2010    |
| A2032-11                       | January 14, 2011    |
| A2033-11                       | February 18, 2011   |
| cont'd ....                    |                     |

| <b>Amendment No.</b>           | <b>Date Enacted</b> |
|--------------------------------|---------------------|
| A2035-13                       | February 22, 2013   |
| A2036-12                       | January 12, 2012    |
| A2037-12                       | March 23, 2012      |
| A2039-12                       | January 20, 2012    |
| A2040-12 (Housekeeping By-law) | June 15, 2012       |
| A2041-12                       | October 19, 2012    |
| A2042-12                       | July 20, 2012       |
| A2043-12                       | September 14, 2012  |
| A2044-12                       | October 19, 2012    |
| A2045-12                       | November 16, 2012   |
| A2046-12                       | November 16, 2012   |
| A2047-13                       | repealed            |
| A2048-13                       | July 19, 2013       |
| A2049-13                       | denied              |
| A2050-13                       | September 20, 2013  |
| A2051-13                       | December 6, 2013    |
| A2052-13                       | December 6, 2013    |
| A2053-14                       | March 14, 2014      |
| A2054-14                       | March 14, 2014      |
| A2055-14                       | April 25, 2014      |
| A2056-14 (repeal of A2047-13)  | May 16, 2014        |
| A2057-14                       | May 16, 2014        |
| A2058-14                       | June 13, 2014       |
| A2059-14                       | August 15, 2014     |
| A2060-14                       | November 14, 2014   |
| A2061-14                       | November 14, 2014   |
| A2062-15                       | April 17, 2015      |
| A2063-15                       | February 20, 2015   |
| A2064-15                       | January 16, 2015    |
| A2065-15                       | July 17, 2015       |
| A2066-15                       | August 14, 2015     |
| A2067-15                       | October 23, 2015    |
| A2068-15                       | October 23, 2015    |
| A2069-15                       | September 18, 2015  |
| A2070-15                       | November 20, 2015   |
| A2071-16                       | January 15, 2016    |
| A2072-16                       | January 15, 2016    |
| A2073-17                       | August 25, 2017     |
| A2074-16                       | May 20, 2016        |
| A2075-16                       | October 14, 2016    |
| A2076-16                       | October 14, 2016    |
| A2077-17                       | May 19, 2017        |
| A2078-17                       | April 21, 2017      |
| A2079-17                       | August 25, 2017     |

| <b>Amendment No.</b>    | <b>Date Enacted</b> |
|-------------------------|---------------------|
| A2080-17                | September 22, 2017  |
| A2081-17                | November 17, 2017   |
| A2082-17                | December 8, 2017    |
| A2084-18                | April 27, 2018      |
| A2085-18                | June 22, 2018       |
| A2086-18                | July 20, 2018       |
| A2087-19                | March 29, 2019      |
| A2088-19                | April 26, 2019      |
| A2089-19                | April 26, 2019      |
| A2090-19                | June 21, 2019       |
| A2091-20                | January 17, 2020    |
| A2092-20                | November 19, 2020   |
| A2093-20                | -                   |
| A2094-21                | February 19, 2021   |
| A2095-21                | April 9, 2021       |
| A2096-21                | April 9, 2021       |
| A2097-21                | April 9, 2021       |
| A2098-21                | May 21, 2021        |
| A2099-21                | July 16, 2021       |
| A2100-21                | July 16, 2021       |
| A2101-21                | August 20, 2021     |
| A2103-22                | February 18, 2022   |
| A2104-23                | July 22, 2023       |
| A2105-23                | April 21, 2023      |
| A2106-23                | August 18, 2023     |
| A2107-23                | September 15, 2023  |
| A2108-23                | November 17, 2023   |
| A2109-23                | December 15, 2023   |
| A2110-24                | June 21, 2024       |
| A2111-24                | July 19, 2024       |
| A2112-24                | August 2024         |
| A2113-24                | August 2024         |
| OLT Order OLT-22-002057 | August 2024         |
| A2114-24                | October 18, 2024    |
| A2115-24                | December 13, 2024   |

**This consolidated document also contains the following Ontario Municipal Board Orders:**

| <b><u>Date of O.M.B. Order</u></b> | <b><u>In the Matter of</u></b>          |
|------------------------------------|-----------------------------------------|
| July 18, 2008                      | Island 79A (Rathlyn Island) Subdivision |

# Township of The Archipelago

## By-law No. A2000-07, as amended

**BEING** a regulatory By-law to implement the policies of the Official Plan for the Corporation of the Township of The Archipelago and govern land use.

**WHEREAS** the Council of the Corporation of the Township of The Archipelago deems it in the public interest to prohibit and regulate the use of land, *buildings* and structures.

**AND WHEREAS** pursuant to the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13 as amended, By-laws may be enacted and amended by Councils of Municipalities;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF THE ARCHIPELAGO ENACTS AS FOLLOWS:**

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|



# Section 1 - Introduction

## 1.1 Title

This *By-law* shall be cited as “the Township of The Archipelago Comprehensive Zoning By-law” hereafter referred to as the ‘*By-law*’.

## 1.2 Components

This *By-law* consists of all textual components and schedules contained herein. **Appendix I – metric conversions** is not considered part of this document.

## 1.3 Application

The provisions of this By-law shall apply to all lands including *islands* within the boundaries of the Corporation of the Township of The Archipelago (herein after referred to as ‘*the Township*’).

Where a Zone on the Schedules abuts a *waterway*, such Zone shall be deemed to extend into the *waterway* and to apply to any *waterlots*, Crown lake bed or any land created by changing lake levels, land fill operations or by any other means, and to extend over all *docks*, *boathouses* and *boatports*, breakwalls, groins, seawalls, cribs, anchorages and *boats* or vessels where they are affixed to the ground. No *building* or *structure* shall be erected, altered or used, and the use of any *building*, *structure* or *lot* shall not be changed in whole or in part except in conformity with the provisions of this By-law.

The provisions of this By-law may not apply to Crown Land. However, this By-law reflects the established planning policies of the Township of the Archipelago and it is intended that the Crown shall have regard for the provisions of this *By-law*.

## 1.4 Scope

No lands shall be used and no *buildings* or *structures* shall be erected, *altered*, enlarged and no changes may be made to the use of any *buildings* or *structures* or lands within the Corporation of the Township of The Archipelago except in conformity with the provisions of this *By-law*. Uses not listed as permitted or otherwise provided for in this By-law shall be prohibited.

In the event of an inconsistency or conflict between two or more provisions in this *By-law*, the more restrictive provision shall prevail.

## 1.5 Repeal of Existing By-laws

From the date of the coming into force of this By-law, all previous By-laws passed under Section 34 of the Planning Act, R.S.O. 1990 c.P. 13 (hereinafter referred to as the *Planning Act*), or predecessor thereof, shall be deemed to have been repealed, with the exception of the following by-laws:

A1113-07 (Green)  
A1116-07 (Eaton)  
A1117-07 (Rathlyn Island)

Notwithstanding the enactment of the Comprehensive Zoning By-law, the provisions of By-laws A1113-07, A1116-07, and A1117-07 shall prevail in respect to those specific by-laws.

## 1.6 Validity

Every provision of this *By-law* is declared to be severable from the remainder of this *By-law* and, if any provision of this *By-law* shall be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity, effectiveness, or enforceability of the remainder thereof.

## 1.7 Effective Date

This *By-law* shall come into force and take effect on the day it is passed by Council subject to any approval necessary pursuant to *the Planning Act*, R.S.O. 1990, c.P. 13 as amended from time to time.

## Section 2 - Administration and Interpretation

### 2.1 Inspection of Property and Premises

Any designated employee of *the Township* acting under their direction may, at any reasonable hour and upon producing proper identification, enter and inspect any property but shall not enter any *building* or *structure* used as a dwelling unit without:

- a) the consent of the occupier, or
- b) the authority of a Search Warrant issued pursuant to the provisions of Section 142 of the Provincial Offenses Act, R.S.O. 1990, as amended.

### 2.2 Licenses and Permits

- a) In addition to fulfilling the requirements of this *By-law*, no person shall commence to *erect*, *alter* or repair any *building* or *structure* without first obtaining a *building* permit from *the Township*, where necessary.
- b) No municipal permit or license shall be issued where said permit is required for a proposed *use of land* or the proposed erection, alteration, enlargement, or *use of any building* or *structure* that is in violation of any provision of this *By-law*.
- c) In all zones, any *building* or *structure* which is moved from one location to another, whether within the *zone* or from one *zone* to another, or from any location beyond the boundary of *the Township*, into any *zone*, shall be considered as being a new *building* or *structure* and shall comply with the provisions of this *By-law*.

### 2.3 Violations, Penalties, and Remedies

- a) Pursuant to the provisions of Section 67 of the *Planning Act*, R.S.O. 1990, c.P. 13 as amended from time to time, any person who breaches any provision of this *By-law* is guilty of an offence and, on conviction, is liable:
  - i) On a first conviction to a fine of not more than \$25,000.00; and
  - ii) On a subsequent conviction, to a fine of not more than \$10,000.00 for each day, or part thereof, upon which the contravention has continued after the day on which he was convicted.
- b) Where a Corporation, with every director or officer of the Corporation who knowingly concurs in the contravention, breaches any provision of this *By-law* and is found guilty of an offence on conviction is liable:
  - i) On a first conviction, a fine of not more than \$50,000.00; and
  - ii) On a subsequent conviction, a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the Corporation was first convicted.

Where a conviction is entered, in addition to any other remedy or any penalty provided by law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person and/or Corporation convicted.

### 2.4 Applications for Approvals

Applications to permit the *use* of lands, or to *erect*, *alter*, enlarge, or use any *buildings* or *structures* as described above shall be accompanied by plans drawn to scale, where required by the *Township*, showing:

- a) the actual shape and dimensions of the *lot* to be used or upon which it is proposed to *erect*, *alter*, enlarge, or use *buildings* or *structures*;
- b) the proposed location, *height*, and dimensions of the *buildings* or *structures* in respect of which the permit is applied for;
- c) the location of every *building* or *structure* already erected on or partly on such *lots*;
- d) the location of proposed *parking spaces*, *loading spaces*, *driveways* and landscaping areas;
- e) the location of any landscaping, curbing, drainage, pre and post construction elevations, retaining walls and other physical additions to the site; and
- f) any other information *the Township* considers necessary to determine whether every such *building*, *structure*, or work conforms to the requirements of this *By-law*.

Other requirements pertaining to the above applications are as follows:

- a) The application shall be accompanied by a statement by the owner or his duly authorized agent specifying the use to which the lands are intended or the *use* to which the *buildings* or *structures* to be *erected*, *altered* or enlarged are intended to determine if such use conforms to the requirements of this *By-law*.
- b) The *lot* and the location of every *building* or *structure* to be *erected* thereon is to be staked out on the grounds before construction is commenced.
- c) The lack of a survey, or a mistake or an error or omission by any *person* required to comply with the provisions of this *By-law* does not relieve that *person* from liability for failure to comply with the provisions of this *By-law*.
- d) *The Township* may require that any plans accompanying an application be prepared by an Ontario Land Surveyor, Professional Engineer, or Architect where, in their opinion, such plans are necessary to determine the exact extent to which a variance or amendment is required.

## 2.5 Relationship with Other By-laws

Nothing in this *By-law* shall operate to relieve any *person* from the requirements of the *Building Code* or any By-law or requirements of *the Township* in force from time to time, or the obligation to obtain any license, permit, authority, or approval required under any By-law or law of *the Township* or other government authority. Any *use* established in violation of a predecessor of this *By-law* will be deemed to have been established unlawfully. Nothing in this *By-law* shall be construed to exempt any *person* from complying with the requirements of any other laws of *the Township* or from any law of the Province of Ontario or of Canada.

## 2.6 General Interpretation and Application

- a) In their interpretation and application, the provisions of this *By-law* shall be held to be the minimum requirements adopted for the promotion of the public health, safety, convenience, or general welfare. Whenever the requirements of this *By-law* are at variance with the requirements of any other By-law, the most restrictive, or the By-law imposing the higher standards shall govern and apply. Nothing in this *By-law* shall be construed to exempt any *person* from complying with the requirements of any By-law of *the Township* or from any law of the Province of Ontario or of Canada.
- b) In this *By-law* the word “shall” is mandatory and directory; words used in the present tense include the future; words in the singular include the plural and words in the plural include the singular. Words imparting the masculine gender shall include the feminine and the converse.
- c) In the event that an obvious grammatical or typographical error has been made in the preparation of this *By-law*, *the Township* may interpret the intent of this *By-law* in a reasonable manner without amendment to this *By-law*.
- d) Where a “word” or “term” is defined in Section 3: Definitions of this *By-law*, the “word: or “term”, when used elsewhere in this *By-law* is highlighted in italics.
- e) **Appendix I** has been included for information purposes only and the imperial figures are not exact conversions of the metric figures. Reference shall always be made to the metric figures in determining conformity with the By-law.

## 2.7 Technical Revisions to the Zoning By-law

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

- a) Correction of grammar, typographical errors, or revisions to format in a manner that does not change the intent of a provision.
- b) Adding or revising technical information on maps or schedules that does not affect the zoning of lands including, but not limited to, matters such as updated and correcting infrastructure information, keys, legends or title blocks.
- c) Updates to reflect changes to the names of ministries or departments within municipal, provincial, or federal governments or agencies with jurisdiction.
- d) Changes to appendices, headings, indices, marginal notes, table of contents, illustrations, historical or reference information, page numbering, footers and headers, which do not form a part of this By-law and area editorially inserted for convenience of reference only.

## Section 3 - Definitions

For the purposes of this *By-law*, the definitions and interpretations given in this Section shall govern.

### ~~4.1~~ 3.1 Accessory Boat Docking

Shall mean docking that is accessory to onshore uses and is incidental or subordinate to the primary function of an onshore *building, structure* or *use*.

### ~~4.2~~ 3.2 Accessory Building

Shall mean a detached *building*, the *use* of which is naturally and normally incidental to, subordinate to and exclusively devoted to a principal *use* and located on the same lot.

### ~~4.3~~ 3.3 Accessory Structure

Shall mean a *structure*, the use of which is incidental, subordinate, and exclusively devoted to the principal use and located on or adjacent to the same lot, including but not limited to decks, docks, satellite dishes, swimming pools, marine railways and tennis courts.

### ~~4.4~~ 3.4 Accessory Use

Shall mean a *use, building, or structure which is* naturally and normally incidental to, subordinate to, or exclusively devoted to a principal use and located on the same lot.

### 3.5 Additional Residential Unit

Shall mean a residential *dwelling unit* that is subordinate to a single detached, semi-detached, or townhouse dwelling and located within a single detached, semi-detached, or townhouse dwelling or within an accessory building or structure located on the same lot and accessory to a detached, semi-detached, or townhouse dwelling. An additional residential unit shall contain sleeping accommodations, a kitchen, and sanitary facilities for the exclusive use of the occupants and shall have a private entrance from outside the building or from a common hallway or stairway inside the building.

### ~~4.5~~ 3.6 Agricultural Use

~~Shall mean the use of land, buildings or structures for the purpose of animal husbandry, horticulture, dairying, fallow, and/or forestry, and shall include field crops and pasturage, and any other farming use excluding intensive or specialty agriculture and kennels; and includes: the growing, raising, packing, treating, storing and sale of produce produced on the premises and other similar uses customarily carried on in the field of general agriculture, and shall include non-commercial greenhouses.~~

Shall mean the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and housing for farm workers, when the size and nature of the operation requires additional employment.

### ~~4.6~~ ~~3.6~~ Agricultural Use, Intensive

~~1.7 Means lands or buildings which are predominantly used for the raising of chickens, turkey or other fowl, fur-bearing animals, hogs or the growing of mushrooms, or the intensive feeding of animals in confined areas.~~

### ~~4.8~~ 3.7 Alter

When used in reference to a *building or structure* or part thereof, shall mean to make any modification to the structural component of a *building or structure* that results in a change of *use* or an increase or decrease in the *floor area* or *height*.

When used in reference to a *lot*, the word '*alter*' shall mean to increase or decrease the width, depth, or area of any required yard, *setback*, or boundary of such lot with respect to a public road or waterbody, whether such alteration is made by conveyance or alienation of any portion of said *lot* or otherwise.

### 3.8 Asphalt Plant

Shall mean a plant or facility used for the manufacture of asphalt. This facility may include equipment for heating, drying, mixing, and storing asphalt materials, and may also include facilities for the storage of raw materials and finished products, as well as related operations such as maintenance and repair of equipment.

#### **4.93.9 Assembly Hall**

Shall mean a *building* or a portion of a *building* used for the purposes of hosting meetings for civic, educational, charitable, religious or social purposes, a banquet hall, *community centre* or Canadian Legion Hall.

#### **4.103.10 Attached**

Shall mean a *building* or structure, otherwise complete in itself, that depends upon a division wall or walls shared in common with an adjacent *building(s)* or *buildings* structure(s) or part thereof for structural support or complete enclosure. A building or structure connected by a breezeway or passageway is not considered to be attached.

#### **4.113.11 Attic**

Shall mean the space between the roof and the ceiling of the *top storey* or between a dwarf or knee wall and a sloping roof. An *attic* is not to contain or be used as a *habitable room* and cannot be accessed by a stairway.

#### **3.12 Backyard Hens**

Shall mean the keeping of up to ten hens with no rooster on a lot, accessory to a principal residential use, where the hens and their eggs are for domestic use only and not for sale.

#### **4.123.13 Barge**

Shall mean a freight *boat* used in connection with a construction, contracting or haulage business.

#### **4.133.14 Basement**

Shall mean a *storey* or *storeys* of a *building* located below the *first storey* and partially or fully below grade.

#### **4.143.15 Bed and Breakfast Establishment**

Shall mean sleeping accommodation for the traveling or vacationing public within the *main single detached dwelling* that is the principal residence of the proprietor, to a maximum of three *guest rooms*, and may include the provision of breakfast and other meals and services, facilities or amenities for the exclusive *use* of the occupants. The *guest rooms* shall not have *kitchen* or cooking facilities, nor in any other way resemble a *motel*, *lodge*, *multiple dwelling*, boarding or rooming house, hospital, group home, or other *institutional use* or a *restaurant* accommodating the traveling or vacationing public, and guests shall not have access to *kitchen* or cooking facilities. Refer to the General Provisions (Section 5.2) for the applicable regulations.

#### **4.153.16 Boat**

Shall mean any form of watercraft, with or without sleeping, living, cooking, dining and washroom facilities that is designed and intended for water transportation, but excluding a *building*, *structure* or aircraft.,

#### **4.163.17 Boathouse**

Shall mean an enclosed detached *accessory building* or *structure* that is located over the lake bed and is designed or used for the sheltering of a *boat* or other forms of water transportation or marine related equipment. A *boathouse* may be permanent or portable or floating in nature, but shall not include sleeping space or floating accommodation.

#### **3.18 Breezeway/Passageway**

Shall mean a roofed outdoor passageway having sides which are open and unenclosed. An enclosed passageway having a width of 3.0 metres or less that connects buildings and/or structures is considered a breezeway/passageway.

#### **4.173.19 Boatport**

Shall mean a detached *accessory building* or *structure* that is located over the lake bed and is designed or used for the sheltering of a *boat* or other forms of water transportation. A *boatport* may be permanent or portable or floating in nature. In the case of a *boatport* at least one wall must be open.

#### ~~4.18~~3.20 Bridge

Shall mean a *structure* erected across a *waterway* or spanning two or more points of land to afford passage by vehicles or pedestrians.

#### ~~4.19~~3.21 Building

Shall mean a *structure*, whether temporary or permanent, as defined within the *Building Code*, used or intended to be used for the shelter, accommodation or enclosure of *persons*, goods or chattels.

#### ~~4.20~~3.22 Building Envelope

Shall mean the buildable area of a *lot*, defined by all required *setbacks* and maximum *height* requirements, within which a *building* can be erected, as established in this By-law.

#### ~~4.24~~3.23 Building, Main

Shall mean the *building* in which the principal *use* of the *lot* is conducted.

#### ~~4.22~~3.24 Building Official/Inspector

Shall mean the officer or employee of the corporation who is charged with the duty of enforcing the provisions of the Ontario *Building Code*.

#### ~~4.23~~3.25 Building Supply Establishment

Shall mean a commercial *building* and *lot* for the sale and storage of *building* materials and equipment, and may include incidental assembly/fabrication for the purpose of sales and service of a wide variety of *building* supplies, including but not limited to the following: lumber, millwork, siding, plumbing, fencing, electrical supplies, heating equipment and other commodities.

#### ~~3.23~~ ~~Building Setback~~

~~Shall mean the minimum horizontal distance between any lot line and the nearest part of any building, structure or open storage use on the lot.~~

#### ~~4.24~~3.26 By-law

Refers to 'Comprehensive Zoning By-law A2000-07' passed by Council for the Corporation of the Township of The Archipelago.

#### ~~4.25~~3.27 Camper

Shall mean any kind of temporary shelter for sleeping that is not permanently fixed to the site and that is capable of being easily moved, but does not include *structures* nor floating accommodation.

#### ~~4.26~~3.28 Campground

Shall mean a recreational establishment operated by a private or public organization where children or adults are temporarily accommodated in tents, cabins, cottages, or *lodges*, or recreational vehicles.

#### ~~4.27~~3.29 Carport

Shall mean a *building* or *structure* that is intended for the shelter of vehicles and has at least one open wall.

#### ~~4.28~~3.30 Causeway

Shall mean a raised *road* or way across any land, *waterway* or wetland, which affords vehicle or pedestrian passage.

#### ~~4.29~~3.31 Cemetery

Shall mean a cemetery within the meaning of the Cemetery Act, R.S.O. 1992.

#### ~~4.30~~3.32 Chamber of Commerce

Shall mean the lands, *buildings* and *structures* occupied by an association of merchants or business people.

#### ~~4.31~~3.33 Channel

Shall mean a navigable course or track between two land areas or islands.

#### ~~4.32~~3.34 Channel, Major

Shall mean the navigable course or track shown as a line on the nautical charts published by the Canadian Hydrographic Service from time to time, which indicates sufficient water depth for the safe navigation of *boats*.

#### ~~4.33~~3.35 Clinic, Medical

Shall mean a *building* or part thereof used by qualified medical practitioners, nurses, dentists, chiropractors, or other drugless practitioners, for public or private medical, surgical, physiotherapeutic or other human health purposes, except when included within or accessory to a private or public hospital.

#### ~~4.34~~3.36 Clinic, Veterinary

Shall mean a *building*, or part thereof, used by a veterinary surgeon for the treatment and care of animals.

#### ~~4.35~~3.37 Club, Private

Shall mean one or more of the recreational land uses which existed in *the Township* on January 1, 1980, having in excess of two owners, containing three or more self-contained cottages, a main *lodge*, common or shared *outbuildings* and facilities.

#### ~~4.36~~3.38 Coldwater Lake

Shall mean a *waterbody* identified by the Ministry of Natural Resources as a sensitive coldwater lake trout lake and includes Blackstone Lake, Crane Lake, Forget Lake and Three-Legged Lake.

#### 3.39 Commercial Vehicle Parking

Shall mean an area provided for the parking of commercial vehicles and may include aisles, parking spaces, and related ingress and egress lanes, and a garage.

#### ~~4.37~~3.40 Community Centre

Shall mean a *building* in which facilities are provided for such purposes as meetings for civic, educational, political, religious, or social functions, but does not include any continuous commercial use.

#### ~~4.38~~3.41 Conservation

Shall mean the *use* of land for the purpose of conserving, preserving, maintaining or enhancing the natural environment.

#### 3.42 Construction Equipment Storage

Shall mean a designated area where machinery, vehicles, tools, and materials used for construction activities are securely housed or parked when not in use.

#### ~~4.39~~3.43 Contractor's Yard

Shall mean a yard of any *building* trade or contractor where equipment and material are stored or where a contractor or ~~tradesman~~tradesperson performs shop or assembly work.

#### ~~4.40~~3.44 Cooking Facilities

Shall mean any appliance, cooking or warming device intended to be used for the preparation of food including all ovens, stoves, hotplates, microwaves, barbeques, any ~~gas-fed appliances and~~ similar cooking related appliances.

#### ~~4.41~~3.45 Council

Shall mean the Council of the Corporation of the Township of The Archipelago.

#### ~~4.42~~3.46 Crawlspac

Shall mean that portion of a *building* between two floors that is partly or wholly underground that has a *height* from finished floor to the underside of the floor joists of the *storey* next above not greater than 1.5 metres.

#### ~~4.43~~3.47 Crown Reserve

Shall mean a one chain (66 foot) shoreline road allowance reserved by crown patent where no such designation appeared on the original surveys prepared by the Crown surveyors. The *crown reserves* are vested in the Crown and under the jurisdiction of the Ministry of Natural Resources

#### ~~4.44~~3.48 Custom Workshop

Shall mean a *building* or *structure*, or part thereof, where the assembly or manufacturing of small quantities of articles is ~~performed by a trades person~~ requiring manual or mechanical skills, but does not include machining, stamping, milling, smelting, or forging of materials.

#### ~~4.45~~3.49 Deck

Shall mean a ~~floor~~*structure* without a roof that is level or has a level surface area capable of accommodating *persons* or furniture that may be *attached* to or detached from a *main building* or an *accessory building* or structure.

#### ~~4.46~~3.50 Detached

Shall mean separated from or not connected and does not share a common wall with any other *building(s)*, except *buildings* may be connected by a passageway, breezeway or roof that does not constitute an attachment.

#### ~~4.47~~3.51 Development

Shall mean the construction, erection, or placing of one or more *buildings* or *structures* on land or the making of an addition or alteration to a *building* or *structure* that has the effect of increasing the size or usability of any *building* or *structure*.

#### ~~3.48~~ Development, New

~~Shall mean the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the the Planning Act, R.S.O. 1990, c.P. 13, but does not include activities that create or maintain infrastructure authorized under an Environmental Assessment process or works subject to the Drainage Act.~~

#### 3.52 Dining Hall

Shall mean a large area within a building or structure where meals are served and consumed by many people at the same time.

#### ~~4.48~~3.53 Dock

Shall mean a *structure* in the form of a platform, located on or adjacent to water, floating or fixed to the shoreline or lake bed, including a wharf or pier used for parking or mooring, loading, unloading, repair or storage of *boats*, located on or adjacent to water, and includes connecting ramps, stairs, walkways and landings located within 3 metres of the landside inland of the ~~highwater mark~~shoreline.

#### 3.54 Dock, On-Shore Extension

When referring to a dock which is fixed to the shoreline, shall mean the portion of the dock which extends out of the water, past the shoreline, and is located on land.

#### ~~4.49~~3.55 Docking Envelope

Shall mean a surface area of land and water provided for docks and/or a boathouse or boatport, which is determined by the width of ~~the all~~ dock(s), boathouse or boatport at their widest dimension parallel to the chord of the lot frontage at the shore and the length perpendicular to said width provided that the determination of both dimensions shall include, where necessary, the permitted 3-metre encroachment area inland of the ~~highwater mark~~shoreline.



#### ~~4.50~~3.56 Docking Site

Shall mean a portion of a docking envelope that is separated from any other portion of a docking envelope by a minimum of 5 metres.

#### ~~4.51~~3.57 Docking Slip

Shall mean a *structure* where *boats* can remain for loading, unloading, repair or storage, including the waterway adjacent to any *dock* that is capable of being occupied by a *boat*.

#### ~~4.52~~3.58 Domestic Pets

Shall mean a dog, cat or other animal that is normally kept as a household pet.

#### 3.59 Dormer

Shall mean a structural element on the roof of a building or structure that projects from a sloped roof plane, and has its own roof, which may be flat, arched, or peaked, and provides additional room to the space directly beneath the roof. Where dormers make up more than 50% of the roof plane, they shall be considered the main roof.

#### ~~4.53~~3.60 Dormitory

Shall mean a *building* where lodging is provided for more than four *persons* in return for remuneration or for the provision of services, and in which all kitchen facilities are shared.

#### ~~4.54~~3.61 Dredge

Shall mean to clear, widen or deepen a *waterway* by means of excavation and includes construction of a dam as defined in the Lakes and Rivers Improvement Act.

#### 3.62 Drive-Through Restaurant

Shall mean any restaurant that includes an operation where patrons may purchase a take-out meal while remaining seated inside a motor vehicle that is lined up in a designated service lane. A *motor vehicle service station* is not considered a drive-through restaurant.

#### ~~4.55~~3.63 Driveway

Shall mean any open roadway developed on private property or across Crown land that provides vehicular access from a *public or private road* to one individual *lot*.

#### ~~4.56~~3.64 Dwelling

Shall mean a *building* occupied, or capable of being occupied exclusively as a home or residence by one or more *persons*, but shall not include *hotels*, *motels*, *mobile homes*, travel trailers, *tents*, campers, or vehicles etc.

#### ~~4.57~~3.65 Dwelling, Main

Shall mean the principal residential *building* or largest *dwelling unit* on a *lot*.

#### ~~4.58~~3.66 Dwelling, Multiple

Shall mean a *building* containing more than one *dwelling unit* and that is occupied or capable of being occupied as a home or residence, and may include a semi-detached, duplex, triplex, fourplex, apartment or townhouse but does not include a *tent* or trailer.

#### ~~4.59~~3.67 Dwelling, Single Detached

Shall mean a detached permanent *dwelling* occupied as one single *dwelling unit* and to which entrance is gained only by a private entrance outside the *building*, but shall not include a *mobile home*, travel trailer, *tent* or camper.

#### 3.68 Dwelling, Semi-Detached

Shall mean a building divided vertically by a common wall above finished grade into two separate dwelling units, each such dwelling unit having an independent entrance either directly from outside the building or through a common vestibule.

~~1.60~~3.69 **Dwelling, Townhouse**

Shall mean a building divided vertically both above and below grade into three or more separate dwelling units, each such dwelling unit having two independent entrances directly from outside the building.

~~1.61~~3.70 **Dwelling Unit**

Shall mean a room or suite of habitable rooms occupied or capable of being occupied as an independent and separate self-contained housekeeping unit in which no more than one separate kitchen is provided and in which access is gained from a private entrance from outside the *building* or from a common hallway or stairway inside the *building* and contains sanitary facilities but not necessarily sleeping accommodation.

**3.71 Dwelling Unit Accessory to a Non-Residential Use**

Shall mean a permanent *dwelling unit* which is located on the same lot as a primary use which is not residential, and in which the residential use is secondary and subordinate to the primary non-residential use. A *dwelling unit accessory to a non-residential use* may be either be a detached *building or structure* or a unit within a *building* associated with the primary non-residential use.

~~1.62~~3.72 **Easement**

Shall mean the right of *use* over the property of another land owner. This may include the right to enter and exit upon the property of another or for the purposes of access to services.

~~1.63~~3.73 **Environment**

Shall mean the air, land, or water, or any combination or part thereof.

~~1.64~~3.74 **Equipment Sales and Rentals**

Shall mean the use of lands, *buildings* and *structures*, in which machinery and equipment are offered for sale or kept for rent, lease, or hire under agreement for compensation.

~~1.65~~3.75 **Erect**

Shall mean to build, construct, reconstruct or relocate and, without limiting the generality of the word, also includes:

- a) ~~a)~~ any excavating, dredging, filling, draining, or the creation of retaining walls, beams, siding or breakwalls;
- b) ~~b)~~ the placement or construction of docks, wharves, piers, rafts or pump houses;
- c) ~~c)~~ ~~altering~~ alteration of any existing building or structure by an addition, enlargement, extension or other structural change, and;
- a)d) ~~d)~~ any work that requires a building permit ~~under The Building By-law of the Township.~~

~~3.66~~ ~~Established~~ **~~Building Line~~**

~~Shall mean the average distance of the *buildings* from a *public road* where said *buildings* are located on one side of a block, defined by intersecting *roads* at each end of the block, and where more than one half of the *lots* having *public road* access upon the said side of the block have been built upon.~~

~~1.66~~3.76 **Existing or Existed**

Shall mean in existence on the date of the passing of this *By-law*.

~~1.67~~3.77 **Financial Institution or Bank**

Shall mean a *building* designed for the purpose of lending, borrowing, exchanging, issuing or safeguarding money.

~~1.68~~3.78 **Final Grade**

Shall mean the average elevation of the ground at the base of a *building* or *structure*, exclusive of any embankment in lieu of steps or other site alteration utilized to raise the finished surface. The calculation of the average elevation shall include at least five points of measurement evenly spaced along a single wall of the *building* or *structure* including each edge of the wall and the highest and lowest points on the ground.

### **3.79 Floating Accommodation**

Shall mean a floating building, structure, or thing, or a combination of floating buildings, structures, or things, equipped or useable for overnight accommodation and not primarily used for navigation and includes a floating building, structure, or thing, or combination thereof that:

- a) Is primarily designed for or able to be used for residential purposes;
- b) Is a raft, barge, or floating platform that has on top of it a building, structure, vehicle, or thing that may be used for overnight accommodation, for camping purposes, or as an outdoor accommodation;
- c) Would reasonably be expected to require towing to be placed on lands or is placed on lands by means of towing or any other type of assistance, or is self-propelled;
- d) Is equipped with anchor(s) and/or jack-up technology or a similar mechanism used to anchor or rise above the surface of the water, with or without spud cans; or,
- e) Has a floating foundation or a flotation platform which may include floats constructed of polystyrene, plastic, concrete, or logs and stringers or any other material or substance used to assist with floatation.

### **4.693.80 Floodplain**

Shall mean the horizontal area that borders a lake, river, stream or *watercourse*, and that is subject to flooding. The *floodplain* of Georgian Bay shall include all lands below the 178.3 metre elevation G.S.C. datum.

### **4.703.81 Floor Area, Industrial (Total)**

Shall mean that portion of the total floor area of an *industrial* establishment that is used for manufacturing purposes but does not include areas ~~of~~ used exclusively for storage or offices.

### **4.743.82 Floor Area, Residential (Ground)**

Shall mean the floor area of the lowest storey of a *building* approximately at or ~~first~~ above the *final grade level* excluding any *basement*, *crawlspace*, cellar, or sub cellar, which area is measured between the exterior faces of the exterior walls or supporting posts at the floor level of such *storey*, and ~~it includes: any private garage, covered porch or veranda, or enclosed porch or veranda.~~

### **4.723.83 Floor Area, Residential (Total)**

Shall mean the space of all storeys of a building between the exterior faces of the exterior walls and required firewalls, including the space occupied by interior walls and partitions, any private garage, carport, storage area, breezeway, porch, veranda, ~~unenclosed porch or unenclosed veranda,~~ the entire area of the overhang of a roof where such overhang exceeds 1.25 metres in depth, but does not include the space occupied by exits, vertical service spaces and their enclosing assemblies, a basement, *crawlspace*, or an attic and those interior areas adjacent to the exterior walls with less than ~~6.5 feet~~ 1.8 metre height clearance.

### **4.733.84 Forestry**

Shall mean the *use* of land for the purpose of conservation and/or the growing and cutting of trees for the purpose of producing commercial/non-commercial wood products but shall not include the manufacturing or processing of such products.

### **4.743.85 Four Season Destination Resort**

Shall mean a tourist establishment that operates throughout all of the year and provides entertainment and recreation to persons and may provide temporary or long-term accommodation to any person(s) on a daily, weekly, monthly, timeshare or other form of ownership basis.

### **3.86 Garage**

Shall mean a private garage that is accessory to a dwelling located on the same lot and is designed or used for the sheltering of private motor vehicles and the storage of household equipment incidental to residential occupancy and in which there are no facilities for repairing or servicing vehicles for remuneration or commercial use, and that is fully enclosed and excludes a carport or other open shelter.

### **3.77 Garage, Attached**

~~Shall mean a private garage that is accessory to a dwelling on the same lot and attached by a common wall and/or common roof structure and is designed or used for the sheltering of private motor vehicles and the storage of household equipment incidental to residential occupancy and in which there are no facilities for repairing or servicing such vehicles for remuneration or commercial use, and that is fully enclosed and excludes a carport or other open shelter.~~

### **3.78 Garage, Detached**

~~Shall mean a private garage, accessory to a dwelling on the same lot, that is designed or used for the sheltering of private motor vehicles and the storage of household equipment incidental to residential occupancy and in which there are no facilities for repairing or servicing such vehicles for remuneration or commercial use and that is fully closed and excludes a carport or other open shelter.~~

### **1.75 3.79 G.S.C.**

~~Shall mean the Geodetic Survey of Canada.~~

### **3.87 Gazebo**

Shall mean an enclosed or unenclosed accessory structure fixed to a location on the ground or attached to a dwelling, dock, or deck, and is used to accommodate people or furniture, with the exception of overnight accommodation. For the purposes of this By-law, a gazebo shall not include a sun shade, tent, or similar temporary structure.

### **1.76 3.88 Guest**

Shall mean a *person* who contracts for accommodation in a *motel* or *hotel* or other similar accommodation and includes all members of the *persons'* party.

### **1.77 3.89 Guest Room**

Shall mean a room, suite, or rooms that are used or maintained for the accommodation of the public and that contain no *cooking facilities*.

### **3.90 Heavy Equipment**

Shall mean vehicles of substantial size, weight, and specialized function that are utilized for a variety of tasks including, but not limited to, construction, excavation, demolition, and landscaping.

### **1.78 3.91 Height**

Shall mean, with reference to a *building*, the vertical distance measured at the front of a *building* from the *final grade* of such *building* to:

- a) ~~a)~~ in the case of a flat roof, the highest point of the roof surface, or the parapet, whichever is the greater;
- b) ~~b)~~ a mansard roof - the deck roof line;

- c) ~~e)~~ a gable, hip or gambrel roof - the mean distance between the eaves and the ridge, except that where the roof pitch of a gable, hip or gambrel roof exceeds a slope ratio of 1:1 – three quarters of the mean distance between the eaves and the ridge; or
- a) ~~d)~~ an "A" - frame construction – three quarters of the mean distance between the eaves and the ridge, whichever results in the lesser vertical distance. The front of a *building* for the purpose of determining *building height* shall include each exterior wall of a *building* that faces a shoreline or a *road* of a *lot*. The *height* of the *building* shall be determined separately for each front wall of the *building* to establish compliance with the *height* requirements of the applicable *Zone* category.

### ~~3.83~~ **High Water Mark**

~~Shall mean in the case of Georgian Bay 176.44 metres G.S.C. above sea level, and in all other cases means the normal water mark of any water at the time of the original surveys of the geographic townships unless altered by the construction of a dam or dams belonging to any municipal, provincial or other public authority, in which case the measurement shall be from the high water mark as controlled by such dam or dams.~~

### ~~4.79~~ **3.92 Home Occupation**

Shall mean an *occupation* or *business* accessory to a legally established single detached ~~or semi-detached~~ dwelling with no show/display room ~~or direct retail sales~~, such as, but not limited to the following: a service (e.g.: accountant, lawyer, ~~therapist, or similar occupation~~) a carpentry shop, a metal working shop, a machine shop, a welding shop or a tool and die shop that provides services or wares. For the purposes of this By-law, the repairing of motor vehicles, *mobile homes*, *trailers* and/or *boats* is not a *home occupation*. A *home occupation* shall occur ~~entirely~~ within the legally established single detached ~~or semi-detached~~ dwelling or within an *accessory structure* to the legally established single detached ~~or semi-detached residence~~ dwelling.

### ~~4.80~~ **3.93 Hotel**

Shall mean a commercial establishment that consists of ~~4 one or more buildings, or 2 or more connected,~~ that cater(s) to the needs of ~~serves~~ the public by ~~furnishing~~ ~~providing~~ sleeping accommodation, including permanent staff accommodation and that may or may not supply food, and ~~includes all premises licensed under the Liquor License Act and operating under the Tourism Act.~~

### ~~4.81~~ **3.94 Human Habitation**

Shall mean the act of inhabiting, occupying or using a *building* or part of a *building* for living, sleeping, eating or food preparation.

### ~~4.82~~ **3.95 Hunt Camp**

Shall mean any land or *buildings* other than a single detached dwelling that is/are used solely for the incidental habitation of *persons* angling or hunting wildlife.

### ~~4.83~~ **3.96 Industrial, Light or Industrial Use, Light**

Shall mean the *use* of land, *building*, or *structure* for the manufacturing, assembly, storage, or processing of component parts of finished products suitable for wholesale or retail trade but does not include food, beverage, tobacco, rubber, leather, textile and knitting, printing, metal fabrication, or similar industries if these industries involve stamping, presses, furnaces, machinery, or the emission of any air, water, or noise pollution that creates a nuisance outside of the *building* or *structure* or beyond the limits of the *lot*. *Light industrial* facilities do not require the *use* of municipal sanitary or water services for the operation of the *use*.

### ~~4.84~~ **3.97 Institutional**

Shall mean the *use* of land, *buildings*, or *structures* for non-commercial purposes by an organization, group, or association for religious, charitable, educational, health, or public purposes but not including lands used as a campground or *trailer park*, lands containing *sleeping cabins* or housekeeping cottages, a *private club*, a commercial mental health centre or place of detention.

### ~~4.85~~ **3.98 Island**

Shall mean one or more parcels of land that is/are capable of being separately conveyed and that is/are, as an aggregate, entirely surrounded by water.

~~4.86~~**3.99** ~~Island, One Owner~~**Single Ownership**

Shall mean an entire *island*, the whole of which is a single parcel or lot under the *Planning Act*, R.S.O. 1990, c.P. 13.

~~4.87~~**3.100** **Kitchen**

Shall mean part of a *dwelling unit* or an area where food may be prepared and that contains *cooking facilities*.

~~4.88~~**3.101** **Landscaped Open Space**

Shall mean an open space area comprised of lawn and ornamental shrubs, flowers, and trees, and may include space occupied by paths, walks, courts and patios.

~~4.89~~**3.102** **Laundromat**

Shall mean a *building* or *structure* where the service of coin-operated laundry machines, using only water, soaps or detergents and additives ~~is made available to the public~~are provided.

~~4.90~~**3.103** **Loading Space**

Shall mean an off-street space on the same *lot* as the *building* for temporary parking of a commercial vehicle while loading or unloading equipment, merchandise, goods, or materials.

~~4.91~~**3.104** **Lodge**

Shall mean a tourist establishment that has facilities for overnight sleeping accommodation and serving meals and that ~~furnishes~~provides equipment, supplies or services to *persons* in connection with angling, hunting, camping or recreational purposes

**3.105 Loft, Storage**

Shall mean a room or space directly under the roof of a building or structure which may be used for storage.

~~4.92~~**3.106** **Lot**

Shall mean a single parcel of land that may be legally conveyed in accordance with the requirements of the *Planning Act*, R.S.O. 1990, c.P. 13.

~~4.93~~**3.107** **Lot, Area**

Shall mean the total horizontal area located within the lot lines of a *lot*.

~~4.94~~**3.108** **Lot, Corner**

Shall mean a *lot* situated at the intersection of and abutting upon two or more *roads*, provided that the angle of intersection of such *roads* is not more than 135 degrees.

~~4.95~~**3.109** **Lot, Coverage**

Shall mean the area of a ~~residential lot, or in the case of a lot zoned for non residential use, the area of the lot zoned for non residential use,~~ that is covered by the *ground floor area* of any *buildings* and shall include all roofed accessory buildings and ~~all roofed or covered accessory structures~~, the entire area of the overhang of a roof where the overhang of the roof exceeds 1.25 metres in depth, the *floor area* of any *boathouse* or *boatport* constructed over the Crown lake bed and the area of any *deck*, *dock* or *docking slip* covered by the overhang of a *boathouse* roof or *boatport* roof where the roof overhang is greater than 1.25 metres in depth.

~~4.96~~**3.110** **Lot, Depth**

Shall mean the horizontal distance between the *front* and *rear lot lines*. Where such lot lines are not parallel, the lot depth shall be the mean distance between them.

~~4.97~~**3.111** **Lot, Frontage**

Shall mean the ~~following~~straight-line horizontal distance between the two lot lines which intersect the front lot line of a lot, except:

- a) Where the front lot line is not perpendicular to the side lot lines and the said lot lines are not parallel, lot frontage shall mean the horizontal perpendicular distance between the side lot lines; or,
- b) Where the front lot line is not a straight line and the side lot lines are not parallel, the lot frontage shall be measured from the minimum front yard setback and parallel to the chord of the lot frontage (i.e., the straight line joining the two points where the side lot lines intersect the front lot line); or,
- c) On an island that has not been subdivided or a peninsula, the lot frontage shall be the greatest distance between any two points of the shoreline; or,
- a)d) Where a lot has two or more frontages on a shoreline, the longer shoreline frontage shall be deemed to be the lot frontage for the purposes of this By-law.
- b) ~~In the case of a *single ownership island* or a peninsula (*lot with no side lot lines*), the *lot frontage* shall be the distance of maximum separation between any two points on the boundary of the *lot*.~~
- c) ~~In the case where a *lot* fronts on a *navigable waterway* other than a *single ownership island or peninsula*, the *lot frontage* shall be the horizontal distance between the *side lot lines* measured along the *front lot line*, but where the *front lot line* is not a straight line, or where the *side lot lines* are not parallel, the *lot frontage* is to be measured either by a line equal to the minimum *front yard setback* measured back from and parallel to the chord of the lot frontage, or by the *chord* of the *lot frontage*, whichever is the greater. For the purpose of this paragraph the *chord* of the lot frontage is a straight line joining the two points where the *side lot line* intersects the front lot line.~~
- d) ~~In the case where a *lot* abuts a *road* but not a *navigable waterway*, the *lot frontage* shall be the horizontal distance between the *side lot lines* measured at right angles. Where the *front lot line* is not a straight line or where the *side lot lines* are not parallel, the *lot frontage* shall be measured from the minimum *front yard setback* and parallel to the *chord* of the lot frontage. For the purpose of this by law, the *chord* is a straight line joining the two points where the side lot line intersects the front lot lines.~~
- e) ~~In the case where a lot has two separate frontages both on one or more navigable waterways, other than a single ownership island or a single ownership peninsula, the lot frontage shall be the longer of the two front lot lines and not calculated as cumulative. The lot frontage is calculated as the horizontal distance between the side lot lines measured along the front lot line, but where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage is to be measured either by a line equal to the minimum front yard setback measured back from and parallel to the chord of the lot frontage, or by the chord of the lot frontage, whichever is the greater. For the purpose of this paragraph the chord of the lot frontage is a straight line joining the two points where the side lot line intersects the front lot line.~~

#### **4.983.112 Lot, Interior**

Shall mean a *lot* that is bounded by other *lots* along its *side lot lines*.

#### **4.993.113 Lot Line**

Shall mean any boundary of a *lot* or the vertical projection thereof.

#### **4.1003.114 Lot Line, Front**

Shall mean, with the exception of a *lot* that abuts a *navigable waterway*, the lot line that divides the lot from the *road* subject to the following:

- a) In the case of a *corner lot*, the shorter *lot line* that abuts the *public road* shall be deemed the *front lot line* and the longer *lot line* that abuts the *public road* shall be deemed the *side lot line*;
- b) In the case of a *corner lot* with two *public road* lines of equal lengths, the *lot line* that abuts the wider *public road* or abuts a Provincial Highway shall be deemed to be the *front lot line*, and if similar, the *Township* may designate either *public road* line as the *front lot line*;
- c) In the case of a *lot* abutting one or more *private roads*, the shortest *lot line* abutting the *private road* shall be deemed the *front lot line*;
- d) In the case of a *through lot*, two *front lot lines* shall exist.

On a lot where a lot line abuts a *navigable waterway*, the front lot line shall be the following:

- a) In the case of a *lot* on an island or a *Single Ownership Island*, the ~~high water mark~~ shoreline shall be the *front lot line*.



- b) In the case of a *lot* that is not located on an *island* but abuts a *navigable waterway* and/or a *road* or laneway, the ~~highwater mark~~ shoreline shall be the *front lot line*.

#### ~~4.101~~ 3.115 Lot Line, Rear

Shall mean, in the case of a lot having 4 or more *lot lines*, the *lot line* farthest from and opposite to the *front lot line*; in the case where a *lot* has 3 *lot lines*, and there is no *rear lot line*, the *rear lot line* is represented by the point of intersection of two side lot lines.

#### ~~4.102~~ 3.116 Lot Line, Side

Shall mean a *lot line* other than a *front* or *rear lot line*.

#### ~~4.103~~ 3.117 Lot, Through

Shall mean a lot bounded on ~~two~~ opposite sides by one or more *roads* or a *navigable waterway*.

#### ~~4.104~~ 3.118 Marina

Shall mean a *building*, *structure* or *lot* containing facilities or services for docking, repairing and/or storage for watercraft, located on a *waterway*, where facilities for rentals and pump outs for watercraft, the accessory sale of marine fuels, lubricants and accessory products may be provided, and may include a boat taxi service as well as the sale of marine craft, snowmobiles and similar recreation vehicles, and accessories and *parking areas* for motor vehicles and boat trailers, but shall not include floating accommodation.

#### ~~4.105~~ 3.119 Marine Railway

Shall mean an *accessory structure* that comprises a rail system extending above and below water designed to bring boats out of the water or for the placement of boats into the water.

#### ~~4.106~~ 3.120 Marine Storage Facility

Shall mean an *accessory building* for the storage of boat supplies and marine related equipment and accessories.

#### ~~4.107~~ 3.121 Mobile Home

Shall mean a prefabricated building certified by the Canadian Standards Association (CSA) used as a single detached *dwelling* that is designed to be and is capable of being transported after fabrication, either on its own wheels, on detachable wheels, on a flat bed or other trailer, to a *building lot*, and which is suitable for year-round occupancy.

#### ~~4.108~~ 3.122 Motel

Shall mean a *building* consisting of a number of individual rental units or rooms used ~~for catering to~~ serve the needs of the traveling public by ~~furnishing~~ providing sleeping accommodation with or without food service.

#### ~~4.109~~ 3.123 Motor Home

Shall mean a land-based, self-propelled vehicle designed, intended, and used for travel recreation or vacation and, in addition, used for living, sleeping, and eating on a temporary basis, and excludes a houseboat.

#### ~~4.110~~ 3.124 Motor Vehicle Sales and Service Establishment

Shall mean a *building* or *lot* used for the display and sale of new and/or used motor vehicles including motor homes and may include the servicing, repair, cleaning, polishing, lubrication, and painting of motor vehicles, the sale of automotive parts and the leasing or renting of motor vehicles.

#### ~~4.111~~ 3.125 Motor Vehicle Service Station

Shall mean a retail ~~place of~~ business, the prime function of which is the sale of automotive fuels and products and/or provision of repair service and maintenance to motor vehicles.

#### ~~4.112~~ 3.126 Municipal Concession Road Allowance

Shall mean an original concession road allowance laid out on the original survey by Crown surveyors. The original concession road allowances, whether opened or not opened, used or not used, are owned by and under the jurisdiction



of the Township, except where disposed of by the Township and sold to another party in accordance with the applicable Provincial Statute.

#### ~~4.113~~3.127 **Municipal Shore Road Allowance**

Shall mean a one chain (66 foot) area of land located adjacent to a shoreline that was identified on the original survey prepared by Crown surveyors and that is now owned and under the jurisdiction of the Township.

#### ~~4.114~~3.128 **Navigable**

Shall mean any body of water that is capable in its natural state or, at 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; it also includes a canal and any other body of water created or altered for public use as a result of the construction of any work, 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.

#### ~~4.115~~3.129 **Non-Complying Lot**

Shall mean a *lot* created prior to ~~or after~~ the passing of this By-law that does not meet the requirements of this *By-law*.

#### ~~4.116~~3.130 **Non-Complying Building**

Shall mean a *building* or *structure* that is a permitted use at the date of the passage of this *By-law* but does not comply with the provisions of this *By-law*.

#### ~~4.117~~3.131 **Non-Conforming Use**

Shall mean the use of lands, *buildings* or *structures* that were legally existing at the date of the passage of this *By-law*, but which is not a *use* permitted in the *zone* in which the said *use* is situated.

#### 3.132 Nursery School

Shall mean premises providing temporary care or guidance for more than five children for a continuous period not exceeding twenty-four hours.

#### ~~4.118~~3.133 **Obnoxious**

Shall mean when used with reference to any use of land, *building* or *structure*, a *use that* from its nature or from the manner of carrying on the same, creates or is liable to create by reason of destructive gas fumes, dust, objectionable odour, noise, vibration, unsightly storage of goods, equipment, wares, merchandise salvage, junk, waste, or other material, a condition that may become hazardous or injurious regarding health or safety or that prejudices the character of the surrounding area or interferes with, or may interfere with, the normal enjoyment of any *use* of land, *buildings* or *structures*.

#### ~~4.119~~3.134 **Office, ~~Business~~**

Shall mean any *building* or part of a *building* in which one or more *persons* are employed in the management, direction or conducting of an agency, profession, business, or organization, but excludes such uses as retail sales, manufacturing, assembly or storage of goods, or places of assembly and amusement.

#### ~~4.120~~3.135 **Office, Professional**

Shall mean a *building* or part of a *building* in which professionally qualified *persons* such as doctors, lawyers, or engineers, and their staff, serve clients or patients who seek advice, consultation or treatment.

#### ~~4.121~~3.136 **Park, Public**

Shall mean a recreational area or lands owned or controlled by the Township or by any Board, Commission or other Authority established under any statute of the Province of Ontario.

#### ~~4.122~~3.137 **Parking Area**

Shall mean an area provided for the parking of motor vehicles and may include aisles, *parking spaces* and related ingress and egress lanes, and a ~~private~~ garage.

#### ~~4.123~~3.138 **Parking Lot**

Shall mean a property used for the parking of motor vehicles and will include a *parking area*.

#### ~~4.124~~3.139 **Parking Space**

Shall mean an area of land, not being part of a highway or other *road* and having unobstructed access to a *road* or lane, used for temporary parking or storage of motor vehicles.

#### 3.140 **Passive Recreational Use**

Shall mean an activity or use of land carried out for recreational purposes that does not require the construction of buildings or structures or the alteration of soil or topography and uses shall be limited to open space, trails, environmental areas, and picnic areas.

#### ~~4.125~~3.141 **Person**

Shall mean an individual, association, firm, partnership, corporation, trust, incorporated company, organization, trustee, or agent, and the heirs, executors, or other legal representatives of a person to whom the same can apply according to the law.

#### ~~4.126~~3.142 **Personal Service Shop**

Means a *building* or part of a *building*, not otherwise defined or classified herein, used for the performance of personal services such as a barber shop, beauty parlour, or for the servicing or repairing of articles, goods or materials, and in which no product is manufactured and includes radio, television and appliance repair shops but does not include a *motor vehicle service station*.

#### ~~4.127~~3.143 **Place of Worship**

Shall mean a *building* dedicated to religious worship and shall include a church hall, church auditorium, Sunday school, parish hall, day nursery, convent, monastery, manse or rectory or parish hall.

#### ~~4.128~~3.144 **Planning Act**

Shall mean the Provincial legislation the Planning Act, R.S.O. 1990, c.P.13.

#### ~~4.129~~3.145 **Planting Strip**

Shall mean an area that shall be used for no purpose other than planting a row(s) of trees or a continuous unpierced hedgerow of evergreens or shrubs not less than 1.5 metres high, and immediately adjacent to the *lot line*.

#### 3.146 **Porch**

Shall mean a roofed structure, with at least one side that is open and unenclosed, that extends from the exterior wall of a building and offers covered shelter in front of an opening or the building's entrance and/or exit.

#### 3.147 **Private Access Point**

Shall mean a designated area, other than a public access point, owned and operated or maintained in whole or in part by a private entity to provide access to a waterbody, watercourse, or a waterway, which may include boat ramp(s) and boat dock(s).

#### 3.148 **Public Access Point**

Shall mean a designated area, owned or controlled by the Township or other Authority established under any statute of the Province of Ontario, to provide access to a waterbody, watercourse, or a waterway, which may include boat ramp(s), and a boat dock(s).

#### ~~4.130~~3.149 **Pump House**

Shall mean a *building* or *structure* used to fence, wall in, or cover a hydraulic device used to deliver, pressurize or store a private domestic water supply, and accessory equipment or tools.

### ~~3.136~~ **Railway Shipping Container**

~~Shall mean a container (also known as shipping containers, ITU's (Intermodal Transport Units) or isotainers) that can be loaded and sealed intact onto container ships, railroad cars, planes and trucks.~~

### ~~4.134~~3.150 **3.137 Recreational Facility, Public**

Shall mean lands, *buildings*, or *structures* used for recreational purposes by the public, with or without a fee.

### ~~4.132~~3.151 **3.138 Recreational Facility, Private**

Shall mean lands, *buildings*, or *structures* used for recreational purposes such as open spaces, trails or picnic areas, exclusively by a property owner for his or her own personal enjoyment.

### ~~4.133~~3.152 **3.139 Recreational Facility, Private Club**

Shall mean lands, *buildings*, or *structures* used for recreational purposes by a private club such as recreational fields, trails, picnic areas, children clubs, boating programs and other recreational programs for members of the private club and guests.

### **3.140 Recreational Use, Passive**

~~Shall mean an activity or use of land carried out for recreational purposes that does not require the construction of *buildings* or *structures* or the alteration of soil or topography and *uses* shall be limited to open space, trails, environmental areas, and picnic areas.~~

### ~~4.134~~3.153 **Residence**

Shall mean a *building* or *structure* where a person or persons resides, and for the purposes of this by-law, may be used interchangeably with the term *dwelling*.

### ~~4.135~~3.154 **Restaurant**

Shall mean a *building*, or part thereof, used for the serving of foods or refreshments to the public, ~~with the serving and consumption of food taking place within the *building*, except for a~~ A restaurant may include a terrace or patio or other open areas adjacent to the *building* where the serving and consumption of food and refreshments may take place on a temporary or seasonal basis.

### ~~4.136~~3.155 **Retail Store**

Shall mean a *building* or part of a *building* where goods, merchandise, equipment, substances or things are offered for retail sale directly to the general public and includes storage on the store premises of limited quantities of such goods, merchandise, substances, articles or things sufficient only to service such store and shall include a supermarket or food store, but does not include any establishment otherwise defined or classified herein or any manufacturing, processing, construction uses, or outdoor storage.

### **3.144 Roadway**

~~Shall mean a *public road* or a *private road* as defined herein.~~

### ~~4.137~~3.156 **Road, Private**

Shall mean any *roadway* or open way that allows for the passage of a conventional passenger vehicle(s) and serves as access over more than one property to more than one lot, but does not include a *driveway*, a *public road* or public highway as defined in the Municipal Act.

### ~~4.138~~3.157 **Road, Public**

Shall mean a public highway or *road* other than a *driveway*, a lane, right-of-way or *private road* that is maintained by a public road authority and that is open and passable by the public.

### ~~4.139~~3.158 **Road, Public Improved**

Shall mean a Highway which has been assumed for public use and is maintained year-round by *the Township* or any other public authority.

#### **4.1403.159 Road, Seasonal**

Shall mean a private road or a public road other than an improved public road, that is not maintained year-round.

#### **3.160 Sand and Gravel Pit**

Shall mean an open excavation or cavity in the natural level of the ground made other than by natural causes by the removal of soil or rock for the purpose of removing sand, gravel or similar material and shall include the processing of excavated material.

#### **4.1413.161 Sauna**

Shall mean a *building* that is used for steam or dry heat baths and not for human habitation

#### **4.1423.162 Secondary Uses**

Shall mean *uses* relating to but are secondary or subordinate to the principal uses permitted on a *lot*.

#### **4.1433.163 Service Shop**

Shall mean a *building* for the sale or repair of household articles, and includes radio, TV, and appliance repair shops but does not include industrial or manufacturing uses or *motor vehicle service station*.

#### **4.1443.164 Setback**

Shall mean the horizontal distance from the lot line of the lot to the nearest part of any *building or structure*, or open storage use on the lot.

#### **3.165 Shipping Container**

Shall mean a container (also known as Intermodal Transport Units or isotainers) that can be loaded onto container ships, railroad cars, planes and trucks.

#### **3.166 Shoreline**

In the case of Georgian Bay, shall mean 176.44 metres G.S.C. above sea level, and in all other cases shall mean the normal water mark of any water at the time of the original surveys of the geographic townships unless *altered* by the construction of a dam or dams belonging to any municipal, provincial or other public authority, in which case the measurement shall be from the shoreline elevation as controlled by such dam or dams.

#### **4.1453.167 Sight Triangle**

Shall mean the triangular space formed by the *public road* lines of a corner lot and a line drawn from a point in one *public road* line to a point in the other *public road* line or railway line, each such point being five metres from the point of intersection of the *public road* lines.

#### **4.1463.168 Sign**

Shall mean a name, identification, description, device, display, or illustration that is affixed to or represented directly or indirectly upon a *building, structure, or lot* and which directs attention to an object, product, place, activity, *person*, institution, organization or business.

#### **4.1473.169 Site Alteration**

Shall mean activities such as filling, grading and excavation that would change the landform and natural vegetative characteristics of a site.

#### **4.1483.170 Site Plan**

Shall mean a scaled drawing showing *lot lines, buildings or structures* existing and/or proposed on a *lot* and including such details as *parking areas*, access points, landscaped areas, *building areas, setbacks from lot lines, building heights, floor area, lot coverage*, lighting, septic tank tile fields, utility lines, site servicing details, grading and drainage and stormwater management, or any other items required by the Township to be represented on the drawing.

### **3.171 Skating Rink**

Shall mean a premises with an ice surface that is used for recreation and spectator sporting events.

### **4.1493.172 Sleeping Cabin**

Shall mean an *accessory building* designed and built for human habitation that excludes *cooking facilities* and is not made available for remuneration and is incidental and subordinate to the *main dwelling*.

### **3.173 Snowmobile Sales and Service Establishment**

Shall mean a building or lot used for the display and sale of new and/or used snowmobiles, and may include the servicing and repair of snowmobiles, the sale of snowmobile parts, accessories, and related equipment, and the leasing or renting of snowmobiles.

### **4.1503.174 Storage Use Area**

Shall mean the *use* of lands or *buildings* for storing materials, goods, or produce to preserve them in a condition that makes them usable at a later date.

### **4.1513.175 Storey**

Shall mean that portion of a *building* (other than *basement*, cellar or *attic*) which is included between the surface of the floor and the surface of the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling or roof next above it. A deck on the roof of a building is considered a storey.

### **4.1523.176 Storey, First**

Shall mean the storey with its floor closest to *final grade* and having its ceiling more than 1.8 ~~m~~ metres above final grade, as averaged between all sides of the building or structure.

### **3.161 Storey, Top**

~~Shall mean that portion of a building located between the uppermost floor level (i.e. the floor level that does not have any floor level above it) and the ceiling above.~~

### **4.1533.177 Structure**

Shall mean anything that is erected, built, or constructed, the use of which requires location on the ground or being attached to something having location on the ground, and for the purposes of this By-law, shall include a tennis or sports court, decks, docks, satellite dishes, swimming pools, marine railways, solar panels, gazebos, an unlicensed vehicle, a boat affixed to the ground or a private sewage system, but shall not include free standing walls, fences or hedges.

### **4.1543.178 Swimming Pool**

Shall mean an artificial body of water, excluding ponds, of more than 6 m<sup>2</sup> in area, and having a depth in excess of 1.3 metres used for swimming, bathing, or diving.

### **4.1553.179 Tavern**

Shall mean a *building* where beverages are offered for sale to the public for immediate consumption and that requires a License under the Liquor License Act, R.S.O. 1990, c.L. 19 as amended from time to time.

### **4.1563.180 Temporary Use**

Shall mean the use of land, *buildings*, or *structures* for a construction office, tool shed, or for the storage of scaffolds, equipment and material that is incidental to and necessary for construction work in progress for so long as the same are necessary for the construction work which has neither been finished nor abandoned on the same *lot*.

### **4.1573.181 Tent**

Shall mean every kind of temporary *structure* providing shelter for sleeping that is not permanently affixed to the site and is capable of being easily moved and that is not considered a vehicle, a camper or a travel trailer.

#### **4.1583.182 Township**

Refers to the Corporation of the Township of The Archipelago.

#### **4.1593.183 Tourist Establishment**

Shall mean *buildings, structures* or *uses* intended for the traveling or vacationing public that have facilities for accommodation and may serve meals or provide kitchen or cooking facilities within each unit and may furnish equipment, supplies or services to persons for recreational purposes, but does not include a trailer park, a campground, or a four season destination resort.

#### **3.184 Tourist Information Booth**

Shall mean a small, temporary or permanent structure, kiosk, or designated area used to inform tourist and provide maps, brochures, and related promotional materials about local attractions, accommodations, events, and services.

#### **4.1603.185 Travel Trailer**

Shall mean a *structure* designed and intended for travel, recreation or vacation usage that is capable of being drawn by a motor vehicle, and includes tent trailers or non-propelled similar transportable accommodation used for living, sleeping, or eating on a temporary or occasional basis, but excludes a *mobile home* or a *dwelling unit*.

#### **4.1613.186 Travel Trailer and/or Tent Site**

Shall mean a portion of a *lot* occupied or intended for use by one travel trailer, motor home, or one tent, but shall not be occupied by a floating accommodation.

#### **4.1623.187 Trailer Park**

Shall mean the use of land for the provision of overnight or short term accommodation for travel trailers, motor homes, and tents but not *mobile homes* and includes services and facilities normally incidental and subordinate to such a use including washroom and bathing facilities, active and/or passive recreational uses, and an entrance kiosk or front desk.

#### **4.1633.188 Transfer Station**

Shall mean a parcel of land and/or *structure* used for the collection of *waste* for a temporary time until such *waste* may be transported, but does not include a *waste disposal site*.

#### **4.1643.189 Transient Boater**

Shall mean a boater who does not reside or own property in the Township and whose *boat* is equipped and used for overnight habitation.

#### **4.1653.190 Use**

Shall mean the purpose for which any land, *buildings, structures*, or premises are arranged, designed, or intended to be used, or are or may be occupied or maintained; the words 'used', 'to use', and 'uses' have a corresponding meaning.

#### **3.191 Use, Private**

Shall mean the purpose for which any land, buildings, structures, or premises are arranged, designed, or intended to be used by private individuals.

#### **3.192 Use, Public**

Shall mean any land, structure, or facility owned or operated by the Township or a recognized public authority that is intended to be used by the public. Such uses include, but are not limited to, public parks, schools, libraries, and community centres.

#### **3.193 Veranda**

Shall mean a roofed open structure, and at least one side that is open, which projects from a building or is recessed into a building for the purpose of lounging and relaxation.

#### **4.1663.194 Walkway**

Shall mean a *structure* constructed and used by pedestrians and vehicles which connects different *buildings* or different parts of a *building* or different areas on a property.

#### **4.1673.195 Warehouse**

Shall mean a *building* used for the storage and distribution of goods, wares, merchandise, equipment, substances or things, and may include facilities for a wholesale and/or retail outlet.

#### **4.1683.196 Waste**

Shall mean ashes, garbage, refuse, domestic waste, commercial/industrial waste, municipal refuse and such other *wastes* that may be designated pursuant to The Environmental Protection Act.

#### **4.1693.197 Waste Disposal Site**

Shall mean any land or land covered by water, upon, into, in or through which, or *buildings* or *structures* in which, *waste* is deposited or processed and any machinery or equipment or operation required for the treatment or disposal of *waste* and for which a Certificate of Approval has been secured from the appropriate government authority.

#### **4.1703.198 Waterbody**

Shall mean any body of water in excess of 50 hectares of surface area.

#### **4.1713.199 Watercourse**

Shall mean the natural or altered channel of a stream, a creek or a river, and for the purpose of this By-law, includes the channel for intermittent streams.

#### **4.1723.200 Water Lot**

Shall mean land that is permanently or seasonally inundated with water and includes patented or Crown lands that have been authorized for public, private or commercial use by the Ministry of Natural Resources and that are capable of being surveyed.

#### **4.1733.201 Waterway**

Shall mean any creek, pond, stream, river or standing body of water whether or not such body of water is seasonal.

#### **4.1743.202 Wayside Pit & Quarry**

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

#### **4.1753.203 Wind Turbine**

Shall mean a machine for producing power in which a wheel or rotor is made to revolve by a flow of air. A wind turbine is considered to be the part of a wind energy system encompassing the rotor (including turbine blades), generator, tail and supporting *structure*. Supporting *structure* may include a guyed or free standing *structure* that supports the turbine or be an existing *building* or *structure* on which the turbine is located.

#### **4.1763.204 Yard**

Shall mean an open, uncovered space on the same *lot* with a *building*, *structure* or *use*.

#### **4.1773.205 Yard, Front**

Shall mean a *yard* extending across the full width of the *lot* between the *front lot line* and the nearest part of any *building*, *structure* or open storage use on the lot.

#### **4.1783.206 Yard, Required**

Shall mean the minimum *yard* required by the provisions of this By-law.

**~~4.179~~3.207 Yard, Rear**

Shall mean a *yard* extending across the full width of the lot between the *rear lot line* and the nearest point of any *building*, *structure*, or open space use on the *lot*.

**~~4.180~~3.208 Yard, Side**

Shall mean a *yard* extending from the *front yard* to the *rear yard* and from the *side lot line* to the nearest part of any *building*, *structure*, or open storage on the *lot*.

**~~4.181~~3.209 Zone**

Shall mean an area delineated on a Zoning Map Schedule and established by this By-law for a specific *use*.



## Section 4 – Establishment of Zones

### 4.1 Incorporation of Zoning Maps

The locations and boundaries of the *Zones* established by this By-law are contained on Zoning Schedules attached to and form part of this By-law.

### 4.2 Zone Boundaries

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

- a) A boundary indicated as approximately following *lot lines* shown on a registered plan of subdivision, or as otherwise registered in the local registry office or land titles office, or on the original municipal survey shall follow such lot lines.
- b) A boundary indicated as following a *watercourse*, public highway or *public road*, or a right-of-way of a railway, electric, gas or oil transmission line shall be the center line of such *watercourse*, highway, *road*, or right-of-way.
- c) Notwithstanding b) above where a zone boundary on the Zone Schedules abuts a *waterway*, such zone shall be deemed to extend into the *waterway* and to apply to any *waterlots*, Crown lake bed or any land created by changing lake levels, land fill operations or by any other means, and to extend over all *docks*, *boathouses* and *boatports*, breakwalls, groins, seawalls, cribs, anchorages and *boats* or vessels where they are affixed to the ground.
- d) The Municipal Boundary shall serve as a *zone* boundary for all *zones* extending to the limits of the Township of The Archipelago.
- e) The Schedules forming part of this By-law are drawn to scale and shall be used to determine distances not specified on the Schedules.

### 4.3 Zones

For the purposes of this By-law, the Township of The Archipelago is divided into the following Zones:

|                           |                                                                              |
|---------------------------|------------------------------------------------------------------------------|
| CR                        | COASTAL/ISLAND RESIDENTIAL                                                   |
| IR                        | INLAND LAKES RESIDENTIAL                                                     |
| GR                        | GENERAL RESIDENTIAL                                                          |
| <u>PBR</u>                | <u>POINTE AU BARIL RESIDENTIAL</u>                                           |
| MC                        | MARINA COMMERCIAL                                                            |
| RC                        | RESORT COMMERCIAL                                                            |
| MRC                       | MARINA/RESORT COMMERCIAL                                                     |
| PBC                       | POINTE AU BARIL COMMERCIAL                                                   |
| <del>ECIC</del>           | <del>GENERAL EMPLOYMENT</del> <u>INDUSTRIAL COMMERCIAL</u>                   |
| CC                        | CONTRACTOR COMMERCIAL                                                        |
| PC                        | PRIVATE CLUB                                                                 |
| NS                        | NATURAL STATE                                                                |
| NSC                       | NATURAL STATE CONSERVATION                                                   |
| <del>ES</del> <u>EP</u>   | <del>ENVIRONMENTAL SENSITIVE</del> <u>PROTECTION</u>                         |
| <u>EP1</u> <del>ES1</del> | <u>ENVIRONMENTAL PROTECTION ONE</u> <del>ENVIRONMENTALLY SENSITIVE ONE</del> |
| <del>ES2</del>            | <del>ENVIRONMENTALLY SENSITIVE TWO</del>                                     |
| EU                        | EXISTING USE                                                                 |
| CF                        | COMMUNITY FACILITY                                                           |
| PQ                        | PIT AND QUARRY                                                               |
| WD                        | WASTE DISPOSAL                                                               |

#### **4.4 Use of Zone Symbols**

The symbols listed in subsection 4.3 may precede the word “Zone” (i.e. CR Zone) in place of the “Zone Name” and shall have the same meaning. The symbols, when used within the Schedules of this By-law, shall refer to the Zone in which the lands are situated and the provisions of such Zone shall apply.

#### **4.5 Application of Zones**

No person within any Zones defined in this By-law and delineated on the Zoning Schedules attached hereto, shall use any lands, *buildings* or *structures*, or erect, alter, enlarge or make changes to any *buildings* or *structures* or to the use of any *buildings* or *structures* or lands except in conformity with the provisions of this By-law.

#### **4.6 Environmental Zones**

Where an ‘Environmentally Sensitive (ES)’, ‘Environmentally Sensitive 1 (ES1)’, and/or ‘Environmentally Sensitive 2 (ES2)’ Environmental Protection (EP) or Environmental Protection One (EP1) zone overlays any other zone, the ‘Environmentally Sensitive (ES)’, ‘Environmentally Sensitive 1 (ES1)’, and/or ‘Environmentally Sensitive 2 (ES2)’ EP or EP1 zone provisions shall take priority.

#### **4.7 Discrepancies**

In the event that there is a discrepancy between regulations in the “General Provisions” of this By-law and a specific Zone, the most restrictive provisions shall apply.

#### **4.8 Exceptions to Zones**

Where a Zone symbol on the Schedules attached to this By-law is followed by a hyphen and a number (i.e. CR-1), the number following the hyphen refers to the Exception Sections of this By-law contained in each Zone category. These Sections outline exceptions to the permitted *uses* and provisions of main Zone categories (i.e. Residential Zones) of this By-law as it relates to individual properties located within *the Township*. In many instances, the exceptions listed in these Sections reflect certain Zoning By-law Amendments, which were processed under former Zoning By-laws. These Sections do not grant any other rights than those specifically applying to the individually identified properties. These Sections are also intended to act as a log of Zoning By-law Amendments, which may be granted by *the Township* in the future.

#### **4.9 Overlay Zones**

This By-law provides for a Deer Wintering Habitat Overlay. Where the overlay is indicated on a zoning map, the provisions and regulations of the underlying zone shall continue to apply, but there may be additional provisions and regulations applied, or conditions that must be fulfilled prior to the granting of any planning approvals or the issuance of any building permit.

#### **4.9.4.10 Identification of Residential Divided Properties by Zone Symbols**

Where a Zone symbol on the Schedules attached to this By-law is followed by a slash “/” and the letter “D” (i.e. CR/D), the letter “D” following the slash “/” means that the affected lot has previously being the subject of a consent to land severance application granted by a consent granting authority. The “/D” symbols are attached to residential properties zoned for residential use that have been divided by consent to land severance to enable *the Township* to track land severance activity and determine compliance of any future severance application with applicable land division policies of the Official Plan for The Township of The Archipelago. In many instances, the “/D” attached to Zone Symbols reflect certain Zoning By-law Amendments, which were processed under former Zoning By-laws.

#### **4.10.4.11 Holding Provision Symbols**

Where a Zone symbol applying to certain lands on the Schedules is followed by a dash and the letter “(H)” in brackets, the lands shall be placed in a “Holding Zone” pursuant to the *Planning Act*, R.S.O. 1990, c.P. 13, as amended. The Holding Symbol “/H” shall be removed according to the provisions of the Official Plan and the provisions of this By-law and the amendments hereto. When the Holding Symbol has been removed, the lands shall be developed according to the requirements of the zone used in conjunction with the Holding Symbol. Until the “/H” is removed, no person shall use those lands except in compliance with the provisions of the applicable zone for uses existing on the date of passing of this By-law or amendment thereto, except as may otherwise be provided for on specific properties by special zone or general provisions contained in this By-law.

## Section 5 - General Provisions

### 5.1 Accessory Use

#### 5.1.1 Regulations Applicable to All Zones

- a) Where this By-law provides that land may be used or that a *building* or *structure* may be *-erected, altered* or used for a purpose, that purpose shall be deemed to include any *use* incidental thereto, or any *accessory building* or *structure*.
- b) *Accessory buildings* and *structures* shall comply with the *yard* requirements of the *main building* permitted in the applicable *Zone*, except where a specific *yard* requirement is established elsewhere in the By-law for an *accessory building* or *structure*.

#### 5.1.2 Regulations Applicable to Residential Uses

##### i) **Accessory Uses – Residential:**

- a) Any *accessory building* or *structure*, other than a *sleeping cabin* or an *additional residential unit*, is not permitted to be used for *human habitation*;
- b) The use of any *accessory building* or *structure* for the keeping of animals, other than domestic pets, is not permitted in any zone unless specifically authorized by the provisions of that zone.

##### ii) **Accessory Structures – Residential:**

- a) *Accessory buildings* shall not exceed one *storey* and 5 metres in *height* *except where* more restrictive *height* requirements apply. A *storage loft* with a *floor-to-ceiling height* of less than 1.8 metres, and no permanent access, is permitted within the 5-metre height requirement.
- b) The maximum number of *accessory buildings* permitted on any *lot* zoned for residential *use* is three. This number does not include: *sleeping cabins*, a *privy*, a *marine storage facility*, *docks, decks*, and a *pump house*, or *buildings less than 10 m<sup>2</sup> in ground floor area*, provided that such *buildings* are not used in combination with any other *accessory building* or *use*;
- c) Except as may be provided elsewhere in this By-law, any *accessory building* or *structure*, including any unenclosed, uncovered *decks*, which is not *attached* to the *main building* shall be *erected* with a *minimum front yard setback* of 7.5m;
- d) Notwithstanding subsection c) above or any of the other provisions of this By-law to the contrary, a *boathouse* or *boatport*, one *sauna*, one *pump house*, ~~three~~ two *marine railways* and one *marine storage facility* may be located in the required *front yard* of any *lot* zoned for residential *use*. The regulations applicable to *boathouses* and *boatports* are addressed in subsection 5.3 of this By-law. The regulations applicable to a *marine storage facility* are addressed in Subsection 5.18 of this By-law. Regulations applicable to *pump houses* are addressed in Subsection 5.29 of this By-law;
- e) Truck, Bus, Shipping Container Use prohibited – No person shall, in any Residential Zone, use any truck, bus, coach, streetcar body, railway car body, railway shipping container, or similar *structure* of any kind, for the purpose of an *accessory structure*.
- f) The maximum *total floor area* of an *accessory building* or *structure* is 165 m<sup>2</sup>. No *accessory building* or *structure* on any *lot* zoned for residential *use* shall have a *total floor area* greater than the *ground floor area* of the *main building*. This subsection does not apply to *boathouses* or *boatports*;
- g) *Accessory building(s)* or *structure(s)* shall not include *cooking facilities*;
- h) *Accessory building(s)*, *structure(s)* or *use(s)* may only be established after the *main building*, *structure* or *use* has been established.

#### 5.1.3 Regulations Applicable to Accessory Commercial Uses/*Buildings* or *Structures*

Except as provided elsewhere in this By-law, the total *lot coverage* of all *accessory buildings* and *structures* shall not exceed 5% of the total *lot area* of the subject property.

## **5.2 Additional Residential Units**

An additional residential unit shall only be permitted within the PBR and GR Zones in Wards 1, 2, 4, 5, and 6, and may be located within a single-detached dwelling, a semi-detached dwelling, a townhouse dwelling, or a detached accessory building located on the same lot as a single-detached dwelling, semi-detached dwelling, or townhouse dwelling.

Where an additional residential unit is permitted, the following provisions shall apply:

- a) Only one (1) additional residential unit shall be permitted per lot, provided the lot contains an existing dwelling unit and the lot has an area of at least 0.6 hectares.
- b) The appropriate authority shall have approved the private sewage disposal system to service the total sewage flow on the lot prior to the erection of an additional residential unit.
- c) The gross floor area of the additional residential unit shall not exceed 40% of the gross floor area of the primary dwelling unit.
- d) One additional dedicated parking space above the requirements of this By-law for the related zone shall be provided for the additional residential unit.
- e) Additional residential units shall only be permitted in detached accessory buildings where the following criteria are satisfied:
  - i) The accessory building shall be located in the rear yard of the lot.
  - ii) The additional residential unit shall comply with the minimum yard requirements for the principal building of the zone in which it is located.
  - iii) The additional residential unit shall comply with the maximum height and maximum lot coverage requirements which apply to accessory buildings and structures.
  - iv) Additional residential units in detached accessory buildings are only permitted on lots with a lot area of at least 1 hectare.
- f) Additional residential units shall not be permitted in the following circumstances:
  - i) Where the lot has an area of less than 0.6 hectares;
  - ii) On a lot developed with a bed and breakfast establishment;
  - iii) Within a dwelling accessory to a principal non-residential use;
  - iv) On a lot with frontage on a waterbody;
  - v) On a lot without access to a publicly maintained road;

## **5.3 Backyard Chickens**

- a) Notwithstanding this By-law to the contrary, the keeping of backyard hens shall be permitted in the GR, and PBR Zones, provided the following criteria are met:
  - i) The keeping of backyard hens is accessory to a principal dwelling located on the same lot as the backyard hens.
  - ii) The lot has a minimum lot area of 0.2 hectares.
  - iii) The backyard hens are kept in a screened or walled rodent and predator-proofed building located in a rear yard with a minimum setback of 6 metres from any lot line and a minimum shoreline setback of 30 metres.
  - iv) The backyard hens' enclosure shall be less than 10 m<sup>2</sup> in area and shall not exceed 3 metres in height.
  - v) Free-roaming backyard hens shall not be permitted.
  - vi) The backyard hens shall be maintained in accordance with good animal husbandry practices as defined by the Ontario Ministry of Agriculture, Food, and Agribusiness.

#### **5.4 Bed and Breakfast Establishment**

The *bed and breakfast establishment* is a permitted use only within the *single detached dwelling* on a *lot* zoned for residential use provided that:

- a) The *lot* has direct access to and fronts upon a *public* or *private road*; and
- b) Not more than 3 *guest rooms* will be provided for in the *main single detached dwelling*; and
- i) Where a *bed and breakfast establishment* and a *home occupation* are located in the same *main single detached dwelling*, a maximum of 25% of the *Total Floor Area* of the *dwelling* shall be used for these purposes; and
- ii) Where a *bed and breakfast establishment* and a *home industry* are located on the same residential lot, a maximum of 25% of the *Total Floor Area* of the *main single detached dwelling* may be used for the combination of these purposes; and
- iii) The *guest rooms* shall not have *kitchen facilities* ~~and guests shall not have access to kitchen facilities~~; and
- iv) The *bed and breakfast* shall not change the character of the *main single detached residence*; and,
- ~~iv) The lot does not contain an additional residential unit.~~

#### **5.35 Boathouses and Boatports**

No *person* shall use land adjacent to a *navigable waterway* for the purpose of a *boathouse* or *boatport* unless the following provisions are met::

- a) Approvals for the *boathouse* or *boatport* have been obtained, where required, from any authority having jurisdiction;
- b) The *boathouse* or *boatport* including all attached docks shall not be located closer than 10 metres to the *side lot line*, including the straight line extension of the said *side lot line* into the water;
- ~~c) The *boathouse* or *boatport* is not used for *human habitation*;~~
- ~~e) d) A *boathouse* or *boatport* shall only be permitted as an accessory structure in the Residential (CR, PBR, IR, GR), or the Commercial (MC, RC, MRC, PBC, IC, CC), Community Facility (CF), and Private Club (PC) Zones.~~
- ~~d) e) The *boathouse* or *boatport* shall not occupy more than 25 percent or 15 metres, whichever is lesser, of the distance across the adjacent *waterway* measured from shoreline to shoreline with a straight line;~~
- ~~e) f) Where a *boathouse* or *boatport* is proposed to be constructed in a *waterway* less than 30 metres in width, the *boathouse* or *boatport* shall be oriented so that the resultant *boathouse* or *boatport* slip will cause the *boat*, when docked, to be parallel to the centre line of the *waterway* adjacent to the *boathouse* or *boatport*;~~

~~In addition to the provisions set out in subsections (a) to (e), in the case of a *lot* zoned Residential:~~

- ~~f) g) a *boathouse* or *boatport* shall be permitted within 3-m- metres inland of the shoreline highwater mark and adjacent navigable waters;~~
- ~~g) h) The maximum number of *boathouses* or *boatports* permitted is one;~~
- i) The maximum number of *storeys* of any *boathouse* or *boatport* shall be one storey; and the maximum *height* shall be 4.5 metres. No attic, second floor, or loft shall be permitted in a *boathouse* or *boatport*. In measuring *height*, final grade shall refer to the top of the deck/dock supporting the *building or structure*.
- j) For any *boathouse* or *boatport* and the supporting deck/dock shall not be greater than 1.5 metres above the highwater mark shoreline.
- ~~h) A minimum lot frontage of 30 metres is required in order to permit the construction of a *boathouse* or *boatport*.~~
- k) On a single ownership island zoned for residential use, a minimum lot area of 8,000 m<sup>2</sup> is required in order to permit the construction of a *boathouse* or *boatport*. In the case of a lot, other than a single ownership island, and zoned for residential use, a minimum lot frontage of 100 metres and a minimum lot area of 8,000 m<sup>2</sup> shall be required to permit a *boathouse* or *boatport*.

- j) No boathouse or boatport can occupy an area exceeding 120 m<sup>2</sup>;
- k) m) The width of the boathouse or boatport measured as a straight line parallel to the chord of the lot frontage, including attached docks, shall not exceed 15m metres width.
- n) Where a boathouse or boatport is located on a *lot*, or on a *single ownership island*, the number of permitted *docking sites* shall be reduced by one division.
- ~~l) A boathouse or boatport shall be located outside of any EP Zone. Where a lot contains an ES and/or ES1 Zone along the entire length of the front lot line, or where a boathouse or boatport cannot be located on a lot in any location along the shoreline other than within the ES and/or ES1 Zone, a boathouse or boatport may be permitted within the ES and/or ES1 Zone provided it meets the requirements of the appropriate approval authority;~~
- o) Structures intended to house aircraft on floats or awning/fabric/air *structures* designed to house watercraft at the shoreline are subject to all of the above provisions, and any other applicable provisions of this By-law.
- ~~m) p) Boathouse and boatports are permitted structures on adjacent navigable waterways and near-shore lands where the lands are zoned in a 'Commercial' or 'Private Club' and are located in the waterlot authorized by the appropriate government agency or in a docking envelope defined herein.~~

## 5.6 **Bridges and Causeways**

No person shall use any *lot* adjacent to a *waterway* for the purpose of erecting a *structure* or placing material for the construction of a *road*, walkway, bridge or causeway to join two *lots* and/or *islands* separated by water.

## 5.7 **Connections Between Buildings**

- a) *Buildings* are not to be *attached* except if connected by a passageway, breezeway or roof;
- b) If two detached *buildings* are connected by a passageway, breezeway or roof then the passageway, breezeway or roof 'Floor Area, Residential (Total)' will be equally apportioned between each of the detached *buildings*.

## ~~5.8 **Dark Sky Provisions (lights)**~~

~~No person shall erect or use an outside light fixture in any zone except in conformity with the provisions contained in any by-law of the Township regulating such lights and in conformity with the following provisions:~~

- ~~i) flashing lights other than navigational lights are prohibited;~~
- ~~ii) lights shall not be erected or used in ways which might confuse or interfere with normal navigation;~~
- ~~iii) lights installed for the purpose of navigational aid shall be approved by the government agency having jurisdiction;~~
- ~~iv) lights used to illuminate structures or property shall be arranged to direct light away from adjacent premises, roads or waterways;~~
- ~~v) spotlights and floodlights shall not be used; and~~
- ~~vi) for the purposes of this By-law, a light mounted on a pole, post, wall, tree or footing shall be considered an accessory structure.~~

## 5.7.8 **Decks**

Decks, either attached to a main or accessory building or structure or as a detached structure, are permitted accessory structures, subject to meeting the following provisions:

- a) Where a *deck* is attached to the *main dwelling*, the attached *deck* may extend from the *main dwelling* into a required front yard *setback* of a *lot* zoned for residential use provided the *deck* is not closer than 3 metres to the ~~highwater mark~~ shoreline and is not more than 2 metres above *final grade* and further, an attached deck may encroach 1.5 metres into a side or rear yard provided that, in the case of unenclosed and uncovered decks and patios, such uses are not more than 1.2 metres above *final grade*.
- b) Where the deck is attached to an accessory building, it shall comply with the front yard requirement for the accessory building but an attached deck may encroach into a side or rear yard a maximum of 1.5 metres provided that, in the case of unenclosed and uncovered decks and patios, such uses are not more than 1.2 metres above *final grade*.



- c) A single detached deck is permitted provided the area of the deck does not exceed 40 m<sup>2</sup> and provided the floor of the deck is no more than 2.0 metres above the grade of the land over which it is located and provided it complies with all required front, side or rear yard setbacks for an accessory structure on a lot zoned for residential use. A detached deck may not be located within 5 metres of the shoreline, except where it is attached to a dock.
- d) Where a deck is attached to a dock, within 5 metres of the highwater mark, the width of the deck may not exceed the width of the portion of the dock to which it is attached.
- e) Where any deck has a height of 1.2 metres or more above final grade, it shall be considered a structure for the purposes of calculating total lot coverage. No deck may have a height of greater than 2 metres as measured from final grade to the floor of the deck.
- f) For any Zone other than a Residential Zone, All attached and detached decks shall comply with the required front yard, side yard and rear yard setbacks applicable to the zone, except where otherwise permitted by this By-law.
- g) The maximum area of a deck attached to a dwelling shall not exceed the ground floor area of the dwelling or 110 m<sup>2</sup> whichever is the lesser;
- h) The maximum area of a deck attached to an accessory building or structure shall not exceed the ground floor area of the accessory building or structure, or 55 m<sup>2</sup>, whichever is lesser;
- i) A deck connected by stairs, walkways, or landings is not considered an attached deck.

## **5.9 Deer Wintering Habitat Overlay**

- a) In addition to the Environmental Protection (EP) Zone, the zoning maps comprising Schedule A also identify certain lands as a Deer Wintering Habitat Overlay. While not a separate zone, this overlay represents the deer wintering habitat identified on Schedule F to the Official Plan. The Deer Wintering Habitat Overlay permits development of the lands where it has been demonstrated to the Township's satisfaction that there will be no negative impact to the deer wintering habitat or its ecological function(s).
- b) Notwithstanding the above to the contrary, development may proceed in the following cases without the need to demonstrate whether there will be negative impact to the deer wintering habitat or its ecological functions:
  - i) Redevelopment of any building or structure which increases its ground floor area by no more than 10%.
- c) Where the Deer Wintering Habitat Overlay exists on a lot, the permitted uses and regulations of the underlying zone shall apply. In addition to these provisions, the requirements of Section 5.9 a) shall apply to proposed development on lands within the Deer Wintering Habitat Overlay.
- d) During review of development applications and building permit applications, if necessary, the boundaries of the overlay may be more precisely determined in consultation with the Township. Where detailed resource mapping and/or site inspection results in a re-interpretation of the limits of the overlay boundary, an amendment to this By-law shall not be required.

## **5.810 Docks**

### **i.)—j) Residential – All Areas:**

Docks are permitted *structures* on adjacent waterways and nearshore lands where the lands are zoned Residential, subject to meeting the following provisions:

- a) A dock is considered an *accessory structure* that is incidental to the main dwelling on the lot and shall not be constructed unless:
  - i) a main dwelling exists on the lot; or,
  - ii) a *building* permit for the main dwelling has been issued by the Township.
- b) Where a boathouse or boatport is located on a lot, or a one owner island, the number of permitted *docking sites* shall be reduced by one. Further, the width of the boathouse/boatport shall not be included towards the maximum permitted cumulative width for *docking sites*.
- c) *Docking sites* must be located more than 5 metres away from each other.
- d) Permanent *structures* are not permitted on floating *docks*.
- e) Except as otherwise stated within this by-law, no single dock may be wider than 4 metres or located closer than 2 metres to any other parallel *dock*.

- f) No dock shall be located closer than 6 metres to the side lot line, including the straight line extension of the side lot line, 25 metres into the water from the shoreline. In the administration of this specific regulation, consideration may be given to varying from this standard in areas where the straight line extension causes significant hardship for the safe and effective placement of a dock.
- g) No docking envelope shall extend more than 25% of the total distance across the adjacent waterway measured from shoreline to shoreline.
- h) In waterways less than 30 metres in width, docks should be oriented so that it causes any boat, when docked, to be approximately parallel to the centre line of the waterway adjacent to the dock.
- i) Docking envelopes should be located outside of ES and/or ES1 zones. Any portion of a docking envelope located in an ES1EP and/or ES1EP1 Zone shall not exceed 50 m<sup>2</sup>.

## **ii. Residential - Inland Lakes:**

- a) Inland lakes are permitted 2 docking sites with:
  - i. a maximum cumulative width of 15 metres;
  - ii. a maximum ~~outer extent~~ projection of 20 metres, perpendicular to the shoreline;
  - iii. a maximum on-shore extension (beyond controlled water mark above the shoreline) of 3 metres.
- b) ~~e)~~ One of the permitted docking sites may have a ~~near shore~~ portion of the dock, located no more than 6 metres in the water from the ~~high water mark~~ shoreline, with a maximum area of ~~70~~ 50 m<sup>2</sup> and within the maximum dimensions of 15 metres ~~long~~ wide (along ~~parallel to the lot frontage~~ the shore) and 6 metres ~~wide~~ projection (perpendicular to the shoreline). Such portion of a dock shall not be more than 1.5 metres above the shoreline.
- c) All other dock sites shall have no portion of a dock which exceeds 4 metres in width.
- b) ~~Further, the height of such structure shall not be more than 1.5 metres above the high water mark shoreline or grade;~~

## **iii. Residential - Georgian Bay:**

- a) ~~d)~~ Single Ownership Islands that are greater than 1 acre in area and lots with a frontage in excess of 200 metres on Georgian Bay are permitted 3 docking sites with:
  - i. the maximum width of ~~one each~~ dock site not to exceed 15 metres, measured at its widest width along or parallel to the ~~shore~~ lot frontage, and a cumulative width of all dock sites not to exceed 30 metres;
  - ii. a maximum on-shore extension (beyond original high water mark shoreline) of 3 metres;
  - ii.iii. a maximum projection of 30 metres, perpendicular to the shoreline.
- b) Single Ownership Islands that are equal to or less than 1 acre in area and lots with a frontage that is equal to or lesser than 200 metres on Georgian Bay are permitted 2 docking sites with:
  - i. the maximum width of ~~one each~~ dock site shall not to exceed 15 metres, measured at its widest width along or parallel to the ~~shore~~ lot frontage, and a cumulative width of all dock sites not to exceed 20 metres;
  - ii. a maximum on-shore extension (beyond original high water mark) of 3 metres;
  - ii.iii. a maximum projection of 20 metres perpendicular to the shoreline.
- c) One of the dock sites permitted under (d) and (e) above may have a ~~near shore~~ portion of the dock, located no more than 6 metres in the water from the shoreline, with a maximum area of ~~70~~ 50 m<sup>2</sup> and maximum dimensions of 15 m ~~metres long~~ wide (measured at its widest width along or parallel to the lot frontage along the shore) and 6.5 metres ~~wide~~ long and may ~~project~~ be located no more than 10 metres into the water and ~~nor~~ 3 metres inland from the high water mark shoreline. Further, the height of such structure shall not be more than 1.5 metres above the high water mark shoreline or grade.
- e) ~~d)~~ Excepting (c) above, a All other dock structures shall have no portion of the dock that exceeds 4 metres in width.
- d) ~~e)~~ Any other ~~near shore~~ portion of a dock located in the water within 6 metres in water of the high water mark shoreline and 3 metres in land of the high water mark shoreline, shall not exceed a ~~length~~ width of 7.5 metres (measured at its widest width along or parallel to the lot frontage along the shore) and projection of 4 metres ~~wide~~ (perpendicular to the shoreline). Further, the height of such structure shall not be more than 1.5 metres above the high water mark shoreline or grade.



**Residential – All Areas:**

- iii) ~~Where a boathouse or boatport is located on a lot, or a one owner island, the number of permitted docking sites shall be reduced by one. Further, the width of the boathouse/boatport shall not be included towards the maximum permitted cumulative width for dock sites.~~
- iv) ~~Docking sites must be located more than 5 metres away from each other.~~
- v) ~~Except as noted in Section c, f and g, no single dock may be wider than 4 metres or located closer than 2 metres to any other parallel dock.~~
- vi) ~~No dock structure shall be located closer than 6 metres to the side lot line including the straight line extension of the side lot line, 25 metres into the water from the high water mark shoreline. In the administration of this specific regulation, consideration may be given to varying from this standard in areas where the straight line extension causes significant hardship for the safe and effective placement of a dock.~~
- vii) ~~No docking envelope shall extend more than 25% of the total distance across the adjacent waterway measured from highwater mark to highwater mark.~~
- viii) ~~In waterways less than 30 metres in width, docks should be oriented so that it causes any boat, when docked, to be approximately parallel to the centre line of the waterway adjacent to the dock.~~
- ix) ~~Docking envelopes should be located outside of ES and/or ES1 zones. Any portion of a docking envelope located in an ES and/or ES1 Zone shall not exceed 50 m<sup>2</sup>.~~

**iv.ii) Commercial and Private Club Zones:**

- a) *Dock(s), boathouses and boatports* are permitted *structures* on adjacent waterways and near-shore lands where the lands are zoned in a 'Commercial' or 'Private Club (PC)' zone and are located in a *waterlot* authorized by the appropriate government agency or in a docking envelope defined herein.
- b) The *dock(s)* shall be set back a minimum of 20 metres from the side lot line for a 45 metre straight line extension of the side lot line into the water from the ~~highwater mark~~ *shoreline* and thereafter subject to a 0 metre *setback* from the straight line extension. With the exception of Lots 27, 28 and 29 of Concessions 4 and 5, geographic Township of Harrison (Pointe au Baril Station) and Lots 45, 46 and 47 of Concession 11, geographic Township of Harrison (Bayfield), which are permitted a 0m *setback*.
- a) The area of any *waterlot* authorized by the Ministry of Natural Resources must not exceed the area of the onshore lands, with the exception of Lots 27, 28 and 29 of Concessions 4 and 5, geographic Township of Harrison (Pointe au Baril Station) and Lots 45, 46, and 47 of Concession 11, geographic township of Harrison.
- b) Any boat, moored to a dock located in a *waterlot* or *docking envelope* shall be located within the *waterlot* or *docking envelope*.
- c) For any lands zoned in a 'Commercial' or 'Private Club (PC)' zone where authorization cannot be gained from the Ministry of Natural Resources for a *waterlot* the following provisions shall apply:
  - i) *Docks* shall be located within a *docking envelope*;
  - ii) The total cumulative size of all *docking envelopes* shall be permitted to be 10% of the lot area to a maximum of 2000 ~~m<sup>2</sup>~~ *sq. m.*
  - iii) ii) *A docking envelope* for a Commercial or Private Club Z zone shall:
    - 1. Not exceed a width of 50% of the frontage of the subject property or 75 metres measured between parallel lines drawn perpendicular to the shoreline, *whichever is lesser*;
    - 2. Not contain a single *dock* with a width greater than 4 metres, being the smallest dimension, and closer than 2 metres to any other parallel *dock*;
    - 3. In waterways less than 30 metres in width, be oriented so that it causes any boat, when docked, to be approximately parallel to the centre line of the waterway adjacent a dock in the docking envelope;
- f) *docking envelopes* should be located outside of ~~ES~~ *EP* and/or ~~ES1~~ *EP1* Zones. Any portion of a *docking envelope* located in an ~~ES~~ *EP* and/or ~~ES1~~ *EP1* Zone shall not exceed 50 m<sup>2</sup>.

## ~~5.9 Dredging and Filling Prohibited~~

~~No person shall dredge or fill any lands or navigable waterway or in an Environmental Sensitive Area Zone unless:~~

- ~~a) authorized by the provisions of this By-law;~~
- ~~b) the lands or waters are zoned in a Commercial Zone or in a Pit and Quarry Zone;~~
- ~~c) the dredging or filling is for the purpose of channelization to respond to periods of low water levels on Georgian Bay; or~~
- ~~d) for the purposes of satisfying septic system requirements.~~

~~All dredging and filling must be authorized by and a permit obtained from the appropriate government authority.~~

## 5.1011 Dwelling Units

No *dwelling unit*, in its entirety, shall be located below grade, except where one wall of the *dwelling unit* is completely exposed to the exterior and contains a door and windows for the *dwelling unit* below grade.

## 5.1112 Dwelling Unit Accessory to a Non-Residential Use

Where a *dwelling unit accessory to a non-residential use* is permitted in the applicable Zone, the following regulations shall apply:

- a) The *dwelling unit* shall be for the personal use of the owner, operator or an employee of the main non-residential use.
- b) Any accessory *dwelling unit* must be secondary to the main non-residential use on the property;
- c) A *dwelling unit* is not permitted secondary or accessory to any *industrial use* on the property;
- d) Unless otherwise specified within this By-law, a maximum of one *dwelling unit accessory to a non-residential use* may be permitted on a *lot*;
- e) The accessory *dwelling unit* may either be a detached building or structure or a unit within a building or structure associated with the main non-residential use;
- f) All *dwelling units* must be serviced by a private water supply and sewage system;
- g) Each *dwelling unit* must contain a washroom, bathroom, and kitchen facilities separate from the non-residential use and must contain a building entrance separate from the non-residential use;
- h) A *dwelling unit accessory to a non-residential use* must have a minimum total floor area of 35 m<sup>2</sup>;
- i) Minimum *ground floor area* of the detached dwelling shall be 50 m<sup>2</sup>;
- j) An accessory *dwelling unit*, whether located within a *structure* associated with the *primary use* or within a detached structure, shall comply with the minimum yard requirements for the principal building of the one in which it is located.
- k) Where located within a detached structure, an accessory *dwelling unit* shall:
  - a. Not exceed a maximum height of:
    - i. Wards 1 (excluding those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station), 5 and 6:  
**9 metres;**
    - ii. - Wards 2, 3 4 and including those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station: 6 metres;
  - b. Not be erected within 3 metres of any other *building* on the *lot*;
  - c. Not exceed a maximum of 5% of the total *Ground Floor Area*, up to a Maximum *Total Floor Area* of 300 m<sup>2</sup>.

### **5.4213 Floating Accommodations**

- a) No person shall use any in-water boathouse, barge, marine vessel, or any other floating structure or building for use as a dwelling unit in any zone.
- b) Floating accommodations are prohibited in any zone.
- c) Floating accommodations are not permitted to be docked, moored, stored, serviced, repaired, constructed, or kept for sale or rent at a marina.

### **5.14 Floodplain**

No *building* or *structure* for human habitation shall be permitted within a *floodplain*.

### **5.4215 Fuel Pump Location**

Notwithstanding any of the other provisions of this By-law, a fuel pump may be located within any *front yard* or *side yard* of an automobile service station or marina, provided that:

- a) the minimum distance between any portion of the fuel pump or other equipment used for the handling of gasoline or associated products, and any lot line shall be 2 metres. In the case of a fuel pump located on a dock for the purpose of refueling boats or recreation water craft, this provision shall not apply to the front lot line; and
- b) the ~~installation~~ installation of the fuel pump or other equipment used for the handling of gasoline or associated products shall be in accordance with the requirements of the Gasoline Handling Act and any regulations made thereunder.

### **5.4316 Height Restrictions**

- a) No *building* or *structure* erected on a *lot* shall exceed the maximum *height* requirement for the applicable *Zone*. *Height* restrictions included in this by-law do not apply to the following *structures* provided the use is a permitted *use* within the *Zone* in which it is located:
  - Church spire
  - air conditioner duct
  - belfry
  - bridge
  - chimney
  - clock tower
  - flag pole
  - water tower
  - communications tower or antenna
  - wind turbine
- b) In the Residential *Zones*, no fence shall exceed 1.8 metres in *height*. Where a fence would directly enclose, a tennis or sports court, or where a fence encloses an above ground *swimming pool*, such fencing shall not exceed a maximum of 2.5 metres in *height* nor be located within 3 metres of the *lot line*.
- c) Once the *final grade* is established for a *building* in the Residential *Zones*, if a cumulative 20% of the length of any front wall of any *building* has a final grade which exceeds the required *height* by 1 metre or less for that 20% portion, then the *height* shall be deemed to comply with the *height* restriction. In any event, 80% of the length of any front wall of any *building* must comply with the required *height*.

### **5.4417 Home Occupation**

A **home occupation** is a permitted *use* within a *main dwelling* or within a legally established *accessory* residential *structure* on any lot zoned for residential *use* provided that:

- a) The *home occupation* or business activity use occurs within a legally established *main dwelling* or within a legally established *accessory building*. A *home occupation* is not permitted within a sleeping cabin;;
- b) There is no external display or advertising, other than a sign erected in accordance with any by-laws of the Township regulating signs;
- c) The *home occupation* is clearly secondary to the main residential *use* and does not change the character of the *main dwelling* or *residential land use* nor create or become a nuisance in regard to noise, traffic or parking;
- d) The *lot* has direct access to and fronts upon a *public* or *private road* and/or has frontage on a *navigable waterway*;

- e) Not more than 25% of the *floor area* of the *main dwelling* shall be used for the *home occupation use* if the *home occupation* is located within the *main dwelling*. If the *home occupation* is located in an *accessory structure*, a maximum of 25% of the total floor area of the main dwelling may be used for the calculation of the maximum floor area of the *home occupation*. The total maximum floor area allowable for a *home occupation* is 25% of the floor area of the main dwelling.
- f) Only *persons* residing in the *main dwelling* may operate the *home occupation*;
- g) The operation of a barber or beauty shop shall be limited to one operator in a *single detached dwelling*; and;
- h) The *home occupation* shall not have a display or show room;
- i) An accessory outdoor storage area for the *home occupation* may be located in the rear yard provided it occupies no more than 100 m<sup>2</sup> of lot area;
- j) In no case shall two *home occupations* be located on the same lot;
- k) if the *home occupation* is located in an *accessory building*, the *accessory structure* must be located behind the main dwelling;
- l) The owner of the *home occupation* must enter into a site plan agreement with the municipality;

#### **5.1518 Island Requirements**

Notwithstanding any other provision of this By-law to the contrary, a *single ownership one owner island* shall be deemed to comply to the *lot area*, *frontage* and depth requirements of this By-law if the *island* has an area of 4000 m<sup>2</sup> or more above the *high water mark shoreline* (176.44 metres G.S.C. above sea level) and is zoned for Residential use'; or a *one owner island* shall be deemed to comply to the *lot area*, *frontage* and depth requirements of this By-law if the island has an area of 8100 m<sup>2</sup> or more above the *high water mark shoreline* (176.44 metres G.S.C. above sea level) and is zoned 'Natural State (NS)' and is eligible under Official Plan policies for rezoning to a 'Residential Zone'.

#### **5.1619 Lands or Islands Not Zoned**

Any lands or *islands* shown on the Schedules to this By-law, which are not identified as being in any *Zone* category, whether privately owned or Crown Land shall be classified as being in a Natural State (NS) *Zone*.

#### **5.1720 Lot Development Requirements**

##### **a) Requirement of a Lot**

Except where specifically provided for elsewhere in this By-law, no *building* or *structure* shall be *erected*, *altered*, extended or enlarged and no land shall be used for any permitted *use* unless the property comprises a *lot*.

##### **b) Frontage on Public Road or Navigable Waterway**

No *lot* shall have built upon it a *building* for any purpose in any *zone* unless that *lot* abuts a *public road* or *navigable waterway*, except that where the *lot existed* at the date of passing of this *By-law* and such lot has a registered right-of-way or *easement* to a *public road*, on the date of passing of this *By-law*, the *lot* may be used for *uses* permitted in the applicable *zone*.

In the case where a lot separated by land owned by the Government of Ontario, The Crown, or the Township of The Archipelago, and such land is held by a public agency for *road widening* purposes or as a 0.3 metre reserve, the use of land, *building* or *structure* of such *lot* is permitted if no other frontage to a *public road* or *navigable waterway* exists, subject to an encroachment agreement.

##### **c) More Than One Use or One Zone On a Lot**

When a *lot* contains more than one *use*, each *use* shall conform to the provisions of this *By-law* applicable to each *use*. When a *lot* is divided into more than one *zone*, each portion of the *lot* shall be used in accordance with the provisions of this By-law applicable to each *zone*.

d) **Restrictions on Changes**

- i) The purpose for which any land or *building* or *structure* is used shall not be changed, no new *building* or *structure* or *accessory structure* or addition to any *existing building* or *structure* or *accessory structure* shall be erected and no land shall be severed from a *lot*, if such change, erection or severance creates a situation that contravenes any of the provisions of this By-law applicable to each individual remaining *building*, *structure*, *accessory structure* or *lot*.
- ii) Notwithstanding the provisions of clause (i) of this Subsection, no *person* shall be deemed to have contravened any provisions of this By-law if only a part or parts of any *lot* or parcel has or have been conveyed to or acquired by *the Township*, Her Majesty in the Right of Ontario or Canada.

e) **Movement of Buildings**

No *building* shall be moved without a permit from the Chief *Building* Official and approval of the road authority having jurisdiction, if required.

**5.1821 Marine Storage Facility**

One *Marine Storage Facility* is permitted on any lot zoned *Residential* with a maximum *Total Floor Area* of 9 ~~m<sup>2</sup>sq. m.~~ and a maximum *height* of 3 metres. A Marine Storage Facility is permitted within the minimum front yard setback.

**5.1922 Measurement of Lot or Island Area**

For the purpose of calculating the *lot area* of any *island* or *lot* fronting on a *navigable waterway*, the water level delineating the *front lot line* shall be the ~~high water mark~~ shoreline.

**5.2023 Mining Prohibited**

No *person* shall use any land, or *erect*, *alter* or use any *building* or *structure* for the purpose of extracting any minerals unless a permit has been issued under the Mining Act.

**5.2124 Multi-Storey Dwellings**

No residential *dwelling unit* may exceed two *storeys* in *height*.

**5.2225 Non-Complying Lots, Buildings & Structures**

**a) Non-Complying Lots —~~Residential~~**

Notwithstanding anything contained in this By-law, a ~~Residentially zoned~~ lot in existence prior to the passage of this By-law, which is vacant or lacks development, may be used and buildings thereon may be erected provided that:

- i) the lot is held under a distinct and separate ownership from abutting lots on or before the date of passing of this By-law;
- ii) relevant provisions of the Planning Act, R.S.O. 1990, c.P. 13, have been complied with;
- iii) the lot has a minimum lot area and lot frontage of 1,800 m<sup>2</sup> and 30 metres, respectively;
- iv) the lot is adequately sized to accommodate a means of water supply and sanitary waste disposal. ~~The determination of adequacy of a lot for development may require an on-site servicing report prepared by a qualified professional; and~~
- v) the continued or proposed use conforms to the By-law and any erection, enlargement, repair or renovation complies with all other provisions of this By-law.

Notwithstanding Section 5.22 a) above of this By-law, where a consent to land severance was granted prior to the passage of this By-law, but the severed and retained parcels are not created until after the passage of this By-law, and the resultant parcel(s) lack the required lot area or lot frontage of the applicable zone, then the deficient parcels may be used and buildings thereupon erected, enlarged, repaired or renovated provided that clauses 5.22 a) ii) through v) inclusive are complied with.

**~~b) Non-Complying Lots — Private Club and Commercial~~**

~~Notwithstanding anything contained in this By-law, a lot in existence prior to the passage of this By-law, which lot lacks either the required frontage and/or area, for a lot in the respective zone, may be used and buildings thereon may be erected, enlarged, repaired or renovated provided that:~~

- ~~i) the lot is held under a distinct and separate ownership from abutting lots on or before the date of passing of this By-law;~~
- ~~ii) all relevant provisions of the Planning Act, R.S.O. 1990, c.P. 13, have been complied with;~~
- ~~iii) the lot is in a Private Club or Commercial Zone and has a minimum lot area and lot frontage of 1,800 m<sup>2</sup> and 30 metres, respectively;~~
- ~~iv) the lot is adequately sized to accommodate a means of water supply and sanitary waste disposal. The determination of adequacy of a lot for development may require an on-site servicing report prepared by a qualified professional; and~~
- ~~v) the use conforms to the By-law and any erection, enlargement, repair or renovation complies with all other provisions of this By-law.~~

~~Notwithstanding Section 5.22 b) above of this By-law, where a consent to land severance was granted prior to the passage of this By-law, but the severed and retained parcels are not created until after the passage of this By-law, and the resultant parcel(s) lack the required lot area or lot frontage of the applicable zone, then the deficient parcels may be used and buildings thereupon erected, enlarged, repaired or renovated provided that clauses 5.22 b) ii) through v) inclusive are complied with.~~

**b) ~~e) Non-Complying Buildings and Structures~~**

**i) Horizontal Extension Permitted – Front and Side Yards**

Any new *buildings* or *structures* must meet the minimum yard *setback* specified elsewhere in this *By-law* and must comply with the *setback* requirements of the zone categories with the exception of the following:

The enlargement or extension of a legal non-complying main dwelling *that* does not comply with the *front yard or side yard* requirements may be permitted after the passing of this By-law, provided the expansion or extension:

- i. does not exceed 50% of the *total ground floor area* of the *main dwelling*;
- ii. if the enlargement or extension ~~addition~~ is proposed in the front or side yard, the enlargement or extension ~~addition~~ can be up to a maximum 50% of the length of the front or side wall, depending on the yard of encroachment;
- iii. when two or more walls are not in compliance, the longest wall will be used for calculating 50%;
- iv. the encroachment within the *front yard* and/or *side yard* is not closer than the *front yard* and/or *side yard setback* of the existing *main dwelling*;
- v. the property is zoned for residential *use*;
- vi. does not further contravene any other provision of this By-law; and
- vii. the maximum enlargement or extension to the *main dwelling* of 50% applies regardless of whether the enlargement or extension is located in a *front or side yard*.

**ii) Vertical Extension Permitted for Dwellings**

Notwithstanding the maximum *building height* provisions of this *By-law*, the extension of any legal non-complying dwelling located on a lot zoned for residential *use* which exceeds the maximum *building height* is permitted, provided that such extension does not exceed the *height* of the existing *dwelling* or 9 metres, whichever is the lesser, and further provided that the *total floor area* of such extension does not exceed the *ground floor area* of the *existing dwelling*.

**iii) Reconstruction of *Buildings* or *Structures***

Nothing in this By-law shall prevent the reconstruction of any non-complying *building* or *structure* that existed prior to the date of the passing of this By-law provided:

- i. the reconstruction of such *building* or *structure* does not increase the total floor area of the lawfully used *building* or *structure*;
- ii. the reconstruction of such *building* or *structure* occurs on the same footprint as the existing *structure*;



iii. and the reconstruction of such *building* or *structure* does not further contravene the by-law regulations.

**iv) Restoration to a Safe Condition**

Nothing in this *By-law* shall prevent the strengthening or restoration to a safe condition of any *non-complying building* or *structure* or part thereof that existed prior to the date of passing of this *By-law*, provided that the strengthening or restoration does not increase the *building height*, size, or volume, except where an increase in *height*, *floor area*, *size*, or volume would comply with the provisions of the *Zone* in which the *building* or *structure* is located.

**v) Interior Alteration, Permitted**

Nothing in this *By-law* shall prevent the interior alteration of a *non-complying building* or *structure*.

**vi) Accessory Buildings or Structures**

Legal *non-complying accessory buildings* or *structures* may not be enlarged or extended.

**vii) Replacement Structure**

An existing *legal non-complying building* or *structure* to be demolished may be replaced at the *existing setback* of the *legal non-complying building* or *structure* to be removed as long as the replacement *structure* is constructed on the same footprint as the existing *structure* and the replacement *structure* does not further contravene *By-law* regulations.

**viii) Legal non-complying attached decks**

Legal non-complying ~~attached~~ decks attached to the main *structure* may be expanded by up to a maximum 50% of the existing deck calculated on the linear frontage of the existing *structure* and cannot exceed 110 m<sup>2</sup> and provided the deck does not exceed 2 ~~m~~ metres above final grade and is located no closer than the existing non-complying setback.

**5.2326 Non-Conforming Uses, Buildings and Structures**

The provisions of this *By-law* shall not apply to prevent the *use* of any *lot*, *building*, or *structure* for any purpose prohibited by the *By-law* if such *lot*, *building*, or *structure* was lawfully *used* and legally established for such purposes on the date of the passing of this *By-law* so long as it continues to be used for that purpose and the *use* has not been discontinued;

**a) Building Permit Issued**

Nothing in this *By-law* shall apply to prevent the erection or *use*, for a purpose prohibited by this *By-law* of any *building* or *structure*, the plans for which have, prior to the date of passing of this *By-law*, been approved by the Chief *Building* Official, so long as the *building* or *structure* when *erected* is used and continues to be used for the purpose for which it was approved.

**b) Change in Use**

No change in the *use* of any land, *building* or *structure* shall be permitted, unless such change in *use* complies with the permitted *uses* within the *zone* in which such land, *building*, or *structure* is located or unless such change has been approved through an amendment to this *By-law*.

**c) Exterior Extension, Not Permitted**

No *building* or *structure*, which at the date of passing of this *By-law* was used for a purpose not permitted within the *zone* in which it is located, shall be enlarged or extended 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* ~~or the granting of a minor variance~~.

**d) Interior Alterations, Permitted**

Nothing in this *By-law* shall prevent the reconstruction or alteration of the interior of any *building* or *structure* which, at the date of passing of this *By-law* was used for a purpose not permitted in the *Zone* in which it is located, in order to render such interior more convenient or commodious for the same purpose for which, at the passing of this *By-law*, such *building* or *structure* was used.

**e) Reconstruction of Damaged Buildings or Structures**

Nothing in this *By-law* shall prevent the reconstruction of any *building* or *structure* that is damaged ~~by causes beyond the control of the owner,~~ subsequent to the date of the passing of this *By-law*, provided the reconstruction of such *building* or *structure* does not increase the *height*, size, or volume of the *building* or *structure*, change the *use* of the *building* or *structure*, or reduce or eliminate any *parking spaces*, or *loading spaces*, which existed prior to said damage.

**f) Restoration to a Safe Condition**

Nothing in this *By-law* shall prevent the strengthening or restoration to a safe condition of any *building* or *structure* or part thereof lawfully used at the date of passing of this *By-law*, whether or not the use of such *building* or *structure* at the date of passing of this *By-law* is permitted within the *Zone* in which such *building* or *structure* is located, provided that the strengthening or restoration does not increase the *building height*, size, or volume, or change the *use* of such *building* or *structure* or part thereof.

**g) Multiple Use Structure**

When a property contains an *accessory structure* with a residential sleeping cabin located within the *accessory building or structure* and if the *structure* existed prior to the passing of the by-law, the *building or structure* is considered legal non-conforming. The legal non-conforming *structure* may continue however the sleeping cabin unit within the *accessory structure* will reduce the number of permitted sleeping cabins for the property.

**5.2427 Number of Dwelling Units on One Lot**

- a) Only one main *dwelling* shall be permitted on any residential *zoned lot*, with the exception that a second *main dwelling* may be permitted provided that:
  - i) the subject *lot* or *island* has a minimum lot area of 2 hectares;
  - ii) the *lot* is eligible for consent to sever *to create a new lot*;
  - iii) each *main dwelling* has its own separate water supply and sewage system approved by the appropriate authority; and
  - iv) the second *main dwelling unit* has a minimum 50-m. *metres* separation distance from the *main dwelling unit* (to accommodate future division of the lots).
- b) Where a *lot* contains two legally existing main *dwellings*, each *dwelling* which exceeds a *Total Floor Area* of 40 *m<sup>2</sup>sq. m.* in Wards 5 and 6 or 50 *m<sup>2</sup>sq. m.* in Wards 1,2,3 and 4 and the *main dwellings* and the subject property comply with Subsection 5.24 a) above, then one or both of the *main dwellings* may be enlarged provided compliance is maintained with all other applicable provisions of this *By-law*.
- c) Where a lot contains two legally existing main dwellings, each dwelling which exceeds a Total Floor Area of 40 *m<sup>2</sup>sq. m.* in Wards 5 and 6 or exceeds a Total Floor Area of 50 *m<sup>2</sup>sq. m.* in Wards 1, 2, 3 and 4 but does not comply with Subsection 5.24 a) above, the one main dwelling with the larger Total Floor Area may be enlarged up to a maximum of the total permitted for the property or 300 *m<sup>2</sup>* Total Floor Area, whichever is the lesser.

**5.2528 Parking and Loading Space Standards for Road Accessed Lands**

**a) Parking Space Requirements:**

The owner of every *building* or *structure erected* or used for any of the purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant or other *person* entering upon or making use of the said premises from time to time, *parking spaces* and areas as set out in Table 1.

The parking requirements under this *By-law* shall only apply to *buildings* or *structures* located on *lots* where direct access to the lot is available from a *public* or *private road*.



| <b>Table 1: <i>Parking Space Requirements</i></b>                   |                                                                                                                                                                                                                                                                                                            |
|---------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>A. Residential</b>                                               |                                                                                                                                                                                                                                                                                                            |
| <i>Single, detached dwelling</i>                                    | 1 <i>parking space</i>                                                                                                                                                                                                                                                                                     |
| <i>Bed and Breakfast</i>                                            | 2 per <i>dwelling unit</i> plus 1 for each <i>guest room</i>                                                                                                                                                                                                                                               |
| <i>Dwelling</i> other than those listed herein                      | 2 per <i>dwelling unit</i>                                                                                                                                                                                                                                                                                 |
| <i>Home occupation or Home Industry</i>                             | 2 per <i>dwelling unit</i> plus 1 for each 24 m <sup>2</sup> of floor space occupied by the <i>home occupation</i> or home industry                                                                                                                                                                        |
| <b>B. Institutional</b>                                             |                                                                                                                                                                                                                                                                                                            |
| Auditoriums, Theatres, Arenas, Hall, or other Places of Assembly    | 1 per 5 seats, or 1 per 4 m <sup>2</sup> of <i>total floor area</i> , whichever is the greater of the two                                                                                                                                                                                                  |
| Hospitals or Sanitarium                                             | 1 per 2 beds, or 40 m <sup>2</sup> of <i>total floor area</i> , whichever is greater of the two                                                                                                                                                                                                            |
| Medical, dental, or drugless practitioners office or clinic         | 1 per 18.5 m <sup>2</sup>                                                                                                                                                                                                                                                                                  |
| Place of worship                                                    | 1 per each 5 persons of maximum design capacity                                                                                                                                                                                                                                                            |
| <b>C. Commercial &amp; Industrial</b>                               |                                                                                                                                                                                                                                                                                                            |
| <i>Hotels and Motels</i>                                            | 1 per <i>guest room</i> or suite                                                                                                                                                                                                                                                                           |
| <i>Light Industrial</i>                                             | 1 per each 40 m <sup>2</sup> of <i>total floor area</i> up to 3,000 m <sup>2</sup> and 1 space per each 200 m <sup>2</sup> of <i>total floor area</i> above 3,000 m <sup>2</sup> .                                                                                                                         |
| <i>Marina</i>                                                       | 1.5 spaces for every <i>boat slip</i> , 0.25 spaces for each <i>boat</i> that may be placed in a boat storage <i>building</i> (dry docking slip) and 1 space for each 20 <del>sq. m</del> m <sup>2</sup> of <i>total floor area</i> that is devoted to commercial use, but exclusive of any storage space. |
| <i>Motor Vehicle Service Station</i>                                | 3 per repair bay                                                                                                                                                                                                                                                                                           |
| Motor Vehicle Sales & Service Establishment                         | 1 per 10 m <sup>2</sup> of <i>total floor area</i> and 3 per repair bay                                                                                                                                                                                                                                    |
| Office, including government <i>buildings</i>                       | 1 per 30 m <sup>2</sup> of <i>total floor area</i>                                                                                                                                                                                                                                                         |
| <i>Restaurant</i>                                                   | 1 per each 4 persons of maximum design capacity or 1 per 20 m <sup>2</sup> of <i>total floor area</i> , whichever is the greater                                                                                                                                                                           |
| <i>Retail Store, Service Shops</i>                                  | 1 per 20 m <sup>2</sup> of <i>total floor area</i>                                                                                                                                                                                                                                                         |
| Social or Service Club                                              | 1 per 10 m <sup>2</sup> of <i>total floor area</i> of all habitable club <i>buildings</i> plus: 4 per lawn bowling green; 4 per tennis or racquet ball court.                                                                                                                                              |
| Sports Field                                                        | 1 per 5 seats or 3 metres of bench space of maximum seating capacity, or 1 per 800 m <sup>2</sup> of total field/floor area, whichever is the greater of the two                                                                                                                                           |
| Tavern, Pub, Bar, Drinking Establishment                            | 1 per 4 seats of a maximum seating capacity                                                                                                                                                                                                                                                                |
| Wholesale, warehousing, and storage                                 | 1 per each 100 m <sup>2</sup> of <i>total floor area</i> up to 3,000 m <sup>2</sup> and 1 space per each 200 m <sup>2</sup> of <i>total floor area</i> above 3,000 m <sup>2</sup> .                                                                                                                        |
| <b>D. Other Uses</b>                                                |                                                                                                                                                                                                                                                                                                            |
| <i>Uses</i> permitted by this By-law other than those listed herein | 1 per 40 m <sup>2</sup> of <i>total floor area</i>                                                                                                                                                                                                                                                         |

## **b) Barrier-Free Parking Space Requirements**

- i) Barrier-free parking spaces shall be provided in accordance with Table 2:

| <b>Table 2: Barrier-Free Parking</b>                      |                                                     |
|-----------------------------------------------------------|-----------------------------------------------------|
| <b><u>Number of Parking Spaces Required (Table 1)</u></b> | <b><u>Number of Barrier-Free Parking Spaces</u></b> |
| <u>12 or fewer</u>                                        | <u>1</u>                                            |
| <u>13 to 100</u>                                          | <u>4% of total provided parking</u>                 |
| <u>101-200</u>                                            | <u>1 plus 3% of total provided parking</u>          |
| <u>201-1000</u>                                           | <u>2 plus 2% of total provided parking</u>          |
| <u>More than 1000</u>                                     | <u>11 plus 1% of total provided parking</u>         |

- ii) Type A Barrier-Free Accessible Parking Spaces shall have a minimum width of 3.4 metres and a minimum length of 5.5 metres.
- iii) Type B Barrier-Free Accessible Parking Spaces must have a minimum width of 2.4 metres and a minimum length of 5.5 metres.
- iv) Where an even number of barrier-free accessible parking spaces are required, an equal number of parking spaces that meet the requirements of Type A and Type B barrier-free parking spaces shall be provided.
- v) Where an odd number of barrier-free accessible parking spaces are required, an equal number of parking spaces that meet the requirements of Type A and B barrier-free accessible parking spaces must be provided, where the additional barrier-free parking space may be a Type B barrier-free accessible parking space.
- vi) Access aisles, being the space between parking spaces that allows persons with disabilities to get in and out of their vehicles, must be provided for all parking spaces for the use of persons with disabilities in off-street parking facilities. Access aisles may be shared by two parking spaces in an off-street parking facility and must meet the following requirements:
- i) The access aisles shall have a minimum width of 1.5 metres.
- ii) The access aisle shall extend the full length of the parking space.
- iii) The access aisles shall be marked with high tonal contrast diagonal lines to discourage parking within them where the surface is asphalt, concrete, or a similar hard surface.
- vii) Notwithstanding the above, the requirements for barrier-free accessible parking spaces shall not apply to any off-street parking facility constructed or redeveloped for exclusive use for any residential use with four or fewer dwelling units on a lot.

## **b)c) Loading Space Requirements**

*The owner or occupant of any lot, building or structure erected or used for any purpose, involving the receiving, shipping, loading or unloading of persons, animals, good, wares, merchandise or raw materials, shall provide and maintain at the premises, facilities comprising one or more loading spaces, in accordance with the following: The loading requirements only apply to buildings and structures erected on lots accessed by public road.*

| <b>Table 23: Loading Space Requirements</b>     |                                                   |
|-------------------------------------------------|---------------------------------------------------|
| <b><u>Total Floor Area of Building</u></b>      | <b><u>Minimum Loading Facilities Required</u></b> |
| <b><u>A. Commercial Uses</u></b>                |                                                   |
| <u>175 m<sup>2</sup> or less</u>                | <u>None</u>                                       |
| <u>176 m<sup>2</sup> to 1,000 m<sup>2</sup></u> | <u>1 loading space</u>                            |

|                                              |                                                                                                                                                                 |
|----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| over 1,000 m <sup>2</sup>                    | 2 <i>loading spaces</i> plus a minimum of 1 additional <i>loading space</i> for each 500 m <sup>2</sup> or fraction thereof in excess of 1,000 m <sup>2</sup>   |
| <b>B. Industrial Uses</b>                    |                                                                                                                                                                 |
| 500 m <sup>2</sup> or less                   | 1 <i>loading space</i>                                                                                                                                          |
| 501 m <sup>2</sup> to 2,000 m <sup>2</sup>   | 2 <i>loading spaces</i>                                                                                                                                         |
| 2,001 m <sup>2</sup> to 7,500 m <sup>2</sup> | 3 <i>loading spaces</i>                                                                                                                                         |
| over 7,500 m <sup>2</sup>                    | 3 <i>loading spaces</i> , plus 1 additional <i>loading space</i> for each additional 1,000 m <sup>2</sup> of <i>total floor area</i> or fractional part thereof |

**c) d Uses Not Specified**

In the case of a use not specifically mentioned in Clause a) of this Subsection, the requirements for off-street parking shall be based on the requirement for the most comparable use specified therein.

**d) e Access to Parking and Loading Spaces**

- i) Access to the required *parking spaces* and *parking areas* shall be provided by means of unobstructed *driveways* or passageways at least 3 metres but not more than 9 metres in width for lots in a residential zone and 12 metres in width for lots in all other zones. Access to the required *loading spaces* shall be provided by means of a *driveway* at least 6 metres wide contained within the *lot* on which the spaces are located and leading to a *public road* or land located within or adjoining the *zone* in which the use is located.
- ii) The aisles between *parking spaces* within a *parking area* shall have a minimum width of 6 metres.
- iii) The maximum width of any combined residential ingress and egress *driveway*, measured along the *public road* line shall be 9 metres for lots in a residential zone and 12 metres for lots in all other zones.
- iv) No *driveway* shall be established closer than 1 metre to a *side lot line*, provided this shall not apply to prevent the establishment of abutting *driveways* along a common lot line if their combined width does not exceed 9 metres.

**e) f Changes in Use / Additions to Existing Use**

- i) Whenever a *use* is changed as would require an additional number of *parking spaces* or *loading spaces*, then such additional *parking* and *loading spaces* shall be provided on the same basis as Subsection 5.25 a) and b).
- ii) When a *building* or *structure* has insufficient *loading spaces* on the date of passing of this *By-law* to comply with the requirements herein, this *By-law* shall not be interpreted to require that the deficiency be made up prior to the construction of any additions to the *building* or *structure*. No addition may be built nor change of *use* may occur to the *structure* if the effect would be to increase the *loading space* deficiency.

**f) g Illumination of Parking and Loading Areas and Driveways**

When *parking* and *loading areas* and/or *driveways* are illuminated, lighting fixtures shall be so arranged to divert the light downward and away from adjacent *lots* and/or *roads*. ~~Subsection 5.6 Dark Sky Provisions will apply to Site Plan approval.~~

**g) h Location on Other Lots**

Residential, *public* or *private* road access, *lots* shall have parking provided on the *lot* occupied by the *building*, *structure*, or *use*, for which the said *parking area* is required and the required *parking* and *loading areas* shall not be located on any part of a *public road*, *private road* or lane. Unless otherwise provided for herein, *parking spaces* may be located in any *yard* but not closer than 1.5 metres to any *lot line*. Parking may not be located any closer than 3 metres from a *public road*.

**h) i Parking and Loading Space Dimensions**

- i) i A *parking space* shall have a minimum length of 5.5 metres and a minimum width of 2.7 metres measured at right angles to the length.
- ii) ii A *loading space* shall have a minimum length of 9 metres, a minimum width of 3.7 metres measured at right angles to the length, and a minimum vertical clearance of at least 4 metres.

#### **i) Use of Parking Areas**

Where a *parking area* or *parking space* is required by the By-law in any *Zone*, no *person* shall use such *parking area* or *parking space* for parking any motor vehicle unless such motor vehicle bears a motor vehicle license plate or sticker which is currently valid.

#### **j) Parking and Storage of Commercial Vehicles in Residential Zones**

No person shall, in any Residential Zone, use any land for the parking or storage of any truck, trailer, camper, barge or vehicle for commercial purposes, unless it is temporarily parked for the purpose of delivery to or serving the premises, or unless it is a pickup or panel truck not exceeding two tonnes, in which case those vehicles that do not exceed two tonnes may be parked overnight.

### **5.2629 Permitted Uses in All Zones**

Nothing in this By-law shall prevent the following:

- a) The use of any land as a *public road* or *public park*;
- b) The *use* of any land or lakebed as a public water access under the ownership of the Corporation of the Township of The Archipelago or Provincial or Federal Government;
- c) The *use* of any land or the erection of *buildings* or *structures*, or the installation of other facilities essential to the operation of the Corporation of the Township of The Archipelago, the Province, the Federal Government, or any other public utility, provided that any such *use*, *building* or *structure* shall be in compliance with the relevant provisions of this *By-law* and shall not adversely affect the character or amenity of the area in which same is located and shall be designed and used in a manner compatible with the area in which it is located. Any above ground non-recreational public *use*, which is located in a Residential *Zone*, shall be enclosed in a *building* designed located and maintained in general harmony with the permitted Residential *buildings* in such *zone*.
- d) The *use* of any land, or the erection or *use* of any *building* or *structure* for a temporary construction camp, work camp, tool shed, scaffold, or other *building* or *structure* incidental to and necessary for the construction work on the premises, but only for as long as such *use*, *building* or *structure* is necessary for such construction work which has not been finished or abandoned and the subject property is zoned for 'Residential' purposes.

### **5.2730 Pits and Quarries**

Except for wayside pits, the making or establishment of pits and quarries is prohibited in any *zone* other than a Pit and Quarry (PQ) *Zone*. Temporary wayside pits or quarries and portable concrete and asphalt plants may be permitted in any *Zone* other than an Environmental Sensitive Area *Zone*, subject to the provisions of the relevant *Zone*.

### **5.2831 Prohibited Uses in all Zones**

#### **a) Uses not Permitted In Zones**

All *uses* of land and the erection or *use* of any *building* or *structure* for a purpose not permitted under the "Permitted Use" Subsection of one or more *Zones* established by this By-law are and shall be deemed to be prohibited in each *Zone*, except for those *uses* of land and the erection or *use* of any *building* or *structure* for a purpose expressly permitted under the applicable provision of Section 5 hereof.

#### **b) Noxious Trade, Business or Manufacture Prohibited**

Any *use* declared under the Public Health Act, or any regulations adopted there under to be a noxious trade, business or manufacture by reason of its nature or the materials used therein is prohibited. In addition, no land, *building* or *structure* shall be used for any purpose, which is obnoxious, which creates or is likely to become a nuisance or offensive or both:

- i) By the creation of noise or vibration;
- ii) By reason of the emission of gas, fumes, smoke, dust, or objectionable odour;
- iii) By reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, motor vehicles, trailers, or parts of vehicles or trailers, machinery, dilapidated or discarded boats or other watercraft or other such material;  
or
- iv) By any combination of these things described in clauses (i), (ii), and (iii) of this Subsection.

**c) Dangerous Uses Prohibited**

No land, *building* or *structure*, except *motor vehicle service stations* and duly licensed installations for the bulk storage of gasoline, lubricating and fuel oil, is permitted for commercial or industrial purposes which are likely to create danger to health, or danger from fire or explosion which without limiting the generality of the foregoing shall include storage or manufacture of coal oil, water oil, rock oil, fuel oil, burning fluid, gas, naphtha, benzene, gasoline, dynamite, dualine, nitro-glycerin, gunpowder, petroleum and petroleum products, unless protected by adequate fire fighting and fire prevention equipment and by such safety devices as required for the safe handling of such material.

**d) Truck, Bus, and Trailer, and Floating Accommodation -Occupation**

No person shall, in any Zone, use any travel trailer, tent, motor home, *mobile home*, park model trailer, recreational vehicle, truck camper, trailer truck, bus, coach, streetcar body, railway car body, railway shipping container, floating accommodation, or similar *structure* of any kind, for the purpose of a *residence*. No such *structure* shall be considered a *dwelling unit*, or be used for human habitation, whether or not the same is mounted on wheels or other form of mounting or foundation.

**5.3229 Pump House**

One *Pump House* with a maximum *Total Floor Area* of 3 m<sup>2</sup> and the maximum *height* of 3-m metres is permitted on any lot zoned *Residential*. A pump house is permitted within the minimum front yard setback.

**5.3033 Residential Use Restrictions**

- a) No *person* shall erect or *use* any *building* as a *dwelling* upon any *lot* whereon there then exists, or is in the course of construction, or for which a *building* permit has been issued for another residential *dwelling*, except where provided for elsewhere in the By-law.
- b) Notwithstanding anything contained in this By-law, no *person* shall *use* or occupy any *building* for residential purposes unless such *building* is serviced with private water supply and sewage systems to the satisfaction of *the Township*.

**5.3134 Saunas**

A *sauna* is a permitted *accessory building* on a *lot* zoned for residential *use* and may be located in any *front yard*, *side yard* or *rear yard* provided that:

- a) The maximum *height* of the *sauna* does not exceed 4 metres;
- b) If the maximum *floor area* of a *sauna*, including attached covered porches and *decks*, is 10 m<sup>2</sup> or less, the *sauna* may be permitted a 0-m metres front yard *setback*. Where a *sauna* exceeds 10 m<sup>2</sup>, including any attached covered porches and *decks*, the minimum *front yard setback* shall be 7.5 metres.
- c) Notwithstanding the above, where a sauna exceeds 10 m<sup>2</sup>, including any attached covered porches and decks, on lots that front on Blackstone Lake, Crane Lane, Forget Lake, Three-Legged Lake, or southern portions of Spider Lake outside of the Massasauga Provincial Park, the minimum front yard setback shall be 15 metres.

**5.3235 Setback Requirements**

**i) *Front Yard – Single Ownership Islands***

The entire shoreline of the *single ownership island* at the ~~highwater mark~~ shoreline is the *front lot line*. All yards on a *single ownership island* shall be *front yards*.

**ii) *Setbacks and Side Yard Setbacks on Major Roads***

Where a *building* or *structure* is located adjacent to a Provincial Highway, *setbacks* shall be provided and maintained in accordance with the requirements of the Ministry of Transportation.

**iii) *Setbacks from Provincially Significant Wetlands***

Removal of a 'Holding (H)' provision on lands adjacent to Provincially Significant Wetlands (~~ES2~~ EP1) shall require the preparation of an Environmental Impact Study (EIS) to the satisfaction of the appropriate approval authority as determined by the Township. The EIS must demonstrate that there will be no negative impacts on the natural features or the ecological functions for which the area is defined in order for the holding provision to be removed.

#### iv) Setbacks for Pit and Quarry Uses

Any permitted *buildings* or *structures* accessory to a pit or quarry use must be set back a minimum of 120 metres from the ~~high water mark~~ *shoreline* of any *navigable waterway* and 30 metres from any *public road* or *side lot line*. Upon expiration of any licence or lease of land for pit or quarry uses, all *buildings* and *structures* used in connection with this use shall be removed.

#### v) Setbacks for Through Lots

Where a *lot* which is not a *corner lot* has frontage on more than one *road* or two shorelines, the *setback* and *front yard* requirements contained herein shall apply on each *road* or shoreline in accordance with the provisions of the *Zone* or *Zones* in which such *lot* is located.

#### vi) Setbacks from Sensitive Coldwater Lake Trout Lakes

On lands adjoining a waterbody identified as a “sensitive” cold water lake on Schedules to this By-law (Blackstone and Crane Lakes), all septic tile fields and grey water pits shall be *setback* a minimum of 30 metres from the ~~high water mark~~ *shoreline*. A reduction in this *setback* to the clearance distances provided by the Ontario *Building Code* may be permitted if a tertiary class 4 septic system is installed.

#### vii) Setbacks from “At-Capacity” Coldwater Lake Trout Lakes

On lands adjoining a waterbody identified as an “at capacity” coldwater lake trout lake on Schedules to this By-law (Forget Lake, Three Legged Lake and southern portions of Spider Lake outside of Massassauga Provincial Park), all septic tile fields and grey water pits shall be *setback* a minimum of 30 metres from the ~~high water mark~~ *shoreline*.

#### viii) Setbacks from Sturgeon Bay

On lands adjoining portions of Sturgeon Bay, as identified on Schedule C to this By-law, all septic tile fields and grey water pits shall be *setback* a minimum of 30 metres from the ~~high water mark~~ *shoreline*. A reduction in this *setback* to the clearance distances provided by the Ontario *Building Code* may be permitted if a tertiary class 4 septic system is installed.

#### ix) Setback from ~~Environmentally Sensitive~~ *Environmental Protection (ES, ES1 and ES2EP and EP1) Zones*

All buildings, structures and septic systems shall be setback a minimum of 3 metres from any lands or areas zoned ~~‘Environmentally Sensitive (ES)’, ‘Environmentally Sensitive One (ES1)’ and ‘Environmentally Sensitive Two (ES2)’~~ *Environmental Protection (EP) or Environmental Protection One (EP1)*.

#### 5.33~~36~~ *Shore Road Allowance*

Where a *shore road allowance* or *Crown Reserve* exists in front of any *lot* which has not been stopped up and acquired by the abutting land owner in whole or in part, the area of the *shore road allowance* or *Crown Reserve* above the ~~high water mark~~ *shoreline* between the extension of the *side lot lines* may be considered part of the *lot area* or *lot depth* required by this By-law for the said *lot*.

#### 5.34~~37~~ *Shore Road Allowance as Yard*

Notwithstanding the provisions of this By-law, where a shore road allowance or Crown Reserve exists in front of any lot, which has not been stopped up and acquired by the abutting land owner in whole or in part, permitted *buildings* or *structures* may be erected without a front yard *setback* provided the *buildings* or *structures* or any part thereof does not encroach upon the shore road allowance or Crown Reserve, and provided the buildings or structure meet the minimum front yard setback of the applicable zone to the shoreline.

#### 5.35~~38~~ *Signs*

Nothing in this By-law shall apply to prevent the erection, alteration or *use* of any sign, provided such sign complies with the By-laws and requirements of the Township of The Archipelago and Ministry of Transportation for regulating signs and provided such sign complies with the provisions of this By-law regarding *sight triangles*.

#### 5.36~~39~~ *Sleeping Cabins*

Subject to the provisions of Section 5.1, *Accessory Uses*, *sleeping cabins* are a permitted *accessory use* on any *lot* zoned for residential use, provided that:



a) **Wards 1, 2, 3 and 4:**

- i) The maximum *Total Floor Area* of each *sleeping cabin*, including the *floor area* of any *basement*, does not exceed 50.16 m<sup>2</sup> or the *ground floor area* of the *main dwelling* on the *lot*, whichever is the lesser;
- ii) The maximum number of *sleeping cabins* permitted on one lot is three cabins;
- iii) Notwithstanding ii) above, where a lot contains an additional residential unit, the maximum number of sleeping cabins permitted on one lot is two cabins; and
- iv) The maximum cumulative *Total Floor Area* of all *sleeping cabins* on a *lot*, including the *floor area* of any *basement*, shall not collectively exceed 150.48 m<sup>2</sup>.

b) **Wards 5 and 6:**

- i) The maximum *Total Floor Area* of each *sleeping cabin*, including the *floor area* of any *basement*, does not exceed 40 m<sup>2</sup> or the *ground floor area* of the *main dwelling* on the *lot*, whichever is the lesser;
  - ii) The maximum number of *sleeping cabins* permitted on one lot is two cabins;
  - iii) Notwithstanding ii) above, where a lot contains an additional residential unit, the maximum number of sleeping cabins permitted on one lot is one cabin; and
  - iv) The maximum cumulative *Total Floor Area* of all *sleeping cabins* on a *lot*, including the *floor area* of any *basement*, shall not collectively exceed 80 m<sup>2</sup>.
- c) Such *sleeping cabins* do not contain any *cooking facilities*;
- d) *Sleeping cabins* shall have a floor area greater than 10 m<sup>2</sup>;
- e) The maximum *height* of the *sleeping cabin* shall be 5 metres. A storage loft in a *sleeping cabin* with a floor-to-ceiling height of less than 1.8 metres, and no permanent access, is permitted within the 5-metre height requirement;
- f) Such *sleeping cabins* are clearly subordinate and incidental to the main residential use on the *lot*;
- g) No *deck* attached to a *sleeping cabin*, excluding any accessory ramps, stairs, walkways or landings, shall exceed the *ground floor area* of the *sleeping cabin*;
- h) No *sleeping cabin* or *deck* attached to a *sleeping cabin* on a *lot* zoned for residential use shall be erected within ~~7.5m~~ 7.545 metres of a *front lot line* and within 6 metres of a *side* or *rear lot line*. An attached *deck* to a *sleeping cabin*, if 1.2 metre or less from grade, may encroach a maximum of 1.5 metres into a side or rear yard;
- i) Notwithstanding the above, no *sleeping cabin* or *deck* attached to a *sleeping cabin* on a lot zoned for residential use shall be erected within ~~15.30~~ metres of a *front lot line* and within 6 metres of a *side* or *rear lot line* on lots that front on Blackstone Lake, Crane Lane, Forget Lake, Three-Legged Lake, or southern portions of Spider Lake outside of the Massasauga Provincial Park.
- ii) If an existing *sleeping cabin* contains a legal non-conforming kitchen or *cooking facilities*, then such *sleeping cabin* may be expanded to the maximum allowable *Total Floor Area* stated in Subsection 5.36 a) or b) above. If the existing *sleeping cabin* ceases to be used as a *sleeping cabin*, the re-constructed *sleeping cabin* shall not contain *cooking facilities* and shall comply with all applicable regulations of the By-law.

#### 5.40 Solar Renewable Energy Generation Systems

The following provisions apply to solar renewable energy generation systems:

- a) A photovoltaic solar energy device or thermal solar energy device shall be permitted in any zone where buildings and structures are permitted, subject to the following requirements:
- i) Where mounted on a building:
    - i. The device shall comply with the required minimum setbacks for a building on the lot; and,
    - ii. The height restrictions of this By-law shall not apply to the solar panel(s).
  - ii) Where ground mounted:
    - i. The device shall comply with the applicable zone requirements for an accessory building or structure on the lot.

#### **5.3741 Storage of Unlicensed Vehicles, Trailers and Commercial Vehicles**

- a) The parking or storage of an unlicensed motor vehicle or an unlicensed tractor trailer shall be prohibited unless it is stored in an enclosed garage or other *accessory building or as specifically permitted in this By-law*.
- b) No *lot, building or structure* in any Residential Zone shall be used for the parking or storage of any commercial vehicle (licensed or unlicensed), unless:
  - i) The vehicle is owned or used by the owner or occupant of such *lot, building or structure*;
  - ii) The commercial vehicle has a maximum carrying capacity of 2000 kilograms; and
  - iii) Provided that not more than one commercial vehicle is stored in accordance with this Section.

#### **5.3842 Swimming Pools**

The following provisions apply to outdoor *swimming pools*:

- a) When a *lot* fronts on a *navigable waterway*, *swimming pools* on *lots* zoned for residential use shall not be ~~constructed~~ *located* within 30 metres from the *front lot line* and will not be constructed closer than 6 metres from a *side or rear lot line*. In a case where a *lot* fronts on a *road*, but not a *navigable waterway*, then a *swimming pool* shall only be permitted in a *side or rear yard*; and
- b) For any Zone other than a Residential Zone, *swimming pools* may not be constructed closer than 15 metres to any *lot line*.
- c) Every swimming pool shall be enclosed by a fence at least 1.5 metres high, located not less than 1 metre and not more than 7.5 metres from the inside edge of the pool.

#### **5.3943 Tennis Courts and Sports Courts**

~~One~~ *A single* tennis *or sports* court is a permitted *accessory use* to a *lot* zoned for residential use, subject to a minimum *front yard setback* of 30 metres along a *navigable waterway* and *side and rear yard setback* of 30 metres. In a case where a *lot* zoned for a residential use fronts on a *road*, but not a *navigable waterway*, then a tennis court shall only be permitted in a *side or rear yard* and shall maintain a minimum *side and rear yard setback* of 15 metres.

The greater of two tennis courts *and/or sports courts* or the existing number of tennis courts *or sports courts, whichever is greater* are permitted on a lot in the Commercial or Private Club Zones. Tennis courts *or sports courts* are permitted provided the minimum *front, side and rear yard* requirements for the *main use* permitted on the *lot* are complied with.

#### **5.4044 Tents and Trailer Sites**

No new commercial *tent or trailer sites* will be permitted in the Township, ~~and nor will~~ the expansion of any *campground or trailer park* operation ~~shall not~~ be permitted. No additions to existing lawful trailers are permitted, except for open decks or patios that do not exceed the floor area of the trailer.

#### **5.4145 Timbering**

No person shall use any land, or *erect, alter* or use any *building or structure* for commercial timbering *or logging* within 30 metres of a *public road* or within 120 metres of any *navigable waterway*. Any commercial timbering must be in accordance with the Ministry of Natural Resources' Timber Management Plan.

#### **5.4246 Walkway and Stairs**

No person shall construct a *detached* walkway, *stairs, or associated lands which* which exceeds 2 metres in width;

#### **5.4347 Ward Survey Descriptions and Pointe au Baril Station Neighbourhood**

As identified on Schedule D to this By-law.



#### 5.44~~48~~ Wind Power Generation

- i) One *wind turbine*, including supporting tower base and foundation is permitted on a lot within a residential or commercial zone. A wind turbine is an *accessory ~~structure-use~~* and may only be established on a lot where the main use of the lot is established.
- ii) The minimum lot area for one wind turbine installation is 2 hectares, except in the case of single ownership island in which case the minimum lot area shall be 0.8 hectares.
- iii) The minimum ~~setback-distance~~ of a wind turbine to any lot line, other than a *public* or *private road* and a shoreline, is 5 times the diameter of the wind turbine rotor. The required ~~setback distance~~ shall be measured from the outer edge of the blade swept area.
- iv) The minimum distance of a wind turbine to any *dwelling unit*, located on any *lot* other than the *lot* where the wind turbine, is located is 200 metres.
- v) The minimum distance of a wind turbine to a *public* or *private road* is equal to the height of the wind turbine tower measured from the ground elevation at the base of the tower to the centre of the rotor (hub).
- vi) The minimum distance of a wind turbine from the ~~shoreline~~*highwater mark* of a *navigable waterway* is 30 metres.
- vii) The maximum *height* of a wind turbine tower is 17 metres. *Height* is measured from the ground elevation at the base of the tower to the tip of the rotor at its highest position.
- viii) The maximum rated electrical power of one wind turbine is 10KW.

#### 5.45~~49~~ Yard Encroachments Permitted

Every part of any *yard* required to be provided in any *Zone* shall be open and unobstructed by any *structure* from the ground to the sky, except that:

- a) Ornamental *Structures* such as; sills, chimneys, cornices, eaves, gutters, parapets, pilasters, overhangs, or gutters may project into any required *yard* or *setback* a maximum of 0.5 metres.
- b) Unenclosed and uncovered *decks*, balconies, steps, and patios, may project into any required *side or rear yard setback* a maximum of 1.5 metre provided that, in the case of unenclosed and uncovered *decks* and patios, such *uses* are not more than 1.2 metres above *final grade*.
- c) Fences, freestanding walls, flagpoles, antennae, light standards and similar *structures* and appurtenances, and hedges, trees and shrubs are permitted in any *yard* provided that no *structure*, hedge or other obstruction is permitted in a *sight triangle*.
- d) Septic systems are considered a *structure*. Septic systems are allowed to encroach up to 3-~~m~~ metres of the side and/or rear lot lines with a 3-~~m~~ metres side and/or rear *yard setback* from the lot line.

## Section 6 - Coastal/Island Residential (CR) Zone

Within a Coastal/Island Residential (CR) Zone, no *person* shall use any land, or *erect, alter* or use any *building* or *structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

## 6.1 General Use Provisions:

### 6.1.1 Permitted *Uses*

**Main Use:**

- *Residential use.*

### Accessory Uses:

- Accessory uses.
- Bed and Breakfast;
- Home occupation

### 6.1.2 Permitted *Buildings* and *Structures*

- *A single, detached dwelling*
- *Accessory Residential structures and buildings*

### 6.1.3 Zone Standards:

Any *building* or *structure* permitted under Section 6.1.2 shall comply with the following provisions except as otherwise provided for in Section 5, General Provisions:

|    |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a) | <b>Minimum Lot Frontage</b>       | As existing at the date of passing of this <i>By-law or adjusted through a lot line adjustment as approved through the Planning Act</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| b) | <b>Minimum Lot Area</b>           | As existing at the date of passing of this <i>By-law or adjusted through a lot line adjustment as approved through the Planning Act</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| c) | <b>Maximum Lot Coverage</b>       | <ul style="list-style-type: none"> <li>i) Lots with an area of <b><u>1,800 m² or less:</u></b><br/>- maximum total floor area is 7.5% of <i>lot area</i>;</li> <li>ii) Lots with an area greater than <b><u>1,801 m² up to 16,187 m²:</u></b><br/>- 140 m² + 3% of <i>lot area</i>;</li> <li>iii) Lots with an area greater than <b><u>16,188 m² up to 32,374 m²:</u></b><br/>- 625 m² + 1% of <i>lot area</i> that is over 16,187 m²;</li> <li>iv) Lots with an area of greater than <b><u>32,375 m² up to 34,400:</u></b><br/>- 787 m² + ½% of the <i>lot area</i> over 32,374 m²</li> <li>v) Lots with an area greater than 34,401 m²<br/>- 800 m².</li> </ul> |
| d) | <b>Main dwelling</b>              | <ul style="list-style-type: none"> <li>i) <b>maximum ground floor area</b> - 80% of the total <i>lot coverage</i> (for properties greater than 1800 m²);</li> <li>ii) <b>maximum total floor area</b> - 300 m²;</li> <li>iii) <b>minimum ground floor area</b> - Wards 5 and 6: <u>1740</u> m²<br/>Wards 1,2,3 and 4: <u>1750</u> m²</li> </ul>                                                                                                                                                                                                                                                                                                                   |
| e) | <b>Minimum Front Yard Setback</b> | 7.5 <u>metres</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| f) | <b>Minimum Side Yard Setback</b>  | 6 <u>metres</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| g) | <b>Minimum Rear Yard Setback</b>  | 6 <u>metres</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| h) | <b>Maximum Height</b>             | <p>Wards 1 (excluding those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station), 5 and 6: <b><u>9 metres</u></b></p> <p>Wards 2, 3, 4 and including those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station: <b><u>6-m- metres</u></b></p>                                                                                                                                                                                                                                                                                                                                                                             |

#### 6.1.4 Provisions for Accessory Uses

The provisions of Section 6.1 shall apply to *accessory buildings, structures* and uses, except as otherwise provided for in Section 5, General Provisions.

## **6.2 SPECIAL EXCEPTION REGULATIONS – COASTAL/ISLAND RESIDENTIAL (CR)**

The regulations contained in Section 6.1, General Use Provisions, shall apply to the Special Provision Use area or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 6.2.

### **6.2.1 Coastal/Island Residential Exception 1 (CR-1) CR-1**

Part of Island B912, being the remainder of Parcel 2284 P.S.S.S., in front of the geographic Township of Shawanaga, as shown on Schedule 'A' to this By-law.

#### **6.2.1.1 Permitted Uses, *Buildings* and Structures:**

*Buildings* and *structures* permitted for lands zoned CR-1 are limited to the following:

- i) six *single detached dwellings*; and,
- ii) three *accessory buildings* and three *sleeping cabins* associated with each of the *dwelling units*.

#### **6.2.1.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-1 with the exception of the following regulations:

- i) any relocated *dwelling unit* in the CR-1 Zone shall be a minimum distance of 50 metres from any other *dwelling unit*;
- ii) the maximum *lot coverage* shall not exceed 1000 m<sup>2</sup>;
- iii) the maximum ground *floor area* of a single-detached *dwelling unit* shall not exceed 185 square metres ~~metres~~ <sup>m<sup>2</sup></sup>.

### **6.2.2 Coastal/Island Residential Exception 2 (CR-2) CR-2**

Part of Island B937, being Parts 1 and 2 of Plan 42R-8427, Parcel 21949 P.S.S.S., in front of the geographic Township of Shawanaga;

Part of Island B937, being Parts 3 and 4 of Plan 42R-8427, Parcel 21948 P.S.S.S., in front of the geographic Township of Shawanaga as shown on Schedule 'A' to this By-law.

#### **6.2.2.1 Permitted Uses, *Buildings* and Structures**

*Buildings* and *structures* permitted for each of two lots in the CR-2 Zone are limited to the following:

- i) two *single detached dwellings*;
- ii) two *accessory sleeping cabins*;
- iii) three non-habitable *accessory structures*.

#### **6.2.2.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-2 Zone with the exception of the following regulations:

- i) the minimum *lot area* shall be 2 hectares.

### **6.2.3 Coastal/Island Residential Exception 3 (CR-3) CR-3**

- Island 1126A, designated as Parcel 17497 P.S.N.S., in front of the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

- Island 355A, designated as Parcel 2856 P.S.N.S., in front of the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

#### **6.2.3.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone.

#### 6.2.3.2 Zone Standards

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-3 Zone with the exception of the following regulations:

- i) all habitable *buildings* shall be located above 177.4 metres G.S.C. and all openings of any habitable *buildings* shall be located above 178.3 metres G.S.C.

#### 6.2.4 Coastal/Island Residential Exception 4 (CR-4)

**CR-4**

Part of Island 25A, Lot 1 and Block A of Plan 251, Part 1 of RP 42R-12551, Parts 1 & 2 of RP 42R-13582, being Parcels 9524, 17255, and 18375, as shown on Schedule 'A' of this By-law and more particularly on Schedules 'B-1' and 'B-2' to this By-law.

##### 6.2.4.1 Permitted Uses, *Buildings* and Structures

The *uses*, *buildings* and *structures* permitted in the CR-4 Zone are limited to the following:

- i) one *single detached dwelling*;
- ii) the existing accessory *garage* for personal vehicle parking;
- iii) existing satellite dish
- iv) the following *marina commercial uses*:
- v) 34 *boat docking slips*;
- vi) the existing *boat storage building* having dimensions 15.24-m metres wide by 6.1-m metres deep by 7.62-m metres in height;
- vi) the existing *parking area*;
- viii) the existing boat ramp;
- ix) the existing public washrooms;
- x) the existing fencing and shorewalling.

##### 6.2.4.2 Zone Standards

The regulations of Section 6.1.3, Zone Standards, apply to the *uses* permitted in the CR-4 Zone with the exception of the following:

- i) no additional *uses*, *buildings*, facilities or *structures* or expansions to the existing marina commercial *buildings*, *structures* and facilities are permitted;
- ii) the total *lot coverage* of the *single detached dwelling* and accessory *garage* shall not exceed 5%.

#### 6.2.5 Coastal/Island Residential Exception 5 (CR-5)

**CR-5**

Island 47A (Hearts Content), Parcel 17229 P.S.N.S., in front of the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

##### 6.2.5.1 Permitted Uses, *Buildings* and Structures

*Buildings* and *structures* permitted for lands zoned CR-5 are limited to the following:

- i) three *single-detached dwellings*;
- ii) five *sleeping cabins*; and
- iii) six non-habitable *accessory buildings* and *structures*.

##### 6.2.5.2 Zone Standards

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-5 Zone, with the exception of the following regulations:

- i) the maximum *lot coverage* shall not exceed 837 m<sup>2</sup>.

#### 6.2.6 Coastal/Island Residential Exception 6 (CR-6)

**CR-6**

Lot 7 of Plan M455 and Part 1 of Plan 42R-8048, being Parcel 13345 P.S.N.S., in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

##### 6.2.6.1 Permitted Uses, *Buildings* and Structures

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone.

#### 6.2.6.2 Zone Standards

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-6 Zone with the exception of the following:

- i) an 11.9 metre by 6.1 metre dryland boat storage *building* is permitted in the front yard.

#### 6.2.7 Coastal/Island Residential Exception 7 (CR-7) **CR-7**

Part of Island B187 (Braddon Island), being Parcel 6053 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

##### 6.2.7.1 Permitted Uses, *Buildings* and Structures

*Buildings* and *structures* permitted for lands zoned CR-7 are limited to the following:

- i) one *main building*, containing *kitchen* facilities but no sleeping facilities;
- ii) four *sleeping cabins*;
- iii) non-habitable *accessory structures*.

##### 6.2.7.2 Zone Standards

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-7 Zone, with the exception of the following regulations:

- i) the fourth *sleeping cabin* shall not exceed 59.4 m<sup>2</sup>.

#### 6.2.8 Coastal/Island Residential Exception 8 (CR-8) **CR-8**

Island B486, being Parcel 1476 P.S.S.S., in the geographic Township of Cowper, as shown on Schedule 'A' to this By-law.

##### 6.2.8.1 Permitted Uses, *Buildings* and Structures

*Buildings* and *structures* permitted for lands zoned CR-8 are limited to the following:

- i) one *single detached dwelling*;
- ii) one accessory *sleeping cabin*;
- iii) one *docking envelope*;
- iv) non-habitable *accessory structures*.

##### 6.2.8.2 Zone Standards

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-8 Zone, with the exception of the following regulations:

- i) a minimum *front yard setback* of 10 metres (33 feet) shall be required for all *structures*;
- ii) a maximum *lot coverage* of 180 m<sup>2</sup> (1938 ft<sup>2</sup>) is permitted;
- iii) a *docking envelope* is limited in size to a maximum dimension of 10 metres in length by 20 metres in width;
- iv) no *boathouse* or *boatport* shall be permitted on the subject lands.

#### 6.2.9 Coastal/Island Residential Exception 9 (CR-9) **CR-9**

Part of Lot 40, Concession 2, being Part 1 of Plan 42R-7851, and part of the original shore road allowance and Crown lake bed in front thereof, in the geographic Township of Conger, as shown on Schedule 'A', and more particularly shown on Schedules 'B-3' and 'B-4' to this By-law.

##### 6.2.9.1 Permitted Uses, *Buildings* and Structures

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone, with the following additional permitted *use*:

- i) the subject property may be used as an access facility with a *parking area* and *dock*.

##### 6.2.9.2 Zone Standards

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-9 Zone, with the addition of the following site specific regulations:

- i) only one pile and floating *dock structure* will be permitted;
- ii) the pile and floating *dock structure* shall not exceed 63.7 metres (209 feet) in length;
- iii) the pile and floating *dock structure* will be located according to Schedules B-3 and B-4 such that the floating components of the *structure* are configured in the shape depicted on Schedule B-3;
- iv) the pile and floating *dock structure* will be permitted to extend beyond the required 6 metre *side yard setback* from the extension of the *side lot lines* into the water;
- v) the *use* of the *parking area* and pile and floating *dock structure* is to be strictly ancillary and accessory to the main *use* established on up to three water access properties, each of which is zoned to permit only one single *dwelling unit* thereon as the main *use*;
- vi) except as amended by this By-law, all other requirements of By-law A2000-07, and in particular, the requirements relating to *dock* regulations, will apply to the subject property.

#### **6.2.10 Coastal/Island Residential Exception 10 (CR-10) CR-10**

Part of Island B415, being Lot 5 of Plan M-175, Parcel 10272 P.S.S.S. and Part of Part 2 of Plan 42R-16134, Parcel 27609 P.S.S.S., in the geographic Township of Cowper, as shown on Schedule 'A' and more particularly shown on Schedule 'B-5' to this By-law.

##### **6.2.10.1 Permitted Uses, Buildings and Structures**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone, with the following additional permitted *uses*:

- i) a *kitchen* may be contained within the accessory *boathouse*;
- ii) a roof *structure* may be constructed over the floating *dock*.

##### **6.2.10.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-10 Zone.

#### **6.2.11 Coastal/Island Residential Exception 11 (CR-11) CR-11**

Part of Lot 43, Concession 4, being Parcel 11792 P.S.N.S., in the geographic Township of Harrison, as shown on Schedule 'A', and more particularly shown on Schedule 'B-6' to this By-law.

##### **6.2.11.1 Permitted Uses, Buildings and Structures**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone, with the following additional permitted *use*:

- i) a fourth *sleeping cabin*;

##### **6.2.11.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-11 Zone, with the addition of the following site specific regulations:

- i) the total *floor area* of the fourth *sleeping cabin* shall not exceed 50.16 m<sup>2</sup> (540 ft<sup>2</sup>);
- ii) recognition of the legal non-complying *sleeping cabin* at 67 m<sup>2</sup> (720 ft<sup>2</sup>);
- iii) recognition of the seven legal non-complying *accessory structures*.

#### **6.2.12 Coastal/Island Residential Exception 12 (CR-12) CR-12**

Part of Island 20A (Skunk Island), being Part of Lot 3, being Summer Resort Location JDD-150, and Parts 1 and 2 of Plan 42R-17132, in the geographic Township of Harrison, as shown on Schedule 'A', and more particularly Schedule 'B-7' to this By-law.

##### **6.2.12.1 Permitted Uses, Buildings and Structures**

*Buildings* and *structures* permitted for lands zoned CR-12 are limited to the following:

- i) one *single-detached dwelling*;

- ii) one *sleeping cabin*;
- iii) one gazebo;
- iv) one workshop;
- v) two dog houses and covered walks;
- vi) two accessory sheds.

#### 6.2.12.2 Zone Standards

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-12 Zone, with the exception of the following site specific regulations:

- i) the minimum *lot area* permitted is 2.38 hectares (5.88 acres);
- ii) the maximum *lot coverage* permitted is 701 m<sup>2</sup> (7,545 ft<sup>2</sup>);
- iii) the *sleeping cabin* shall have a total *floor area* not exceeding 159 m<sup>2</sup> (1710 ft<sup>2</sup>);
- iv) the *dock* will be located within the area shown on Schedule 'B-7' and restricted to the size and extent as delineated on Schedule 'B-7'. No further docking areas or extensions to existing docking will be permitted for the CR-12 Zone;
- v) No consents or division of land for the purpose of creating a new residential *lot* shall be permitted for the subject property;
- vi) There shall be no *structures* or additions to *buildings* on the subject lands except as permitted within this By-law;
- vii) Except as amended by this By-law, all other requirements of By-law No. A2000-07, and in particular, the requirements relating to the Coastal/Island Residential (CR) Zone, will apply to the subject property.

#### 6.2.13 Coastal/Island Residential Exception 13 (CR-13)

**CR-13**

Part of Lot 1, Concession 9, being Part 1 of Plan 42R-13712, remaining Parcel 25729 P.S.S.S., in the geographic Township of Cowper, as shown on Schedule 'A' to this By-law.

##### Permitted Uses, *Buildings* and *Structures*

*Buildings* and *structures* permitted for lands zoned CR-13 are limited to the following:

- i) one *single detached dwelling*;
- ii) all existing *accessory structures*;

#### 6.2.13.2 Zone Standards

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-13 Zone, with the exception of the following site specific regulations:

- i) the minimum *lot area* permitted is 1.5 hectares;
- ii) the minimum *lot frontage* permitted is 90 metres;
- iii) no additional *buildings* or *structures* are permitted on the subject lands.

#### 6.2.14 Coastal/Island Residential Exception 14 (CR-14)

**CR-14**

Part of Lot 1, Concession 9, being Parts 2 to 4 of Plan 42R-13712, in the geographic Township of Cowper, as shown on Schedule 'A' to this By-law.

##### 6.2.14.1 Permitted Uses, *Buildings* and *Structures*

*Buildings* and *structures* permitted for lands zoned CR-14 are limited to the following:

- i) one *single detached dwelling*;
- ii) one *sleeping cabin*;
- iii) one storage *building*;
- iv) one *dock*;
- v) one *bridge*.

#### **6.2.14.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-14 Zone, with the exception of the following site specific regulations:

- i) the minimum *lot area* permitted is 1.5 hectares;
- ii) the minimum *lot frontage* permitted is 90 metres;
- iii) the *bridge* shall be restricted to a single lane and is permitted a minimum *front* and *side yard setback* of 0 metres.

#### **6.2.15 Coastal/Island Residential Exception 15 (CR-15)**

**CR-15**

Part of the Crown lake bed adjoining Island No. B229, Parcel 7249 P.S.S.S., in the geographic Township of Cowper, as shown on Schedule 'A', and more particularly shown on Schedule 'B-8' to this By-law.

##### **6.2.15.1 Permitted Uses**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone, with the following additional permitted *use*:

- i) a portion of the Crown lake bed adjoining Island No. B229, as shown on Schedule 'B-8' attached to this By-law, may be used for a covered boat slip or *boathouse* and approach ramp, not to exceed 147 m<sup>2</sup>.

##### **6.2.15.2 Zone Standards**

General provisions and zone provisions for the Coastal/Island (CR) Zone, as set out in Sections 5 and 6 of this By-law, shall apply to the *uses* in the CR-15 Zone.

#### **6.2.16 Coastal/Island Residential Exception 16 (CR-16)**

**CR-16**

Part of the original shore road allowance and Crown lake bed in front of Part of Lot 41, Concession 3, Part 9 on Plan PSR-79, being Parcel 12641 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A', and more particularly shown on Schedule 'B-9' to this By-law.

##### **6.2.16.1 Permitted Uses, Buildings and Structures**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone, with the following additional permitted *use*:

- i) a suspended walkway and floating *dock*, as approved by the Ministry of Natural Resources, are permitted on part of the original *shore road allowance* and Crown lake bed fronting the subject property.

##### **6.2.16.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-16 Zone.

#### **6.2.17 Coastal/Island Residential Exception 17 (CR-17)**

**CR-17**

Island B174 (Oliver Island), in front of the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

##### **6.2.17.1 Permitted Uses**

*Buildings* and *structures* permitted for lands zoned CR-17 are limited to the following:

- i) two *single detached dwellings*;
- ii) two *boathouses* or *boatports*.

##### **6.2.17.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-17 Zone, with the exception of the following regulations:

- i) the second *dwelling* is to be located at the north end of the island;
- ii) neither *single detached dwelling* shall exceed a total *floor area* of 100 m<sup>2</sup>.

#### **6.2.18 Coastal/Island Residential Exception 18 (CR-18)**

**CR-18**



Island B182, in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

#### **6.2.18.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone.

#### **6.2.18.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-18 Zone, with the exception of the following regulations:

- i) the maximum *height* of the *single detached dwelling* shall be 5 metres;
- ii) the maximum ground *floor area* of the *single detached dwelling* shall be 100 m<sup>2</sup>.

### **6.2.19 Coastal/Island Residential Exception 19 (CR-19)**

**CR-19**

Island Nos. 470A and 495A, in front of the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

#### **6.2.19.1 Permitted Uses, *Buildings* and Structures**

*Buildings* and *structures* permitted for lands zoned CR-19 are limited to the following:

##### Island 470A

- i) a single-detached dwelling;
- ii) accessory structures;
- iii) a walkway or dock connecting to Island No. 495A.

##### Island 495A

- i) *structures accessory* to Island 470A;
- ii) an *accessory building*, that is not for human habitation, having a maximum *floor area* of 40 square metres<sup>m<sup>2</sup></sup>;
- iii) one *dock*;
- iv) a walkway or *dock* connecting to Island No. 470A.

#### **6.2.19.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-19 Zone.

### **6.2.20 Coastal/Island Residential Exception 20 (CR-20)**

**CR-20**

Island 223A, in the geographic Township of Harrison, as shown on Schedule 'A', and more particularly on Schedule 'B-10' to this By-law.

#### **6.2.20.1 Permitted Uses, *Buildings* and Structures**

*Buildings* and *structures* permitted for lands zoned CR-20 are limited to the following:

- i) one *single detached main dwelling*;
- ii) one *sleeping cabin*;
- iii) one marine storage facility;
- iv) one *accessory building* (swim house).

#### **6.2.20.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-20 Zone, with the exception of the following site specific regulations:

- i) the *main dwelling* is permitted at 100 m<sup>2</sup> with an attached 20 m<sup>2</sup> screened in porch;
- ii) one sleeping cabin with a ground floor area of up to 50 m<sup>2</sup> is permitted to be constructed below the Georgian Bay flood elevation of 178.3 metres, provided that the floor elevation of the first floor is at, or above, such flood elevation;
- iii) the *sleeping cabin* shall not exceed 5 metres in height;
- iv) the marine storage facility shall not exceed 20 m<sup>2</sup> in *floor area* and 3 metres in *height*;
- v) the *accessory building* (swim house) shall not exceed 20 m<sup>2</sup> in *floor area* and 4 metres in *height*.

## **6.2.21 Coastal/Island Residential Exception 21 (CR-21) CR-21**

Part of the original shore road allowance and Crown lake bed in front of Part of Lot 41, Concession 3, Part 7 on Plan PSR-65 and Part 1 of Plan 42R-17155, being Parcel 9337 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A', and more particularly shown on Schedule 'B-11' to this By-law.

### **6.2.21.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone, with the following additional permitted *use*:

- i) a walkway and *dock* are permitted on part of the original *shore road allowance* and Crown lake bed fronting the subject property.

### **6.2.21.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-21 Zone.

## **6.2.22 Coastal/Island Residential Exception 22 (CR-22) CR-22**

Part of the original shore road allowance and part of the Crown lake bed fronting Part of Lot 45, Concession 8, being Parcel 5747 P.S.N.S., in the geographic Township of Harrison, as shown on Schedule 'A', and more particularly shown on Schedule 'B-12' to this By-law.

### **6.2.22.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone.

### **6.2.22.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-22 Zone, with the exception of the following regulation:

- i) the maximum *floor area* of the single-storey *boathouse* shall be 104.8 m<sup>2</sup>;
- ii) the *boathouse* is permitted to encroach over the *side lot line* on the adjacent Crown land water lot.

## **6.2.23 Coastal/Island Residential Exception 23 (CR-23) CR-23**

Part of Lot 30, Concession 4, being SR Location JDD 264, being Parts 1 to 4 of Plan 42R-6357, Parcel 6991 P.S.N.S., in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

**NOTE: PROPERTY CONFIGURATION CHANGED. LEGAL DESCRIPTION NEEDS TO BE AMENDED.**

### **6.2.23.1 Permitted Uses, *Buildings* and Structures**

*Buildings* and *structures* permitted for lands zoned CR-23 are limited to the following:

- i) one *single-detached dwelling*;
- ii) one *service shop*;
- iii) one accessory apartment;
- iv) one rental cottage;
- v) *accessory structures*.

### **6.2.23.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-23 Zone.

## **6.2.24 Coastal/Island Residential Exception 24 (CR-24) CR-24**

Part of Sandy Island, being Lot 3 and Part of Lot 4 of Plan M-346, Part 1 of Plan 42R-10884, Parcel 22510 P.S.S.S., in the geographic Township of Cowper, as shown on Schedule 'A' to this By-law.

Part of Sandy Island, being Part of Lot 4 of Plan M-346, remaining Parcel 18320 P.S.S.S., in the geographic Township of Cowper, as shown on Schedule 'A' to this By-law.

### **6.2.24.1 Permitted Uses, *Buildings* and Structures**

Those permitted in Section 6 – Coastal/Island Residential (CR) Zone.

#### **6.2.24.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-24 Zone, with the addition of the following site specific regulation:

- i) a single accessory *boathouse* or *boatport*, any accessory *docks* and an accessory *pumphouse* may be constructed within the required *setbacks* from the environmentally sensitive area, provided that approvals for the construction have first been obtained from any authority having jurisdiction.

#### **6.2.25 Coastal/Island Residential/Divided Exception 25 (CR/D-25) CR/D-25**

Part of Island 500A (Shawanaga), being the remainder of Part 3 of Plan 42R-7547, remaining Parcel 21385 P.S.S.S., in the geographic Township of Shawanaga, as shown on Schedule 'A', and more particularly on Schedule 'B-13' to this By-law.

##### **6.2.25.1 Permitted Uses, Buildings and Structures**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone.

##### **6.2.25.2 Zone Standards**

General provisions and zone provisions for the Coastal/Island (CR) Zone, as set out in Sections 5 and 6 of this By-law, shall apply to the *uses* in the CR/D-25 Zone, with the exception of the following site specific regulation:

- i) one *single detached dwelling* up to a maximum of 9 metres in *height* may be erected and used in the CR/D-25 Zone, as shown on Schedule 'B-13' attached to this By-law.

#### **6.2.26 Coastal/Island Residential Exception 26 (CR-26) CR-26**

Part of Island B644 (Cormie Island), being Part of Summer Resort Location DA5, Parts 1 and 2 of Plan 42R-9445 and Part 1 of Plan 42R-15226, in front of the geographic Township of Cowper, as shown on Schedule 'A', and more particularly on Schedule 'B-14' to this By-law.

##### **Permitted Uses, Buildings and Structures**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone.

##### **6.2.26.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-26 Zone, with the addition of the following site specific regulations:

- i) the total *lot coverage* shall not exceed 432 m<sup>2</sup>;
- ii) the total *floor area* of all *buildings* and *structures* shall not exceed 500 m<sup>2</sup>.

#### **6.2.27 Coastal/Island Residential/Divided Exception 27 (CR/D-27) CR/D-27**

Part of Island B359, being Parts 4, 5 and 11 of Plan 42R-15831, remaining Parcel 24493 P.S.S.S., in front of the geographic Township of Cowper

Part of Island B359, being Parts 3, 9 and 11 of Plan 42R-15831, Parcel 27339 P.S.S.S., in front of the geographic Township of Cowper as shown on Schedule 'A', and more particularly on Schedule 'B-15' to this By-law.

##### **6.2.27.1 Permitted Uses**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone, with the exception of the following:

- i) a limit of one *dock* for each subject property in the location identified on Schedule 'B-15' to this By-law.

##### **6.2.27.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR/D-27 Zone.

## **6.2.28 Coastal/Island Residential/Divided Exception 28 (CR/D-28) CR/D-28**

Part of Island 46A (Olver Island), Part 1 of Plan 42R-16104, in front of the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

### **6.2.28.1 Permitted Uses, *Buildings* and Structures**

*Buildings* and *structures* permitted for lands zoned CR/D-28 are limited to the following:

- i) one *single detached dwelling*;
- ii) existing two-storey *boathouse* with *kitchen* and living accommodations;
- iii) *accessory structures*.

### **6.2.28.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR/D-28 Zone.

## **6.2.29 Coastal/Island Residential/Divided Exception 29 (CR/D-29) CR/D-29**

Part of Island 94A (Edna Island), Parts 1 and 2 of Plan 42R-16009, Parcels 6218 and 19664 P.S.S.S., in front of the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

### **6.2.29.1 Permitted Uses, *Buildings* and Structures**

Those permitted in Section 6 – Coastal/Island Residential (CR) Zone.

### **6.2.29.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR/D-29 Zone, with the addition of the following site specific regulation:

- i) if a new *dwelling* is constructed, the existing *dwelling* shall be converted to an oversized *sleeping cabin*, not exceeding its existing size of 75 m<sup>2</sup>.

## **6.2.30 Coastal/Island Residential/Divided Exception 30 (CR/D-30) CR/D-30**

Part of Island 94A (Edna Island), Part 3 of Plan 42R-16009, remaining Parcel 6230 P.S.S.S., in front of the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

### **6.2.30.1 Permitted Uses, *Buildings* and Structures**

*Buildings* and *structures* permitted for lands zoned CR/D-30 are limited to the following:

- i) one 19.6 m<sup>2</sup> (212 ft<sup>2</sup>) staff cottage;
- ii) one 29.6 m<sup>2</sup> (319 ft<sup>2</sup>) guest cottage;
- iii) one 200.8 m<sup>2</sup> (2162 ft<sup>2</sup>) main *lodge*;
- iv) one 26.3 m<sup>2</sup> (283 ft<sup>2</sup>) laundry *building*;
- v) one 20.8 m<sup>2</sup> (224 ft<sup>2</sup>) storage/services *building*;
- vi) one 85.6 m<sup>2</sup> (921 ft<sup>2</sup>) "hill manor";
- vii) one 19.5 m<sup>2</sup> (210 ft<sup>2</sup>) power house;
- viii) one 41.7 m<sup>2</sup> (449 ft<sup>2</sup>) guest cottage;
- ix) one 38.1 m<sup>2</sup> (410 ft<sup>2</sup>) master cottage;
- x) one 86.7 m<sup>2</sup> (934 ft<sup>2</sup>) *dormitory*;
- xi) one 86.5 m<sup>2</sup> (932 ft<sup>2</sup>) sauna/dressing rooms/water closets/ *boatrack building*;
- xii) one 7.1 m<sup>2</sup> (76 ft<sup>2</sup>) tool shed;
- xiii) one 46.5 m<sup>2</sup> (500 ft<sup>2</sup>) *boathouse*.

### **6.2.30.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR/D-30 Zone, with the addition of the following site specific regulation:

- i) No additional *buildings* or *structures* are permitted.
- ii) Additions to any of the existing detached *buildings* and *structures* as noted above are permitted, such that the resultant increase in *lot coverage* shall not exceed 75 m<sup>2</sup>.
- iii) a maximum of two *single-detached dwellings* are permitted.

## **6.2.31 Coastal/Island Residential/Divided Exception 31 (CR/D-31) CR/D-31**

Part of Lot 43, Concession 6, being Part 2 of Plan 42R-16429, in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

### **6.2.31.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone.

### **6.2.31.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR/D-31 Zone, with the addition of the following site specific regulation:

- i) all *buildings* and *structures* shall be set back a minimum distance of 50 metres from the western *lot line*.

## **6.2.32 Coastal/Island Residential/Divided Exception 32 (CR/D-32) CR/D-32**

Part of Island B717, being Part 2 of Plan 42R-16941, in the geographic Township of Cowper  
Part of Island B717, being Part 1 of Plan 42R-16941, in the geographic Township of Cowper  
Part of Island 395A, being Part 1 of Plan 42R-12376, fronting the geographic Township of Shawanaga,  
as shown on Schedule 'A' to this By-law

### **6.2.32.1 Permitted Uses, *Buildings* and Structures**

*Buildings* and *structures* permitted for lands zoned CR/D-32 are limited to the following:

- i) one *single detached dwelling*;
- ii) one *sleeping cabin*;
- iii) non-habitable *accessory structures*.

### **6.2.32.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR/D-32 Zone.

## **6.2.33 Coastal/Island Residential/Divided Exception 33 (CR/D-33) CR/D-33**

Part of Island GB472, being Part 3 of Plan 42R-8324, in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

### **6.2.33.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone.

### **6.2.33.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR/D-33 Zone, with the addition of the following site specific regulation:

- i) the *dwelling* may be erected on an existing concrete foundation.

## **6.2.34 Coastal/Island Residential/Divided Exception 34 (CR/D-34) CR/D-34**

Island A468 (Carolyn), being Part 1 of 42R-15898, designated as Parcel 19565 P.S.N.S., in the geographic Township of Shawanaga;

Island A468 (Carolyn), being Part 3 of 42R-15898, designated as Parcel 18795 P.S.N.S., in the geographic Township of Shawanaga,

as shown on Schedule 'A', and more particularly Schedule 'B-16' to this By-law.

### **6.2.34.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone.

#### 6.2.34.2 Zone Standards

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR/D-34 Zone, with the exception of the following site specific regulation:

- i) one *single detached dwelling* up to a maximum of 9 metres in *height* may be erected and used on each *lot* in the CR/D-34 Zone, as shown on Schedule 'B-16' attached to this By-law.

#### 6.2.35 Coastal/Island Residential/Divided Exception 35 (CR/D-35) CR/D-35

Part of Island B595, being Part 3 of Plan 42R-13318, remaining Parcel 12204 P.S.S.S., fronting the geographic Township of Cowper, as shown on Schedule 'A' to this By-law.

##### 6.2.35.1 Permitted Uses, *Buildings* and Structures

*Buildings* and *structures* permitted for lands zoned CR/D-35 are limited to the following:

- i) one *single detached dwelling*;
- ii) two *sleeping cabins* with a total *floor area* greater than that permitted by this By-law;
- iii) one marine storage facility;
- iv) one *sauna*;
- v) further *accessory structures* as permitted by Section 6.1.3.

##### 6.2.35.2 Zone Standards

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR/D-35 Zone, with the addition of the following site specific regulation:

- i) the minimum *lot area* of each lot shall be 1 hectare.

#### 6.2.36 Coastal/Island Residential/Divided Exception 36 (CR/D-36) CR/D-36

Part of Island B686, being Parcel 6339 P.S.S.S., fronting the geographic Township of Cowper, as shown on Schedule 'A', and more particularly on Schedule 'B-17' to this By-law.

##### 6.2.36.1 Permitted Uses, *Buildings* and Structures

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone.

##### 6.2.36.2 Zone Standards

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR/D-36 Zone, with the addition of the following site specific regulations:

- i) all *buildings* and *structures* shall be located within the areas identified as '*building envelope*', '*docking envelope (a)*' and '*docking envelope (b)*' on Schedule 'B-17' to this By-law.
- ii) a maximum of one docking site is permitted within '*docking envelope (b)*' and is permitted a maximum ~~in~~ *non-shore extension* (beyond original ~~high water mark~~ *shoreline*) of 3 metres.
- iii) the maximum height of a *single detached dwelling* shall be 7 metres.

#### 6.2.37 Coastal/Island Residential/Holding Exception 37 (CR/H-37) CR/H-37

Island 238A, being Parcel 17390 P.S.S.S., in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

##### 6.2.37.1 Permitted Uses, *Buildings* and Structures

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone.

### **6.2.37.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR/H-37 Zone, with the addition of the following regulations:

- i) two *single detached dwellings* are permitted;
- ii) A third *single detached dwelling* is permitted, subject to the removal of the "Holding (H)" provision. Council shall not consider a By-law to remove the "Holding (H)" provision until such time as the *buildings* and *structures* on Island 235A have been removed, or, there is a mechanism in place to ensure their removal.

### **6.2.38 Coastal/Island Residential Exception 38 (CR-38)**

**CR-38**

Island B497, being Parcel 1537 P.S.S.S., in the geographic Township of Cowper, as shown on Schedule 'A', and more particularly on Schedule 'B-18' to this By-law.

#### **6.2.38.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone.

#### **6.2.38.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-38 Zone, with the exception of the following site specific regulation:

- i) one *single detached dwelling* up to a maximum of 9 metres in *height* may be erected and used in the CR-38 Zone, as shown on Schedule 'B-18' attached to this By-law.

### **6.2.39 Coastal/Island Residential/Divided Exception 39 (CR/D-39)**

**CR/D-39**

Part of Island A393 (Kish-ka-dena), being Part 1 of 42R-15480, designated as Parcel 6573 P.S.N.S., in the geographic Township of Shawanaga;

Part of Island A393 (Kish-ka-dena), being Part 2 of 42R-15480, designated as Parcel 12640 P.S.N.S., in the geographic Township of Shawanaga as shown on Schedule 'A', and more particularly Schedule 'B-19' to this By-law.

#### **6.2.39.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone.

#### **6.2.39.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR/D-39 Zone, with the exception of the following site specific regulation:

- i) one *single detached dwelling*, up to a maximum of 9 metres in *height*, may be erected and used on each lot in the CR/D-39 Zone, as shown on Schedule 'B-19' attached to this By-law.

### **6.2.40 Coastal/Island Residential Exception 40 (CR-40)**

**CR-40**

Part of Island B663 (Halcro Island), being Lots 1, 3, 4 and 5 and Block 6 of Plan 42M-522, in the geographic Township of Cowper, as shown on Schedule 'A', and more particularly on Schedule 'B-20' to this By-law.

#### **6.2.40.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 6 – Coastal Island Residential (CR) Zone.

#### **6.2.40.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-40 Zone, with the exception of the following site specific regulation:

- i) no *buildings* or *structures*, including wharves or piers, are permitted in the areas as shown on Schedule 'B-20' to this By-law.

### **6.2.41 Coastal/Island Residential Exception 41 (CR-41)**

**CR-41**

Part of Sandy Island, being Lots 1 and 2 of Plan M-346;

Part of Sandy Island, being Lots 1 to 12 of Plan M-480;

Part of Sandy Island, being Part of Parcel 702 P.S.S.S.; and

Part of Ingersoll Island, being Parts 1 and 2 of Plan 42R-2594 and Parts 1 and 3 of Plan 42R-19228, in the geographic Township of Cowper, as shown on Schedule 'A' to this By-law.

#### **6.2.41.1 Permitted Uses, *Buildings* and Structures**

Those permitted in Section 6 – Coastal/Island Residential (CR) Zone.

#### **6.2.41.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-41 Zone, with the addition of the following site specific regulations:

- i) One docking area is permitted on each *lot* zoned CR-41, provided that the *dock* does not extend further than 30 metres into the water, regardless of its distance from the original ~~high water mark~~ *shoreline*.
- ii) The *dock* shall not be constructed as a fixed, crib *structure*, in order to allow for maintenance of the 30 metre length into the water as water levels fluctuate.
- iii) Non-permanent, connecting ramps are permitted between the *dock* and the original ~~high water mark~~ *shoreline*.
- iv) No single *docking slip* shall exceed 4 metres in width, or, if aligned parallel to the shore, exceed a length of 15 metres.

#### **6.2.42 Coastal/Island Residential Exception 42 (CR-42)**

**CR-42**

Part of Island B320, being Part 1 of Plan 42R-5981, Parcel 19990 P.S.S.S., in the geographic Township of Cowper, as shown on Schedule 'A', and more particularly on Schedule 'B-24' to this By-law.

#### **6.2.42.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone.

#### **6.2.42.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-42 Zone, with the exception of the following site specific regulation:

- i) one *single detached dwelling* up to a maximum of 9 metres in *height* may be erected and used in the CR-42 Zone, as shown on Schedule 'B-24' attached to this By-law.

#### **6.2.43 Coastal/Island Residential/Divided Exception 43 (CR/D-43)**

**CR/D-43**

Part of Island 395A, being Part 2 of Plan 42R-12376, designated as Parcel 25177 P.S.N.S., in the geographic Township of Shawanaga, as shown on Schedule 'A', and more particularly on Schedule 'B- 26' to this By-law.

#### **6.2.43.1 Permitted Uses, *Buildings* and Structures**

*Buildings* and *structures* permitted for lands zoned CR/D-43 are limited to the following:

- i) one *single detached main dwelling*;
- ii) one *sleeping cabin*;
- iii) *accessory structures*.

#### **6.2.43.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR/D-43 Zone, with the exception of the following site specific regulation:

- i) one main dwelling with a ground floor area up to 204 m<sup>2</sup> and one sleeping cabin with a ground floor area up to 43 m<sup>2</sup> are permitted to be constructed below the Georgian Bay flood elevation of 178.3 metres, in the locations identified on Schedule 'B-26' to this By-law, provided that the floor elevation of the first floor is at, or above, such flood elevation.

#### **6.2.44 Coastal/Island Residential Exception 44 (CR-44)**

**CR-44**



Part of Lot 29, Concession 6, designated as Parcel 4944 P.S.N.S., and part of the Crown lake bed in front thereof, in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

#### **6.2.44.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone with the addition of the following:

- i) a maximum of 10 *boat docking slips*;
- ii) one *accessory boat docking ramp*;
- iii) one accessory *boat storage building* to accommodate a maximum of 11 *boats*;
- iv) 15 accessory car *parking spaces*;
- v) one *accessory washroom building*;

#### **6.2.44.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-44 Zone.

#### **6.2.45 Coastal/Island Residential Exception 45 (CR-45) **CR-45****

Island B821, being SR Loc. Pt. 40, Parcel 7330 P.S.N.S. and Part 1 of Plan 42R-17034, in the geographic Township of Shawanaga, as shown on Schedule 'A' to this By-law.

##### **6.2.45.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone with the addition of the following:

- i) the construction of a second *main dwelling* is permitted on lands zoned CR-45 for a period of three years from the date that By-law A2000-07 comes into force and effect.

##### **6.2.45.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-45 Zone.

#### **6.2.46 Coastal/Island Residential Exception 46 (CR-46) **CR-46****

Island 385A, being Parcel 901 P.S.N.S. in the geographic Township of Shawanaga, as shown on Schedule 'A' to this By-law.

##### **6.2.46.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 6 – Coastal/Island Residential (CR) Zone with the addition of the following:

- i) the construction of a second main dwelling, being a maximum of 305.5 m<sup>2</sup> in Total Floor Area, with a height of 6.85 metres, and being located a minimum of 28.5 ~~m~~ metres from the existing main dwelling.

##### **6.2.46.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-46 Zone.

#### **6.2.47 Coastal/Island Residential/Divided Exception 47 (CR/D-47) **CR/D-47****

Part of Island B415, being Parcel 4207 P.S.S.S., in the geographic Township of Cowper, as shown on Schedule 'A' to this By-law.

##### **6.2.47.1 Permitted Uses, *Buildings* and Structures**

*Buildings* and *structures* permitted for lands zoned CR/D-47 are limited to the following:

- i) one *single detached dwelling*;
- ii) three *guest cabins*;
- iii) *accessory structures*;
- iv) one *boathouse*;
- vi) three *accessory docks*.

There shall be no *structures* or additions to *buildings* on the subject lands except as permitted by this By-law.

##### **6.2.47.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR/D-47 Zone.

#### **6.2.48 Coastal/Island Residential Exception 48 (CR-48) CR-48**

Part of Island B419, being Parcel 2446 P.S.S.S., in the geographic Township of Cowper, as shown on Schedule 'A' to this By-law.

##### **6.2.48.1 Permitted Uses, *Buildings* and Structures**

*Buildings* and *structures* permitted for lands zoned CR-48 are limited to the following:

- i) one *single detached dwelling*;
- ii) one *guest* cabin;
- iii) one gazebo;
- iv) one workshop;
- v) one *boathouse*;
- vi) one accessory shed.

There shall be no *structures* or additions to *buildings* on the subject lands except as permitted by this By-law.

##### **6.2.48.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR-48 Zone, with the exception of the following site specific regulations:

- i) the maximum *main floor area* of the main *dwelling* shall be 305 m<sup>2</sup> (3,283 ft<sup>2</sup>);
- ii) the maximum *total floor area* of the *guest* cabin shall be 60.2 m<sup>2</sup> (648 ft<sup>2</sup>);
- iii) the maximum *total floor area* of the gazebo shall be 0.5 m<sup>2</sup> (6 ft<sup>2</sup>);
- iv) the maximum *total floor area* of the workshop shall be 42.9 m<sup>2</sup> (462 ft<sup>2</sup>);
- v) the maximum *total floor area* of the *boathouse* shall be 40 m<sup>2</sup> (430 ft<sup>2</sup>);
- vi) the maximum *total floor area* of the accessory shed shall be 30.8 m<sup>2</sup> (331.5 ft<sup>2</sup>);
- vii) the minimum *lot area* permitted is 6,070 m<sup>2</sup> (1.5 acres);
- viii) the maximum *lot coverage* permitted is 482 m<sup>2</sup> (5,188 ft<sup>2</sup>);
- ix) No consents or division of land for the purpose of creating a new residential lot shall be permitted for the subject property.

#### **6.2.49 Coastal/Island Residential/Divided Exception 49 (CR/D-49) CR/D-49**

Part of Lot 39, Concession 2, in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

##### **6.2.49.1 Permitted Uses, *Buildings* and Structures**

The uses permitted in Section 6 – Coastal/Island Residential (CR) Zone.

##### **6.2.49.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the *uses* permitted in the CR/D-49 Zone, with the addition of the following site specific regulation:

- i) a *dock* may be located no closer than 1 metre to the *side lot line*, including the straight line extension of the said *side lot line* into the water.

#### **6.2.50 Coastal/Island Residential/Divided Exception 50 (CR/D-50) CR/D-50**

Part of Sandy Island, being part of Parcel 25336 P.S.S.S., in the Georgian Bay, in the District of Parry Sound, now in The Township of The Archipelago, as shown on Schedule 'A' to this By-law.

##### **6.2.50.1 Permitted Uses, *Buildings* and Structures**

The uses permitted in Section 6 – Coastal/Island Residential (CR) Zone.

##### **6.2.50.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/D-50 Zone, with the addition of the following site specific regulations:

- i) One docking area is permitted, provided that the dock does not extend further than 30 metres into the water, regardless of its distance from the original ~~high water mark~~ shoreline.
- ii) The dock shall not be constructed as a fixed, crib *structure*, in order to allow for maintenance of the 30 metre length into the water as water levels fluctuate.
- iii) Non-permanent, connecting ramps are permitted between the dock and the original ~~high water mark~~ shoreline.
- iv) No single docking slip shall exceed 4 metres in width, or, if aligned parallel to the shore, exceed a length of 15 metres.

## **6.2.51 Coastal/Island Residential Exception 51 (CR-51)**

**CR-51**

Part of Island B962, being Parcel 9792, in the former geographic Township of Shawanaga, as shown on Schedule 'A' to this By-law.

### **6.2.51.1 Zone Standards**

Regulations of Section 5 'General Provisions', Section 6.1.3 'Zone Standards', and Section 6.1.4, 'Provisions for Accessory Uses' shall apply to the uses permitted in the CR-51 Zone with the exception of the following site specific regulations:

- i) The maximum number of sleeping cabins permitted on one lot is four sleeping cabins;
- ii) one detached deck may have a maximum area of 40 m<sup>2</sup> and a minimum front yard *setback* of 2 metres;
- iii) one dock may have a maximum width of 18 metres;
- iv) the maximum cumulative width of all docks on lands zoned (CR-51) shall be 46 metres;
- v) one dock and boathouse is permitted in addition to a maximum of 3 docking sites;
- vi) the maximum height of a boathouse shall be one storey to a maximum of 6 metres;
- vii) one dock and boathouse may have a maximum width of 25 metres;
- viii) the maximum height of *accessory structures*, including sleeping cabins, shall be one storey to a maximum of 6 metres;
- ix) an attached deck for the main dwelling may project into the required front yard, provided that a minimum yard of 2 metres is maintained between such deck and the front lot line and provided that the floor of such deck is not more than 3 meters above the grade of the land over which it is located;
- x) one pump house with a maximum Total Floor Area of 9 m<sup>2</sup> is permitted;
- xi) the Maximum Lot Coverage shall be 800 m<sup>2</sup>.

### **6.2.51.2 Special Provision**

If consent for division of Island B962 occurs, a Zoning By-law Amendment will be required for both the severed and the retained lands to reduce the number of allowable sleeping cabins to 3 (or maximum allowable number under the applicable Comprehensive Zoning By-law regulations of the day) for each parcel.

## **6.2.52 Coastal/Island Residential Exception 52 (CR-52)**

**CR-52**

Part of Island B816, being Parcel 11554 P.S.S.S. in the geographic Township of Shawanaga, as shown on Schedule 'A' to this By-law.

### **6.2.52.1 Permitted Uses, *Buildings* and Structures**

The regulations of Section 6.1.1, Permitted Uses, and Section 6.1.2, Permitted *Buildings* and *Structures*, shall apply to the permitted uses, *buildings* and *structures* permitted in the CR-52 Zone.

### **6.2.52.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR-52 Zone with the exception of the following site specific regulation:

- i) an attached deck for the main dwelling may project into the required front yard, provided that a minimum yard of 2m is maintained between such deck and the front lot line and provided that the floor of such deck is not more than 3 meters above the grade of the land over which it is located.

## **6.2.53 Coastal/Island Residential Exception 53 (CR-53)**

**CR-53**

127 Georgian Bay Water, Pina Blanco, also known as Part of Lot 9, Concession 7, being the remainder of Parcel 3732 P.S.S.S. in the former geographic Township of Cowper, as shown on Schedule 'A' to this By-law.

### **6.2.53.1 Permitted Uses, *Buildings* and Structures**

Those uses, *buildings* and *structures* permitted under Section 6.1.1 and 6.1.2 with the additional use of a sleeping cabin containing a kitchen with cooking facilities.

### **6.2.53.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, and Section 6.1.4, Provisions for Accessory Uses, and Section 5.36 General Provisions – Sleeping Cabins, shall apply to the uses permitted in the CR-53 Zone with the exception of the following site specific regulation:

- i) one sleeping cabin may contain a kitchen with cooking facilities.

## **6.2.54 Coastal/Island Residential/Divided Exception 54/ Holding 1, 2 and 3 (CR/D-54/H-1, H-2 and H-3)**

**CR/D-54/H-1, H-2 and H-3**

Part of Island 79A (Rathlyn Island), being part of Lots 1, 2, 4, 6 and 7 on Plan 42M-658, in front of the geographic Township of Harrison, as shown on Schedule 'A' to this By-law and more particularly shown on Schedule 'B-39' to this By-law.

Notwithstanding the permitted uses and zone regulations in the Coastal/Island Residential (CR) Zone to the contrary, development of the main *building*, *accessory buildings* including sleeping cabins, docks and sewage systems, shall only be permitted within the permitted areas identified in the "CR/D-54/H-1, 2 and 3" Zone on Schedule 'B-39' to this By-law. Where a secondary docking envelope is shown on Lot 2, the permitted dock structure shall be limited to a floating or pole-supported dock not exceeding 37 square metres<sup>2</sup>. In all other respects, the provisions of the Coastal/Island Residential (CR) Zone shall apply.

### **6.2.54.1 Holding Provisions**

Where the zone symbol on Schedule 'B-39' to this By-law is followed by an 'H-1', 'H-2' or 'H-3', the uses shall be limited to those uses that existed as of the date of the passing of this By-law, until such time as Council enacts a by-law pursuant to Section 36 of the Planning Act, R.S.O. 1990, c.P. 13, to lift the Holding Provision.

#### **a) Holding One (H-1) Provision**

The following conditions must be satisfied before the Holding Provision (H-1) is lifted:

- i) a Stage II Archaeological Study has been completed to the satisfaction of the Township and in consultation with the Ministry of Culture;
- ii) an Environmental Site Assessment to determine the location of potential significant habitat of threatened and endangered species and mitigation measures to prevent harmful disruption to that habitat has been completed to the satisfaction of the Township with technical guidance provided by the Ministry of Natural Resources;
- iii) a Subdivision Agreement has been completed between the Township and the property owner to implement the recommendations of the studies required in subsections i) and ii) above and the agreement has been registered on the title of the lands;
- iv) a Site Plan Agreement under Section 41 of the Planning Act, R.S.O. 1990, c. P. 13, is completed individually for each parcel of land to reflect the measures required to implement the Site Assessment; and,
- v) The Holding Provision (H-1) may be lifted only within the building envelopes and only on the individual lots after the above conditions have been satisfied.

#### **b) Holding Two (H-2) Provision**

The following conditions must be satisfied before the Holding Provision (H-2) is lifted:

- i) for areas identified as potential habitat for reptiles, a qualified biologist with knowledge and experience in detailed site assessment for reptiles has conducted a study over two consecutive summers in accordance with recommendations from the appropriate recovery team experts and with the technical support of the Ministry of Natural Resources to the satisfaction of the Township. For areas with the potential of Atlantic Coastal Plain Flora, a qualified botanist has carried out the site assessment in the appropriate season to the satisfaction of the Township with technical guidance provided by the Ministry of Natural Resources;

- ii) a Site Plan Agreement under Section 41 of the Planning Act, R.S.O. 1990, c. P. 13, is completed individually for each parcel of land to reflect the measures required to implement the Site Assessment;
- iii) the studies confirm that the areas identified as potential significance do not have any significance; and
- iv) the Holding Provision (H-2) may be lifted within the building envelopes and only on the individual lots after the above conditions have been satisfied;
- v) should any of the studies confirm natural features of 'actual significance', these features and their buffer areas will be zoned '~~Environmentally Sensitive (ES)~~ Environmental Protection (EP)'.

#### **c) Holding Three (H-3) Provision**

The following conditions must be satisfied before the Holding Provision (H-3) is lifted:

- i) a Stage II Archaeological Study has been completed to the satisfaction of the Township and in consultation with the Ministry of Culture;
- ii) an Environmental Site Assessment to determine the location of potential significant habitat of threatened and endangered species and mitigation measures to prevent harmful disruption to that habitat has been completed to the satisfaction of the Township with technical guidance provided by the Ministry of Natural Resources;
- iii) an amended Subdivision Agreement has been completed between the Township and the property owner to implement the recommendations of the studies required in subsections i) and ii) above and the agreement has been registered on the title of the lands;
- iv) a Site Plan Agreement under Section 41 of the Planning Act, R.S.O. 1990, c. P. 13, is completed individually for each parcel of land to reflect the measures required to implement the Site Assessment; and,
- v) The Holding Provision (H-3) may be lifted outside the building envelopes on the individual lots only when the above conditions have been satisfied and Council passes an amendment to this zoning by-law."

### **6.2.55 Coastal/Island Residential/Divided Exception 55/Holding 1 (CR/D-55/H-1) CR/D-55/H-1**

Part of Island 79A (Rathlyn Island), being part of Lot 6 on Plan 42M-658, in front of the geographic Township of Harrison, as shown on Schedule 'A' to this By-law and more particularly shown on Schedule 'B-39' to this By-law.

Notwithstanding the permitted uses and zone regulations in the Coastal/Island Residential (CR) Zone to the contrary, the only *buildings* and *structures* permitted within the *building* and docking envelopes identified in the CR/D-55 Zone on Schedule 'B-39' to this By-law shall be *accessory buildings*, including a maximum of two sleeping cabins, docks and sewage systems within the *building* and docking envelopes identified in the CR/D-55 Zone, provided that the number of *buildings* on the lot do not exceed the number of *buildings* otherwise permitted by this By-law. In all other respects the provisions of the Coastal/Island Residential (CR) Zone shall apply.

#### **6.2.55.1 Holding Provision**

Where the zone symbol on Schedule 'B-39' to this By-law is followed by an 'H-1', the uses shall be limited to those uses that existed as of the date of the passing of this By-law, until such time as Council enacts a by-law pursuant to Section 36 of the Planning Act, R.S.O. 1990, c.P. 13, to lift the Holding Provision.

#### **a) Holding One (H-1) Provision**

The following conditions must be satisfied before the Holding Provision (H-1) is lifted:

- i) a Stage II Archaeological Study has been completed to the satisfaction of the Township and in consultation with the Ministry of Culture;
- ii) an Environmental Site Assessment to determine the location of potential significant habitat of threatened and endangered species and mitigation measures to prevent harmful disruption to that habitat has been completed to the satisfaction of the Township with technical guidance provided by the Ministry of Natural Resources;
- iii) a Subdivision Agreement has been completed between the Township and the property owner to implement the recommendations of the studies required in subsections i) and ii) above and the agreement has been registered on the title of the lands;
- iv) a Site Plan Agreement under Section 41 of the Planning Act, R.S.O. 1990, c. P. 13, is completed individually for each parcel of land to reflect the measures required to implement the Site Assessment; and,
- v) The Holding Provision (H-1) may be lifted only within the building envelopes and only on the individual lots after the above conditions have been satisfied."

## **6.2.56 Coastal/Island Residential/Divided Exception 56/Holding 1 (CR/D-56/H-1) CR/D-56/H-1**

Part of Island 79A (Rathlyn Island), being part of Lot 1 on Plan 42R-658, in front of the geographic Township of Harrison, as shown on Schedule 'A' to this By-law and more particularly shown on Schedule 'B-39' to this By-law.

Notwithstanding the permitted uses and zone regulations in the Coastal/Island Residential (CR) Zone to the contrary, development of the main *building*, *accessory buildings* including sleeping cabins, docks and sewage systems, shall only be permitted within the development envelopes identified in the CR/D-56 Zone on Schedule 'B-39' to this By-law. In addition, the existing cottage on the lot may be converted to a sleeping cabin provided that the *building* is not expanded, the total gross floor area of all 3 sleeping cabins permitted on the lot does not exceed 150 ~~square metres~~ <sup>m<sup>2</sup></sup> and all other requirements of this By-law with respect to sleeping cabins are met. In all other respects, the provisions of the Coastal/Island Residential (CR) Zone shall apply.

### **6.2.56.1 Holding Provision**

Where the zone symbol on Schedule 'B-39' to this By-law is followed by an 'H-1', the uses shall be limited to those uses that existed as of the date of the passing of this By-law, until such time as Council enacts a by-law pursuant to Section 36 of the Planning Act, R.S.O. 1990, c.P. 13, to lift the Holding Provision.

#### **a) Holding One (H-1) Provision**

The following conditions must be satisfied before the Holding Provision (H-1) is lifted:

- i) a Stage II Archaeological Study has been completed to the satisfaction of the Township and in consultation with the Ministry of Culture;
- ii) an Environmental Site Assessment to determine the location of potential significant habitat of threatened and endangered species and mitigation measures to prevent harmful disruption to that habitat has been completed to the satisfaction of the Township with technical guidance provided by the Ministry of Natural Resources;
- iii) a Subdivision Agreement has been completed between the Township and the property owner to implement the recommendations of the studies required in subsections i) and ii) above and the agreement has been registered on the title of the lands;
- iv) a Site Plan Agreement under Section 41 of the Planning Act, R.S.O. 1990, c. P. 13, is completed individually for each parcel of land to reflect the measures required to implement the Site Assessment; and,
- v) The Holding Provision (H-1) may be lifted only within the building envelopes and only on the individual lots after the above conditions have been satisfied."

## **6.2.57 Coastal/Island Residential/Divided/Holding-1 Exception 57 (CR/D-57/H-1) CR/D-57/H-1**

Part of Lot 39, Concession 2, and also known as Parts 6, 7, 8, 9, 10 and 11 on Plan 42R-18002, in the geographic Township of Conger. The following regulations apply to all lands zoned Coastal/Island Residential/Divided Exception 57 Holding -1 (CR/D-57/H-1) as shown on Schedule 'A', and more particularly Schedule 'B-30' to this By-law.

### **6.2.57.1 Permitted Uses, Buildings and Structures**

In addition to the *buildings* and *structures* permitted in the Coastal/Island Residential (CR) Zone, the following shall also apply:

- i) The provisions of the Coastal/Island Residential (CR) Zone and other applicable provisions of Comprehensive Zoning By-law No. A2000-07 shall apply to all *structures* located on this property, except that nothing herein shall be read so as to affect the legal non-conforming status of the existing *accessory building* having a total floor area of 297 m<sup>2</sup> (3,200 ft<sup>2</sup>), as shown on Schedule '1' to this By-law.
- ii) So long as the said *accessory building*, or any part of it, continues to exist, no other *accessory buildings* shall be permitted on the subject property.

### **6.2.57.2 Zone Standards**

- i) All other provisions of the Coastal/Island Residential (CR) Zone and other applicable provisions of this By-law shall apply to all *structures* located on this property.

## **6.2.58 Coastal/Island Residential/Divided Exception 58 (CR/D-58) CR/D-58**

Island B592 (St. Waleran Island), being Parcel 26595 P.S.S.S., in the geographic Township of Cowper, as shown on Schedule 'A', and more particularly on Schedule 'B-31' to this By-law.

### **6.2.58.1 Permitted Uses, Buildings and Structures**

Those uses, *buildings* and *structures* permitted under Section 6.1.1 and 6.1.2.



## **6.2.58.2 Zone Standards**

The regulations of Section 6.1.3 – Zone Standards, shall apply to the uses permitted in the CR/D-58 Zone, with the exception of the following site specific regulations:

- i) No docks are permitted within the 'Restricted Docking' area located on Schedule 'B-31'. The restricted docking area extends approximately 60 metres south from the rear lot line on the western shoreline of the southern lot.
- ii) All other docking provisions of the Comprehensive Zoning By-law shall apply to lands zoned CR/D-58.

## **6.2.59 Coastal/Island Residential Exception 59 (CR-59) CR-59**

Island A509, being Parcel 10254 P.S.S.S., in the geographic Township of Shawanaga, as shown on Schedule 'A' to this By-law.

### **6.2.59.1 Permitted Uses, *Buildings* and Structures**

Those uses permitted in Section 6 – Coastal/Island Residential (CR) Zone.

### **6.2.59.2 Zone Standards**

The regulations of Section 6.1.3 – Zone Standards, shall apply to the uses permitted in the CR/H-59 Zone, with the exception of the following site specific regulations:

- i) one sleeping cabin is permitted to be constructed, subject to the removal of the "Holding (H)" provision, below the Georgian Bay flood elevation of 178.3 metres, provided that the floor elevation of the first floor is at, or above, such flood elevation;
- ii) Council shall not consider a By-law to remove the "Holding (H)" provision until such time as the owner of the subject property has entered into a site plan development agreement.

**Note:** The Holding Provision was removed by the enactment of By-law A2019-09 on March 20, 2009.

## **6.2.60 Coastal/Island Residential/Divided Exception 60 (CR/D-60) CR/D-60**

Part of Island A468 (Carolyn Island), being Part 2 of Plan 42R-15898, Parcel 19566 P.S.N.S., in the geographic Township of Shawanaga

### **6.2.60.1 Permitted Uses, *Buildings* and Structures**

The uses permitted in Section 6 – Coastal/Island Residential (CR) Zone.

### **6.2.60.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards shall apply to the uses permitted in the CR/D-60 Zone, with the addition of the following site specific regulations:

- i) one single detached dwelling up to a maximum of 9 metres in height may be erected and used in the CR/D-60 Zone, as shown on Schedule 'B-16' attached to this By-law;
- ii) a kitchen is allowed in one of the permitted *accessory buildings*, provided that the total floor area of the said *accessory building* does not exceed 80 ~~m<sup>2</sup>square metres~~ and that the *building* is not used for human habitation.

## **6.2.62 Coastal/Island Residential/Divided Exception 62 (CR/D-62) CR/D-62**

Island C119 (Bide A Wee Island), being Parcel 24495 P.S.S.S., in the geographic Township of Cowper, as shown on Schedule 'A', and more particularly on Schedule 'B-29' to this By-law.

### **6.2.62.1 Permitted Uses, *Buildings* and Structures**

Those uses, *buildings* and *structures* permitted under Section 6.1.1 and 6.1.2.

### **6.2.62.2 Zone Standards**

The regulations of Section 6.1.3 – Zone Standards, shall apply to the uses permitted in the CR/D-62 Zone, with the exception of the following site specific regulations:

- i) Docks are only permitted to be located on the eastern shoreline within the 'Docking Envelope'. The eastern shoreline 'Docking Envelope' extends 90 metres south from the rear lot line, as depicted on Schedule 'B-29'.
- ii) All other docking provisions of the Comprehensive Zoning By-law shall apply to lands zoned CR/D-62.

- iii) A minimum front yard *setback* of 15 metres shall be required for all ground mounted transformers (hydro box).

**6.2.63 Coastal/Island Residential Exception 63 (CR-63) CR-63**

Part of Lot 41, Concession 4, being Part 2 of Plan 42R-5851 and Part 13 of Plan 42R-9062, being Parcel 20998 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

**6.2.63.1 Permitted Uses, *Buildings* and Structures**

The uses permitted in Section 6 – Coastal/Island Residential (CR) Zone, with the following additional permitted use:

- i) water access facility ancillary and accessory to the permitted uses on a single property on Island B56.

**6.2.63.2 Zone Standards**

The regulations of Section 6.1.3 – Zone Standards, shall apply to the uses permitted in the CR-63 Zone, with the exception of the following site specific regulations applicable to the water access facility:

- i) one dock *structure* limited to a maximum area of 60 ~~m<sup>2</sup>square metres~~ m<sup>2</sup>square metres;
- ii) 10 parking spaces.

**6.2.64 Coastal/Island Residential/Divided Exception 64 (CR/D-64) CR/D-64**

Part of Lot 40, Concession 4, being Parcel 5092 P.S.N.S., in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

**6.2.64.1 Permitted Uses, *Buildings* and Structures**

Those uses, *building* and *structures* permitted under Section 6.1.1 and 6.1.2.

**6.2.64.2 Zone Standards**

The regulations of Section 6.1.3 – Zone Standards, shall apply to the uses permitted in the CR/D-64 Zone, with the exception of the following site specific regulation:

- i) a minimum *setback* of 7.5 metres from the boundary of any ~~Environmentally Sensitive~~ Environmental Protection (ES, ES1, ES2 EP or EP1) Zone.

**6.2.65 Coastal/Island Residential/Divided Exception 65 (CR/D-65) CR/D-65**

Part of Island No. 100A, being Part 1 on Plan 42R-10465, in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

**6.2.65.1 Permitted Uses, *Buildings* and Structures**

Those uses permitted in Section 6 – Coastal/Island Residential (CR) Zone with the addition of the following:

- i) two single detached dwellings are permitted.

**6.2.65.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/D-65 Zone, with the exception of the following site specific regulations:

- i) a minimum separation of 75 metres must be maintained between the two single detached main dwellings;
- ii) the maximum total floor area of all *accessory buildings*, excluding sleeping cabins, shall not collectively exceed 100 m<sup>2</sup>.

**6.2.66 Coastal/Island Residential/Holding Exception 66 (CR/H-66) CR/H-66**

Part of Island No. 30A, being Parcel 1753 P.S.N.S., in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

**6.2.66.1 Permitted Uses, *Buildings* and Structures**

The uses, *buildings* and *structures* permitted in Section 6 – Coastal/Island Residential (CR) Zone, with the exception of the following:



- i) one single detached main dwelling;
- ii) one sleeping cabin;
- iii) one *accessory building*.

#### **6.2.66.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/H-66 Zone, with the exception of the following site specific regulations:

- i) no consents or division of land for the purpose of creating a new residential lot shall be permitted for the subject property;
- ii) Council shall not consider a By-law to remove the 'Holding (H)' Provision until such time as the owner of the subject property has entered into a site plan development agreement.

#### **6.2.67 Coastal/Island Residential Exception 67 (CR-67)**

**CR-67**

Part of Lots 24 and 25, Concession 2, being Parcel 6195 P.S.S.S., in the geographic Township of Cowper, as shown on Schedule 'A', and more particularly on Schedule 'B-34' to this By-law.

##### **6.2.67.1 Permitted Uses, *Buildings* and *Structures***

*Building* and *structures* permitted for lands zoned CR-67 are limited to the following:

- i) one single detached dwelling;
- ii) two sleeping cabins;
- iii) one *accessory building*;
- iv) one tennis court;
- v) three *accessory structures* (two generator sheds and one pumphouse);
- vi) two docks.

#### **6.2.67.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR-67 Zone, with the exception of the following site specific regulations:

- i) the maximum lot coverage permitted is 579 m<sup>2</sup>;
- ii) the maximum total floor area of one sleeping cabin is 23 m<sup>2</sup>;
- iii) the maximum total floor area of one sleeping cabin is 72 m<sup>2</sup> in the location as identified on Schedule 'B-34' attached to this By-law;
- iv) the maximum total floor area of the main dwelling is 390 m<sup>2</sup> in the location as identified on Schedule 'B-34' attached to this By-law;
- v) the maximum total floor area of the *accessory building* is 95 m<sup>2</sup>.

#### **6.2.68 Coastal/Island Residential/Divided Exception 68 (CR/D-68)**

**CR/D-68**

Part of Lot 37, Concession 7, being Parcel 2098 P.S.S.S., in the geographic Township of Shawanaga, as shown on Schedule 'A' to this By-law.

##### **6.2.68.1 Permitted Uses, *Buildings* and *Structures***

Those uses, *buildings* and *structures* permitted under Section 6.1.1 and 6.1.2.

#### **6.2.68.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/D-68 Zone, with the exception of the following site specific regulations:

- i) buildings and structures may be erected without a setback from the ~~Environmentally Sensitive One (ES1)~~ Environmental Protection (EP) Zone, provided the buildings or structures or any part thereof does not encroach into the ~~Environmentally Sensitive One (ES1)~~ Environmental Protection (EP) Zone.

#### **6.2.69 Coastal/Island Residential Exception 69 (CR-69)**

**CR-69**

Part of Island 681A, being Location JG11, designated as Parcel 9747 P.S.N.S., in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

#### **6.2.69.1 Permitted Uses, *Buildings* and *Structures***

Those uses, *buildings* and *structures* permitted under Section 6 – Coastal Island Residential (CR) Zone, with the exception of the following:

- i) two single detached main dwellings;
- ii) two sleeping cabins.

#### **6.2.69.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR-69 Zone, with the exception of the following site specific regulations:

- i) the maximum total floor area for the second single detached main dwelling is 89 m<sup>2</sup>.

### **6.2.70 Coastal/Island Residential/Divided Exception 70 (CR/D-70) **CR/D-70****

Part of Island 96A, being Parts 8 and 14, designated as Parcels 2153 and 6934 P.S.N.S., located in front of the geographic Township of Harrison, as shown on Schedule 'A', and more particularly on Schedule 'B-35' to this By-law.

#### **6.2.70.1 Permitted Uses, *Buildings* and *Structures***

Those uses, *buildings* and *structures* permitted under Section 6.1.1 and 6.1.2.

#### **6.2.70.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/D-70 Zone, with the exception of the following site specific regulations:

- i) docks shall be located within the area identified as "docking envelope" on Schedule 'B-35' attached to this By-law.
- ii) the main dwelling and septic shall be located within the area identified as 'building envelope' on Schedule 'B-35' attached to this By-law.

### **6.2.71 Coastal/Island Residential Exception 71 (CR-71) **CR-71****

Part of Lot 27, Concession 5, designated as Parcel Number Pt. PCL 8755 PSNS, geographic Township of Harrison, as shown on Schedule 'A' to this By-law. (SEE SECTION 10.2.4 – RESORT COMMERCIAL EXCEPTION 5 (RC-5))

#### **6.2.71.1 Permitted Uses, *Buildings* and *Structures***

Upon removal of the Holding "H" symbol, the following uses, building and structures shall be permitted:

- 16 dwelling units within 13 buildings for residential use;
- Accessory uses, structures and buildings limited to:
  - Boat Launch,
  - Decks,
  - Docks,
  - Fitness Building,
  - Garages,
  - Gazebo;
  - Laundry Building,
  - Office,
  - Parking Areas,
  - Sauna,
  - Sheds,
  - Swimming pool and
  - Tennis court,
  - Existing fuel pump.

#### **6.2.71.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR-71-H Zone, with the exception of the following site specific regulations:

- i) The 16 Dwelling units shall be located within the areas shown on Schedule 'B-37' and restricted to the total floor area as identified on Schedule 'B-37' attached to this By-law;
- ii) Maximum Lot Coverage shall be 1,500 ~~m<sup>2</sup>square metres~~;
- iii) Notwithstanding Subsection 5.1.1 b) and 5.1.2 ii) c), existing accessory buildings and structures are permitted within their existing locations as identified on Schedule "B-37" attached to this By-law;
- iv) Notwithstanding Subsection 5.1.2 ii) b) there shall be no restrictions on the number of accessory buildings and structures, provided the total lot coverage of all accessory buildings and structures does not exceed 400 ~~m<sup>2</sup>square metres~~;
- v) Notwithstanding Subsection 5.8, docks shall be limited to the existing dock sites and sizes as identified on Schedule "B-37" attached to this By-law;
- vi) Subsection 5.24 shall not apply.

#### **6.2.71.3 Temporary Use**

Notwithstanding the provisions of this by-law, the following uses are permitted for a temporary period of time not to exceed three (3) years from September 22, 2017, being the date of the passage of the by-law removing the Holding "H" provision from the property:

- i) The 16 Dwelling units permitted under Section 6.2.71.2 may be used for commercial purposes as housekeeping cabins or rental cottages.
- ii) Boat and watercraft service and rentals ancillary to the uses permitted under Section 62.71.4 i).

#### **6.2.72 Coastal/Island Residential/Divided Exception 72 (CR/D-72) CR/D-72**

Part of Island B-677, located in front of the geographic Township of Cowper, as shown on Schedule 'A', and more particularly on Schedule 'B-36' to this By-law.

##### **6.2.72.1 Permitted Uses, *Buildings* and Structures**

Those uses, *buildings* and *structures* permitted under Section 6.1.1 and 6.1.2.

##### **6.2.72.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/D-72 Zone, with the exception of the following site specific regulations:

- i) No docks or boathouses shall be permitted within the 'No Docking Area' as shown on Schedule 'B-37' attached to this By-law.
- ii) All buildings, excluding permitted docks or boathouse, shall be located within the identified 'Building Envelope' on Schedule 'B-37' attached to this By-law.

#### **6.2.73 Coastal/Island Residential/Divided Exception 73 (CR/D-73) CR/D-73**

Part of Island B-677, located in front of the geographic Township of Cowper, as shown on Schedule 'A', and more particularly on Schedule 'B-36' to this By-law.

##### **6.2.73.1 Permitted Uses, *Buildings* and Structures**

Those uses, *buildings* and *structures* permitted under Section 6.1.1 and 6.1.2.

##### **6.2.73.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/D-73 Zone, with the exception of the following site specific regulation:

- i) No docks or boathouse shall be permitted within the 'No Docking Area' as shown on Schedule 'B-36' attached to this By-law.

#### **6.2.74 Coastal/Island Residential Exception 74 (CR-74) CR-74**

Island B-445, in front of the geographic Township of Cowper, as shown on Schedule 'A', and more particularly on Schedule 'B-38' to this By-law.

##### **6.2.74.1 Permitted Uses, *Buildings* and Structures**

Those uses permitted in Section 6 – Coastal/Island Residential (CR) Zone, with the exception of the following:

- i) A maximum of one docking site.
- ii) The single docking site is to be restricted to a maximum width along the shore of 17.98 metres, a maximum length into the water of 21.98 metres, and a maximum area of 234.2 ~~m<sup>2</sup>square metres~~, as depicted on Schedule 'B-38'.
- iii) A single 49 square metre building, to be used as a boathouse and sauna, is permitted to be situated on the dock, as depicted on Schedule 'B-38'.

#### **6.2.75 Coastal/Island Residential/Divided Exception 75 (CR/D-75) CR/D-75**

Part of Island B-677, located in front of the geographic Township of Cowper, as shown on Schedule 'A', and more particularly on Schedule 'B-36' to this By-law.

##### **6.2.75.1 Permitted Uses, Buildings and Structures**

Those uses, *buildings* and *structures* permitted under Section 6.1.1 and 6.1.2.

##### **6.2.75.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/D-75 Zone, with the exception of the following site specific regulations:

- i) All buildings, excluding permitted docks or boathouse, shall be located within the identified 'Building Envelope' on Schedule 'B-36' attached to this By-law.

#### **6.2.76 Coastal/Island Residential/Divided Exception 76 (CR/D-76) CR/D-76**

Island 211A (Kyle Island), being Parcel 158 PSNS, located in front of the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

##### **6.2.76.1 Permitted Uses, Buildings and Structures**

Those uses, *buildings* and *structures* permitted under Section 6.1.1 and 6.1.2.

##### **6.2.76.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/D-76 Zone, with the exception of the following site specific regulation:

- i) A minimum front yard setback of 20 metres for any septic system.

#### **6.2.78 Coastal/Island Residential Exception 78 (CR-78) CR-78**

Part of Lot 27, Concession 5, being part of Part 1 and Part 2 on Plan 42R-3117, including part of Part 1 and Part 2 on Plan 42R-18068, located in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

##### **6.2.78.1 Permitted Uses, Buildings and Structures**

Those uses, *buildings* and *structures* permitted under Section 6.1.1 and 6.1.2.

##### **6.2.78.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR-78 Zone, with the exception of the following site specific regulations:

- i) Docks shall be located within the area identified as 'docking envelope' on Schedule 'B-40' attached to this By-law.
- ii) A minimum front yard setback of 30 metres.

#### **6.2.79 Coastal/Island Residential/Divided Exception 79 (CR/D-79) CR/D-79**

Part of Island B-392, located in front of the geographic Township of Cowper, as shown on Schedule 'A' to this By-law.

##### **6.2.79.1 Permitted Uses, Buildings and Structures**

Those uses, *buildings* and *structures* permitted under Section 6 – Coastal/Island Residential (CR) Zone, with the exception of the following:

- i) ~~ii)~~ Two sleeping cabins

#### **6.2.79.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/D-79 Zone, with the exception of the following site specific regulations:

- i) The maximum lot coverage permitted is 690 m<sup>2</sup>.
- ii) The maximum total floor area of one sleeping cabin is 170 m<sup>2</sup>.
- iii) The maximum total floor area of one sleeping cabin is 145 m<sup>2</sup>, with 52 m<sup>2</sup> of the floor area required to be allocated as an attached garage.

#### **6.2.80 Coastal/Island Residential/Divided Exception 80 (CR/D-80) CR/D-80**

Part of Island B-392, located in front of the geographic Township of Cowper, as shown on Schedule 'A' to this By-law, and more particularly on Schedule 'B-41' to this By-law.

##### **6.2.80.1 Permitted Uses, Buildings and Structures**

Those uses, *buildings* and *structures* permitted under Section 6.1.1 and 6.1.2.

##### **6.2.80.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/D-80 Zone, with the exception of the following site specific regulations:

- i) All buildings, excluding permitted docks or boathouse, shall be located within the identified 'Building Envelope' on Schedule 'B-41' attached to this By-law.

#### **6.2.81 Coastal/Island Residential Exception 81 (CR-81) CR-81**

Part of Francis Island No. B-273, being Block B on Plan M-440, in front of the geographic Township of Conger, as shown on Schedule 'A', and more particularly on Schedule 'B-42' to this By-law.

##### **6.2.81.1 Permitted Uses, Buildings and Structures**

Those uses permitted in Section 6 – Coastal/Island Residential (CR) Zone.

##### **6.2.81.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR-81 Zone, with the exception of the following site specific regulation:

- i) Docks are only permitted to be located within the 'Docking Envelope', as depicted on Schedule 'B-42' attached to this By-law.

#### **6.2.82 Coastal/Island Residential/Divided Exception 82 - Holding (CR/D-82-H) CR/D-82-H**

Part of Island B-469, designated as Parcel No. 615 PSSS, in front of the geographic Township of Cowper, as shown on Schedule 'A' to this By-law.

##### **6.2.82.1 Permitted Uses, Buildings and Structures**

Those uses, buildings and structures permitted under Section 6.1.1 and 6.1.2.

##### **6.2.82.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/D-82-H Zone, with the exception of the following site specific regulation:

- i) Council shall not consider a By-law to remove the 'Holding (H)' Provision until such time as the owner of the subject property has completed an Ecological Site and Impact Assessment in accordance with applicable Municipal and Provincial policies, and has entered into a site plan development agreement.

## **6.2.83 Coastal/Island Residential/Divided Exception 83 - Holding (CR/D-83-H) CR/D-83-H**

Part of Island B-433, designated as part of Parcel No. 1096 PSSS, in front of the geographic Township of Cowper, as shown on Schedule 'A' to this By-law.

### **6.2.83.1 Permitted Uses, Buildings and Structures**

Those uses, buildings and structures permitted under Section 6.1.1 and 6.1.2.

### **6.2.83.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/D-83-H Zone, with the exception of the following site specific regulation:

- i) Council shall not consider a By-law to remove the 'Holding (H)' Provision until such time as the owner of the subject property has completed an Ecological Site and Impact Assessment in accordance with applicable Municipal and Provincial policies, and has entered into a site plan development agreement.

## **6.2.84 Coastal/Island Residential/Divided Exception 84 - Holding (CR/D-84-H) CR/D-84-H**

Part of Island B-433, designated as part of Parcel No. 1096 PSSS, in front of the geographic Township of Cowper, as shown on Schedule 'A' to this By-law.

### **6.2.84.1 Permitted Uses, Buildings and Structures**

Those uses, buildings and structures permitted under Section 6.1.1 and 6.1.2.

### **6.2.84.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/D-84-H Zone, with the exception of the following site specific regulations:

- i) Council shall not consider a By-law to remove the 'Holding (H)' Provision until such time as the owner of the subject property has completed an Ecological Site and Impact Assessment in accordance with applicable Municipal and Provincial policies, and has entered into a site plan development agreement.
- ii) One dock is permitted prior to the construction of a main dwelling.

## **6.2.85 Coastal/Island Residential Exception 85 (CR-85) CR-85**

Island No. B-441 (Edward Island), designated as Parcel 11589 PSSS, in front of the geographic Township of Cowper, as shown on Schedule 'A' to this By-law.

### **6.2.85.1 Permitted Uses, Buildings and Structures**

Those uses, buildings and structures permitted in Section 6 – Coastal/Island Residential (CR) Zone, with the exception of the following:

- i) Three single detached main dwellings;
- ii) Three accessory buildings.

### **6.2.85.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR-85 Zone, with the exception of the following site specific regulations:

- i) The maximum total floor area permitted for each dwelling is 150 ~~m<sup>2</sup>square metres~~, in the existing locations and maintaining the existing front yard setbacks.
- ii) The maximum total floor area permitted for each permitted accessory buildings is 20 ~~m<sup>2</sup>square metres~~.
- iii) No boathouse or boatport shall be permitted on the subject lands;
- iv) No sleeping cabins shall be permitted on the subject lands.

## **6.2.86 Coastal/Island Residential/Divided Exception 86 – Holding (CR/D-86-H) CR/D-86-H**

Part of Island 417A, being Parts 1, 2 and 3 on Plan PSR-785, in front of the geographic Township of Shawanaga, as shown on Schedule 'A' to this By-law.

### **6.2.86.1 Permitted Uses, Buildings and Structures**

Those uses, buildings and structures permitted under Section 6.1.1 and 6.1.2.

### **6.2.86.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/D-86-H Zone, with the exception of the following site specific regulations:

- i) Council shall not consider a By-law to remove the 'Holding (H)' Provision until such time as the owner of the subject property has completed an Ecological Site and Impact Assessment in accordance with applicable Municipal and Provincial policies, and has entered into a site plan development agreement.

## **6.2.87 Coastal/Island Residential Exception 87 (CR-87)**

**CR-87**

Island No. B-569 (Revilo Island), designated as Parcel 24952 PSSS, located in front of the geographic Township of Cowper, as shown on Schedule 'A'.

### **6.2.87.1 Permitted Uses, Buildings and Structures**

Buildings and structures permitted for lands zoned CR-87 are limited to the following:

- i) One existing main dwelling containing kitchen facilities, but not sleeping accommodations;
- ii) Four sleeping cabins;
- iii) An existing Storage/Sauna building plus one additional accessory building.
- iv) Accessory structures.

### **6.2.87.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR-87 Zone, with the exception of the following site specific regulations:

- i) The main dwelling shall have a total floor area of 186 ~~square metres~~<sup>m<sup>2</sup></sup>;
- ii) One existing sleeping cabin shall have a maximum ground floor area of 84.5 ~~square metres~~<sup>m<sup>2</sup></sup>;
- iii) Three sleeping cabins shall each have a maximum ground floor area of 50 ~~square metres~~<sup>m<sup>2</sup></sup>;
- iv) The maximum lot coverage permitted is 484 ~~square metres~~<sup>m<sup>2</sup></sup>.
- v) The minimum front yard setback is 15 metres, save the fourth sleeping cabin that is allowed a 12 metre setback.
- vi) Storage/Sauna building to remain at its existing size.

## **6.2.88 Coastal/Island Residential/Divided Exception 88 (CR/D-88)**

**CR/D-88**

Part of Island No. B717 (Isabella Island), being Lot 36 on Plan 197, located in front of the geographic Township of Cowper, as shown on Schedule 'A' to this By-law.

### **6.2.88.1 Permitted Uses, Buildings and Structures**

Buildings and structures permitted for lands zoned CR/D-88 are limited to the following:

- i) One main dwelling;
- ii) One sleeping cabin;
- iii) One accessory building.

### **6.2.88.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/D-88 Zone, with the exception of the following site specific regulations:

- i) The maximum total floor area of the main dwelling shall be 140 ~~square metres~~<sup>m<sup>2</sup></sup>;
- ii) The maximum total floor area of the accessory building shall be 15 ~~square metres~~<sup>m<sup>2</sup></sup>;
- iii) The maximum lot coverage permitted is 205 ~~square metres~~<sup>m<sup>2</sup></sup>.

## **6.2.89 Coastal/Island Residential/Divided Exception 89 (CR/D-89)**

**CR/D-89**

Part of Lot 34, Concession 9, being Part 3 on Plan 42R-13310, designated as Parcel 26041 PSSS, in the geographic Township of Shawanaga, as shown on Schedule 'A' to this By-law.



### **6.2.89.1 Permitted Uses, Buildings and Structures**

Buildings and structures permitted for lands zoned CR/D-89 are limited to the following:

- i) One main dwelling;
- ii) One existing sleeping cabin;
- iii) Accessory buildings.

### **6.2.89.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/D-89 Zone, with the exception of the following site specific regulations:

- i) The maximum total floor area of the sleeping cabin shall be 111.3 ~~m<sup>2</sup> square metres~~;
- ii) The maximum total floor area of the main dwelling shall be 181 ~~m<sup>2</sup> square metres~~.

### **6.2.89.3 Additional Provision**

Once the existing sleeping cabin is removed or demolished, the *Permitted Uses, Buildings and Structures* per Section 6.1.1 and 6.1.2 and the Zone Standards 6.1.3 shall apply.

## **6.2.90 Coastal/Island Residential/Divided Exception 90 (CR/D-90) CR/D-90**

Part of Island 231A, designated as Parcel 17246 PSNS, in front of the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

### **6.2.90.1 Permitted Uses, Buildings and Structures**

Those uses, buildings and structures permitted under Section 6.1.1 and 6.1.2.

### **6.2.90.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR/D-90 Zone, with the exception of the following site specific regulation:

- i) No development shall occur in the delineated 'restricted no development area' located on the severed lands, as depicted on Schedule 'B-45'.
- ii) The owners enter into a site plan development agreement.

## **6.2.91 Coastal/Island Residential Exception 91 (CR-91) CR-91**

Island 357A, being Parcel 9114 PSNS, in front of the geographic Township of Shawanaga, shown on Schedule 'A' attached to this By-law.

### **6.2.91.1 Permitted Uses, Buildings and Structures**

Those uses permitted in Section 6 – Coastal/Island Residential (CR) Zone.

### **6.2.91.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR-91 Zone, with the exception of the following site specific regulations:

- i) One main dwelling is permitted to be reconstructed, being 136.7 ~~m<sup>2</sup> square metres~~ (1471 square feet) in size, below the Georgian Bay flood elevation of 178.3 metres, provided that the floor elevation of the first floor is at, or above, the required flood elevation;
- ii) The owner of the subject property shall enter into a site plan development agreement to be registered on title.

## **6.2.92 Coastal/Island Residential Exception 92 (CR-92) CR-92**

Part Lot 1, Concession 9, being parts of Parts 1 & 2 on Plan 42R-6644 in the geographic Township of Cowper, shown on Schedule 'A' attached to this By-law.

### **6.2.92.1 Permitted Uses, Buildings and Structures**

Those uses permitted in Section 6 – Coastal/Island Residential (CR) Zone.



#### **6.2.92.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR-92 Zone, with the exception of the following site specific regulation:

- i) The existing main dwelling, being 165 ~~m<sup>2</sup> square metres~~ (1776 square feet) in size, is permitted a 3.7 metre side yard setback.

#### **6.2.93 Coastal/Island Residential/Divided-Exception 93 (CR/D-93) CR/D-93**

Part of Island 97A (MacKenzie Island), being Parcel 6685 PSNS, Being Parts 1, 2, & 3 on Plan 42R-21744 in front of the Geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

##### **6.2.93.1 Permitted Uses, Buildings and Structures**

Those uses permitted in Section 6 – Coastal/Island Residential (CR) Zone.

##### **6.2.93.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR-92 Zone, with the exception of the following site specific regulation:

- i) A minimum front yard setback of 15 metres.

#### **6.2.94 Coastal/Island Residential/Divided- Exception 94 (CR/D-94) CR/D-94**

Island B494 (The Pines), designated as Parcel 1519 PSSS, in front of the geographic Township of Cowper, as shown on Schedule 'A', and more particularly on Schedule 'B-48' to this By-law.

##### **6.2.94.1 Permitted Uses, Buildings and Structures**

Those uses, buildings and structures permitted under Section 6.1.1 and 6.1.2.

##### **6.2.94.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR-D-94 Zone, with the exception of the following site specific regulations:

- i) A minimum front yard setback of 15 metres.
- ii) A minimum front yard setback of 30 metres for septic systems.
- iii) Docks shall not be located within the Docking Restriction Areas identified on Schedule 'B-48' and shall not be located within the ~~Environmentally Sensitive 1 (ES-1)~~ Environmental Protection (EP) Zones and ~~Environmentally Sensitive 2 (ES-2)~~ Environmental Protection One (EP1) Zones.
- iv) A minimum 30 metre setback from the Environmental Protection One (EP1) ~~Environmentally Sensitive 2 (ES-2)~~ Zones identified on Schedule 'B-48'.
- v) No buildings or structures shall be located within the tree preservation no build envelope identified on Schedule 'B-48'.

#### **6.2.95 Coastal/Island Residential Exception 95 (CR-95) CR-95**

Island 3 A481, being Part 1, Registered Plan 42R-3455, being Parcel 12136 SEC NS, in front of the geographic Township of Harrison as shown on Schedule 'A' to this By-law.

##### **6.2.95.1 Permitted Uses, Buildings and Structures**

Those uses, buildings and structures permitted under Section 6.1.1 and 6.1.2.

##### **6.2.95.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR-95 Zone, with the exception of the following site specific regulations:

- i) one main dwelling having a Total Floor Area of 260 m<sup>2</sup>, and one sleeping cabin having a Total Floor Area of 50.16 m<sup>2</sup> is permitted to be constructed below the Georgian Bay flood elevation of 178.3 metres, provided that the floor elevation of the first floor is at, or above the required flood elevation;
- ii) the owner of the subject property shall enter into a site plan development agreement to be registered on title.

## **6.2.96 Coastal/Island Residential/Divided Exception 96 (CR/D-96)**

**CR/D-96**

A portion of Island 258A (Richards Island), being Parcel 17824 SEC NS; in front of the geographic Township of Harrison in the Georgian Bay, as shown on Schedule 'A', and more particularly Schedule 'B-49' to this By-law.

### **6.2.96.1 Permitted Uses, Buildings and Structures**

Those uses, buildings and structures permitted under Section 6.1.1 and 6.1.2.

### **6.2.96.2 Zone Standards**

The regulations of Section 6.1.3, Zone Standards, shall apply to the uses permitted in the CR-95 Zone, with the exception of the following site specific regulations:

- i) A minimum 10-m ~~metres~~ setback from the Environmental Protection (EP) ~~Environmentally Sensitive 1 (ES-1)~~ Zones identified on Schedule 'B-49

## Section 7 - Inland Lakes Residential (IR) Zone

Within an Inland Lakes Residential (IR) Zone, no *person* shall use any land, or *erect, alter* or use any *building* or *structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

### 7.1 General Use Provisions:

#### 7.1.1 Permitted Uses

**Main Use:**

- *Residential use.*

**Accessory Uses:**

- *Accessory Residential uses..*
- *Bed and Breakfast;*
- *Home occupation;*

#### 7.1.2 Permitted Buildings and Structures

- *A single, detached dwelling*
- *Accessory structures and buildings*

#### 7.1.3 Zone Standards

Any *building* or *structure* permitted under Section 7.1.2 shall comply with the following provisions except as otherwise provided for in Section 5, General Provisions:

|    |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a) | <b>Minimum Lot Frontage</b>       | As existing at the date of passing of this <i>By-law</i> or adjusted through a lot line adjustment as approved through the Planning Act                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| b) | <b>Minimum Lot Area</b>           | As existing at the date of passing of this <i>By-law</i> or adjusted through a lot line adjustment as approved through the Planning Act.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| c) | <b>Maximum Lot Coverage</b>       | <p>i) Lots with an area of <b>1,800 m<sup>2</sup> or less:</b><br/> - maximum total floor area is 7.5% of <i>lot area</i>;</p> <p>ii) Lots with an area greater than <b>1,801 m<sup>2</sup> up to 16,187 m<sup>2</sup>:</b><br/> - 140 m<sup>2</sup> + 3% of <i>lot area</i>;</p> <p>iii) <del>ii)</del> <b>Lots with an area greater than <u>16,188 m<sup>2</sup> up to 32,374 m<sup>2</sup>:</u></b><br/> - 625 m<sup>2</sup> + 1% of <i>lot area</i> that is over 16,187 m<sup>2</sup>;</p> <p>iii) <del>iv)</del> <b>Lots with an area of greater than <u>32,375 m<sup>2</sup> up to 34,400:</u></b><br/> - 787 m<sup>2</sup> + ½% of the <i>lot area</i> over 32,374 m<sup>2</sup></p> <p>iv) <del>v)</del> <b>Lots with an area greater than 34,401 m<sup>2</sup></b><br/> - 800 m<sup>2</sup>.</p> |
| d) | <b>Main dwelling</b>              | <p>i) <b>maximum ground floor area</b> - 80% of the total <i>lot coverage</i> (for properties greater than 1800 m<sup>2</sup>;</p> <p>ii) <b>maximum total floor area</b> - 300 m<sup>2</sup>;</p> <p>iii) <b>minimum ground floor area</b> - Wards 5 and 6: <u>1740</u> m<sup>2</sup><br/> Wards 1,2,3 and 4: <u>1750</u> m<sup>2</sup></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| e) | <b>Minimum Front Yard Setback</b> | 7.5 <u>metres</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| f) | <b>Minimum Side Yard Setback</b>  | 6 <u>metres</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| g) | <b>Minimum Rear Yard Setback</b>  | 6 <u>metres</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| h) | <b>Maximum Height</b>             | 9 <u>metres</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

(1) Notwithstanding 7.1.3(e), within Ward 5, where the front lot line abuts a waterway, the minimum front yard setback shall be 15 metres, except where otherwise specified in Section 5.32.

### 7.1.4 Provisions for Accessory Uses

The provisions of Section 7.1.1 shall apply to *accessory buildings, structures* and uses, except as otherwise provided for in Section 5, General Provisions.

## 7.2 SPECIAL EXCEPTION REGULATIONS – INLAND LAKES RESIDENTIAL (IR)

The regulations contained in Subsection 7.1, General Use Provisions, shall apply to the Special provision use area or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 7.2.

### 7.2.1 Inland Lakes Residential Exception 1 (IR-1) IR-1

Part of Lot 25, Concession 10, Parts 17 and 18 of PSR-889, being Parcels 12544 and 12545 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

#### 7.2.1.1 Permitted Uses, *Buildings* and Structures

*Buildings* and *structures* permitted for lands zoned IR-1 are limited to the following:

- i) two *single detached dwellings*;
- ii) *accessory structures*.

#### 7.2.1.2 Zone Standards

The regulations of Section 7.1.3, Zone Standards, shall apply to the *uses* permitted in the IR-1 Zone, with the exception of the following site specific regulations:

- i) the minimum *side yard* along the northerly lot line shall be 4.5 metres;
- ii) the minimum *side yard* along the southerly lot line shall be 1.5 metres.

### 7.2.2 Inland Lakes Residential Exception 2 (IR-2) IR-2

Lot 14 of Plan M-284 and Part 10 of Plan 42R-8506, being Parcel 13543 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A', and more particularly on Schedule 'B-21' to this By-law.

#### 7.2.2.1 Permitted Uses, *Buildings* and Structures

The *uses* permitted in Section 7 – Inland Lakes Residential (IR) Zone, with the exception of the following:

- i) a *boathouse* not exceeding 55.2 m<sup>2</sup> in area, may be erected and used on the Crown lakebed fronting the Subject property.

#### 7.2.2.2 Zone Standards

The regulations of Section 7.1.3, Zone Standards, shall apply to the *uses* permitted in the IR-2 Zone.

### 7.2.3 Inland Lakes Residential Exception 3 (IR-3) IR-3

Part of Lots 18 and 19, Concession 10, Parts 1 and 2 of PSR-1422 and Parts 3 to 7 of PSR-3083, Parcels 17195 and 13794 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

#### 7.2.3.1 Permitted Uses, *Buildings* and Structures

The *uses* permitted in Section 7 – Inland Lakes Residential (IR) Zone, with the addition of the following:

- i) a second *single detached dwelling* is permitted.

#### 7.2.3.2 Zone Standards

The regulations of Section 7.1.3, Zone Standards, shall apply to the *uses* permitted in the IR-3 Zone, with the addition of the following site specific regulations:

- i) a minimum separation of 90 metres must be maintained between the two *single detached dwellings*;
- ii) the subject property is eligible for a consent to create one new *lot*, provided that each *lot* has a minimum *lot* size of one hectare and a minimum *lot frontage* of 90 metres.

### 7.2.4 Inland Lakes Residential Exception 4 (IR-4) IR-4

Part of Lot 12, Concession 10, being Parcel 7482 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

#### **7.2.4.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 7 – Inland Lakes Residential (IR) Zone.

#### **7.2.4.2 Zone Standards**

The regulations of Section 7.1.3, Zone Standards, shall apply to the *uses* permitted in the IR-4 Zone, with the exception of the following site specific regulation:

- i) the minimum *front yard setback* for the *main dwelling* shall be 1.5 metres.

### **7.2.5 Inland Lakes Residential Exception 5 (IR-5) IR-5**

Blackstone Island, being Parcel 1281 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

#### **7.2.5.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 7 – Inland Lakes Residential (IR) Zone.

#### **7.2.5.2 Zone Standards**

The regulations of Section 7.1.3, Zone Standards, shall apply to the *uses* permitted in the IR-5 Zone, with the exception of the following site specific regulation:

- i) the maximum *building height* shall be six metres.

### **7.2.6 Inland Lakes Residential Exception 6 (IR-6) IR-6**

Lot 29 of Plan M-264 and Part 5 of Plan 42R-8488, Parcel 11984 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

#### **7.2.6.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 7 – Inland Lakes Residential (IR) Zone.

#### **7.2.6.2 Zone Standards**

The regulations of Section 7.1.3, Zone Standards, shall apply to the *uses* permitted in the IR-6 Zone, with the exception of the following site specific regulation:

- i) an accessory *sleeping cabin* is permitted to be located 1.3 metres from the ~~high water~~ mark shoreline.

### **7.2.7 Inland Lakes Residential Exception 7 (IR-7) IR-7**

Part of Lot 11, Concession 12, Part 1 of Plan 42R-11744, in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

#### **7.2.7.1 Permitted Uses**

The *uses* permitted in Section 7 – Inland Lakes Residential (IR) Zone.

#### **7.2.7.2 Zone Standards**

The regulations of Section 7.1.3, Zone Standards, shall apply to the *uses* permitted in the IR-7 Zone, with the exception of the following site specific regulation:

- i) a *dock* is permitted to be located within 10 metres of the original road allowance adjoining the geographic Township of Conger and the Township of Seguin.

### **7.2.8 Inland Lakes Residential Exception 8 (IR-8) IR-8**

Lot 71 of Plan M-280 and Part 5 of Plan 42R-8069, being Parcel 12644 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

### 7.2.8.1 Permitted Uses, *Buildings* and Structures

The *uses* permitted in Section 7 – Inland Lakes Residential (IR) Zone.

### 7.2.8.2 Zone Standards

The regulations of Section 7.1.3, Zone Standards, shall apply to the *uses* permitted in the IR-8 Zone, with the exception of the following site specific regulation:

- i) the accessory *boathouse* shall not exceed a total *ground floor area* of 66.5 m<sup>2</sup>.

## 7.2.9 Inland Lakes Residential Exception 9 (IR-9)

**IR-9**

Part of Lot 10, Concession 9, Part 1 of Plan 42R-11508, being Parcel 26354 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A', and more particularly shown on Schedule 'B-22' to this By-law.

### 7.2.9.1 Permitted Uses, *Buildings* and Structures

The *uses* permitted in Section 7 – Inland Lakes Residential (IR) Zone, with the addition of the following:

- i) a *bridge structure* may be constructed and used in the location approved by the Ministry of Natural Resources, across the creek between Mogridge Lake and Blackstone Lake, as shown on Schedule 'B-22' attached to this By-law, to allow road access to the subject property.

### 7.2.9.2 Zone Standards

The regulations of Section 7.1.3, Zone Standards, shall apply to the *uses* permitted in the IR-9 Zone.

## 7.2.10 Inland Lakes Residential/Divided Exception 10 (IR/D-10)

**IR/D-10**

Part of Lot 5, Concession 1, designated as remaining Parcel 9150 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

### 7.2.10.1 Permitted Uses, *Buildings* and Structures

*Buildings* and *structures* permitted for each of two lots zoned IR/D-10 are limited to the following:

- i) one *single detached dwelling*;
- ii) one *sleeping cabin*;
- iii) two *accessory structures*.

### 7.2.10.2 Zone Standards

The regulations of Section 7.1.3, Zone Standards, shall apply to the *uses* permitted for each of two lots in the IR/D-10 Zone, with the exception of the following regulations:

- i) the maximum *lot area* and *lot frontage* for the severed *lot* shall be 0.45 ha and 56 metres, respectively;
- ii) the maximum *lot area* and *lot frontage* for the retained *lot* shall be 0.43 ha and 69 metres, respectively;
- iii) the maximum *lot coverage* for both the severed and retained *lot* shall be 225 m<sup>2</sup>.

## 7.2.11 Inland Lakes Residential Exception 11 (IR-11)

**IR-11**

Island CL220 on Naiscoot Lake, designated as Parcel 2816 P.S.N.S., in the geographic Township of Harrison, as shown on Schedule 'A', and more particularly shown on Schedule 'B-25' to this By-law.

### 7.2.11.1 Permitted Uses, *Buildings* and Structures

*Buildings* and *structures* permitted for lands zoned IR-11 are limited to the following:

- i) one *single detached, single storey dwelling* with an attached *deck*;
- ii) one detached *deck*;
- iii) two docking areas (one of which is not subject to the Holding Provision).

### 7.2.11.2 Zone Standards

The regulations of Section 7.1.3, Zone Standards, shall apply to the *uses* permitted in the IR-11 Zone, with the exception of the following regulations:

- i) the *single detached dwelling* shall not exceed one *storey* in *height*;
- ii) the *single detached dwelling* shall not exceed 60 m<sup>2</sup> in *floor area*;
- iii) the *deck* attached to the *single detached main dwelling* shall not exceed 28 m<sup>2</sup>;
- iv) the detached *deck* shall not exceed 13 m<sup>2</sup> in *floor area*;
- v) the detached *deck* shall not be more than 1 metre above grade;
- vi) the first *dock structure* shall not exceed 20 m<sup>2</sup> in area and shall be permitted a 3 metres in-shore encroachment as part of the total area;
- vii) the second *dock structure* shall not exceed 28 m<sup>2</sup> in area and shall be permitted a 3 metres in-shore encroachment as part of the total area.

## **7.2.12 Inland Lakes Residential/Divided Exception 12 (IR/D-12) IR/D-12**

Part of Lots 38 and 39, Concession 3, Part 1 of Plan 42R-6689 and Parts 1 and 2 of Plan 42R-15916, designated as Parcel 4093 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

### **7.2.12.1 Permitted Uses, Buildings and Structures**

*Buildings* and *structures* permitted for lands zoned IR/D-12 are limited to the following:

- i) one *single detached dwelling*;
- ii) *accessory uses, buildings and structures*.

### **7.2.12.2 Zone Standards**

The regulations of Section 7.1.3, Zone Standards, shall apply to the *uses* permitted in the IR/D-12 Zone, with the exception of the following regulations:

- i) a minimum *front yard* of 15 ~~m~~ metres of any *main dwelling* or accessory *sleeping cabin*;
- ii) a minimum *setback* of 30 ~~m~~ metres from the boundary of any ~~Environmentally Sensitive~~ Environmental Protection (ES, ES1, ES2 EP or EP1) Zone;
- iii) a minimum *front yard* of 30 metres for any septic system; and,
- iv) a maximum width of *docks* not to exceed 25% of the *lot frontage*.

## **7.2.14 Inland Lakes Residential/Divided Exception 14 – (IR/D-14) IR/D-14**

Part of Broken Lot 15, Concession 10, as in LP2326, except Parts 1 and 4 on Plan 42R-16101, together with Part 1 on Plan PSR-565 as in LT53050, in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

### **7.2.14.1 Permitted Uses, Buildings and Structures**

Those uses, buildings and structures permitted under Section 7.1.1 and 7.1.2.

### **7.2.14.2 Zone Standards**

The regulations of Section 7.1.3, Zone Standards, shall apply to the *uses* permitted in the IR/D-14 Zone, with the exception of the following site specific regulation:

- i) Council shall not consider a By-law to remove the 'Holding (H)' Provision until such time as the owner of the subject property has completed an Ecological Site and Impact Assessment in accordance with applicable Municipal and Provincial policies, and has entered into a site plan development agreement.

## **7.2.15 Inland Lakes Residential Exception 15 (IR-15) IR-15**

Part of Lot 16, Concession 10, being part of Remaining Parcel 20696 PSSS, in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

### **7.2.15.1 Permitted Uses, Buildings and Structures**

Those uses, buildings and structures permitted under Section 7 – Inland Lakes Residential (IR) Zone.

### **7.2.15.2 Zone Standards**

The regulations of Section 7.1.3, Zone Standards, shall apply to the *uses* permitted in the IR-15 Zone, with the exception of the following site specific regulations:

- i) a minimum front yard setback of 15 metres.
- ii) a minimum setback of 30 metres from the boundary of any ~~Environmentally Sensitive~~ Environmental Protection (~~ES, ES1, ES2~~ EP or EP1) Zone.
- iii) No docks are permitted to be located within any ~~Environmentally Sensitive~~ Environmental Protection (~~EP or EP1~~ ES, ES1, ES2) Zone.
- iv) No boathouse or boatport shall be permitted on the subject lands.
- v) No consents or division of land for the purpose of creating a new residential lot shall be permitted for the subject property.

## **7.2.16 Inland Lakes Residential Exception 16 (IR-16) IR-16**

Part of Lots 15 and 16, Concessions 10 and 11, being Part of Part 3 on Plan 42R-6773, part of Parts 2, 3, 4, 6, 11, 14 and Part 10 on Plan 42R-16554, including Part of Parcel 20696 PSSS, and part of Part 1 on Plan SPR-565, in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

### **7.2.16.1 Permitted Uses, Buildings and Structures**

Those uses, buildings and structures permitted under Section 7 – Inland Lakes Residential (IR) Zone.

### **7.2.16.2 Zone Standards**

The regulations of Section 7.1.3, Zone Standards, shall apply to the uses permitted in the IR-16 Zone, with the exception of the following site specific regulation:

- i) No consents or division of land for the purpose of creating a new residential lot shall be permitted for the subject property.

## **7.2.17 Inland Lakes Residential/Divided Exception 17 (IR/D-17)**

Part of Lot 31, Concession 3, being Parts 3 – 6, 10 and 12 on Plan 42R-8713, designated as Parcel 17932 PSSS, in the geographic Township of Conger, in the Township of The Archipelago, as shown on Schedule 'A' to this By-law.

### **7.2.17.1 Permitted Uses, Buildings and Structures**

Buildings and Structures permitted for lands zoned IR/D-17 are limited to the following:

- i) One existing single detached dwelling;
- ii) One existing sleeping cabin;
- iii) Accessory building & structures.

### **7.2.17.2 Zone Standards**

The regulations of Section 7.1.3, Zone Standards, shall apply to the uses permitted in the IR/D-17 Zone, with the exception of the following site specific regulations:

- i) The maximum total floor area of the main dwelling shall be 67 m<sup>2</sup> ~~square metres~~;
- ii) The maximum total floor area of the sleeping cabin shall be 16 m<sup>2</sup> ~~square metres~~;
- iii) The maximum lot coverage permitted is 135 m<sup>2</sup> ~~square metres~~.
- iv) The minimum lot area permitted is 0.21 hectares.
- v) The minimum lot frontage permitted is 90 metres.

## **7.2.18 Inland Lakes Residential/Divided Exception 18 (IR/D-18)**

Part of Lot 31, Concession 3, being Parts 3 – 6, 10 and 12 on Plan 42R-8713, designated as Parcel 17932 PSSS, in the geographic Township of Conger, in the Township of The Archipelago, as shown on Schedule 'A' to this By-law.

### **7.2.18.1 Permitted Uses, Buildings and Structures**

Buildings and Structures permitted for lands zoned IR/D-18 are limited to the following:



- i) One existing single detached dwelling;
- ii) Accessory buildings & structures, excluding sleeping cabins.

#### **7.2.18.2 Zone Standards**

The regulations of Section 7.1.3, Zone Standards, shall apply to the uses permitted in the IR/D-18 Zone, with the exception of the following site specific regulations:

- i) The maximum total floor area of the main dwelling shall be 47.5 ~~m<sup>2</sup>square metres~~;
- ii) The maximum lot coverage permitted is 135 ~~m<sup>2</sup>square metres~~;
- iii) The minimum lot area permitted is 0.23 hectares;
- iv) The minimum lot frontage permitted is 90 metres.

### **7.2.19 Inland Lakes Residential Exception 19 (IR-19)**

Part of Lot 21, Concession 9, Parcel 3040 PSSS and Parcel 5717 PSSS, in the geographic Township of Conger, as shown on Schedule 'A', and more particularly on Schedule 'B-43' to this By-law.

#### **7.2.19.1 Permitted Uses, Buildings and Structures**

Buildings and Structures permitted for lands zoned IR-19 are limited to the following:

- i) 18 dwelling units consisting of 15 detached dwellings, and a three (3) unit multiple dwelling;
- ii) Accessory structures and buildings.

#### **7.2.19.2 Zone Standards**

The regulations of Section 7.1.3, Zone Standards, shall apply to the uses permitted in the IR-19 Zone, with the exception of the following:

- i) The maximum lot coverage permitted shall be 3,000 m<sup>2</sup>;
- ii) The maximum total floor area of each detached dwelling unit shall be as exists on December 8, 2017;
- iii) The maximum floor area of the multiple dwelling shall be as exists on December 8, 2017.

### **7.2.20 Inland Lakes Residential/Divided Exception 20 (IR/D-20)**

Part of Lots 19 and 20, Concessions 11 and 12, being part of remaining Parcel 4816 PSSS, and Part 1 on Plan 42R-19627, in the geographic Township of Conger, in the Township of The Archipelago, as shown on Schedule 'A' to this By-law.

#### **7.2.20.1 Permitted Uses, Buildings and Structures**

Those uses, buildings and structures permitted under Section 7 – Inland Lakes Residential (IR) Zone.

#### **7.2.20.2 Zone Standards**

The regulations of Section 7.1.3, Zone Standards, shall apply to the uses permitted in the IR/D-20 Zone, with the exception of the following site specific regulations:

- i) A minimum front yard setback of 30 metres for any septic system.

## **7.2.21 Inland Lakes Residential Exception 21 (IR-21)**

Part of Lot 38, Concession 12, being location JH48 and LOC 12972, Part 1, RP 42R-16393, PCL 9431 Sec SS, geographic township of Conger, The Archipelago, as shown on Schedule 'A' to this By-law.

### **7.2.21.1 Permitted Uses, Buildings and Structures**

Those uses, buildings and structures permitted under Section 7.1.1 and 7.1.2.

### **7.2.21.2 Zone Standards**

The regulations of Section 7.1.3, Zone Standards, shall apply to the uses permitted in the IR-21 Zone, with the exception of the following site specific regulations:

- i) The maximum permitted Total Floor Area for the Main Dwelling is 559.8 m<sup>2</sup> with the dwelling having a floor area of 446.1 m<sup>2</sup> and the attached garage having a floor area of 113.7 m<sup>2</sup>
- ii) The maximum permitted Lot Coverage is 755.8 m<sup>2</sup> (8135.4 ft<sup>2</sup>)

## **Section 8 – Pointe au Baril Residential (PBR) Zone**

Within a Pointe au Baril Residential (PBR) Zone, no *person* shall use any land, or *erect, alter* or use any *building* or *structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

### **8.1 General Use Provisions:**

#### **8.1.1 Permitted Uses**

**Main Use:**

- Residential use.

**Accessory Uses:**

- Accessory residential uses.
- Bed and Breakfast.
- Home occupation.
- Backyard hens

#### **8.1.2 Permitted Buildings and Structures**

- A single detached dwelling
- A semi-detached dwelling
- A townhouse dwelling (up to four dwelling units)
- Accessory structures and buildings

#### **8.1.3 Zone Standards**

Any building or structure permitted under Section 7.1.2 shall comply with the following provisions except as otherwise provided for in Section 5, General Provisions:

|                  |                                          |                                                                                                                                                                                                                                                           |
|------------------|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>a)</u></b> | <b><u>Minimum Lot Frontage</u></b>       | <u>As existing at the date of passing of this By-law or adjusted through a lot line adjustment as approved through the Planning Act.</u>                                                                                                                  |
| <b><u>b)</u></b> | <b><u>Minimum Lot Area</u></b>           | <u>As existing at the date of passing of this By-law or adjusted through a lot line adjustment as approved through the Planning Act.</u>                                                                                                                  |
| <b><u>c)</u></b> | <b><u>Maximum Lot Coverage</u></b>       | <u>20%</u>                                                                                                                                                                                                                                                |
| <b><u>d)</u></b> | <b><u>Main dwelling</u></b>              | <u>i) maximum ground floor area - 80% of the total lot coverage;</u><br><u>ii) maximum total floor area - 300 m<sup>2</sup>;</u><br><u>iii) minimum ground floor area - Wards 5 and 6: 17 m<sup>2</sup></u><br><u>Wards 1,2,3 and 4: 17 m<sup>2</sup></u> |
| <b><u>e)</u></b> | <b><u>Minimum Front Yard Setback</u></b> | <u>7.5 metres</u>                                                                                                                                                                                                                                         |
| <b><u>f)</u></b> | <b><u>Minimum Side Yard Setback</u></b>  | <u>6 metres</u>                                                                                                                                                                                                                                           |
| <b><u>g)</u></b> | <b><u>Minimum Rear Yard Setback</u></b>  | <u>6 metres</u>                                                                                                                                                                                                                                           |
| <b><u>h)</u></b> | <b><u>Maximum Height</u></b>             | <u>9 metres</u>                                                                                                                                                                                                                                           |

#### **8.1.4 Zone Requirements for Multi-Unit Dwellings in PBR Zone**

8.1.4.1 Notwithstanding the Zone requirements for the PBR Zone in Section 8.1.3 to the contrary, the following requirements shall apply to semi-detached dwellings:

|                  |                                                               |                       |
|------------------|---------------------------------------------------------------|-----------------------|
| <b><u>a)</u></b> | <b><u>Minimum Lot Frontage</u></b>                            | <u>0.5 ha/unit</u>    |
| <b><u>b)</u></b> | <b><u>Minimum Lot Area</u></b>                                | <u>30 metres/unit</u> |
| <b><u>c)</u></b> | <b><u>Minimum Interior Side Yard (with attached wall)</u></b> | <u>Nil</u>            |

8.1.4.2 Notwithstanding the Zone requirements for the PBR Zone in Section 8.1.3 to the contrary, the following requirements shall apply to townhouse dwelling units:

|           |                                                            |                       |
|-----------|------------------------------------------------------------|-----------------------|
| <u>a)</u> | <u>Minimum Lot Frontage</u>                                | <u>0.2 ha/unit</u>    |
| <u>b)</u> | <u>Minimum Lot Area</u>                                    | <u>12 metres/unit</u> |
| <u>c)</u> | <u>Minimum Interior Side Yard<br/>(with attached wall)</u> | <u>Nil</u>            |

## 8.2 SPECIAL EXCEPTION REGULATIONS – POINTE AU BARIL RESIDENTIAL (PBR)

The regulations contained in Subsection 8.1, General Use Provisions, shall apply to the Special provision use area or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 8.2.

## Section 8-9 - General Residential (GR) Zone

Within a General Residential (GR) Zone, no *person* shall use any land, or *erect, alter* or use any *building* or *structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

### 89.1 General Use Provisions:

#### 8.1.19.1.1 Permitted Uses

##### Main Use:

- Residential use.

##### Accessory Uses:

- Accessory Residential uses;
- A home occupation;
- A Bed and Breakfast.

#### 89.1.2 Permitted Buildings and Structures

- A single, detached dwelling;
- Accessory structures and buildings;

#### 89.1.3 Zone Standards

Any *building* or *structure* permitted under Section 89.1.2 shall comply with the following provisions except as otherwise provided for in Section 5, General Provisions:

|    |                            |                                                                                                                                                                                                                                                 |
|----|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a) | Minimum Lot Frontage       | As existing at the date of passing of this <i>By-law</i> or adjusted through a lot line adjustment as approved through the Planning Act.                                                                                                        |
| b) | Minimum Lot Area           | As existing at the date of passing of this <i>By-law</i> or adjusted through a lot line adjustment as approved through the Planning Act.                                                                                                        |
| c) | Maximum Lot Coverage       | 20%                                                                                                                                                                                                                                             |
| d) | Main dwelling              | i) maximum ground floor area - 80% of the total lot coverage;<br>ii) maximum total floor area - 300 m <sup>2</sup> ;<br>iii) minimum ground floor area - Wards 5 and 6: 1740 m <sup>2</sup><br>Wards 1,2,3 and 4: 1750 m <sup>2</sup>           |
| e) | Minimum Front Yard Setback | 7.5 metres                                                                                                                                                                                                                                      |
| f) | Minimum Side Yard Setback  | 6 metres                                                                                                                                                                                                                                        |
| g) | Minimum Rear Yard Setback  | 6 metres                                                                                                                                                                                                                                        |
| h) | Maximum Height             | Wards 1 (excluding those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station), 5 and 6: 9 metres<br><br>Wards 2, 3, 4 and including those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station: 6 metres |

#### 89.1.4 Provisions for Accessory Uses:

The provisions of Section 89.1 shall apply to *accessory buildings, structures* and *uses*, except as otherwise provided for in Section 5, General Provisions.

## **89.2 SPECIAL EXCEPTION REGULATIONS – GENERAL RESIDENTIAL (GR)**

The regulations contained in Subsection 8.1, General Use Provisions, shall apply to the Special Provision Use area or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 8.2.

### **89.2.1 General Residential Exception 1 (GR-1) GR-1**

Part of Lot 27, Concession 4, being Part 1 of Plan 42R-7764, Parcel 16804 P.S.N.S., in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

#### **89.2.1.1 Permitted Uses, *Buildings* and Structures**

*Buildings* and *structures* permitted for lands zoned GR-1 are limited to the following:

- i) two *single detached dwellings*;
- ii) *accessory structures*.

#### **89.2.1.2 Zone Standards**

The regulations of Section 98.1.3, Zone Provisions, shall apply to the *uses* permitted in the GR-1 Zone, with the exception of the following site specific regulation:

- i) the size of the second *single detached dwelling* shall be limited to 64.2 m<sup>2</sup>.

### **89.2.2 General Residential Exception 2 (GR-2) GR-2**

Part of Lot 29, Concession 4, being Part 5 of Plan 42R-11691, Parcel 17494 P.S.N.S., in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

#### **89.2.2.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 8-9 – General Residential (GR) Zone.

#### **89.2.2.2 Zone Standards**

The regulations of Section 98.1.3, Zone Standards, shall apply to the *uses* permitted in the GR-2 Zone, with the exception of the following site specific regulations:

- i) the minimum *lot* size shall be 1300 m<sup>2</sup>;
- ii) the minimum *lot depth* shall be 24 metres.

### **89.2.3 General Residential Exception 3 (GR-3) GR-3**

Part of Lot 27, Concession 5, being Lots 6, 7, 8, 9 and 10 of Plan 42M-602, in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

#### **89.2.3.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 8-9 – General Residential (GR) Zone.

#### **89.2.3.2 Zone Standards**

The regulations of Section 89.1.3, Zone Standards, shall apply to the *uses* permitted in the GR-3 Zone, with the exception of the following site specific regulation:

- i) the minimum front yard *setback* shall be 2 metres.

### **89.2.4 General Residential Exception 4 (GR-4) GR-4**

Part of Lot 41, Concession 4, being part of the remainder of Part 3 of Plan 42R-3183, in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

#### **89.2.4.1 Permitted Uses, *Buildings* and Structures**

*Buildings* and *structures* permitted for lands zoned GR-4 are limited to the following:

- i) one *single detached dwelling*;
- ii) *accessory buildings and structures*.

#### **89.2.4.2 Zone Standards**

The regulations of Section 89.1.3, Zone Standards, shall apply to the *uses* permitted in the GR-4 Zone, with the exception of the following site specific regulation:

- i) a minimum 60 metre *yard* shall be maintained from adjacent commercial and residential *zone* boundaries.

#### **89.2.5 General Residential Exception 5 (GR-5)**

**GR-5**

Part of Lot 3, Concession 1, being Part 1 on Plan 42R-3464, designated as Parcel 17506 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A', and more particularly on Schedule 'B-32' to this By-law.

##### **89.2.5.1**

##### **Permitted Uses, *Buildings* and Structures**

The uses permitted in Section 89 – General Residential (GR) Zone.

##### **89.2.5.2 Zone Standards**

The regulations of Section 89.1.3, Zone Standards, shall apply to the *uses* permitted in the GR-5 Zone, with the exception of the following site specific regulations:

- i) a *home occupation* is permitted to occupy a maximum floor area of 111 m<sup>2</sup> within an *accessory building*, to be located in the side yard.
- ii) an accessory outdoor storage area for the *home occupation* may be located in the side yard, provided it is behind the front wall of the *accessory building* used for the *home occupation* and provided it occupies an area of no more than 200 m<sup>2</sup>.

#### **98.2.6 General Residential Exception 6 (GR-6)**

**GR-6**

Part of Lot 27, Concession 5, being Parts 1 and 2 on Plan 42R-16272, Part 1 on Plan 42R-18179, Part 4 on Plan 42R-19305, except Part 5 on Plan 42R-19305, including Part 1 on Plan 42R-12906, in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

##### **8.2.6.1 Permitted Uses, *Buildings* and Structures**

The uses permitted in Section 89.1.1 and 89.1.2 – General Residential (GR) Zone.

##### **89.2.6.2 Zone Standards**

The regulations of Section 89.1.3, Zone Standards, shall apply to the *uses* permitted in the GR-6 Zone, with the exception of the following site specific regulation:

- iviii) No uses, buildings, structures or site alteration shall occur in the delineated '15 Metre Setback' area located on the severed lands, as depicted on Schedule 'B-46'.

#### **98.2.7 General Residential Exception 7 (GR-7)**

**GR-7**

Lot 40, Concession 3, being Parcel 21266 PSSS, in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

##### **89.2.7.1 Permitted Uses, *Buildings* and Structures**

The uses permitted in Section 89.1.1 and 89.1.2 – General Residential (GR) Zone.

#### **98.2.7.2 Zone Standards**

The regulations of Section 89.1.3, Zone Standards, shall apply to the *uses* permitted in the GR-7 Zone, with the exception of the following site specific regulations:

- i) Severed Lot #1  
Minimum Lot frontage: 205 metres  
Minimum Lot Area: 8 ha
- ii) Severed Lots # 2 & #3  
Minimum Lot Frontage: 100 metres  
Minimum Lot Area: 2 ha
- iii) Severed #4  
Minimum Lot Frontage: 205 metres  
Minimum Lot Area: 4 ha
- iv) Maximum permitted Height: 9 metres



## Section 9-10 - Marina Commercial (MC) Zone

Within a Marina Commercial (MC) Zone, no *person* shall use any land, or *erect, alter* or use any *building* or *structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

### 109.1 General Use Provisions:

#### 910.1.1 MC - Permitted Uses

**Main Use:**

- *Marina*

**Secondary Uses:**

- *a dormitory, restaurant, construction equipment storage, contractor's yard, custom workshop, or retail store, all permitted in conjunction with a marina*

**Accessory Uses:**

- *Uses, buildings and structures accessory to a Main or Secondary Use*
- *Single detached dwelling or a dwelling unit accessory to a non-residential use in a commercial building.*

#### 910.1.2 Zone Standards

|    |                            |                      |
|----|----------------------------|----------------------|
| a) | Minimum Lot Frontage       | 100m                 |
| b) | Minimum Lot Area           | 1ha                  |
| c) | Maximum Lot Coverage       | 30%                  |
| d) | Minimum Front Yard Setback | 0m 7.5 metres (1)(2) |
| e) | Minimum Side Yard Setback  | 3 metres             |
| f) | Minimum Rear Yard Setback  | 5 metres             |
| g) | Maximum Height             | 15 metres            |

(1) Notwithstanding 10.1.2(d), where the permitted use is a marina, the front yard setback may be 0 metres.

(2) Notwithstanding 10.1.2(d), within Ward 5, where the front lot line abuts a waterway, the minimum front yard setback shall be 15 metres, except where otherwise specified in Section 5.32.

#### 910.1.3 Setback Provisions for Main and Secondary Uses

- i) —
- ii) The minimum side yard setback shall be increased to 6m where an adjoining lot is used for residential purposes or zoned in a Residential Zone.
- iii) —
- iv) Fuel pumps will be located in compliance with Subsection 5.12, 'Fuel Pump Location'.

#### 9.1.4 10.1.4 Provisions for Residential Uses

In the case of a *dwelling unit accessory to a non-residential use* ~~single detached dwelling, a dwelling unit in a commercial building, and a dormitory~~, the following regulations shall apply:

- i) A maximum of two *dwelling units accessory to a non-residential use* may be permitted on one lot for the personal use of the owner, operator or an employee of the commercial use. ~~The dwelling units may either be a single detached dwelling or a residential unit within a commercial building;~~
- ii) ~~All residential units must be serviced by a private water supply and sewage system;~~
- iii) ~~Any residential use permitted in Section 910.1.1, must be accessory to the main commercial use.~~
- iv) ~~The minimum ground floor area of the detached dwelling shall be 50 m<sup>2</sup>~~
- v) ~~The maximum height of the single detached dwelling shall not exceed:~~
  - ~~Wards 1 (excluding those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station), 5 and 6: 9 m~~
  - ~~Wards 2, 3, 4 and including those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station: 6 m.~~
- vi) ~~The minimum front, side, and rear yard for any residential structure or structure containing a residential unit shall be 7.5 metres, 3 metres, and 5 metres, respectively.~~

- vii) ~~Any residential structure or structure containing a residential unit shall not be erected within 3 metres of any other building on the lot.~~
- viii) ~~A dwelling unit in a commercial building must have a minimum total floor area of 35 m<sup>2</sup> up to a maximum total floor area of 300 m<sup>2</sup> for each unit;~~
- ix) ~~—~~
- x) ~~A Maximum Total Floor Area of 300 m<sup>2</sup> for each single detached residence;~~
- xi) ~~ii) A Total Lot Coverage of up to 5% for all residential units is permitted;~~
- xii) ~~iii) A maximum of four units are permitted within a dormitory.~~

## **9.1.5 10.1.5 Accessory Uses**

The MC Zone provisions shall apply to *buildings* and *structures* used for commercial *accessory uses*, except where the regulations of Section 5, General Provisions prescribe regulations for specific *accessory buildings* or *structures*.

## **9.10.2 SPECIAL EXCEPTION REGULATIONS – MARINA COMMERCIAL (MC)**

The regulations contained in Subsection 9.10.1, General Use Provisions, shall apply to the Special provision Use area or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 9.2.

### **9.10.2.1 Marina Commercial (Holding) Exception 1 (MC/H-1) MC/H-1**

Part of Lot 27, Concession 5, being Part of Parcel 4708 P.S.N.S., designated as Parts 11 to 19, 26, 27 and 28 on Plan 42R-14167 and Lot 4 on Plan 42M-602, in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

#### **9.2.1.1 10.2.1.1 Permitted Uses, Buildings and Structures**

The *uses* permitted in Section 10.9 – Marina Commercial (MC) Zone, with the following additional permitted use:

- i) three staff residences.

A sawmill is not a permitted use within the lands zoned MC/H-1.

#### **9.2.1.2 10.2.1.2 Zone Standards**

The regulations of Section 9.10.1.2, Zone Standards, shall apply to the *uses* permitted in the MC/H-1 Zone, with the exception of the following site specific regulations:

- i) Each of three staff residences shall be a maximum of two storeys in height and have a maximum ground floor area of 54 m<sup>2</sup>;
- ii) Council shall not consider a By-law to remove the 'Holding (H)' Provision until such time as the subject lands have been merged in title with the adjacent commercial property, being Part 1 on Plan PSR-133 and Part 1 on Plan 42R-9181, in the geographic Township of Harrison, and until such time as a site plan agreement has been registered on title against the entire commercial properties known as Desmasdon's Boatworks.

### **9.10.2.2 Marina Commercial Exception 2 MC-2**

Part 1 on Plan 42R-19734, on Part of Island 25A, in front of the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

#### **9.2.2.1 10.2.2.1 Permitted Uses, Buildings and Structures**

Those Secondary Uses permitted in Section 9.10.1.1 – Marina Commercial (MC), will be limited to the following:

- i) a dormitory;
- ii) construction equipment storage.

#### **9.2.2.2 10.2.2.2 Zone Standards**

The regulations of Section 9.10.1.2, Zone Standards, shall apply to the *uses* permitted in the MC-2 Zone.

### **9-10.2.3 Marina Commercial Exception 3**

**MC-3**

Part of Lot 21, Concession 9, Parcel 3040 PSSS and Parcel 5717 PSSS, in the geographic Township of Conger, as shown on Schedule 'A', and more particularly on Schedule 'B-43' to this By-law.

#### **9-2.3.1 10.2.3.1 Permitted Uses, Buildings and Structures**

The uses permitted in Section 9-10.1.1 – Marina Commercial (MC) Zone will be limited to the following:

- i) Construction equipment storage, contractor's yard, workshop, retail store, all permitted in conjunction with a marina.
- ii) Uses, buildings and structures accessory to a permitted Main or Secondary Use.
- iii) One dwelling unit with a maximum total floor area of 112 m<sup>2</sup> and a ~~maximum~~ maximum total effluent flow of 2000 litres per day.

#### **9-2.3.2 10.2.3.2 Zone Standards**

The regulations of Section 9-10.1.2, Zone Standards, shall apply to the uses permitted in the MC-3 Zone with the following site specific regulations:

- i) Minimum side yard is 1.5 metres;
- ii) The docking envelope is shown on Schedule 'B-44'.

## Section ~~10~~11 - Resort Commercial (RC) Zone

Within a Resort Commercial (RC) Zone, no *person* shall use any land, or *erect, alter* or use any *building* or *structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

### 110.1 General Use Provisions:

#### ~~10~~11.1.1 Permitted Uses

##### Main Uses:

- Housekeeping Cabins or rental cottages
- *Lodge, motel or hotel*
- *Retail Store*
- *Restaurant*

##### Accessory Uses:

*Uses, buildings or structures* accessory to a Main Use, including but not limited to the following:

- *A dwelling unit accessory to a non-residential use* ~~A single detached dwelling or a dwelling unit in a commercial building that is occupied by the owner or employee of one of the main permitted uses.~~
- *Accessory boat docking, buildings or structures* for boat storage, boat and watercraft rentals and sales, or fuel sales.

#### ~~10~~11.1.2 Zone Standards

|    |                                   |                                                       |
|----|-----------------------------------|-------------------------------------------------------|
| a) | Minimum <i>Lot Frontage</i>       | 100m                                                  |
| b) | Minimum <i>Lot Area</i>           | 1ha                                                   |
| c) | Maximum <i>Lot Coverage</i>       | Total Coverage 20%<br>(further provisions see 10.1.3) |
| d) | Minimum <i>Front Yard Setback</i> | 7.5 <u>metres (1)</u>                                 |
| e) | Minimum <i>Side Yard Setback</i>  | 6.0 <u>metres</u>                                     |
| f) | Minimum <i>Rear Yard Setback</i>  | 5 <u>metres</u>                                       |
| g) | Maximum <i>Height</i>             | 15 <u>metres</u>                                      |

(1) Notwithstanding 11.1.2(d), within Ward 5, where the front lot line abuts a waterway, the minimum front yard setback shall be 15 metres, except where otherwise specified in Section 5.32.

#### ~~10~~11.1.3 Provisions for Resort Commercial Uses

- Expansion limits will be restricted to the following provisions:
  - total number of bedrooms permitted will be up to a maximum of 1 bedroom for each 0.1 ha lot area or 1 bedroom for every 5m of lot frontage;
  - commercial *structures* may be expanded to a maximum of twice the existing floor area in 1995 up to a maximum of 20% lot coverage;
  - the maximum total floor area for each cabin shall be 100 metres square;
  - the maximum height for each cabin shall be:
    - Wards 1 (excluding those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station), 5 and 6 - **9 metres**; and
    - Wards 2, 3, 4 and including those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station - **6-m. metres.**
- Fuel pumps will be located in compliance with Subsection 5.12, 'Fuel Pump Location'.

#### **4011.1.4 Provisions for Residential Uses Permitted in Section 4011.1.1**

In the case of a dwelling unit accessory to a non-residential use ~~single detached dwelling or a dwelling unit in a commercial building~~ the following regulations shall apply:

- a) A maximum of two *dwelling units* may be permitted on one lot for the personal use of the owner, operator or an employee of the non-residential use. ~~The dwelling units may either be a single detached dwelling or a residential unit within a commercial building;~~
- b) ~~All residential units must be serviced by a private water supply and sewage system;~~
- c) ~~Any residential use permitted in Section 1011.1.1, must be accessory to the main commercial use;~~
- d) ~~The minimum ground floor area of the detached dwelling shall be 50 m<sup>2</sup>;~~
- e) ~~The maximum height of the single detached dwelling shall not exceed:~~
  - ~~Wards 1 (excluding those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station), 5 and 6: 9 m~~
  - ~~Wards 2, 3, 4 and including those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station: 6 m.~~
- f) ~~The minimum front, side, and rear yard for any residential structure or structure containing a residential unit shall be 7.5 metres, 3 metres, and 5 metres, respectively;~~
- g) ~~Any residential structure or structure containing a residential unit shall not be erected within 3 metres of any other building on the lot;~~
- h) ~~A dwelling unit in a commercial building must have a minimum total floor area of 35 m<sup>2</sup> up to a maximum total floor area of 300 m<sup>2</sup> for each unit;~~
- i) ~~A Maximum Total Floor Area of 300 m<sup>2</sup> for each single detached residence;~~
- j)e) A Total Lot Coverage of up to 5% for all residential units is permitted.

#### **4011.1.5 Non- Residential Accessory Uses**

The RC Zone provisions shall apply to *buildings* and *structures* used for *accessory uses*, except where the regulations of Section.5, General Provisions prescribes regulations for specific *accessory buildings* or *structures*.

#### **4011.2 SPECIAL EXCEPTION REGULATIONS – RESORT COMMERCIAL (RC)**

The regulations contained in Subsection 10.1, General Use Provisions, shall apply to the Special provision Use area or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 4011.2.

##### **4011.2.1 Resort Commercial Exception 2 (RC-2)**

**RC-2**

Part of Lot 24, Concession 10, being Parcel 6356 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

##### **4011.2.1.1 Permitted Uses, Buildings and Structures**

The *uses* permitted in Section 40-11 – Resort Commercial (RC) Zone, with the following additional permitted *use*:

- i) a maximum of 3 *trailer and/or tent sites*.

##### **4011.2.1.2 Zone Standards**

The regulations of Section 4011.1.2, Zone Standards, shall apply to the *uses* permitted in the RC-2 Zone.

(Note: Holding removed by By-law Amendment A2076-16)

##### **4011.2.2 Resort Commercial Exception 3 (RC-3)**

**RC-3**

Part of Lot 45, Concession 11, being Part of Lot 19 and Lot 20 of Plan M63, Part 1 of Plan 42R-14296, Part 1 of Plan 42R-14301, Parcels 5123, 9731 and 18673 P.S.N.S., in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

##### **4011.2.2.1 Permitted Uses, Buildings and Structures**

The *uses* permitted in Section 40-11 – Resort Commercial (RC) Zone, with the following additional permitted *use*:

- ii) a maximum of 8 trailer and/or tent sites;
- iii) a maximum of one mobile home.

#### **4011.2.2.2 Zone Standards**

The regulations of Section 10.1.2, Zone Standards, shall apply to the *uses* permitted in the RC-3 Zone.

#### **4011.2.3 Resort Commercial Exception 4 (RC-4)**

**RC-4**

Part of Lots 33 and 34, Concession 10, being Parcel 5089 P.S.N.S., in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

##### **4011.2.3.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 40-11 – Resort Commercial (RC) Zone, with the following additional permitted *use*:

- i) a maximum of 30 *trailer and/or tent sites*.

#### **4011.2.3.2 Zone Standards**

The regulations of Section 40-11.1.2, Zone Standards, shall apply to the *uses* permitted in the RC-4 Zone.

#### **4011.2.4 Resort Commercial Exception 5 (RC-5)**

**RC-5**

Part of Lot 27, Concession 5, being Part 1 and part of Part 2 of Plan 42R-6131, Part 4 of Plan 42R-6083, Part 1 of Plan 42R-8129, Part of Parcel 9855 P.S.N.S., in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law. (SEE SECTION 6.2.71 – COASTAL/ISLAND RESIDENTIAL EXCEPTION 71 (CR-71-H))

##### **4011.2.4.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 40-11 – Resort Commercial (RC) Zone, with the following additional permitted *use*:

- i) a maximum of 9 *trailer and/or tent sites*.

#### **4011.2.4.2 Zone Standards**

The regulations of Section 40-11.1.2, Zone Standards, shall apply to the *uses* permitted in the RC-5 Zone.

#### **110.2.5 Resort Commercial Exception 6 (RC-6)**

**RC-6**

Part of Lot 11, Concession 11, being Part 1 of Plan 42R-14497, designated as Parcel 26601 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

##### **101.2.5.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 40-11 – Resort Commercial (RC) Zone, with the following additional permitted *use*:

- i) a maximum of 4 rental cottages.

#### **4011.2.5.2 Zone Standards**

The regulations of Section 110.1.2, Zone Standards, shall apply to the *uses* permitted in the RC-6 Zone, with the exception of the following regulations:

- i) the minimum *lot* size shall be 0.2 hectares;
- ii) the minimum *lot frontage* shall be 60 metres.

#### **4011.2.6 Resort Commercial Exception 7 (RC-7)**

**RC-7**

Part of Lot 41, Concession 4, Part 4 of Plan 42R-3183, being the remainder of Parcel 18563 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

##### **4011.2.6.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in the RC-7 Zone are limited to the following:

- i) a ten unit motel;
- ii) a restaurant;
- iii) one single detached dwelling;
- iv) *accessory buildings and structures*.

#### **4011.2.6.2 Zone Standards**

The regulations of Section 4011.1.2, Zone Standards, shall apply to the uses permitted in the RC-7 Zone, with the exception of the following site specific regulations:

- i) a maximum lot coverage of 600 m<sup>2</sup>;
- ii) a maximum height of 10 metres;
- iii) a minimum yard of 10 metres from the inner limit of Part 5 of Plan 42R-3183;
- iv) all other yards are to be a minimum of 3 metres;
- v) a minimum of 15 vehicle parking spaces is to be provided.

#### **4011.2.7 Resort Commercial - Exception 8 (RC-8)**

#### **RC-8**

239 South Shore Road, Pointe au Baril, also known as Part Lot 31, Concession 4, being Part 9 of PSR-135 and Parcel 8506 P.S.N.S., in the geographic Township of Harrison, as shown on Schedule 'A', and more particularly on Schedule 'B-28' to this By-law.

##### **4011.2.7.1 Permitted Uses, *Buildings* and *Structures***

Those uses, *buildings* and *structures* permitted under Section 4011.1 – Resort Commercial (RC) Zone will be limited to the following uses:

- i) 1 main residence;
- ii) 1 boathouse;
- iii) *accessory buildings*;
- iv) a maximum of 10 housekeeping cottages.

##### **4011.2.7.2 Zone Standards**

The regulations of Section 4011.1.2 – Zone Standards and 4011.1.3 – Provisions for Resort Commercial Uses, shall apply to the uses permitted in the RC-8 Zone with the addition of the following regulations:

- i) permitted Total Lot Coverage of 4,200 m<sup>2</sup> (12,917 ft<sup>2</sup>);
- ii) the total of 22 bedrooms permitted within the housekeeping cottages.

## Section 11-12 - Marina/Resort Commercial (MRC) Zone

Within a Marina/Resort Commercial (MRC) Zone, no *person* shall use any land, or *erect, alter* or use any *building* or *structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

### 11-12.1 General Use Provisions

#### 11-12.1.1 Permitted Uses

##### Main Uses:

- *Marina*;
- Housekeeping Cabins or rental cottages;
- *Lodge, motel* or *hotel*.

##### Secondary Uses:

- a *dormitory, restaurant, construction equipment storage, contractor's yard, custom workshop, or retail store*, all permitted in conjunction with a *marina*.

##### Accessory Uses:

Uses, buildings or structures accessory to a Main Use, including but not limited to the following:

- *Dwelling unit accessory to a non-residential use*. ~~A single detached dwelling or a dwelling unit in a commercial building that is occupied by the owner or employee of one of the main permitted uses.~~

#### 11-12.1.2 Zone Standards

|    |                                   |                                                             |
|----|-----------------------------------|-------------------------------------------------------------|
| a) | Minimum <i>Lot Frontage</i>       | 100m                                                        |
| b) | Minimum <i>Lot Area</i>           | 1ha                                                         |
| c) | Maximum <i>Lot Coverage</i>       | Total Coverage 20%<br>(further provisions see<br>11-12.1.3) |
| d) | Minimum <i>Front Yard Setback</i> | 7.5 m- <del>etres</del> (1)(2)                              |
| e) | Minimum <i>Side Yard Setback</i>  | 6.0 <del>metres</del>                                       |
| f) | Minimum <i>Rear Yard Setback</i>  | 5 <del>metres</del>                                         |
| g) | Maximum <i>Height</i>             | 15 <del>metres</del>                                        |

(1) *Notwithstanding 12.1.2(d), where the permitted use is a marina, the front yard setback may be 0 metres.*

(2) *Notwithstanding 12.1.2(d), within Ward 5, where the front lot line abuts a waterway, the minimum front yard setback shall be 15 metres, except where otherwise specified in Section 5.32.*

#### 11-12.1.3 Provisions for Resort Commercial Uses

- Expansion limits will be restricted to the following provisions:
  - total number of bedrooms permitted will be up to a maximum of 1 bedroom for each 0.1 ha lot area or 1 bedroom for every 5m of lot frontage;
  - commercial *structures* may be expanded to a maximum of twice the existing floor area in 1995 up to a maximum of 20% lot coverage;
  - the maximum total floor area for each cabin shall be 100 metres square;
  - the maximum height for each cabin shall be:
    - Wards 1 (excluding those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station), 5 and 6 - 9 ~~metres~~; and
    - Wards 2, 3, 4 and including those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station - 6 ~~m-~~ ~~metres~~.
- Fuel pumps will be located in compliance with Subsection 5.12, 'Fuel Pump Location'.



#### ~~44.1.4~~ **12.1.4 Provisions for Residential Uses Permitted in Section 44** ~~12.1.1~~

In the case of a dwelling unit accessory to a non-residential use or a dormitory ~~single detached dwelling or a dwelling unit in a commercial building~~ the following regulations shall apply:

- i. A maximum of two *dwelling units* may be permitted on one lot for the personal use of the owner, operator or an employee of the commercial use. ~~The dwelling units may either be a single detached dwelling or a residential unit within a commercial building;~~
- a) ~~All residential units must be serviced by a private water supply and sewage system;~~
- b) ~~Any residential use permitted in a) above, must be accessory to the main commercial use;~~
- c) ~~The minimum ground floor area of the single detached dwelling shall be 50 m<sup>2</sup>;~~
- d) ~~The maximum height of the single detached dwelling shall not exceed:~~
  - ~~Wards 1 (excluding those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station), 5 and 6: 9 m~~
  - ~~Wards 2, 3, 4 and including those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station: 6 m.~~
- f) ~~The minimum front, side, and rear yard for any residential structure or structure containing a residential unit shall be 7.5 metres, 3 metres, and 5 metres, respectively;~~
- g) ~~Any residential structure or structure containing a residential unit shall not be erected within 3 metres of any other building on the lot;~~
- h) ~~A dwelling unit in a non-residential building must have a minimum total floor area of 35 m<sup>2</sup> up to a maximum total floor area of 300 m<sup>2</sup> for each unit;~~
- i) ~~A Maximum Total Floor Area of 300 m<sup>2</sup> for each single detached residence;~~
- ii. j) ~~A Total Lot Coverage of up to 5% for all residential units is permitted;~~
- iii. k) ~~A maximum of 10 bedrooms are permitted within a dormitory.~~

#### **44** ~~12.1.5~~ **Non- Residential Accessory Uses**

The MRC Zone provisions shall apply to *buildings* and *structures* used for *accessory uses*, except where the regulations of Section 5, General Provisions prescribes regulations for specific *accessory buildings* or *structures*.

#### **44** ~~12.2~~ **SPECIAL EXCEPTION REGULATIONS – MARINA/RESORT COMMERCIAL (MRC)**

The regulations contained in Subsection 44 ~~12.1~~, General Use Provisions, shall apply to the Special Provision Use area or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection ~~44~~ ~~12.2~~.

##### **44** ~~12.2.1~~ **Marina/Resort Commercial Exception 1 (MRC-1)**

**MRC-1**

Part of Lots 12 and 13, Concession 12, designated as Parcels 11146, 6536 and 21640 P.S.S.S., including Parts 6 and 7 of Plan 42R-4777 and Parts 1, 3, 7 to 18, and remainder of Parts 19 to 21 of Plan 42R-9126, in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

##### ~~44~~ ~~12.2.1.1~~ **Permitted Uses, Buildings and Structures**

The *uses* permitted in Section 44 ~~12~~– Marina/Resort Commercial (MRC) Zone, with the following additional permitted *use*:

- i) a maximum of 33 *trailer and/or tent sites*.

##### **44** ~~12.2.1.2~~ **Zone Standards**

The regulations of Section 44 ~~12.1.2~~, Zone Standards, shall apply to the *uses* permitted in the MRC-1 Zone.

## **4412.2.2 Marina/Resort Commercial Exception 2 (MRC-2)**

**MRC-2**

Part of Lot 41, Concession 4, being the remainder of Part 3 of Plan 42R-3183 and Part 9 of Plan 42R-9062, remainder of Parcel 18562 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

### **4412.2.2.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 14 – Marina/Resort Commercial (MRC) Zone, with the following additional permitted *use*:

- i) a maximum of 29 *trailer and/or tent sites*.

### **4412.2.2.2 Zone Standards**

The regulations of Section 4412.1.2, Zone Standards, shall apply to the *uses* permitted in the MRC-2 Zone.

## **4412.2.3 Marina/Resort Commercial Exception 3 (MRC-3)**

**MRC-3**

Part of Lot 41, Concession 4, being Part 1 of Plan PSR-809, Part 7 of Plan 42R-3183 and Part 10 of Plan 42R-9062, Parcel 11869 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

### **4412.2.3.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 4412 – Marina/Resort Commercial (MRC) Zone, with the following additional permitted *use*:

- i) a maximum of 2 *trailer and/or tent sites*.

### **4412.2.3.2 Zone Standards**

The regulations of Section 4412.1.2, Zone Standards, shall apply to the *uses* permitted in the MRC-3 Zone.

## **4412.2.4 Marina/Resort Commercial Exception 4 (MRC-4)**

**MRC-4**

Part of Lot 41, Concession 3, being Part 7 of Plan PSR-16, Part 10 of Plan PSR-65, Part 1 of Plan PSR-102 and Part 7 of Plan 42R-8110, Parcels 11994, 11995, 11030 and 22048 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

### **4412.2.4.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 14 – Marina/Resort Commercial (RC) Zone, with the following additional permitted *use*:

- i) a maximum of 8 *trailer and/or tent sites*.

### **4412.2.4.2 Zone Standards**

The regulations of Section 4412.1.2, Zone Standards, shall apply to the *uses* permitted in the MRC-4 Zone.

## **4412.2.5 Marina/Resort Commercial Exception 5 (MRC-5)**

**MRC-5**

Part of Lot 41, Concession 4, being Part 1 of Plan 42R-5851 and Part 12 of Plan 42R-9062, in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

### **4412.2.5.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 4412 – Marina/Resort Commercial (MRC) Zone, with the following additional permitted *use*:

- i) a maximum of 4 *trailer and/or tent sites*.

### **4412.2.5.2 Zone Standards**

The regulations of Section 4412.1.2, Zone Standards, shall apply to the *uses* permitted in the MRC-5 Zone.

#### **4412.2.6 Marina/Resort Commercial Exception 6 (MRC-6)**

**MRC-6**

Part of Lot 31, Concessions 8 and 9, being Parts 1 to 11 of Plan 42R-9727, Parcel 6299 P.S.N.S., in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

##### **4412.2.6.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 4412 – Marina/Resort Commercial (MRC) Zone, with the following additional permitted *use*:

- i) a maximum of 14 *trailer and/or tent sites*.

##### **4412.2.6.2 Zone Standards**

The regulations of Section 4412.1.2, Zone Standards, shall apply to the *uses* permitted in the MRC-6 Zone.

#### **4412.2.7 Marina/Resort Commercial Exception 7 (MRC-7)**

**MRC-7**

Part of Lot 11, Concession 6, designated as Parcel 5186 P.S.S.S., in the geographic Township of Shawanaga, as shown on Schedule 'A' to this By-law.

##### **4412.2.7.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 4412 – Marina/Resort Commercial (MRC) Zone, with the following additional permitted *use*:

- i) a maximum of 30 *trailer and/or tent sites*.

##### **4412.2.7.2 Zone Standards**

The regulations of Section 4412.1.2, Zone Standards, shall apply to the *uses* permitted in the MRC-7 Zone.

#### **4412.2.8 Marina/Resort Commercial Exception 8 (MRC-8)**

**MRC-8**

Part Island B321 (Fryingpan Island) being Parts 2 & 3 of RP 42R-2593 and Part 4 of RP 42R-10587, Parcel 5698 P.S.S.S, as shown on Schedule 'A' to this By-law.

##### **4412.2.8.1 Permitted Uses, *Buildings* and Structures**

The *uses, buildings and structures* permitted in the MRC-8 Zone are limited to the following:

- i) 119 person licensed *restaurant*;
- ii) *accessory uses and storage buildings*;
- iii) docking areas.

##### **4412.2.8.2 Zone Standards**

The regulations of Section 4412.1.2, Zone Standards, shall apply to the *uses* permitted in the MRC-8 zone, except for the following:

- i) all *dock structures* shall maintain a six metre *side yard setback*;
- ii) the total docking shall not exceed 273 lineal metres.

#### **4412.2.9 Marina/Resort Commercial Exception 9 (MRC-9)**

**MRC-9**

Part of Island B55, being Part 2 of PSR-2170, in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

##### **4412.2.9.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 4412 – Marina/Resort Commercial Zone (MRC), with the following additional permitted *uses*:

- i) Main Uses shall include: construction equipment storage; contractor's yard; custom workshop; light industrial.

##### **4412.2.9.2 Zone Standards**

| The regulations of Section 44<sup>12</sup>.1.3, Zone Standards, and Section 44<sup>12</sup>.1.4, Provisions for Accessory Uses, shall apply to the uses permitted in the MRC-9 Zone.

## Section 12-13 - Pointe au Baril Commercial (PBC) Zone

Within a Pointe au Baril Commercial (PBC) Zone, no *person* shall use any land, or *erect, alter* or use any *building* or *structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

### 12-13.1 General Use Provisions:

#### 12-13.1.1 Permitted Uses

##### Main Uses, Buildings and Structures:

- *Business Office or Professional Office*
- *Medical or Veterinary Clinic*
- *Contractor's Yard or Custom Workshop*
- *Commercial Vehicle Parking*
- *Building Supply Establishment*
- *Retail Store*
- *Laundromat*
- *Restaurant, Tavern or Snack Bar*
- *Service Shop*
- *Equipment sales and rentals*
- *Snowmobile Sales and Service Establishment*
- *Warehouse or Storage Use*
- *Tourist Information Booth*
- *Boat docking, buildings or structures* for boat storage, boat and watercraft rentals and sales, or fuel sales
- *Hotel, motel, housekeeping and rental cottages.*

##### Accessory Uses:

- *A dwelling unit accessory to a non-residential use* ~~single detached dwelling or dwelling unit in a commercial building~~ that is occupied by the owner or employee of one of the main permitted uses.

#### 12-13.1.2 Zone Standards

|    |                                   |                   |
|----|-----------------------------------|-------------------|
| a) | Minimum <i>Lot Frontage</i>       | 60 <i>metres</i>  |
| b) | Minimum <i>Lot Area</i>           | 0.4 ha            |
| c) | Maximum <i>Lot Coverage</i>       | 20%               |
| d) | Minimum <i>Front Yard Setback</i> | 7.5 <i>metres</i> |
| e) | Minimum <i>Side Yard Setback</i>  | 6 <i>metres</i>   |
| f) | Minimum <i>Rear Yard Setback</i>  | 5 <i>metres</i>   |
| g) | Maximum <i>Height</i>             | 15 <i>metres</i>  |

#### 12-13.1.3 Provisions for Residential Uses

In the case of a *dwelling unit accessory to a non-residential use* ~~single detached dwelling or a dwelling unit in a commercial building~~ the following regulations shall apply:

- a) A maximum of two *dwelling units* may be permitted on one lot for the personal use of the owner, operator or an employee of the commercial use. ~~The dwelling units may either be a single detached dwelling or a residential unit within a commercial building;~~
- b) ~~Any residential use permitted in a) above, must be accessory to the main commercial use on the lot;~~
- c) ~~All residential units must be serviced by a private water supply and sewage system;~~
- d) ~~Minimum ground floor area of the single detached dwelling shall be 50 m<sup>2</sup>;~~
- e) ~~The maximum height of the single detached dwelling shall not exceed 9 metres;~~
- f) ~~The minimum front yard for the single detached dwelling shall be 7.5 metres;~~  
~~The minimum side yard and rear yard for the single detached dwelling shall be 6 metres;~~
- g) ~~The single detached dwelling shall not be erected within 3 metres of any other building on the lot;~~

~~h) A dwelling unit in a commercial building must have a minimum total floor area of 35 m<sup>2</sup>;~~

~~i. A Total Lot Coverage of up to 5% for all residential units is permitted;~~

~~Maximum of 5% of the Lot Area or a Maximum Total Floor Area of 300 m<sup>2</sup> for a single detached dwelling, whichever is the lesser.~~

#### **4213.1.4 Provisions for Hotel, Motel, Housekeeping and Rental Cottages:**

- i) Expansion limits will be restricted to the following provisions:
  - a) total number of bedrooms permitted will be up to a maximum of 1 bedroom for each 0.1 ha lot area or 1 bedroom for every 5m of lot frontage;
  - b) commercial structures may be expanded to a maximum of twice the existing floor area in 1995 up to a maximum of 20% lot coverage;
  - c) the maximum total floor area for each cabin shall be 100 metres square;
  - d) the maximum height for each cabin shall be:
    - i) Wards 1 (excluding those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station), 5 and 6 - 9 metres; and
    - ii) Wards 2, 3, 4 and including those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station - 6 metres.
  - ii) Fuel pumps will be located in compliance with Subsection 5.12, 'Fuel Pump Location'.

#### **4213.1.5 Non-Residential Accessory Uses**

The PBC Zone provisions shall apply to *buildings* and *structures* used for *accessory uses*, except where the regulations of Section 5, General Provisions prescribes regulations for specific *accessory buildings* or *structures*.

#### **4213.2 SPECIAL EXCEPTION REGULATIONS – POINTE au BARIL COMMERCIAL (PBC)**

The regulations contained in Subsection 4213.1, General Use Provisions, shall apply to the Special Provision Use area or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 4213.2.

##### **4213.2.1 Pointe au Baril Commercial Exception 1 (PBC-1) PBC-1**

Part of Lot 28, Concession 5, being Lot 13 of Plan M-602, designated as Parcel 18491 P.S.N.S., in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

##### **4213.2.1.1 Permitted Uses**

Uses permitted for lands zoned PBC-1 are limited to the following:

- i) *boat* storage.

##### **4213.2.1.2 Zone Standards**

The regulations of Section 4213.1.2, Zone Standards, shall apply to the *uses* permitted in the PBC-1 Zone, with the exception of the following site specific provision:

- i) any area used for *boat* storage shall be set back a minimum distance of 30 metres from the *front lot line* and 10 metres from the *rear* and *side lot lines*.

Part of Lot 25, Concession 4, being Parcel 3747 PSNS, in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

**4213.2.2.1 Permitted Uses, Buildings and Structures**

Uses permitted for lands zoned PBC-2 are limited to the following:

- i) Business Office or Professional Office
- ii) Contractor's Yard or Custom Workshop
- iii) Commercial Vehicle Parking
- iv) Retail Store
- v) Restaurant, Tavern or Snack Bar
- vi) Service Shop
- vii) Equipment sales and rentals
- viii) Snowmobile Sales and Service Establishment
- ix) Warehouse or Storage Use
- x) Tourist Information Booth
- xi) Boat docking, buildings or structures for boat storage, boat and watercraft rentals and sales, or fuel sales.

**4213.2.2.2 Zone Standards**

The regulations of Section 4213.1.2, Zone Standards, shall apply to the uses permitted in the PBC-2 Zone, with the exception of the following site specific regulations:

- i) The minimum lot frontage shall be 30 metres.
- ii) The minimum lot area shall be 0.2 hectares.

## Section 13-14 - General Employment Industrial Commercial (E~~IC~~IC) Zone

Within a General Employment Industrial Commercial (E~~IC~~IC) Zone, no *person* shall use any land, or *erect, alter* or use any *building* or *structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

### ~~12.2~~14.1 13.1 General Use Provisions:

#### ~~13~~14.1.1 Permitted Uses

##### Main Uses:

- *Light Industrial Use*
- *Medical or veterinary clinic*
- *Professional Office or Business Office*
- *Contractors Yard or Custom Workshop*
- *Equipment Sales and Rentals*
- *Commercial Vehicle Parking*
- *Building Supply Establishment*
- *A Financial Institution or Bank*
- *Retail Store*
- *Snowmobile Sales and Service Establishment*
- *Warehouse or Storage Use*
- *Motor Vehicle Gasoline Bar or Service Station*
- *Tavern*
- *Restaurant*
- *Drive Through Restaurant*
- *Boat docking, buildings or structures for boat storage, boat and watercraft rentals and sales, or fuel sales.*

##### Accessory Uses:

- *A dwelling unit accessory to a non-residential use* ~~One single detached dwelling or one dwelling unit in a non-residential building that is occupied by the owner or employee of one of the main permitted uses.~~

#### 13.1.2 Zone Standards

|    |                                   |                   |
|----|-----------------------------------|-------------------|
| a) | Minimum <i>Lot Frontage</i>       | 100 <u>metres</u> |
| b) | Minimum <i>Lot Area</i>           | 0.4 ha            |
| c) | Maximum <i>Lot Coverage</i>       | 20%               |
| d) | Minimum <i>Front Yard Setback</i> | 7.5 m <u>(1)</u>  |
| e) | Minimum <i>Side Yard Setback</i>  | 6.0 <u>metres</u> |
| f) | Minimum <i>Rear Yard Setback</i>  | 5 <u>metres</u>   |
| g) | Maximum <i>Height</i>             | 15 <u>metres</u>  |

- (1) Notwithstanding 14.1.2(d), within Ward 5, where the front lot line abuts a waterway, the minimum front yard setback shall be 15 metres, except where otherwise specified in Section 5.32.



### **4314.1.3 Provisions for Residential Uses**

In the case of a ~~single detached dwelling or a dwelling unit~~ accessory to a non-residential use the following regulations shall apply:

- i. ~~A maximum of two~~ one dwelling units may be permitted on one lot for the personal use of the owner, operator or an employee of the commercial use. ~~The dwelling units may either be a single detached dwelling or a residential unit within a commercial building;~~
- ii. A Total Lot Coverage of up to 5% for all residential units is permitted;
  - i. ~~—~~
  - ii. ~~Any residential use permitted in a) above, must be accessory to the main commercial use on the lot;~~
  - iii. ~~All residential units must be serviced by a private water supply and sewage system;~~
  - iv. ~~Minimum ground floor area of the single detached dwelling shall be 50 m<sup>2</sup>;~~
  - v. ~~The maximum height of the single detached dwelling shall not exceed:~~
    - ~~— Wards 1 (excluding those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station), 5 and 6: 9 m~~
    - ~~— Wards 2, 3, 4 and including those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station: 6 m;~~
  - vi. ~~The minimum front yard for the single detached dwelling shall be 7.5 metres;~~
  - vii. ~~The minimum side yard and rear yard for the single detached dwelling shall be 6 metres;~~
  - viii. ~~The single detached dwelling shall not be erected within 3 metres of any other building on the lot;~~
  - ix. ~~A dwelling unit in a commercial building must have a minimum total floor area of 35 m<sup>2</sup>;~~
  - x. ~~Maximum of 5% of the Lot Area or a Maximum Total Floor Area of 300 m<sup>2</sup> for a single detached dwelling, whichever is the lesser.~~

### **14.1.4 Non-Residential Accessory Uses**

The ~~EG~~ IC Zone provisions shall apply to *buildings* and *structures* used for *accessory uses*, except where Section 5, General Provisions prescribes regulations for specific *accessory buildings* or *structures*.

## Section 1415 - Contractor Commercial (CC) Zone

Within a Contractor Commercial (CC) Zone, no *person* shall use any land, or *erect, alter* or use any *building* or *structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

### 1415.1 General Use Provisions:

#### 1415.1.1 Permitted Uses

##### Main Uses:

- Contractor's yard
- Custom Workshop
- Boat docking, buildings or structures for boat storage, boat and watercraft rentals and sales, or fuel sales.

##### Accessory Uses:

Uses, buildings or structures accessory to a Main Use, including but not limited to the following:

- A dwelling unit accessory to a non-residential use ~~One single detached dwelling or one dwelling unit in a non-residential building that is occupied by the owner or employee of one of the main permitted uses.~~
- Accessory docking facilities.

#### 1415.1.2 Zone Standards

|    |                            |                 |
|----|----------------------------|-----------------|
| a) | Minimum Lot Frontage       | 30 metres       |
| b) | Minimum Lot Area           | 0.5 ha          |
| c) | Maximum Lot Coverage       | 20%             |
| d) | Minimum Front Yard Setback | See 1415.1.4 a) |
| e) | Minimum Side Yard Setback  | See 1415.1.4 b) |
| f) | Minimum Rear Yard Setback  | 5 metres        |
| g) | Maximum Height             | 15 metres       |

#### 1415.1.3 Non-Residential Accessory Uses

The CC Zone provisions shall apply to *buildings* and *structures* used for *accessory uses*, except where Section 5, General Provisions prescribes regulations for specific *accessory buildings* or *structures*.

#### 1415.1.4 Provisions for Contractor Commercial Uses

- a) The minimum **front yard setback** shall be as follows:
- ~~Buildings or structures that do not exceed 6-9 metres shall be subject to a 7.5 metre minimum front yard setback;~~
  - ~~Buildings or structures that are more than 6 metres but less than 9 metres in height shall have a minimum front yard setback of 9 metres;~~
  - ~~Buildings or structures that are more than 9 metres in height shall have a minimum front yard setback of 12 metres.~~
  - Notwithstanding the above, within Ward 5, where the front lot line abuts a waterway, the minimum front yard setback shall be 15 metres, except where otherwise specified in Section 5.32.
- b) The minimum **side yard setback** shall be as follows:
- ~~Buildings or structures that do not exceed 6 metres shall be subject to a 3 metre minimum side yard setback;~~
  - ~~Buildings or structures that are more than 6 metres but less than 9 metres in height shall have a minimum side yard setback of 6 metres;~~
  - ~~Buildings or structures that are more than 9 metres in height shall have a minimum side yard setback of 9 metres.~~

#### **44.1.5 15.1.5 Provisions for Residential Uses Permitted in Section 44.1.1**

In the case of a dwelling unit accessory to a non-residential use ~~single detached dwelling~~ or a ~~dwelling unit~~ the following regulations shall apply:

- i. A maximum of one dwelling units may be permitted on one lot for the personal use of the owner, operator or an employee of the commercial use; A maximum of one dwelling unit may be permitted on a lot; A
- ii. Total Lot Coverage of up to 5% for all residential units is permitted.

- i. ~~Any residential use permitted in Section 14.1.1, must be accessory to the main commercial use on the lot;~~
- ii. ~~Minimum ground floor area of the detached dwelling shall be 50 m<sup>2</sup>;~~
- iii. ~~The maximum height of the single detached dwelling shall not exceed:~~
  - ~~Wards 1 (excluding those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station), 5 and 6: 9 m;~~
  - ~~Wards 2, 3 4 and including those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station: 6 m;~~
- iv. ~~The minimum front, side, and rear yard for the single detached dwelling shall be 7.5 metres, 3 metres, and 6 metres, respectively;~~
- v. ~~The single detached dwelling shall not be erected within 3 metres of any other building on the lot;~~
- vi. ~~A dwelling unit in a non-residential building must have a minimum total floor area of 35 m<sup>2</sup>;~~
- vii. ~~Maximum of 5% of the Lot Area or a Maximum Total Floor Area of 300 m<sup>2</sup> for a single detached dwelling, whichever is the lesser.~~

#### **44.1.5 15.2 SPECIAL EXCEPTION REGULATIONS – CONTRACTOR COMMERCIAL (CC)**

The regulations contained in Subsection 44.1.5.1, General Use Provisions, shall apply to the Special provision Use area or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 44.1.5.2

##### **44.1.5.2.1 Contractor Commercial Exception 1 (CC-1)**

**CC-1**

Part of Lot 43, Concession 10, designated as Parcel 5727 P.S.N.S., in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

##### **44.1.5.2.1.1 Uses Permitted**

The uses permitted in Section 44.1.5 – Contractor Commercial (CC) Zone.

##### **44.1.5.2.1.2 Zone Standards**

The regulations of Section 44.1.5.1.2, Zone Standards, shall apply to the uses permitted in the CC-1 Zone, with the exception of the following site specific regulation:

- i) a total lot coverage of 1,020 m<sup>2</sup> is permitted.

## Section 1516 - Private Club (PC) Zone

Within a Private Club Commercial (PC) Zone, no *person* shall use any land, or *erect, alter* or use any *building* or *structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

### 1516.1 General Use Provisions:

#### 15.1.416.1.1 Permitted Uses

##### Main Uses:

The following uses for members of the private club and guests:

- A retail store
- A dining hall
- A lodge
- A private recreational facility
- A private club recreational facility
- Boat docking, buildings or structures for boat storage, boat and watercraft rentals and sales, or fuel sales.

##### Accessory Uses:

Buildings, structures and uses accessory to a Main Use including but not limited to the following:

- A dwelling unit accessory to a non-residential use ~~One single detached dwelling or one dwelling unit in a non-residential building that is occupied by the owner or employee of one of the main permitted uses.~~

#### 1516.1.2 Zone Standards

|    |                                     |            |
|----|-------------------------------------|------------|
| a) | Minimum Lot Frontage                | 100 metres |
| b) | Minimum Lot Area                    | 2 ha       |
| c) | Maximum Lot Coverage                | 20%        |
| d) | Minimum Front Yard Setback          | 7.5 m (1)  |
| e) | Minimum Side Yard Setback           | 6 m        |
| f) | Minimum Rear Yard Setback           | 6 m        |
| g) | Maximum Building Height (Main)      | 15 m       |
| h) | Maximum Building Height (Accessory) | 6 m        |

(1) Notwithstanding 1516.1.2(d), within Ward 5, where the front lot line abuts a waterway, the minimum front yard setback shall be 15 m, except where otherwise specified in Section 5.32.

#### 15.1.316.1.3 Provisions for Private Club Uses

The minimum *side yard setback* shall be increased to 6 metres where an adjoining *lot* is used for residential purposes or zoned in a Residential Zone.

#### 15.1.416.1.4 Provisions for Residential Uses permitted in Section 1516.1.1:

In the case of a dwelling unit accessory to a non-residential use ~~single detached dwelling or a dwelling unit~~ the following regulations shall apply:

- A maximum of one dwelling units may be permitted on one lot for the personal use of the owner, operator or an employee of the commercial use; A
- Total Lot Coverage of up to 5% for all residential units is permitted.
  - ~~A maximum of one dwelling unit may be permitted on a lot;~~
  - ~~Any residential use permitted in Section 15.1.1, must be accessory to the main private club use on the property;~~
  - ~~Minimum ground floor area of the detached dwelling shall be 50 m<sup>2</sup>;~~
  - ~~The maximum height of the single detached dwelling shall not exceed:~~
    - ~~Wards 1 (excluding those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station), 5 and 6:~~  
**9 m;**

- ~~— Wards 2, 3 4 and including those lands fronting Sturgeon Bay that are outside of Pointe au Baril Station: **6 m**;~~
- ~~e) The minimum *front, side and rear yard* for the *single detached dwelling* shall be 7.5 metres, 3 metres, and 6 metres, respectively;~~
- ~~f) The *single detached dwelling* shall not be erected within 3 metres of any other *building* on the *lot*;~~
- ~~g) A *dwelling unit* in a non-residential *building* must have a minimum total floor area of 35 m<sup>2</sup>;~~
- ~~h) Maximum of 5% of Total *Ground Floor Area* to a Maximum *Total Floor Area* of 300 m<sup>2</sup> for a *single detached dwelling*.~~

## **4516.2 SPECIAL EXCEPTION REGULATIONS - PRIVATE CLUB (PC)**

The regulations contained in Subsection 4516.1, General Use Provisions, shall apply to the Special Provision Use area or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 4516.2.

### **4516.2.1 Private Club Exception 1 (PC-1)**

**PC-1**

Island B601 (Good Cheer Island), in front of the geographic Township of Cowper, as shown on Schedule 'A' to this By-law.

#### **4516.2.1.1 Permitted Uses**

Uses permitted for lands zoned PC-1 are limited to the following:

- i) eight *single detached dwellings*;
- ii) *accessory buildings and structures* associated with each of the *dwelling units*.
- iii) 14 *sleeping cabins*, one of which has an existing size of 68.3 m<sup>2</sup>

#### **4516.2.1.2 Zone Standards**

The regulations of Section 4516.1.2, Zone Standards, shall apply to the *uses* permitted in the PC-1 Zone, with the exception of the following site specific provisions:

- i) any relocated *dwelling unit* shall be a minimum of 50 metres from any other *dwelling unit*;
- ii) the maximum total *lot coverage* shall not exceed 2,700 m<sup>2</sup>;
- iii) the maximum *ground floor area* of any one *dwelling unit* shall not exceed 275 m<sup>2</sup>.
- iv) The following standards shall apply to the sleeping cabin use:
  - The maximum *Total Floor Area* of each *sleeping cabin* is 50.16 m<sup>2</sup>, including the floor area of any basement
  - The *Sleeping Cabin* provisions under Section 5.36 c) – i) are applicable

### **4516.2.2 Private Club Exception 2 (PC-2)**

**PC-2**

Island B17, designated as Parcel 2777 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

#### **4516.2.2.1 Permitted Uses, Buildings and Structures**

Uses permitted for lands zoned PC-2 are limited to the following:

- i) four *single detached dwellings*;
- ii) *accessory buildings and structures* associated with each of the *dwelling units*.

#### **4516.2.2.2 Zone Standards**

The regulations of Section 4516.1.2, Zone Standards, shall apply to the *uses* permitted in the PC-2 Zone, with the exception of the following site specific provisions:

- i) the maximum total *lot coverage* shall not exceed 558 m<sup>2</sup>.

### **4516.2.3 Private Club Exception 3 (PC-3)**

**PC-3**

Island B18, designated as Parcel 2111 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

#### **4516.2.3.1 Permitted Uses, Buildings and Structures**

The *uses* permitted in Section 4516 – Private Club (PC) Zone.

#### **4516.2.3.2 Zone Standards**

The regulations of Section 4516.1.2, Zone Standards, shall apply to the *uses* permitted in the PC-3 Zone, with the exception of the following site specific provisions:

- i) the maximum total *lot coverage* shall not exceed 25%.

#### **4516.2.4 Private Club Exception 4 (PC-4)**

**PC-4**

Lots 52, 53, 54 and 55, Concession 1, in the geographic Township of Conger, as shown on Schedule 'A' to this By-law.

##### **4516.2.4.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 4516 – Private Club (PC) Zone

#### **4516.2.4.2 Zone Standards**

The regulations of Section 4516.1.2, Zone Standards, shall apply to the *uses* permitted in the PC-4 Zone, with the exception of the following site specific provisions:

- i) *buildings* and *structures* are permitted to be located within the required 3 metre *setback* from all areas zoned ~~Environmentally Sensitive~~ **Environmental Protection (ESEP)**, subject to approval from the Ministry of Natural Resources.

#### **4516.2.5 Private Club Exception 5 (PC-5)**

**PC-5**

Part of the Crown lake bed between Lot 56, Concession 2 and Island B17, in the geographic Township of Conger, as shown on Schedule 'A', and more particularly on Schedule 'B-23' to this By-law.

##### **4516.2.5.1 Permitted Uses, *Buildings* and Structures**

*Uses* permitted for lands zoned PC-5 are limited to the following:

- i) a pedestrian walkway connecting Part of Lot 56, Concession 2 and Island B17, in the geographic Township of Conger, as shown on Schedule 'B-23' to this By-law.

#### **4516.2.5.2 Zone Standards**

The regulations of Section 4516.1.2, Zone Standards, shall apply to the *uses* permitted in the PC-5 Zone.

#### **4516.2.6 Private Club Exception 6 (PC-6)**

**PC-6**

Ojibway Club, Ojibway Island

##### **4516.2.6.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 4516 – Private Club (PC) Zone in addition to the following:

###### **Main Uses:**

- an assembly hall;
- meeting rooms;
- tennis courts;
- a restaurant;
- a pavilion or gazebo;
- rental cottages;
- boat storage, boat and watercraft rentals

###### **Accessory Uses:**

- Office unit for staff;
- Laundromat;
- Staff dormitory;
- Single detached residence or a dwelling unit in a non-residential *building* that is occupied by the owner or employee of the main permitted use

#### **4516.2.6.2 Zone Standards**

The regulations of Section 4516.1.2, Zone Standards, shall apply to the *uses* permitted in the (PC-6) Zone, with the exception of the following:

- i. A maximum of 8 tennis courts are permitted for the facility;
- ii. Two retail stores are permitted for the facility

#### **4516.2.6.3 Provisions for Residential Uses permitted in Section 4516.1.1:**

In the case of a *single detached dwelling* or a *dwelling unit* the following regulations shall apply:

- a) A maximum of two *dwelling units* may be permitted on a *lot*
- b) A maximum of 8 residential rental units are permitted on property zoned (PC-6);
- c) Any residential use permitted in Section 4516.1.1, must be accessory to the main community facility use on the property;
- d) Minimum *ground floor area* of the detached dwelling shall be 50 m<sup>2</sup>;
- e) The maximum *height* of the *single detached dwelling* shall not exceed 6 metres;
- f) The minimum *front, side and rear yard* for the *single detached dwelling* shall be 7.5 metres, 3 metres, and 6 metres, respectively;
- g) The *single detached dwelling* shall not be erected within 3 metres of any other *building* on the *lot*;
- h) A *dwelling unit* in a non-residential *building* must have a minimum total floor area of 35 m<sup>2</sup>;
- i) Maximum of 5% of Total *Ground Floor Area* to a Maximum *Total Floor Area* of 300 m<sup>2</sup> for a *single detached dwelling*.

#### **4516.2.7 Private Club Exception 7 (PC-7)**

**PC-7**

Parcel 25835 P.S.S. located in Lots 32 and 33, Concession 9, in the geographic Township of Conger, as shown on Schedule 'A' and more particularly on Schedule 'B-33' to this By-law.

##### **4516.2.7.1 Permitted Uses, Buildings and Structures**

Uses permitted for lands zoned PC-7 are limited to the following:

###### **Main Use:**

- a wilderness camp

Those *buildings* and *structures* permitted for lands zoned PC-7 shall be limited to the following:

- one dining lodge
- one residence lodge
- five accessory storage sheds
- four non-habitable accessory tent *structures*
- four tent sites containing a total of 16 habitable tent *structures*
- one dock
- one bridge
- one staff bunkhouse
- one laundry/shower house
- two single detached dwellings
- one dwelling within the existing accessory storage building and porch addition

##### **4516.2.7.2 Zone Standards**

The regulations of 'Section 4516.1.2 - Zone Standards', 'Section 4516.1.3 - Provisions for Private Club Uses' and 'Section 4516.1.4 - Provisions for Residential Uses' permitted in Section 4516.1.1, shall apply to the uses permitted in the PC-7 Zone, with the exception of the following site specific regulations:

- i) the dining lodge shall not exceed a maximum of 2 storeys with a maximum total floor area of 440 m<sup>2</sup>;
- ii) the residence lodge shall not exceed a maximum of 2 storeys with a maximum ground floor area of 119 m<sup>2</sup>;
- iii) the five accessory storage sheds shall be restricted to:

- two not exceeding two storeys in height with a maximum ground floor area of 9 m<sup>2</sup> each;
  - one not exceeding one storey in height with a maximum ground floor area of 35 m<sup>2</sup>;
  - one not exceeding one storey in height with a maximum ground floor area of 19 m<sup>2</sup>;
  - one not exceeding one storey in height with a maximum ground floor area of 540 m<sup>2</sup>;
- iv) tent site requirements:
- maximum number of tent sites, in the locations depicted on Schedule 'B-33': 4
  - maximum tent site area: 0.4 ha
  - maximum number of habitable tent *structures* per tent site: 4
  - maximum total floor area of each habitable tent *structure*: 26.75 m<sup>2</sup>
  - maximum number of non-habitable accessory tent *structures* per tent site: 1
  - maximum total floor area of each non-habitable accessory tent *structure*: 47.5 m<sup>2</sup>
- v) one docking envelope will be permitted;
- vi) no temporary tents or trailers or other *structures* used for sleeping accommodation will be permitted on the subject property zoned, except the tent *structures* as permitted herein;
- vii) the maximum length of the bridge shall not exceed 40 metres and the maximum useable deck space within the hand railings of the bridge shall not exceed 1.68 metres in width;
- viii) the bridge is not to be used by conventional passenger vehicles;
- ix) the staff bunkhouse shall not exceed 458 m<sup>2</sup> in size;
- x) the laundry/shower house shall not exceed 112 m<sup>2</sup> in size;
- xi) the two single detached dwellings shall be restricted to:
- one 140 m<sup>2</sup> dwelling,
  - one 157 m<sup>2</sup> dwelling;
- xii) the one dwelling within the existing accessory storage building shall not exceed 112 m<sup>2</sup> as a second storey addition within the existing 540 m<sup>2</sup> accessory storage building, with the addition of a porch for a total floor area of 682 m<sup>2</sup>.

#### 4516.2.7.3Definitions

For the purpose of 'Section 4516.2.7 – Private Club Exception 7 (PC-7)', the following definitions shall apply:

##### Wilderness Camp

A wilderness camp is defined as a recreational program based on activities and challenges associated with a wilderness experience. The setting is rustic with only temporary or minor, *accessory structures* used for the wilderness camp. The camping activities are to be isolated in a wooded and natural environment. Learning about the environment and wilderness experiences through low-impact recreational functions is the key, fundamental role of a wilderness camp.

##### Tent Site

An area designated for a maximum of four habitable tent *structures* and includes an accessory non-habitable tent *structure*. The tent site is the only area on the subject property that campers, associated with the wilderness camp, may erect their tent *structures*.

##### Habitable Tent Structure

A *structure* made out of wood with a roof, a knee wall and a floor for the sleeping accommodation of campers. The *structure* is to be open-walled. The maximum ground floor area for a tent *structure* is 26.75 m<sup>2</sup> (290 ft<sup>2</sup>).

##### Non-habitable Accessory Tent Structure

A *structure* containing a roof and a knee wall but without a floor. The *accessory structure* is to accommodate cooking facilities, dining area, and storage associated with each tent site.



## Section 16-17 - Natural State (NS) Zone

Within a Natural State (NS) Zone, no *person* shall use any land, or *erect, alter* or use any *building* or *structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

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### ~~46.1~~17.1 General Use Provisions:

#### ~~46.1.1~~17.1.1 Permitted Uses

##### Main Uses:

- *Uses* existing at the date of passing of this by-law
- *Passive recreational use*

##### Accessory Uses:

- *Accessory Uses* existing at the date of passing of this by-law

#### 17.1.2 Permitted *Buildings* and *Structures*

As existing at the date of incorporation of the Township of The Archipelago.

#### ~~46~~17.1.3 Zone Standards

As existing at the date of incorporation of the Township of The Archipelago.

#### 17.1.4 Provisions for Residential Uses

- a) An existing *single detached dwelling*, including *accessory buildings* and *structures*, as existing at the date of incorporation of the Township of The Archipelago is permitted to continue to be used for residential purposes;
- b) No new *buildings* or *structures* or enlargements or expansions of existing *buildings* or *structures*, either horizontally or vertically are permitted in the NS Zone. The restriction on expansions to *structures* also applies to *docks* and *decks*.

#### 17.1.5 Provisions for *Passive Recreation Uses*

No new *building* or *structure* or enlargements or expansions of existing *buildings* or *structures*, either horizontally or vertically are permitted for *passive recreation uses* in the NS Zone. The restriction on expansions or enlargements of *structures* also applies to *decks* and *docks*.

## Section 17-18 - Natural State Conservation (NSC) Zone

Within a Natural State Conservation (NSC) Zone, no *person* shall use any land, or *erect, alter* or use any *building* or *structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

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### ~~47.1~~18.1 General Use Provisions:

#### ~~47.1.1~~18.1.1 Permitted Uses:

- Long term conservation of land in its natural state, excluding *main* or *accessory buildings* and *structures* or additions thereto.

## **Section 18-19 -- Environmentally Sensitive Environmental Protection (ES-EP) Zone**

Within an ~~Environmentally Sensitive (ES)~~ Environmental Protection (EP) Zone, no *person* shall use any land, or *erect, alter* or use any *building or structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

### **48-19.1 General Use Provisions:**

#### **48-19.1.1 Permitted Uses**

- *Uses* connected with the conservation of water, soil, wildlife and other natural resources.
- *Passive recreational uses*
- Flood and erosion/sediment control *structures*
- *Existing buildings, structures and uses*
- *Docks and a Boathouse/Boatport* as provided by the provisions of Section 5.

#### **48-19.1.2 Zone Standards**

- a) *Buildings and structures* of any kind including but not limited to extensions or enlargements to *existing buildings or structures*, observation platforms are prohibited within the ~~ES-EP~~ Zone.
- a)b) Flood, erosion or sedimentation control *structures* may only be permitted with the approval of the Ministry of Natural Resources and the Department of Oceans and Fisheries Canada.

## **Section 19-20 -- Environmentally Sensitive Environmental Protection One (ES1-EP1) Zone**

Within an ~~Environmentally Sensitive (ES)~~ Environmental Protection One (ES1-EP1) Zone, no *person* shall use any land, or *erect, alter* or use any *building or structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

### **19.1 General Use Provisions:**

#### **19.1.1 Permitted Uses**

- ~~*Uses* connected with the conservation of water, soil, wildlife and other natural resources.~~
- ~~*Passive recreational uses*~~
- ~~Flood and erosion/sediment control *structures*~~
- ~~*Existing buildings, structures and uses*~~
- ~~*Docks and a Boathouse/Boatport* as provided by the provisions of Section 5.~~

#### **19.1.2 Zone Standards**

~~*Buildings and structures* of any kind including but not limited to extensions or enlargements to *existing buildings or structures*, observation platforms, are prohibited within the ES1 Zone. Flood, erosion or sedimentation control *structures* may only be permitted with the approval of the Ministry of Natural Resources and the Department of Oceans and Fisheries Canada.~~

## **Section 20 -- Environmentally Sensitive Two (ES2) Zone**

Within an ~~Environmentally Sensitive Two (ES2) Zone~~, no *person* shall use any land, or *erect, alter* or use any *building or structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

### **20.1 General Use Provisions:**

#### **20.1.1 Permitted Uses**

- *Uses* connected with the conservation of water, soil, wildlife and other natural resources.
- *Passive recreational uses*
- Flood and erosion/sediment control *structures*
- *Existing buildings, structures and uses*

### 20.1.2 Zone Standards

- a) *Buildings* and *structures* of any kind including but not limited to extensions or enlargements to *existing buildings* or *structures*, observation platforms, portable or floating *docks*, *boathouses* or *boatports* are prohibited within the ~~ES2~~ EP1 Zone.
- a) ~~b)~~ Flood, erosion or sedimentation control *structures* may only be permitted with the approval of the Ministry of Natural Resources and the Department of Oceans and Fisheries Canada.

## 20.2 ~~Special Exception Regulations – Environmentally Sensitive Two~~ Environmental Protection One (~~ES2~~ EP1)

The regulations contained in Section 20.1, General Use Provisions, shall apply to the Special Provision Use area or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection\_ 20.2.

### 20.2.1 ~~Environmentally Sensitive~~ Environmental Protection Two One Exception 1 (~~ES2~~ EP1-1)

Lot 7 on Plan M-658, in the geographic Township of Shawanaga

#### 20.2.1 Permitted Uses

Those uses, *buildings* and *structure* permitted under Section ~~20-19- Environmentally Sensitive Two~~ Environmental Protection One (~~ES2~~ EP1), with the following additional permitted uses:

- i) two elevated boardwalks;
- ii) a dock and/or boathouse.

#### 20.2.2 Zone Standards

The regulations of Section 20.1.2, Zone Standards, shall apply to the uses permitted in the ~~ES2~~ EP1-1 Zone, with the exception of the following site specific regulations:

- i) the maximum width of the elevated boardwalks shall not exceed 2 metres;
- ii) non-permitted *buildings* and *structures* may be erected without a *setback* from the ~~ES2~~ EP1-1 Zone, provided the *buildings* or *structures* or any part thereof does not encroach into the ~~ES2~~ EP1-1 Zone.

## Section 21 - Existing Use (EU) Zone

Within an Existing Use (EU) Zone, no *person* shall use any land, or *erect, alter* or use any *building* or *structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

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### 21.1 General Use Provisions:

#### 21.1.1 Permitted *Uses*

##### Main *Uses*

- *Uses* existing at the date of passing of this by-law

##### Accessory *Uses*

- *Accessory uses* to the permitted uses existing at the date of passing of this by-law

#### 21.1.2 Permitted *Buildings* and *Structures*

- *Buildings* and *structures* existing at the date of passing of this By-law.

#### 21.1.3 Zone Standards

As existing at the date of passing of this By-law.

#### 21.1.4 Provisions for Residential *Uses*

- a) Existing *single detached dwelling*, as existing at the date of passing of this By-law, is permitted to continue to be used for residential purposes;
- b) No new *buildings* or *structures* or expansions to existing *buildings* or *structures*, either horizontally or vertically are permitted in the (EU) Zone. The restriction on expansions to *structures* also applies to *docks* and *decks*.

### 21.2 SPECIAL EXCEPTION REGULATIONS - EXISTING USE (EU)

The regulations contained in Subsection 21.1, General Use Provisions, shall apply to the Special Provision Use area or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 21.2.

#### 21.2.1 Existing Use Exception 1 (EU-1) **EU-1**

Part of Lot 44, Concession 10, described as Bayfield Boathouse Lot No. 9, in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law

##### 21.2.1.1 Permitted *Uses, Buildings* and *Structures*

*Buildings* and *structures* permitted for lands zoned EU-1 are limited to the following:

- i) a *boathouse*.

##### 21.2.2 Zone Standards

The regulations of Section 21.1.3, Zone Provisions, shall apply to the *uses* permitted in the EU-1 Zone, with the exception of the following site specific regulations:

- i) the minimum *side yard* shall be 0.5 metres;
- ii) the *boathouse* shall be restricted to one *storey* and shall be permitted a maximum *height* of 6-m-  
metres.

## **21.2.2 Existing Use Exception 2 (EU-2) EU-2**

- Part of Lot 44, Concession 10, described as Bayfield Boathouse Lot No. 14, in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law;
- Part of Lots 44 and 45, Concession 10, described as Bayfield Boathouse Lot No. 15, in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law;
- Part of Lot 44 and 45, Concession 10, described as Bayfield Boathouse Lot No. 16, in the geographic Township of Harrison, as shown on Schedule 'A' to this By-law.

### **21.2.2.1 Permitted Uses**

*Buildings and structures* permitted for lands zoned EU-2 are limited to the following:

- i) one *boathouse*;
- ii) one *dock*;

### **21.2.2.2 Zone Standards**

The regulations of Section 21.1.3, Zone Provisions, shall apply to the *uses* permitted in the EU-2 Zone, with the exception of the following site specific regulations:

- i) the minimum *side yard* shall be 0.5 metres;
- ii) the *boathouse* shall be restricted to one *storey* and shall be permitted a maximum *height* of 6-metres.

## **21.2.3 Existing Use Exception 3 (EU-3) EU-3**

Part of Lot 25, Concession 10, being Part 14 of PSR-900, in the geographic Township of Conger, as shown on Schedule 'A' to this By-law

### **21.2.3.1 Permitted Uses**

*Buildings and structures* permitted for lands zoned EU-3 are limited to the following:

- i) one 4.9 metre (16 foot) *dock*;
- ii) a *parking area*.

### **21.2.3.2 Zone Standards**

The regulations of Section 21.1.3, Zone Standards, shall apply to the *uses* permitted in the EU-3 Zone.

## Section 22 - Community Facility (CF) Zone

Within a Community Facility (CF) Zone, no *person* shall use any land, or *erect, alter* or use any *building* or *structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

### 22.1 General Use Provisions:

#### 22.1.1 Permitted Uses

##### Main Uses:

- Assembly hall
- Cemetery
- Chamber of commerce
- Institutional use
- Nursery school
- Passive recreation use
- Place of worship
- Public access point
- Private access point
- Public dock, pier or wharf
- Public parking area
- Public park
- Public recreational facility
- Public toilet
- Public tennis-Sports court
- Tourist information booth
- Skating rink
- School
- Swimming Pool
- Nursery school
- Public park
- Cemetery
- Tennis-Sports courts
- Tourist information booth

##### Accessory Uses:

- Buildings, structures and uses accessory to a permitted use.

#### 22.1.2 Zone Standards

|    |                            |                     |
|----|----------------------------|---------------------|
| a) | Minimum Lot Frontage       | 50 m                |
| b) | Minimum Lot Area           | 2000 m <sup>2</sup> |
| c) | Maximum Lot Coverage       | 40 %                |
| d) | Minimum Front Yard Setback | 7.5 m <u>(1)</u>    |
| e) | Minimum Side Yard Setback  | 3 m                 |
| f) | Minimum Rear Yard Setback  | 5 m                 |
| g) | Maximum Height             | 15 m                |

- (1) Notwithstanding 22.1.2(d), within Ward 5, where the front lot line abuts a waterway, the minimum front yard setback shall be 15 metres, except where otherwise specified in Section 5.32.

## **22.2 SPECIAL EXCEPTION REGULATIONS – COMMUNITY FACILITY (CF)**

The regulations contained in Section 22.1, General Use Provisions, shall apply to the Special Provision Use area or areas defined below, except as otherwise specifically provided in the Special Use Regulations in this Subsection 22.2.

### **22.2.1 Community Facility Exception 1 (CF-1) CF-1**

Part of Lots 25 and 26, Concession 10, being Parts 17 and 20 of PSR-883 and Part 17 of Plan PSR-900, designated as Parcels 18276, 18278 and 18279 P.S.S.S., in the geographic Township of Conger, as shown on Schedule 'A' attached to this By-law.

#### **22.2.1.1 Permitted, *Buildings* and Structures**

The *uses* permitted in Section 22 – Community Facility (CF) Zone are limited to the following:

- i) a private access point including a vehicle *parking area*;
- ii) *boat* launching facilities;
- iii) *docks*;
- iv) *accessory buildings* and *structures*.

#### **22.2.1.2 Zone Standards**

The regulations of section 22.1.2, Zone Standards, shall apply to the *uses* permitted in the CF-1 Zone.

### **22.2.2 Community Facility Exception 2 (CF-2) CF-2**

Sans Souci Copperhead and Association Community Centre and Sans Soucci Tennis Club, Frying Pan Island.

#### **22.2.2.1 Permitted Uses, *Buildings* and Structures**

The *uses* permitted in Section 22 – Community Facility (CF) Zone in addition to the following:

##### **Main Uses:**

- a retail store;
- a dining hall;
- meeting rooms;
- a restaurant;
- a pavilion or gazebo;
- boat storage;
- public recreational facility;
- ~~tennis~~-Sports courts.

##### **Accessory Uses:**

- Office unit for the caretaker;
- Single detached residence or a dwelling unit in a non-residential *building* that is occupied by the owner or employee of the main permitted uses.

### 22.2.2.2 Zone Standards

The regulations of section 22.1.2, Zone Standards, shall apply to the *uses* permitted in the CF-2 Zone, with the exception of the following:

- A maximum of 8 tennis courts are permitted for the facility

|    |                                            |       |
|----|--------------------------------------------|-------|
| a) | Minimum <i>Lot Frontage</i>                | 100 m |
| b) | Minimum <i>Lot Area</i>                    | 2 ha  |
| c) | Maximum <i>Lot Coverage</i>                | 20%   |
| d) | Minimum <i>Front Yard Setback</i>          | 7.5 m |
| e) | Minimum <i>Side Yard Setback</i>           | 6 m   |
| f) | Minimum <i>Rear Yard Setback</i>           | 6 m   |
| g) | Maximum <i>Building Height</i> (Main)      | 15 m  |
| h) | Maximum <i>Building Height</i> (Accessory) | 6 m   |

### 22.2.2.3 Provisions for Residential Uses permitted in Section 22.2.2:

In the case of a *single detached dwelling* or a *dwelling unit* the following regulations shall apply:

- a) A maximum of two *dwelling units* may be permitted on a *lot*;
- b) Any residential use permitted in Section 15.1.1, must be accessory to the main community facility use on the property;
- c) Minimum *ground floor area* of the detached dwelling shall be 50 m<sup>2</sup>;
- d) The maximum *height* of the *single detached dwelling* shall not exceed 6 metres;
- e) The minimum *front*, *side* and *rear yard* for the *single detached dwelling* shall be 7.5 metres, 3 metres, and 6 metres, respectively;
- f) The *single detached dwelling* shall not be erected within 3 metres of any other *building* on the *lot*;
- g) A *dwelling unit* in a non-residential *building* must have a minimum total floor area of 35 m<sup>2</sup>;
- h) Maximum of 5% of Total *Ground Floor Area* to a Maximum *Total Floor Area* of 300 m<sup>2</sup> for a *single detached dwelling*.



Parts 9 and 10 on Plan PSR-1516, in the geographic Township of Shawanaga, as shown on Schedule "A" attached to this By-law.

**22.2.3.1 Permitted Uses, *Buildings* and Structures**

Those *uses* permitted in Section 22 – Community Facility (CF) Zone are limited to the following:

**Main Uses:**

- assembly hall;
- passive recreational use;
- public parking area;
- public recreational facility;
- public toilet;
- public ~~tennis~~ Sports court;
- skating rink;
- public park.

**Accessory Uses:**

- buildings, structures and uses accessory to a permitted use.

**22.2.3.2 Zone Standards**

The regulations of section 22.1.2, Zone Standards, shall apply to the *uses* permitted in the CF-3 Zone, with the exception of the following site specific regulation:

- the maximum lot coverage shall not exceed 350 m<sup>2</sup>

## Section 23 - Pit and Quarry (PQ) Zone

Within a Pit and Quarry (PQ) Zone, no *person* shall use any land, or *erect, alter* or use any *building* or *structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

---

### 23.1 General Use Provisions:

#### 23.1.1 Permitted Uses

##### **Main Uses:**

- Sand and gravel pit or rock quarry extraction operation, not including an asphalt plant, portable or otherwise
- Storage yard for heavy equipment used in connection with a sand and gravel pit or rock quarry extraction operation.

##### **Accessory Uses:**

- *Buildings, structures and uses accessory to a permitted use.*

#### 23.1.2 Zone Standards

|    |                                            |                                            |
|----|--------------------------------------------|--------------------------------------------|
| a) | Minimum <i>Lot Area</i>                    | 2 h                                        |
| b) | Minimum <i>Lot Frontage</i>                | 150 m                                      |
| c) | Minimum <i>Front Yard Setback</i>          | 50 m from roads and 120 m from a waterbody |
| d) | Minimum <i>Side Yard Setback</i>           | 30 m                                       |
| e) | Minimum <i>Rear Yard Setback</i>           | 30 m                                       |
| f) | Maximum <i>Height – Main Building</i>      | 10 m                                       |
| g) | Maximum <i>Height – Accessory Building</i> | 5 m                                        |

## Section 24 - Waste Disposal (WD) Zone

Within a Waste Disposal (WD) Zone, no *person* shall use any land, or *erect, alter* or use any *building* or *structure* for or except such purposes and according to such provisions as set out in the following sub-sections.

---

### 24.1 General Use Provisions:

#### 24.1.1 Permitted Uses

##### **Main Uses:**

- A *waste disposal site* for collection, sorting, processing, recycling, composting or disposal.
- A *transfer station*

##### **Accessory Uses:**

- *Buildings, structures* and *uses* accessory to a permitted use.

#### 24.1.2 Zone Standards

|    |                                   |       |
|----|-----------------------------------|-------|
| a) | Minimum <i>Lot Frontage</i>       | 100 m |
| b) | Minimum <i>Lot Area</i>           | 1 ha  |
| c) | Minimum <i>Front Yard Setback</i> | 100 m |
| d) | Minimum <i>Side Yard Setback</i>  | 60 m  |
| e) | Minimum <i>Rear Yard Setback</i>  | 60 m  |
| f) | Maximum <i>Height</i>             | 12 m  |

#### 24.1.3 Provisions

- a) A *waste disposal site* must be *setback* from a waterbody by a minimum of 500 metres;
- b) No *waste disposal site* shall be located within 340 metres of a *dwelling unit* located on a separate *lot*.

## Section 25 - Enactment

Schedules "A-1" and "A-2" inclusive; Schedules "B1" through to and including "B26"; Schedule "C" and Schedule "D" and all other notations thereon are hereby declared to form part of this By-law.

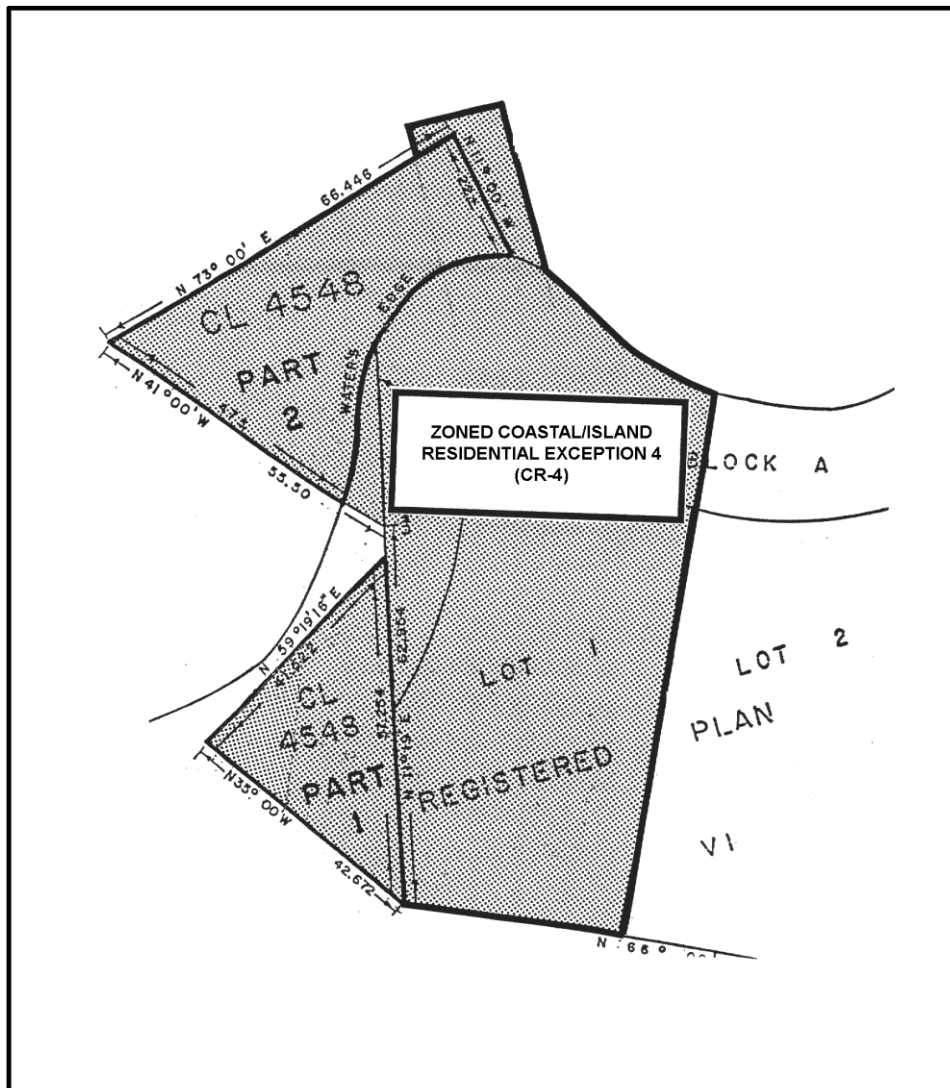
This By-law shall come into force and take effect upon being passed by Council subject to any approval necessary pursuant to the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

In accordance with Subsection 34(17) of the Planning Act, R.S.O. 1990, c.P. 13 and having modified Draft Comprehensive Zoning By-law A2000-07 after the public meeting and the publicly circulated document, Council has determined that no further notice is to be given in respect of the Draft By-law, **Comprehensive Zoning By-law A2000-07** was **READ** and **FINALLY PASSED IN OPEN COUNCIL** this 22<sup>nd</sup> day of June, 2007.

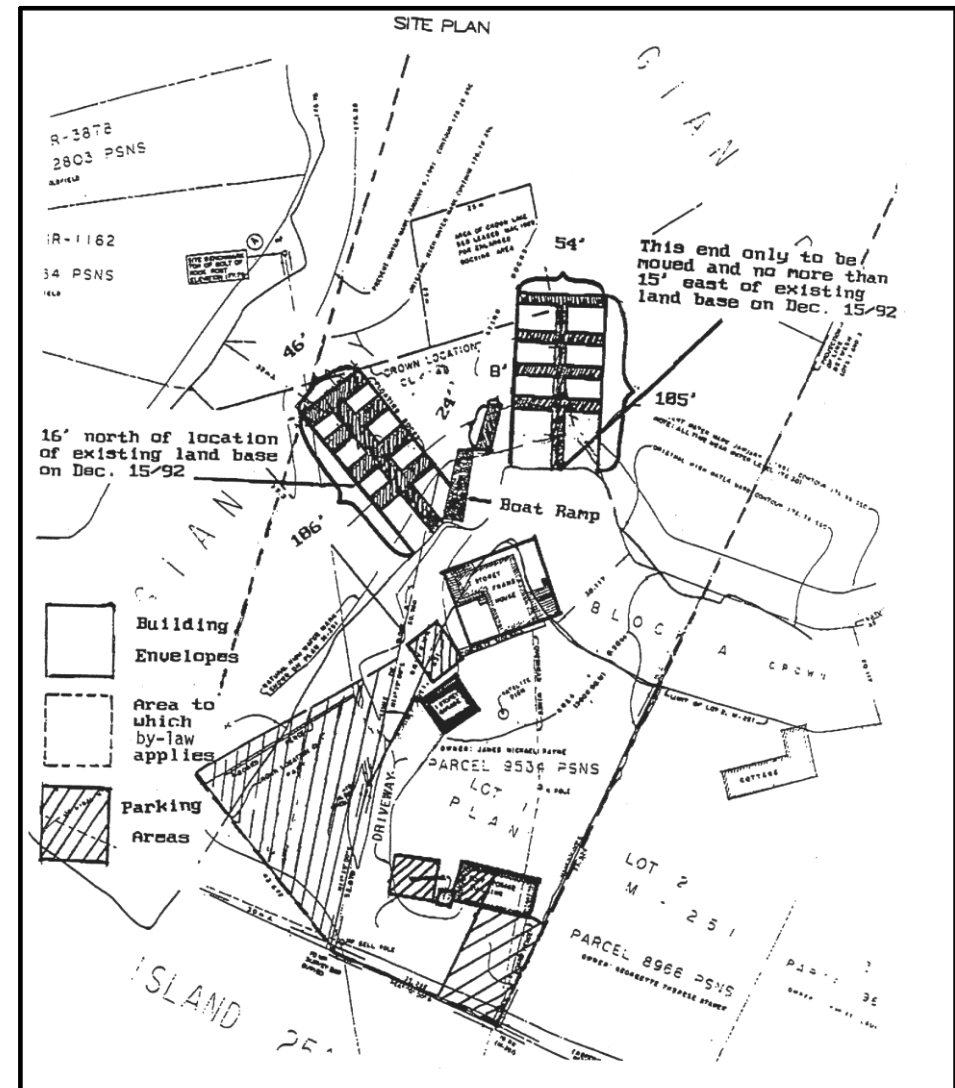
~~Peter Ketchum~~ Bert Liverance, Reeve

~~Stephen P. Kaegi~~ Maryann Martin, Clerk

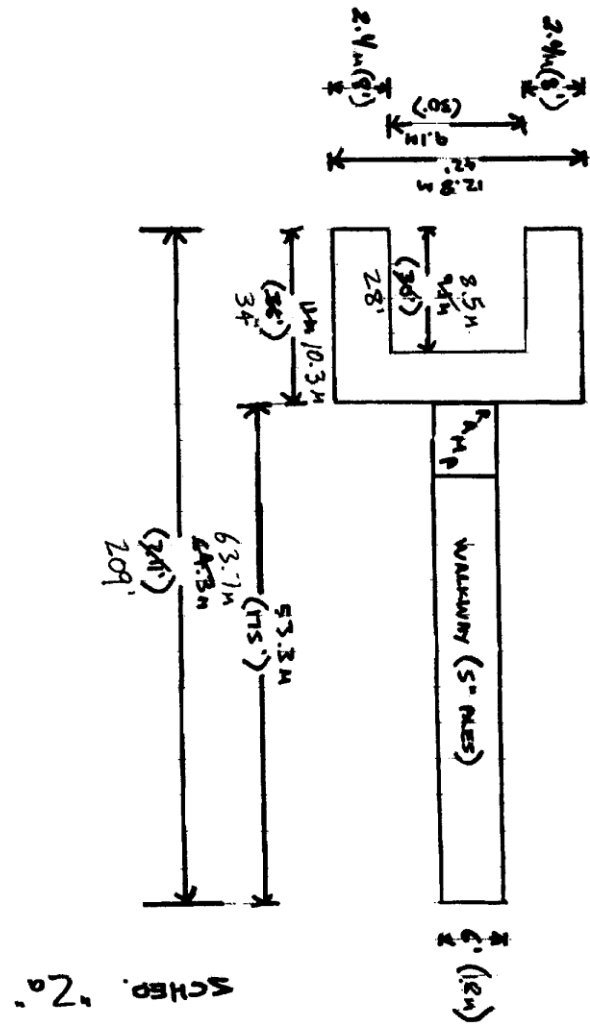
## Schedule 'B'



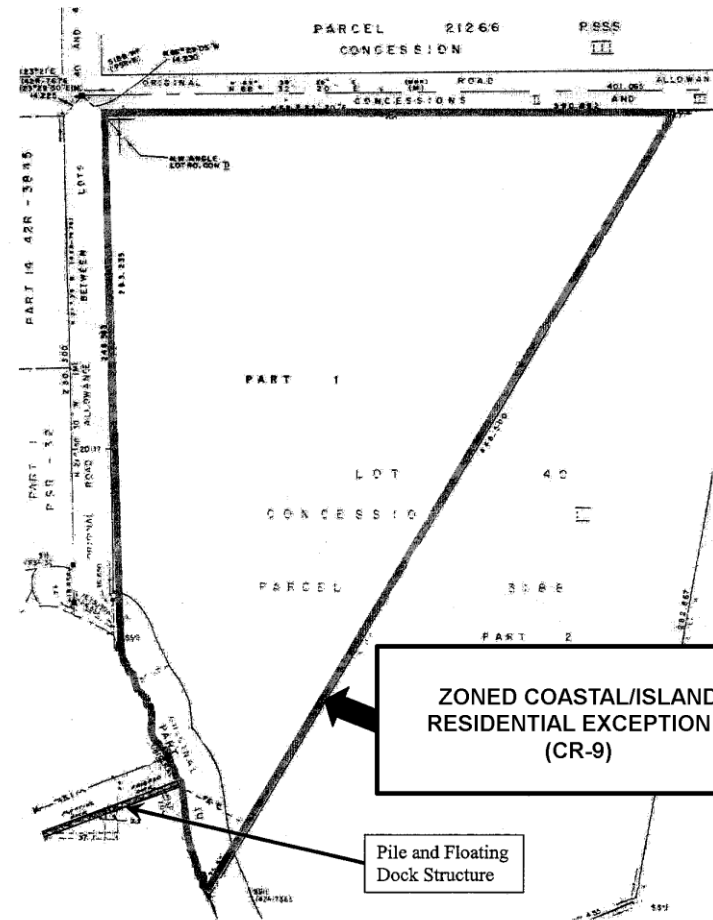
SCHEDULE 'B-1' OF BY-LAW A2000-07  
COASTAL/ISLAND RESIDENTIAL EXCEPTION 4 (CR-4)



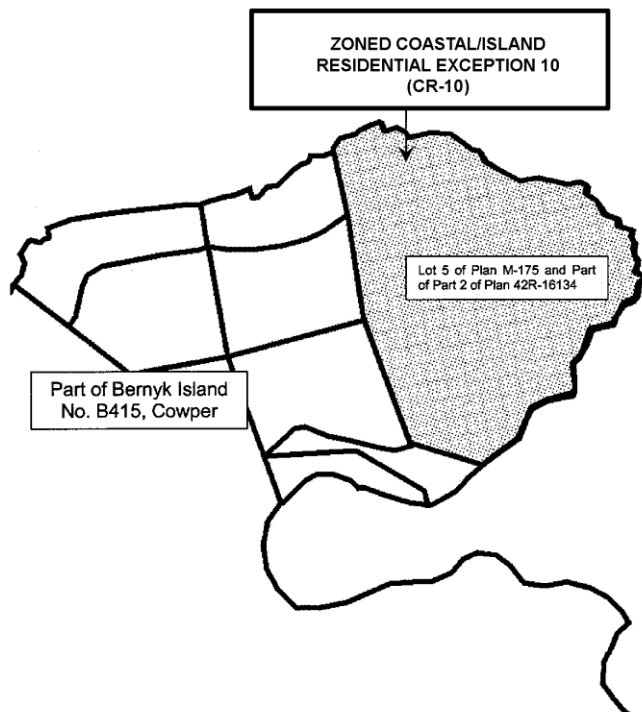
SCHEDULE 'B-2' OF BY-LAW A2000-07  
COASTAL/ISLAND RESIDENTIAL EXCEPTION 4 (CR-4)



SCHEDULE 'B-3' OF BY-LAW A2000-07  
COASTAL/ISLAND RESIDENTIAL EXCEPTION 9 (CR-9)

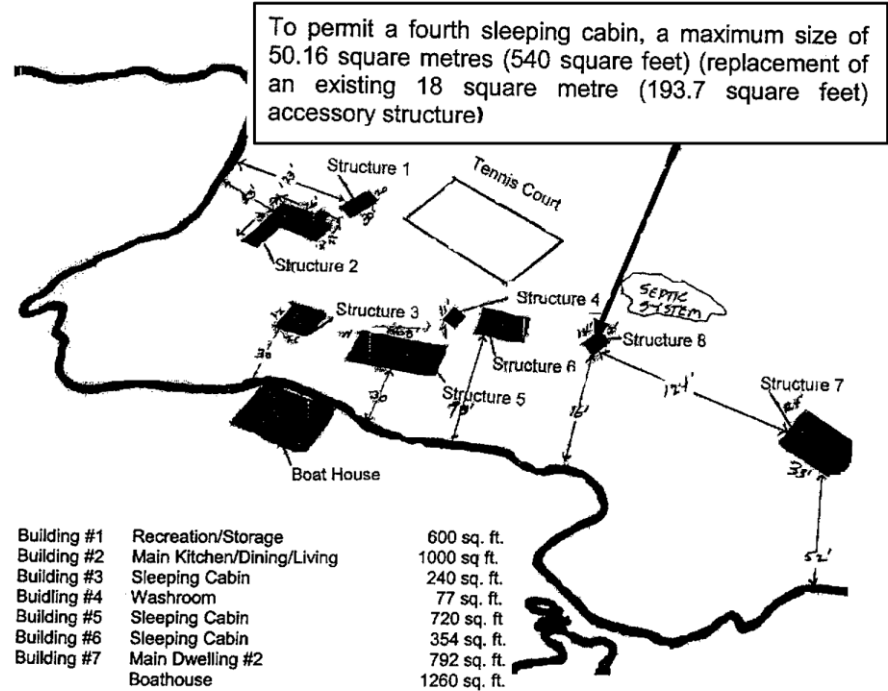


SCHEDULE 'B-4' OF BY-LAW A2000-07  
COASTAL/ISLAND RESIDENTIAL EXCEPTION 9 (CR-9)



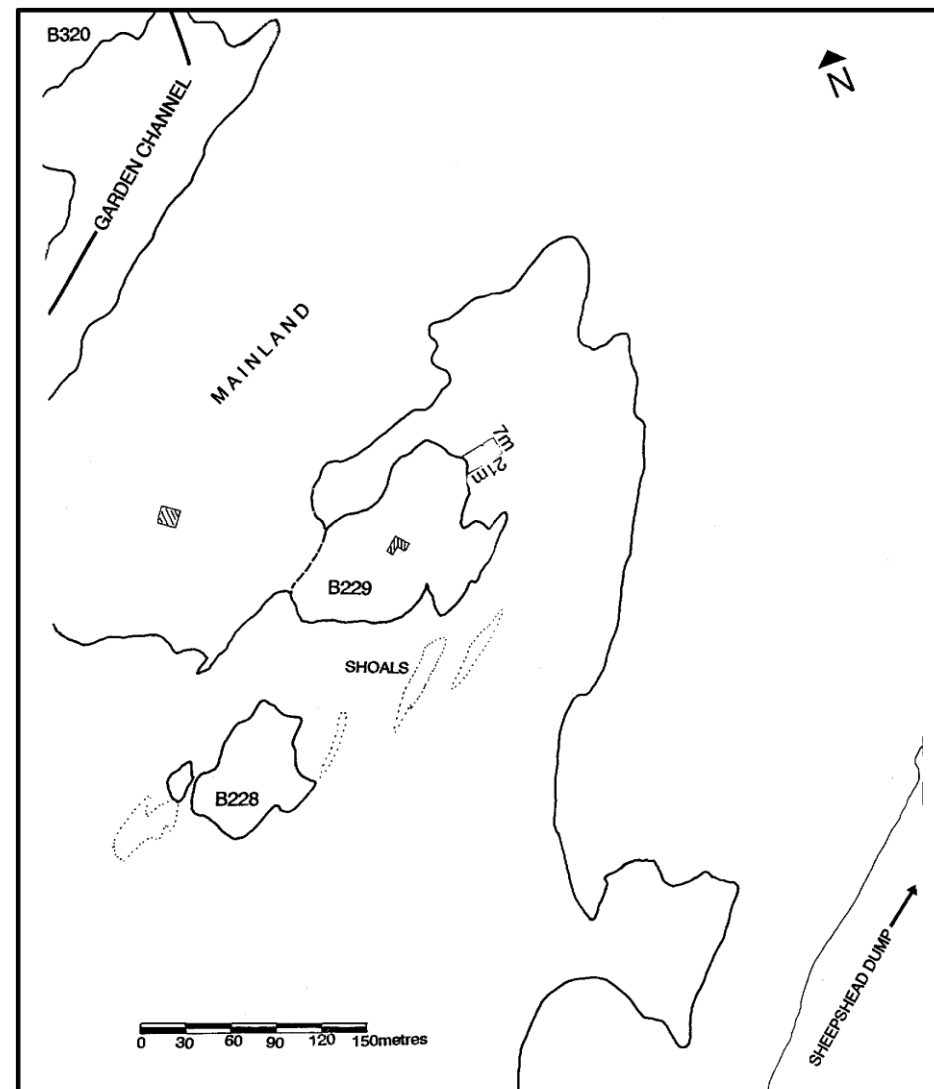
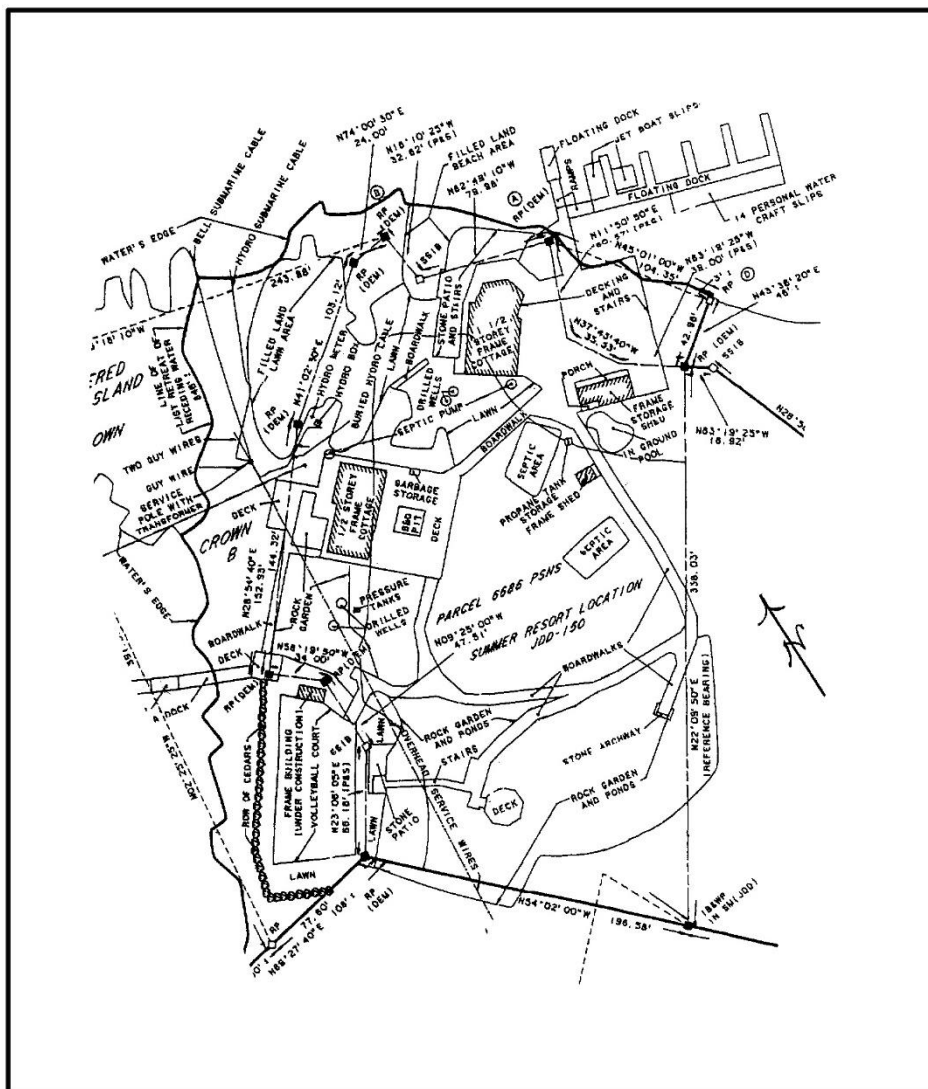
SCHEDULE 'B-5' OF BY-LAW A2000-07

COASTAL/ISLAND RESIDENTIAL EXCEPTION 10 (CR-10)

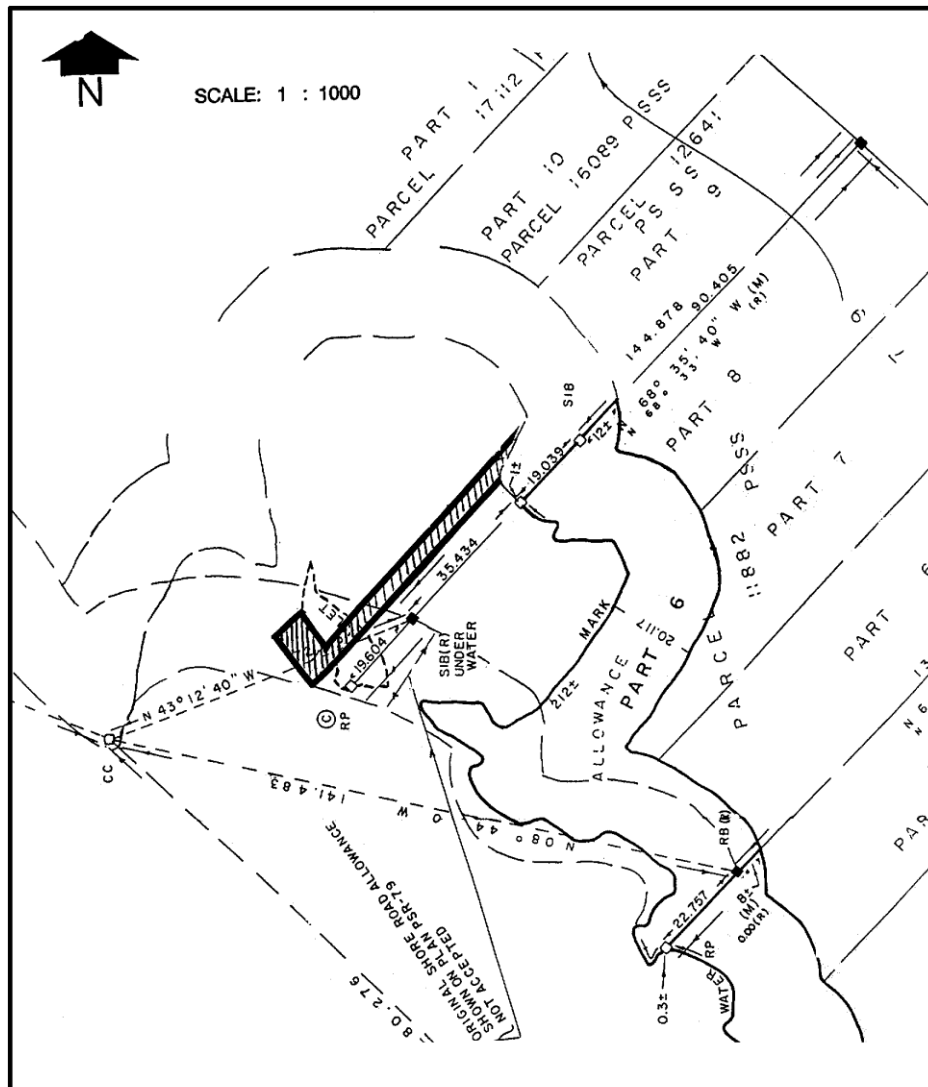


SCHEDULE 'B-6' OF BY-LAW A2000-07

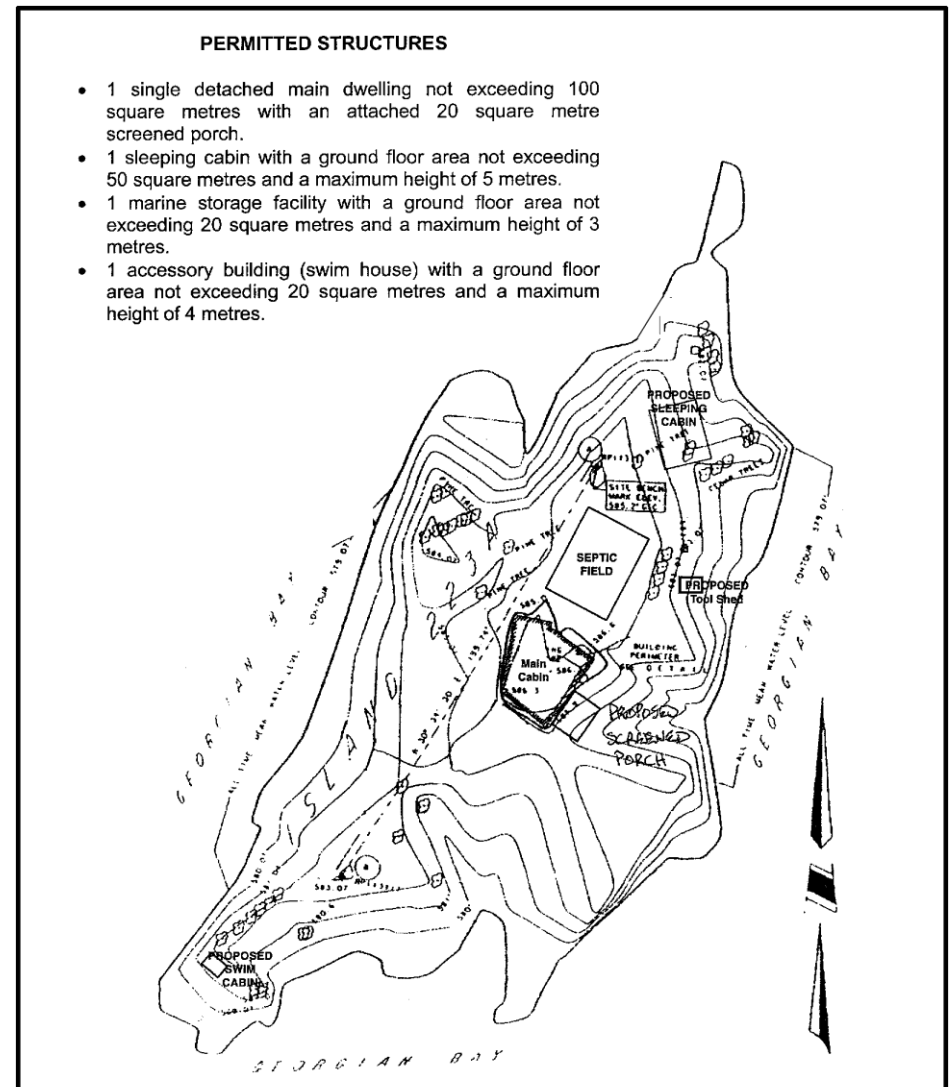
COASTAL/ISLAND RESIDENTIAL EXCEPTION 11 (CR-11)







SCHEDULE 'B-9' OF BY-LAW A2000-07  
COASTAL/ISLAND RESIDENTIAL EXCEPTION 16 (CR-16)

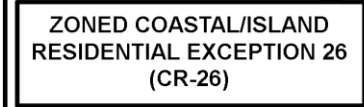


SCHEDULE 'B-10' OF BY-LAW A2000-07  
COASTAL/ISLAND RESIDENTIAL EXCEPTION 20 (CR-20)

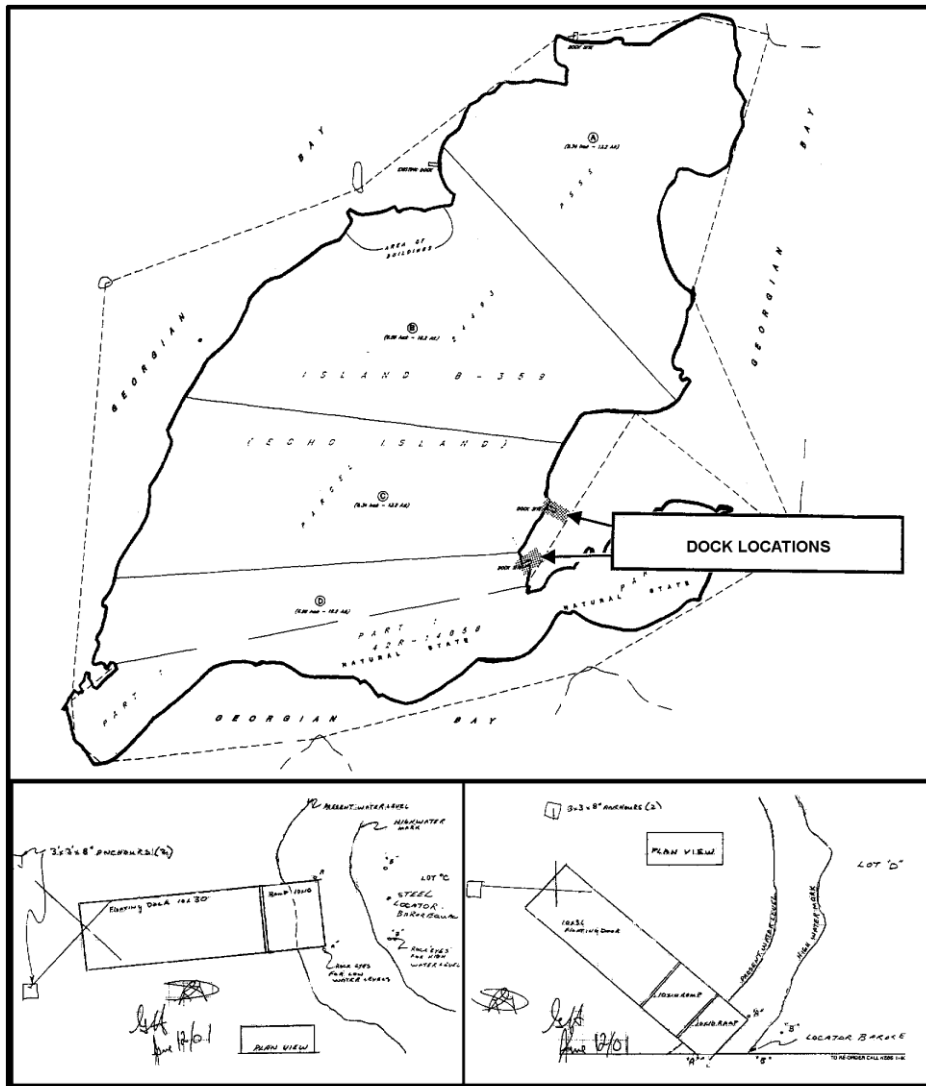
- 1 single detached main dwelling not exceeding 100 square metres with an attached 20 square metre screened porch.
- 1 sleeping cabin with a ground floor area not exceeding 50 square metres and a maximum height of 5 metres.
- 1 marine storage facility with a ground floor area not exceeding 20 square metres and a maximum height of 3 metres.
- 1 accessory building (swim house) with a ground floor area not exceeding 20 square metres and a maximum height of 4 metres.



COASTAL/ISLAND RESIDENTIAL/DIVIDED EXCEPTION 25 (CR/D-25)

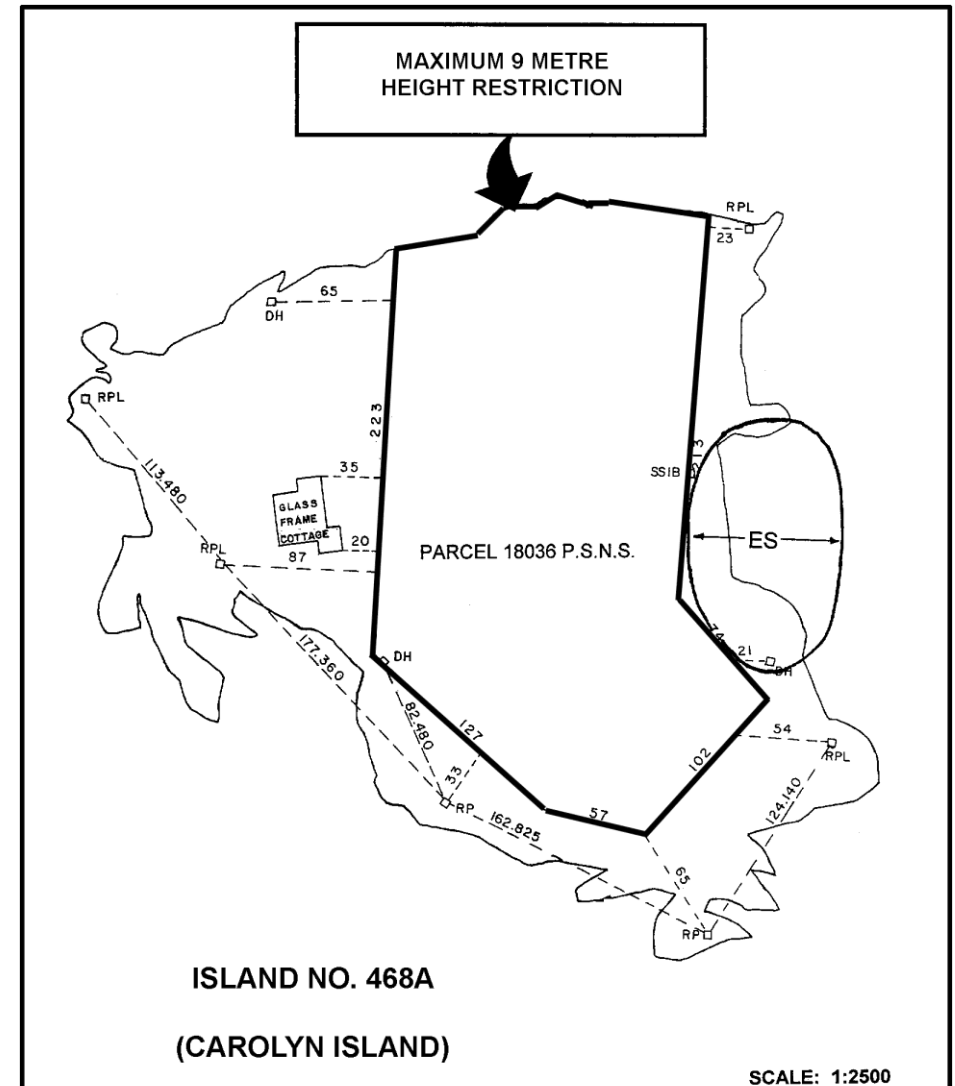


COASTAL/ISLAND RESIDENTIAL EXCEPTION 26 (CR-26)



SCHEDULE 'B-15' OF BY-LAW A2000-07

COASTAL/ISLAND RESIDENTIAL/DIVIDED EXCEPTION 27 (CR/D-27)



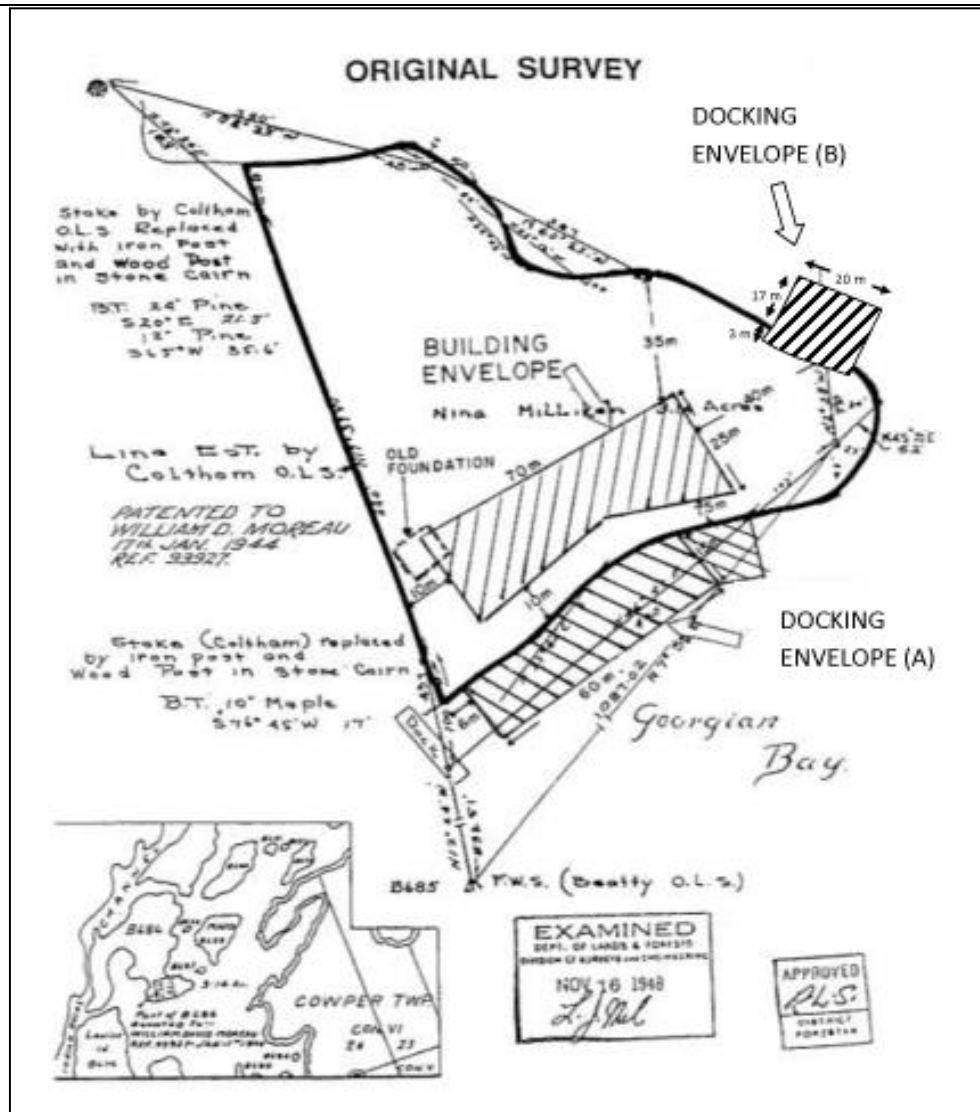
ISLAND NO. 468A

(CAROLYN ISLAND)

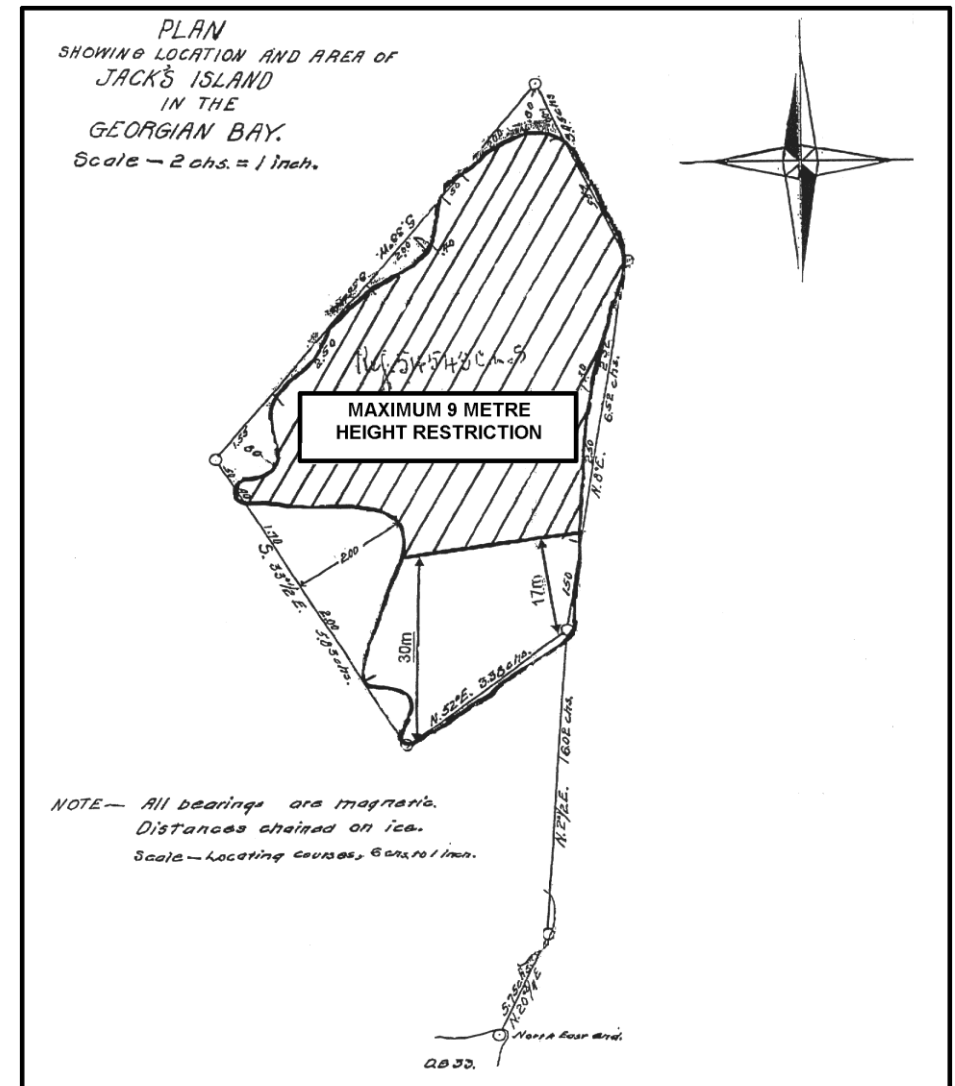
SCALE: 1:2500

SCHEDULE 'B-16' OF BY-LAW A2000-07

COASTAL/ISLAND RESIDENTIAL/DIVIDED EXCEPTION 34 (CR/D-34)

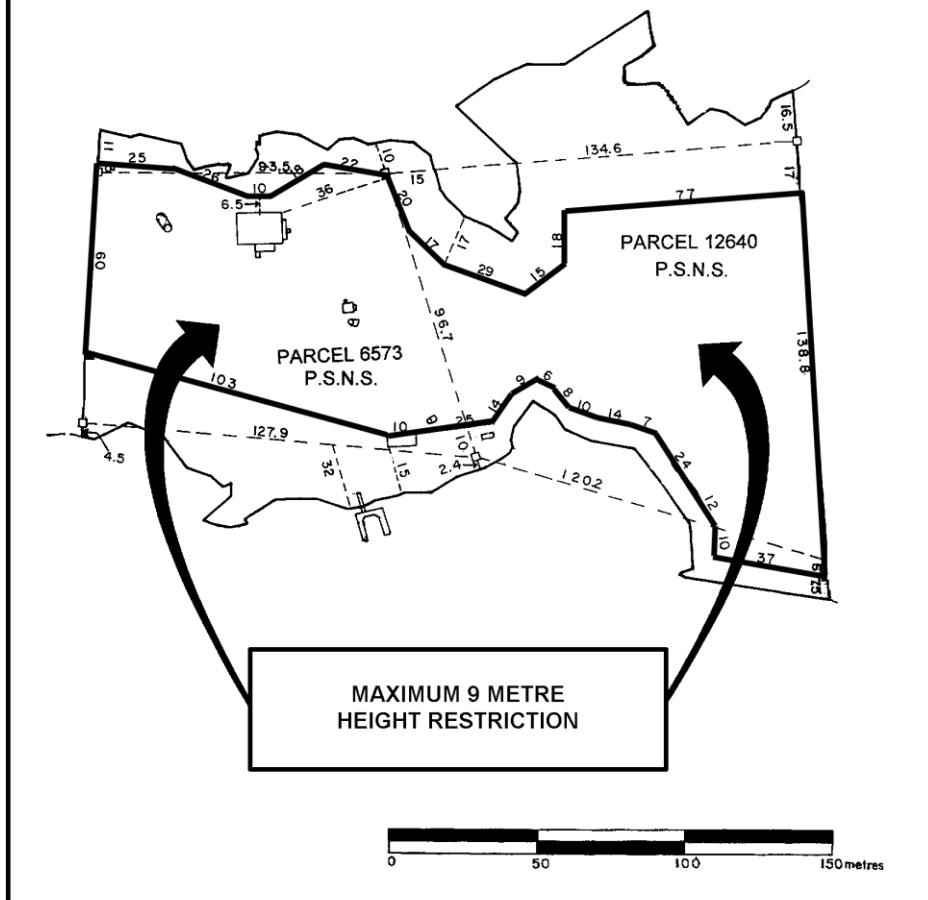


**SCHEDULE 'B-17' OF BY-LAW A2000-07**  
**COASTAL/ISLAND RESIDENTIAL/DIVIDED EXCEPTION 36 (CR/D-36)**



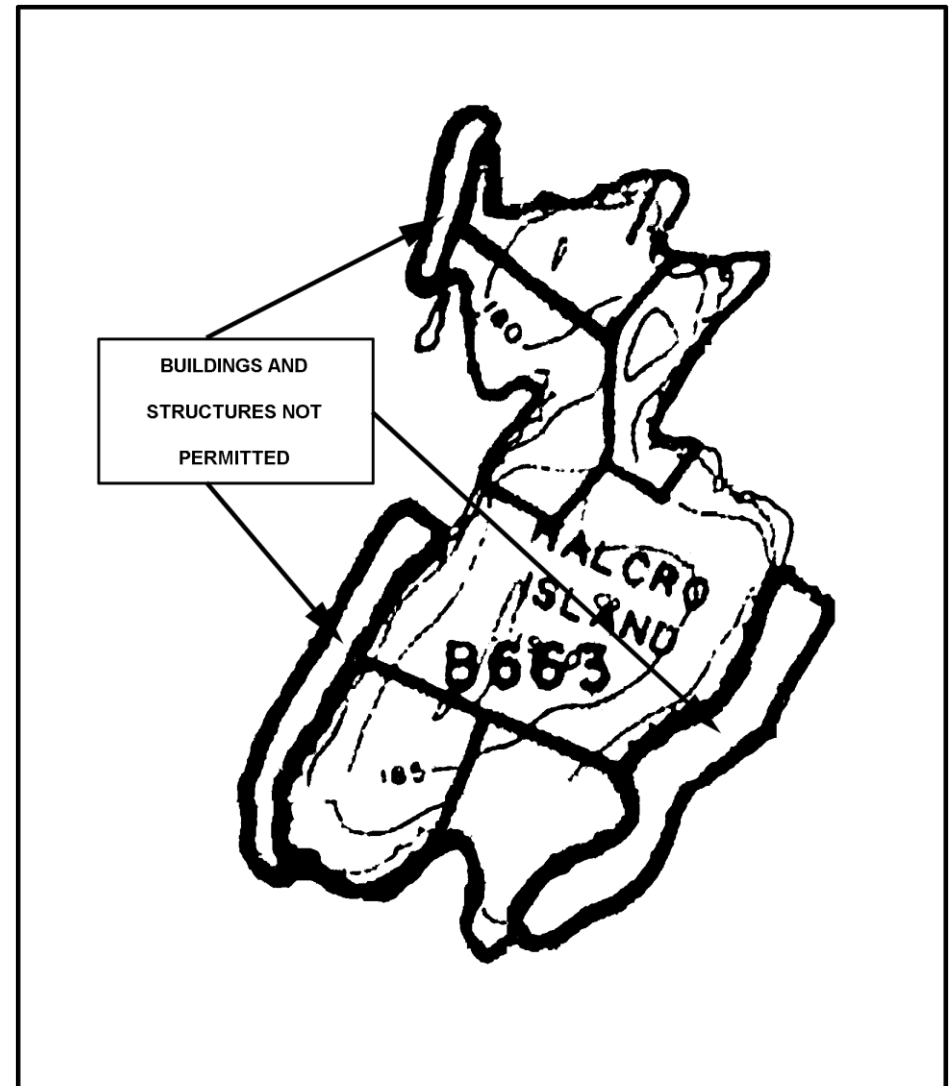
**SCHEDULE 'B-18' OF BY-LAW A2000-07**  
**COASTAL/ISLAND RESIDENTIAL EXCEPTION 38 (CR-38)**

**PART OF KISH-KA-DENA ISLAND 393A**



**SCHEDULE 'B-19' OF BY-LAW A2000-07**

**COASTAL/ISLAND RESIDENTIAL/DIVIDED EXCEPTION 39 (CR/D-39)**



**SCHEDULE 'B-20' OF BY-LAW A2000-07**

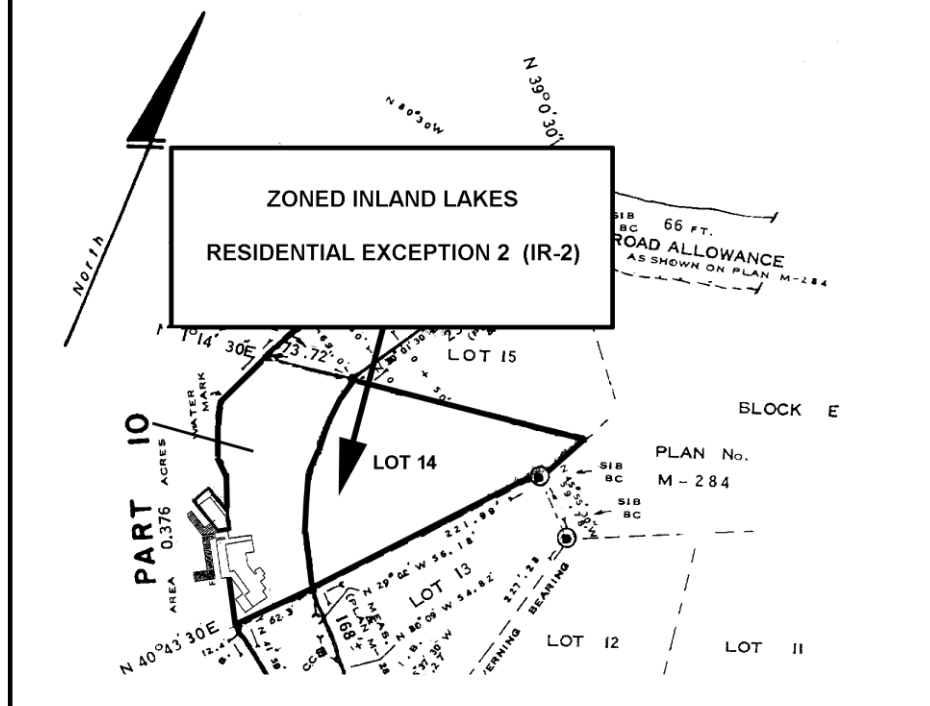
**COASTAL/ISLAND RESIDENTIAL EXCEPTION 40 (CR-40)**

42R-8506

PLAN AND FIELD NOTES OF LOCATION C.L. 4099  
BEING PART OF LOT 25, CONCESSION 4 - CONGER  
AND

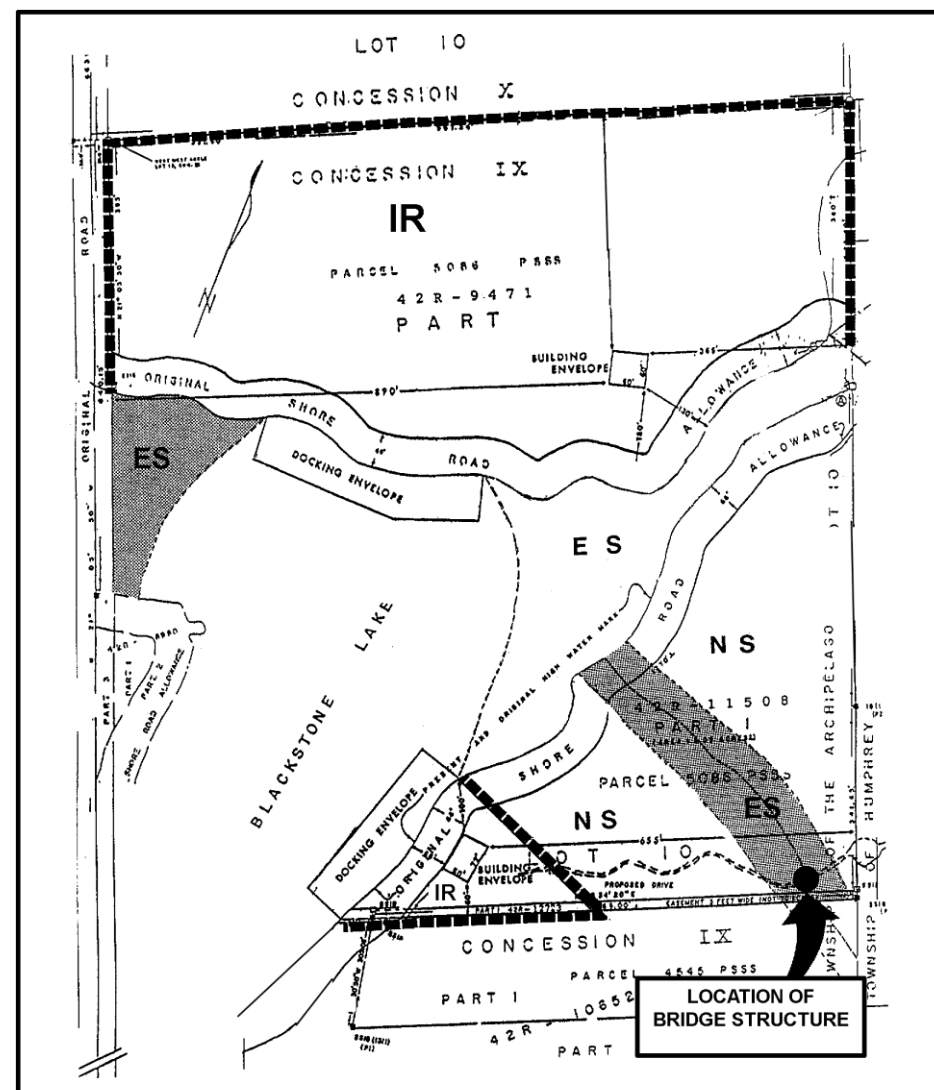
PLAN OF SURVEY OF  
PARTS OF THE ORIGINAL SHORE ROAD ALLOWANCE IN FRONT OF LOTS 25 AND 26,  
CONCESSIONS 4 AND 5, AND PARTS OF LOTS 25 AND 26, CONCESSIONS 4 AND 5, SHOWN AS THE  
66 FT. ROAD ALLOWANCE ON REGISTERED PLAN M-284, AND PART OF LOTS 25 AND 26,  
CONCESSION 4 IN THE  
GEOGRAPHICAL TOWNSHIP OF CONGER, NOW IN THE  
TOWNSHIP OF THE ARCHIPELAGO IN THE  
DISTRICT OF PARRY SOUND, ONTARIO  
SCALE 1 INCH = 100 FEET

BY R. BRYCE CODE, O. L. S., P. ENG.  
1983



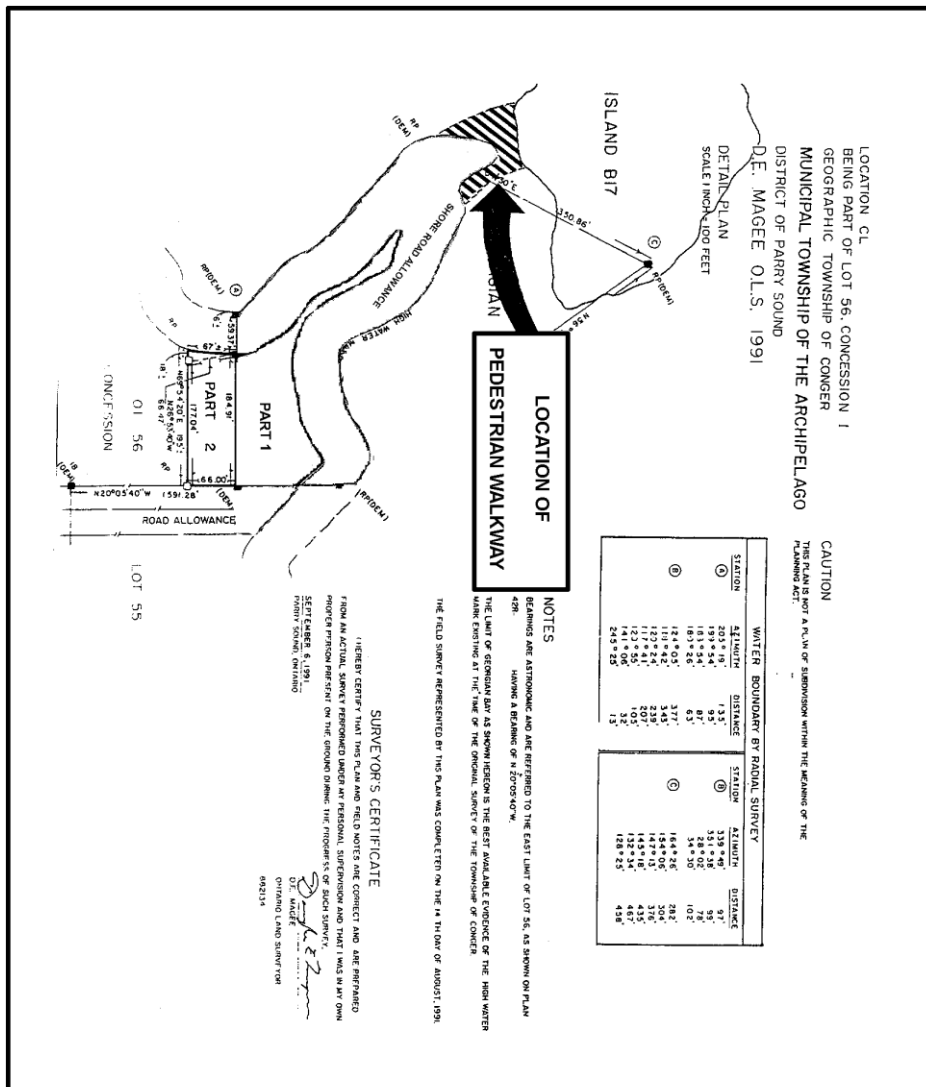
**SCHEDULE 'B-21' OF BY-LAW A2000-07**

**INLAND LAKES RESIDENTIAL EXCEPTION 2 (IR-2)**

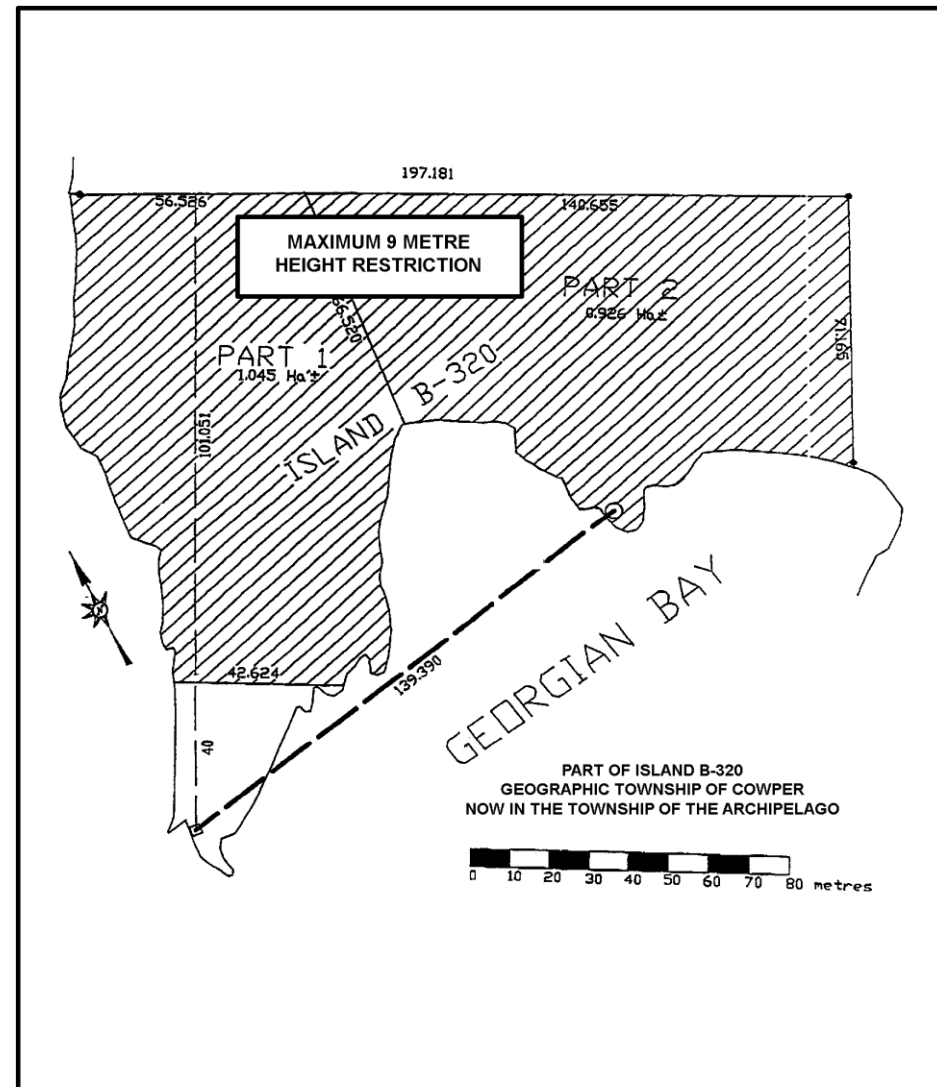


SCHEDULE 'B-22' OF BY-LAW A2000-07

INLAND LAKES RESIDENTIAL EXCEPTION 9 (IR-9)



SCHEDULE 'B-23' OF BY-LAW A2000-07  
PRIVATE CLUB EXCEPTION 5 (PC-5)



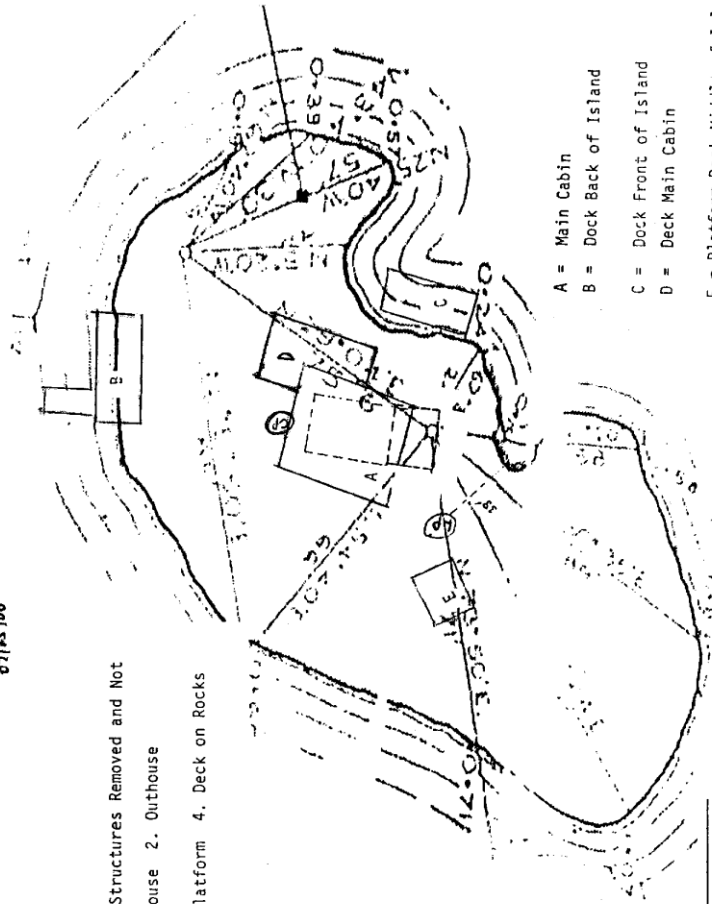
SCHEDULE 'B-24' OF BY-LAW A2000-07  
COASTAL/ISLAND RESIDENTIAL EXCEPTION 42 (CR-42)



Proposed Replacement Structures (REVISED)  
07/15/06

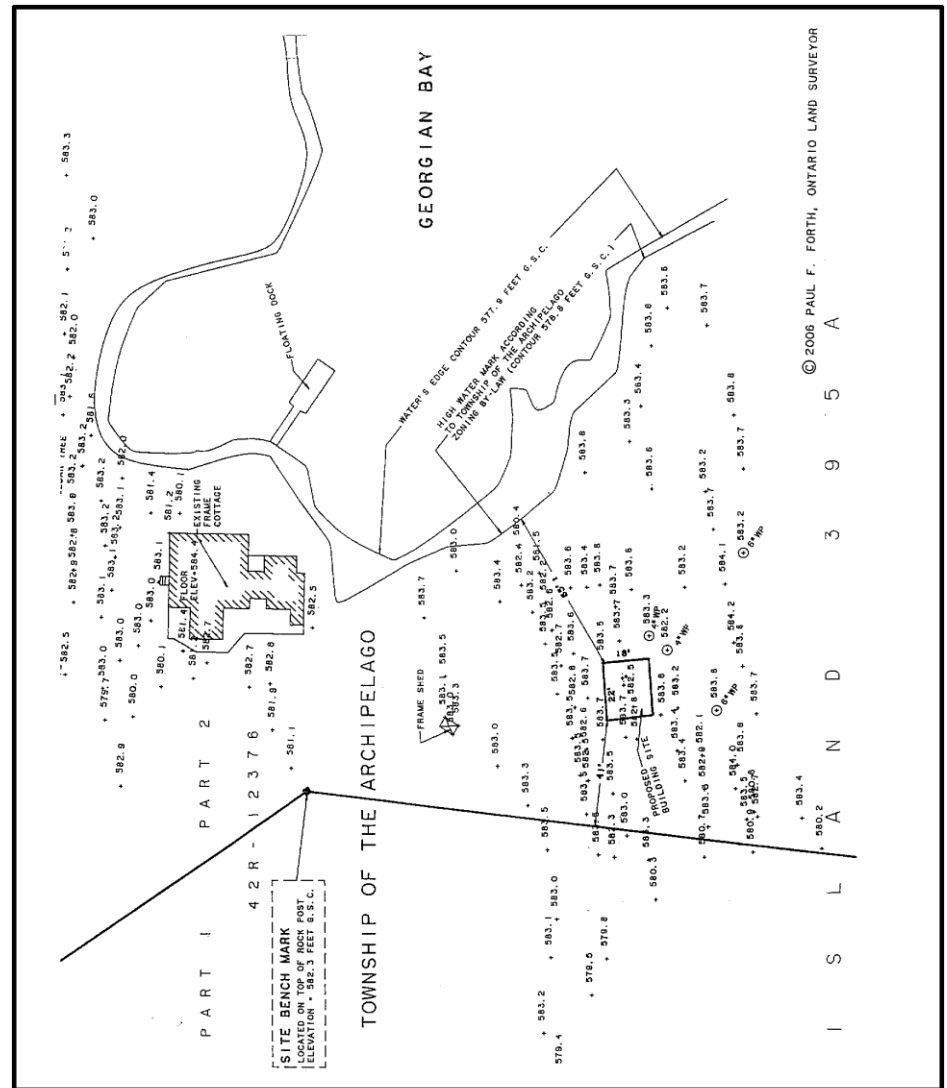
Existing Structures Removed and Not Replaced:  
1. Bunk House 2. Outhouse

3. Tent Platform 4. Deck on Rocks



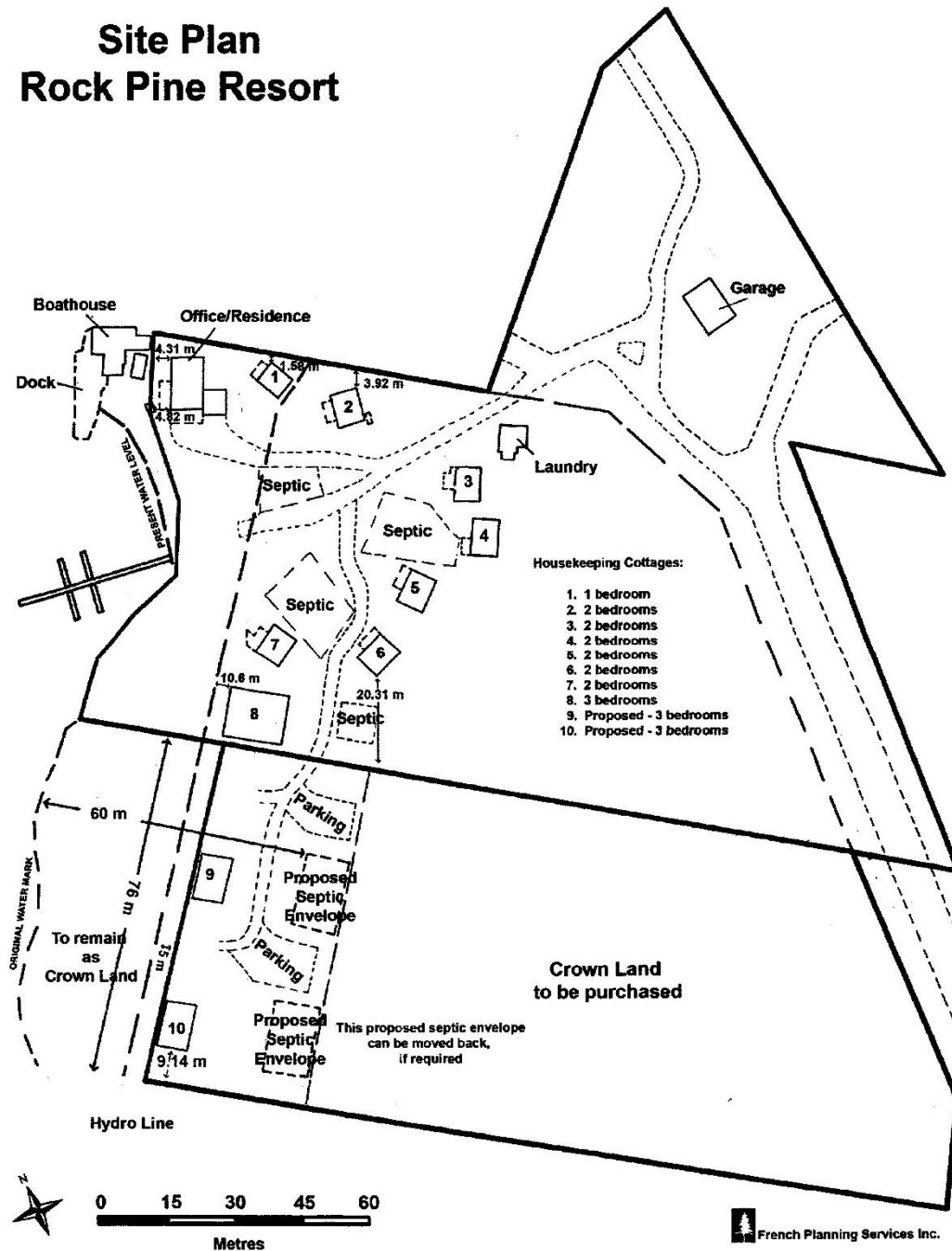
Solid Line = New Main Cabin and Deck  
Broken Line = Old Cabin and Deck

SCHEDULE 'B-25' OF BY-LAW A2000-07  
INLAND LAKES RESIDENTIAL EXCEPTION 11 (IR-11)



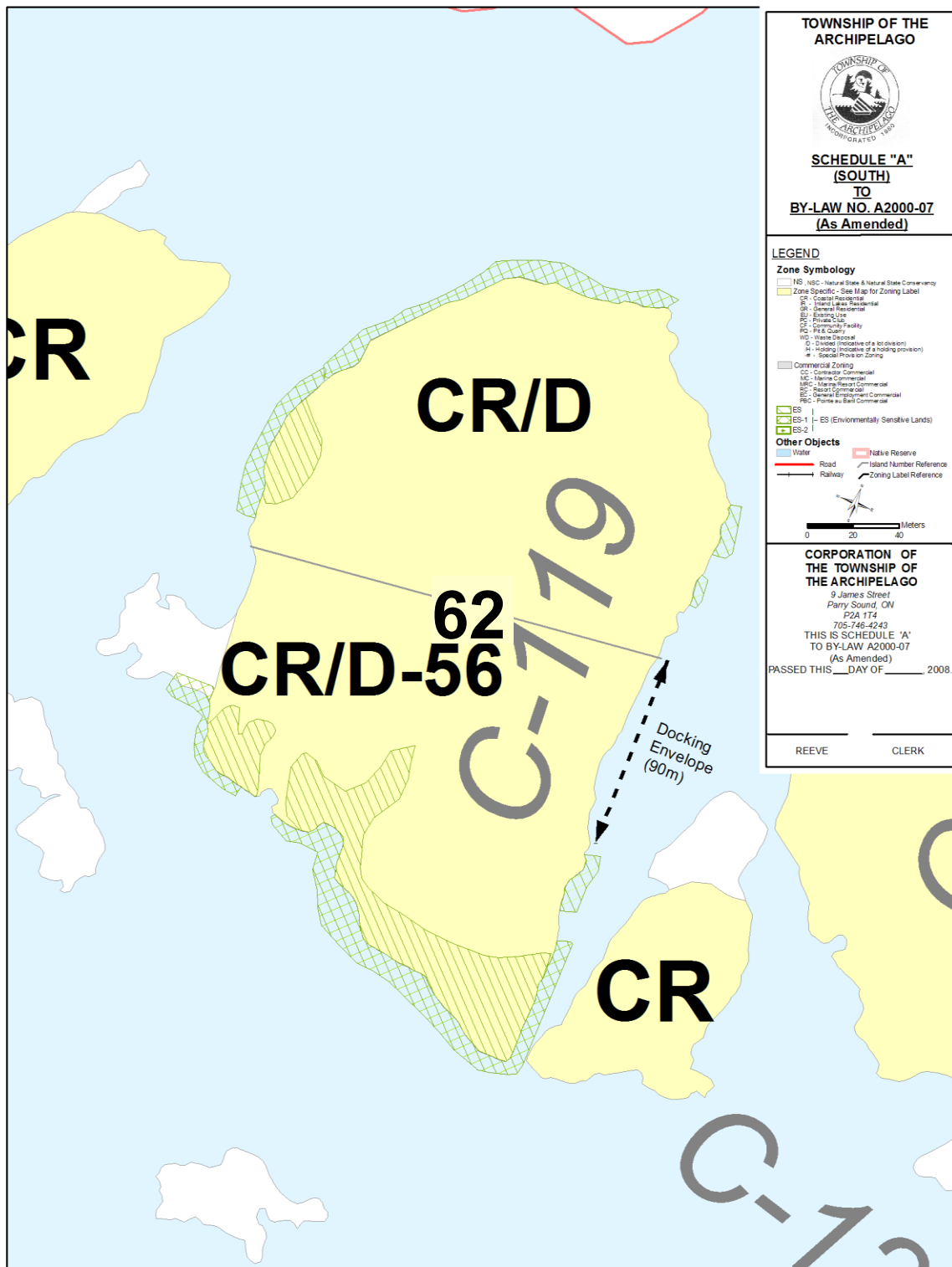
SCHEDULE 'B-26' OF BY-LAW A2000-07  
COASTAL/ISLAND RESIDENTIAL/DIVIDED EXCEPTION 43 (CR/D-43)

# **Site Plan Rock Pine Resort**



**SCHEDULE 'B-28' OF BY-LAW A2000-07**

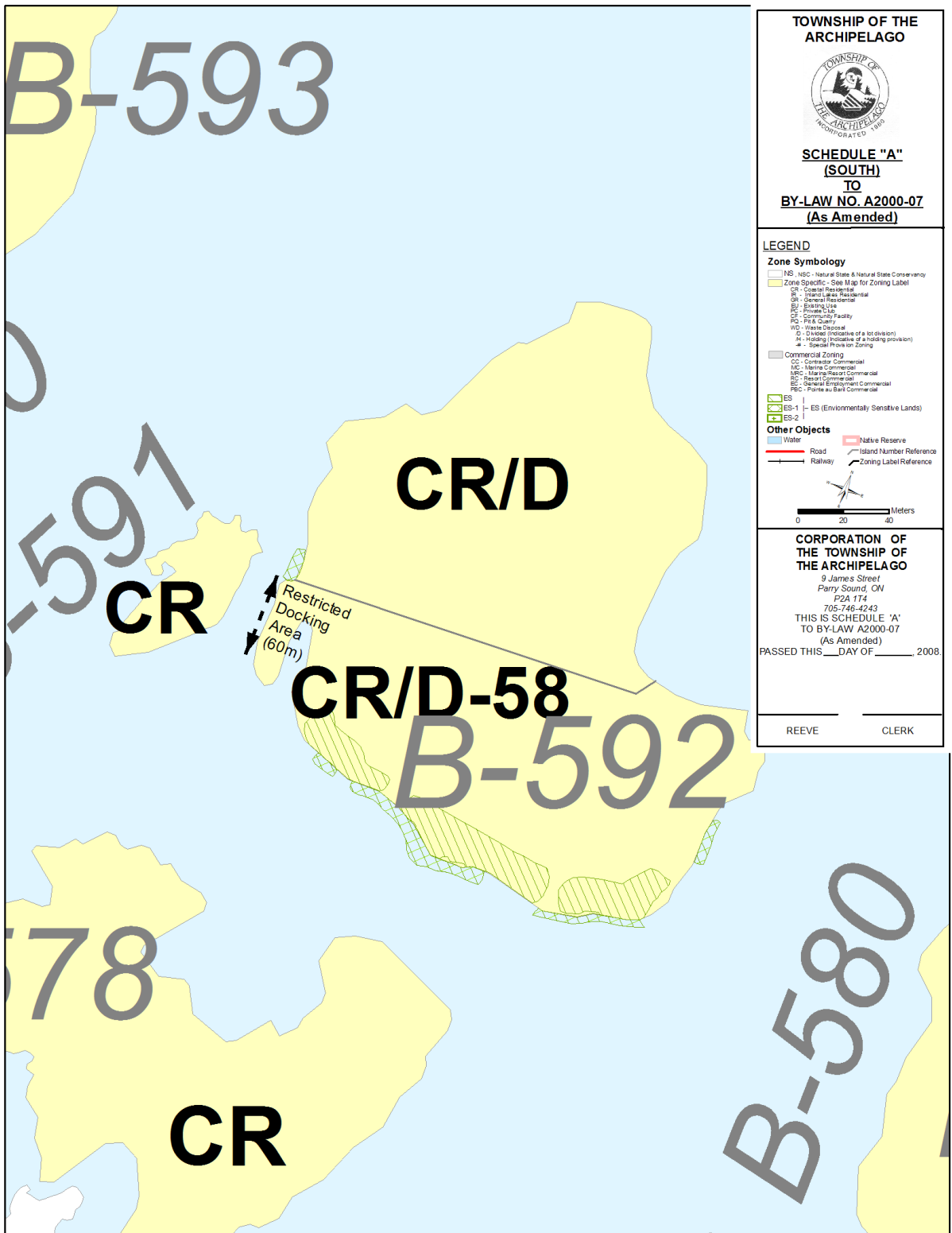
**RESORT COMMERCIAL/HOLDING EXCEPTION 8 (RC/H-8)**



### SCHEDULE 'B-29' OF BY-LAW A2000-07

COASTAL/ISLAND RESIDENTIAL/DIVIDED EXCEPTION 62 (CR/D-62)

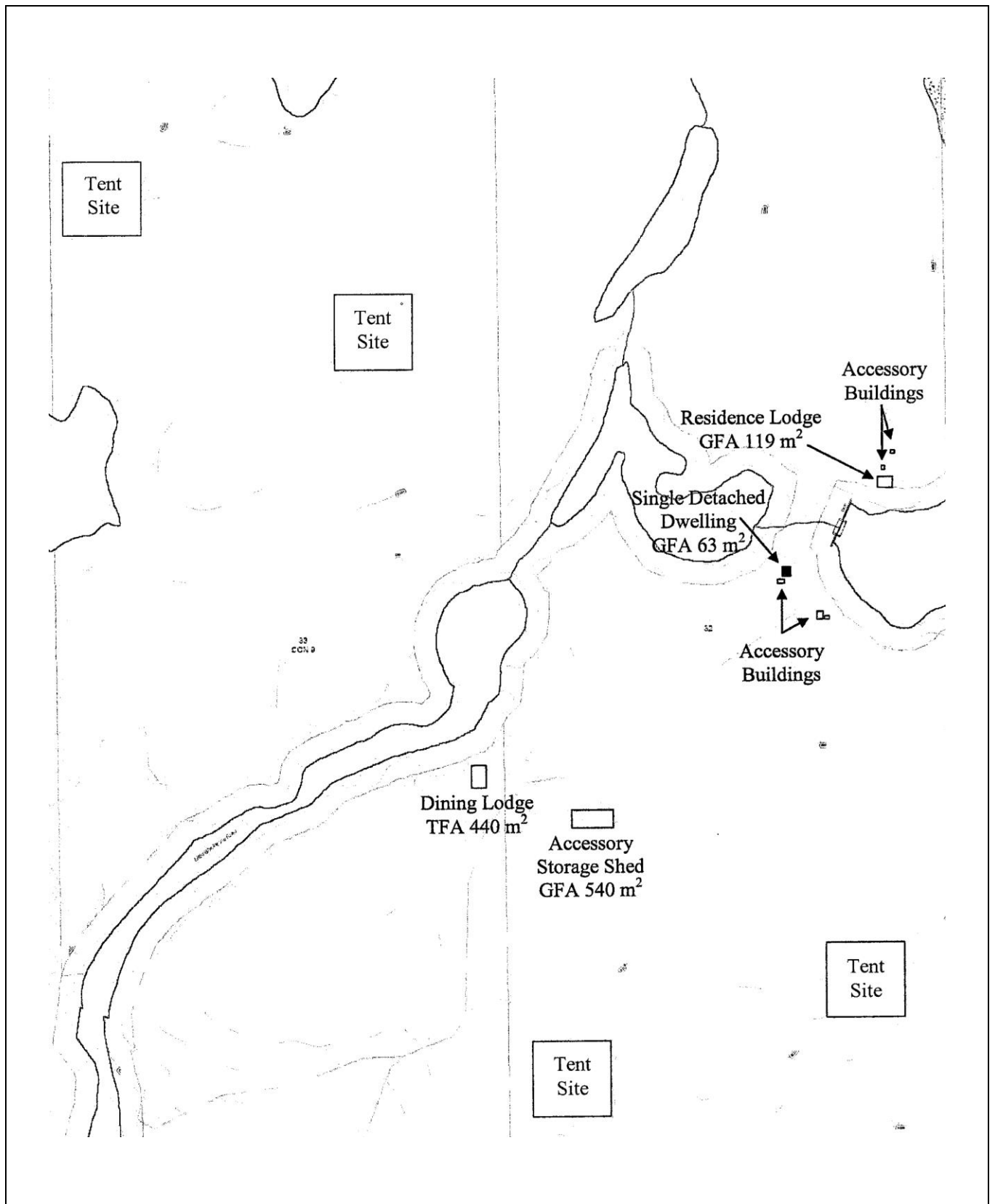




SCHEDULE 'B-31' OF BY-LAW A2000-07

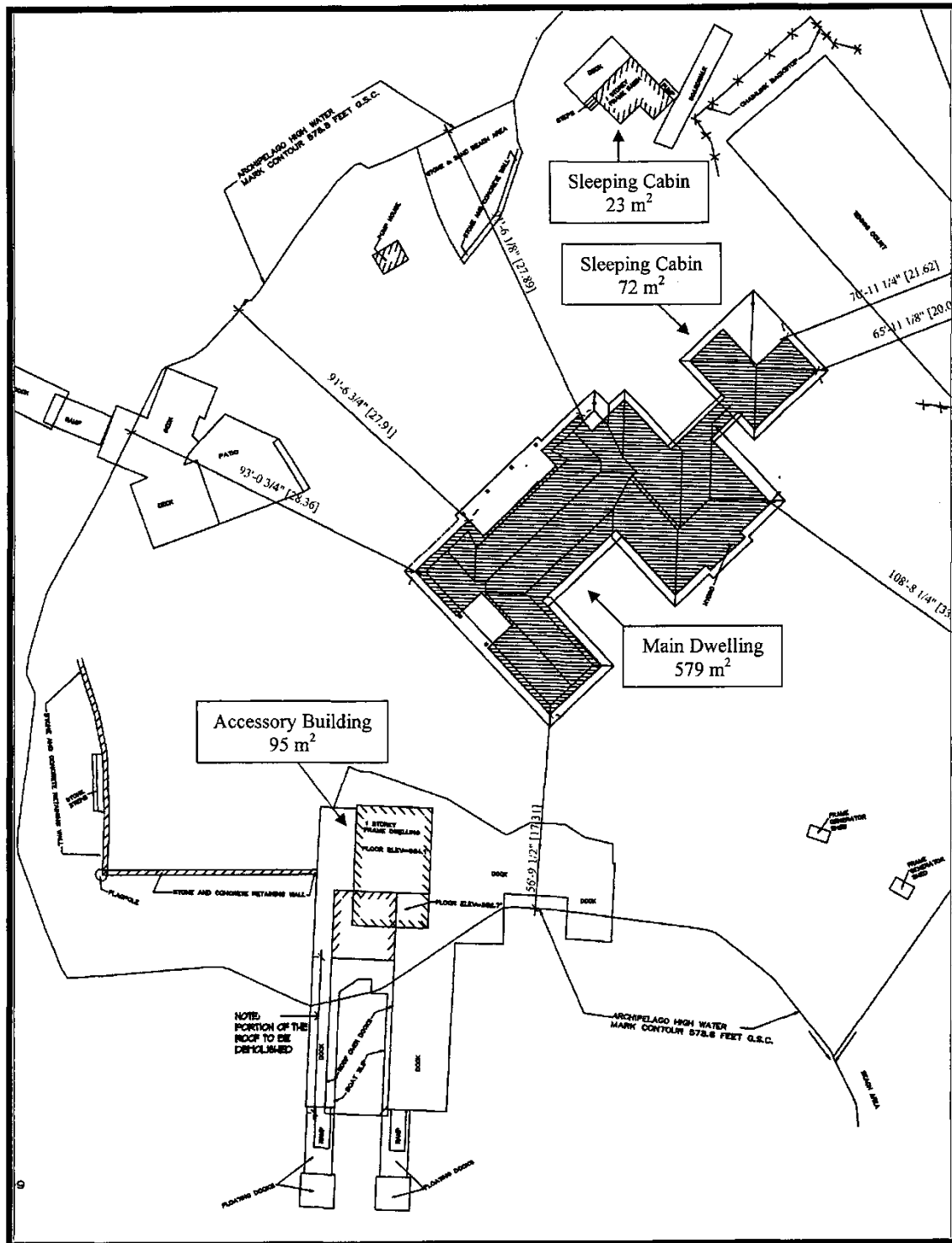
COASTAL/ISLAND RESIDENTIAL/DIVIDED EXCEPTION 58 (CR/D-58)





**SCHEDULE 'B-33' OF BY-LAW A2000-07**

**PRIVATE CLUB EXCEPTION 7 (PC-7)**

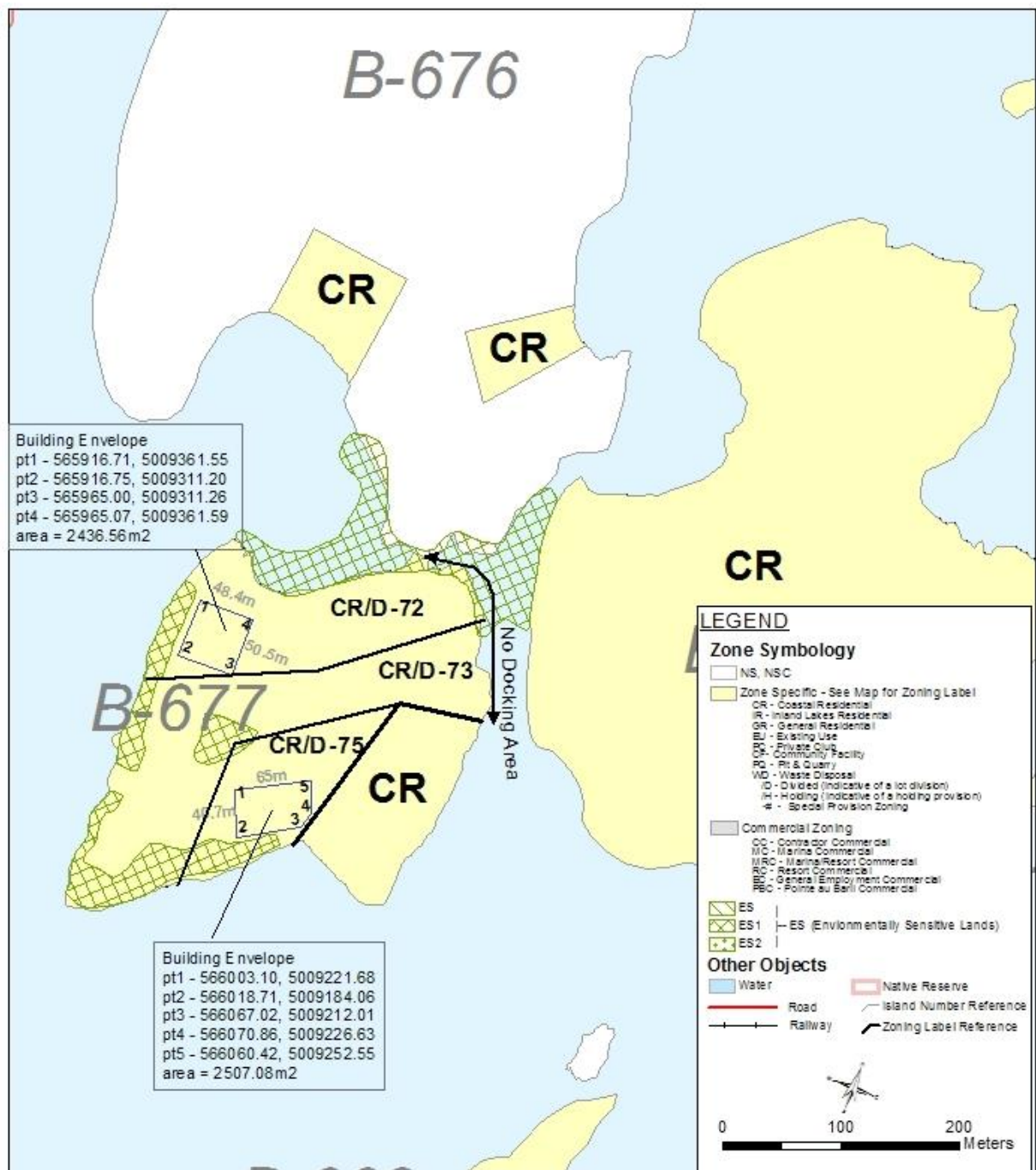


**SCHEDULE 'B-34' OF BY-LAW A2000-07**

**COASTAL/ISLAND RESIDENTIAL EXCEPTION 67 (CR-67)**

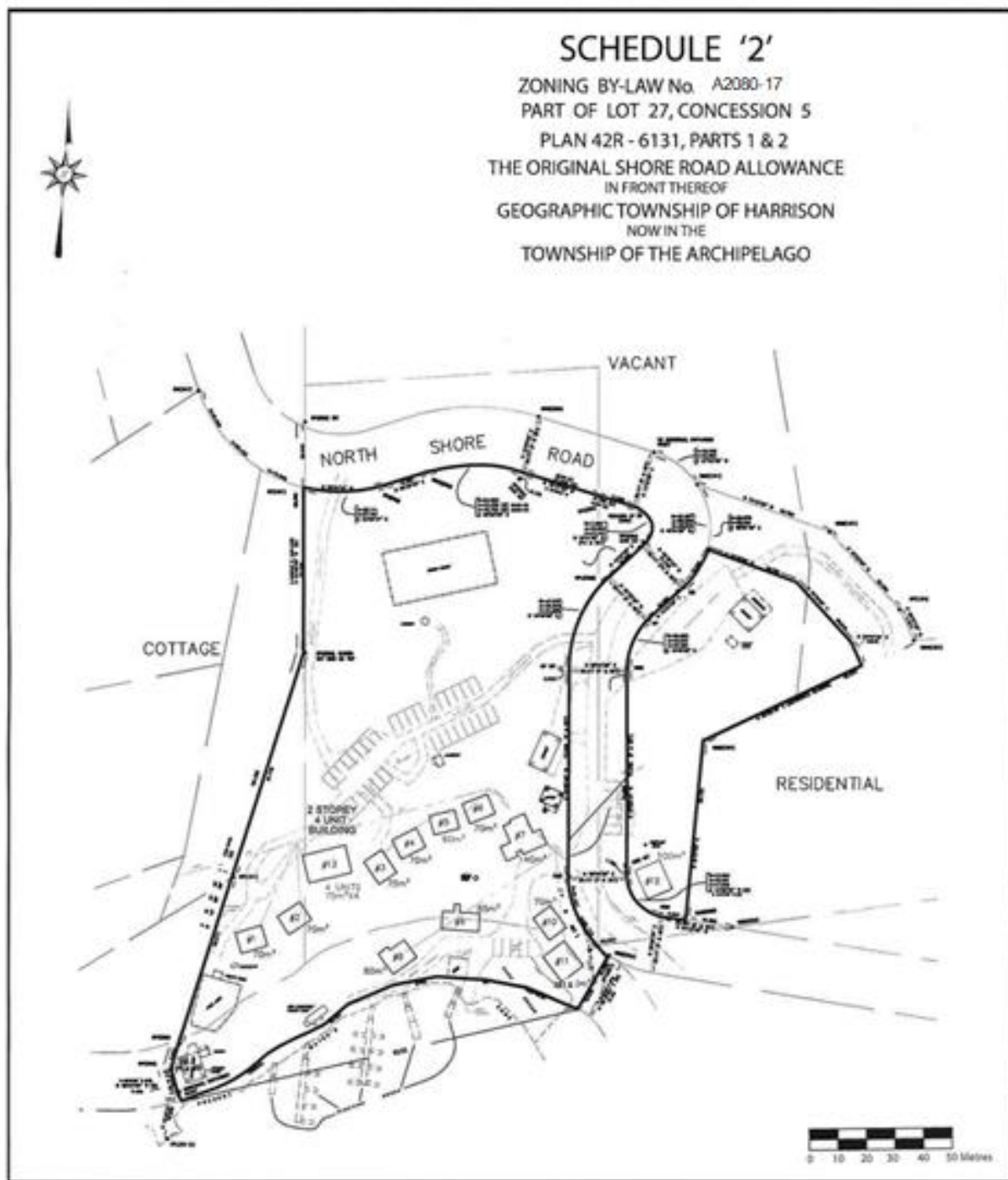






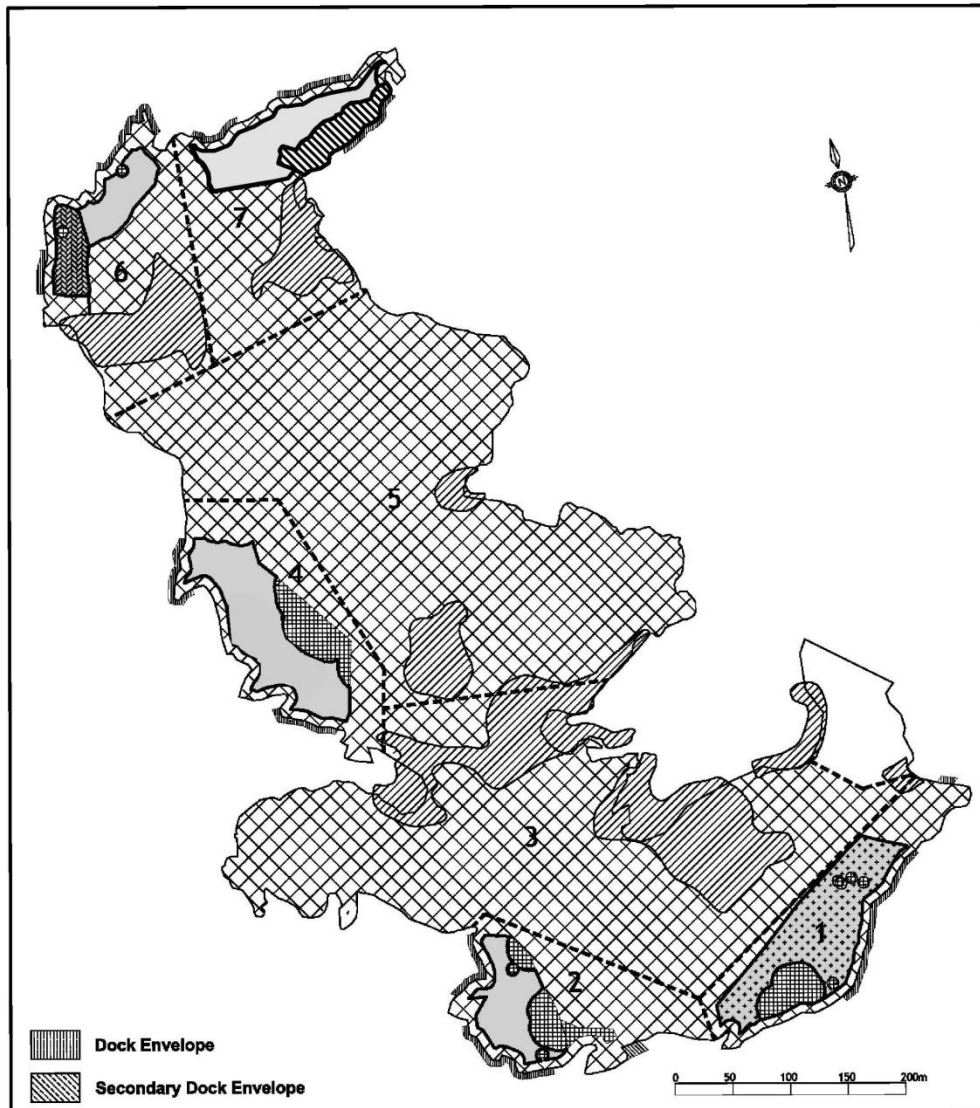
# **SCHEDULE 'B-36' OF BY-LAW A2000-07**

**COASTAL/ISLAND RESIDENTIAL/DIVIDED EXCEPTION 72 (CR/D-72)**  
**COASTAL/ISLAND RESIDENTIAL/DIVIDED EXCEPTION 73 (CR/D-73)**  
**COASTAL/ISLAND RESIDENTIAL/DIVIDED EXCEPTION 75 (CR/D-75)**



**SCHEDULE 'B-37' OF BY-LAW A2000-07  
 COASTAL/ISLAND RESIDENTIAL EXCEPTION 71 (CR-71)**

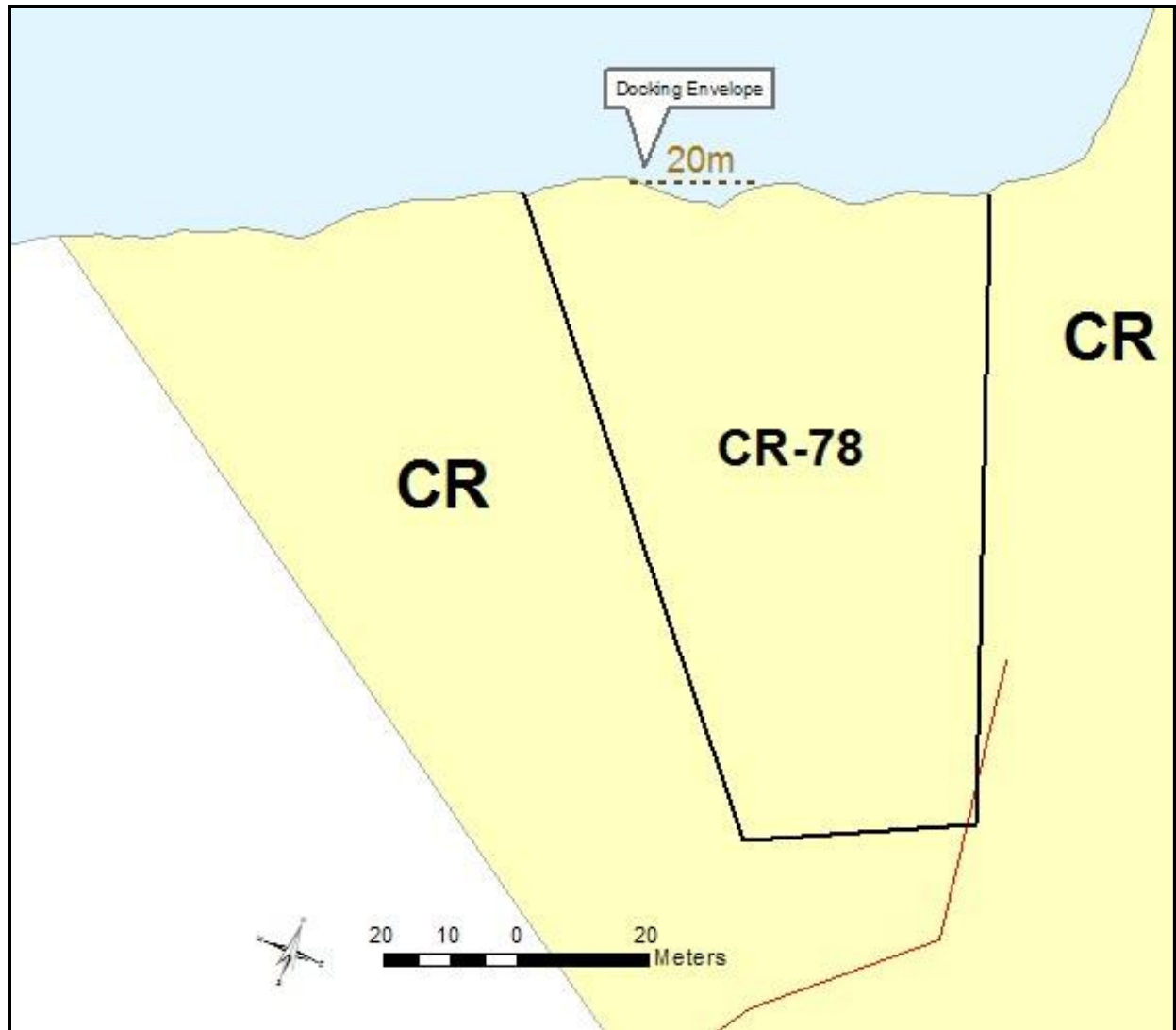




#### LEGEND

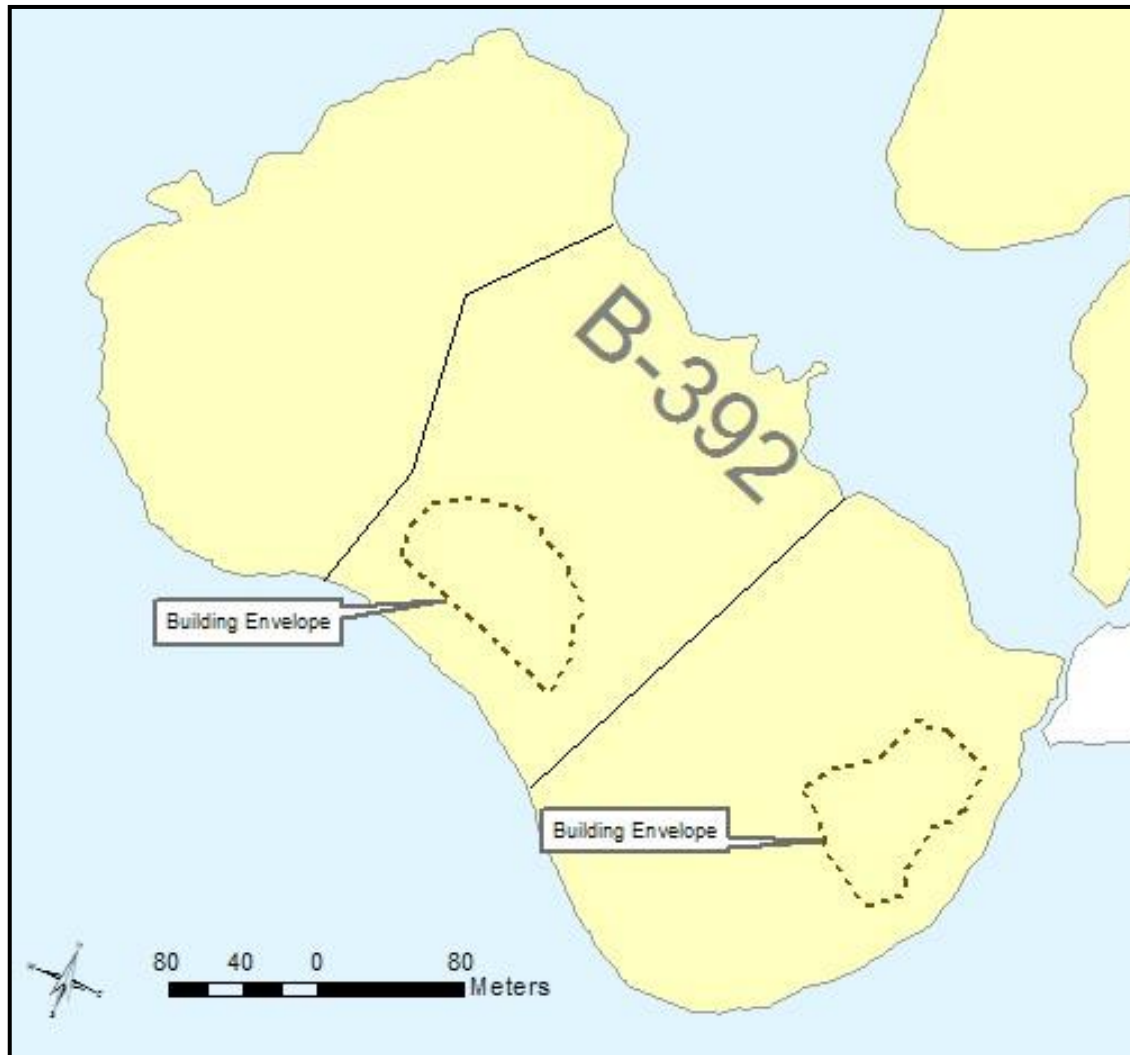
-  Coastal/Island Residential/Divided Exception 54 Holding 1 (CR/D-54-H-1) Zone
-  Coastal/Island Residential/Divided Exception 54 Holding 2 (CR/D-54-H-2) Zone
-  Coastal/Island Residential/Divided Exception 54 Holding 3 (CR/D-54-H-3) Zone
-  Coastal/Island Residential/Divided Exception 55 Holding 1 (CR/D-55-H-1) Zone
-  Coastal/Island Residential/Divided Exception 56 Holding 1 (CR/D-56-H-1) Zone
-  Environmentally Sensitive (ES) Zone
-  Environmentally Sensitive Two Exception 1 (ES2-1) Zone

**SCHEDULE 'B-39' OF BY-LAW A2000-07**  
**COASTAL/ISLAND RESIDENTIAL/DIVIDED EXCEPTION 54/HOLDING 1, 2 and 3**  
**(CR/D-54/H-1, H-2 and H-3)**  
**COASTAL/ISLAND RESIDENTIAL/DIVIDED EXCEPTION 55/HOLDING 1 (CR/D-55/H-1)**  
**COASTAL/ISLAND RESIDENTIAL/DIVIDED EXCEPTION 56/HOLDING 1 (CR/D-56/H-1)**



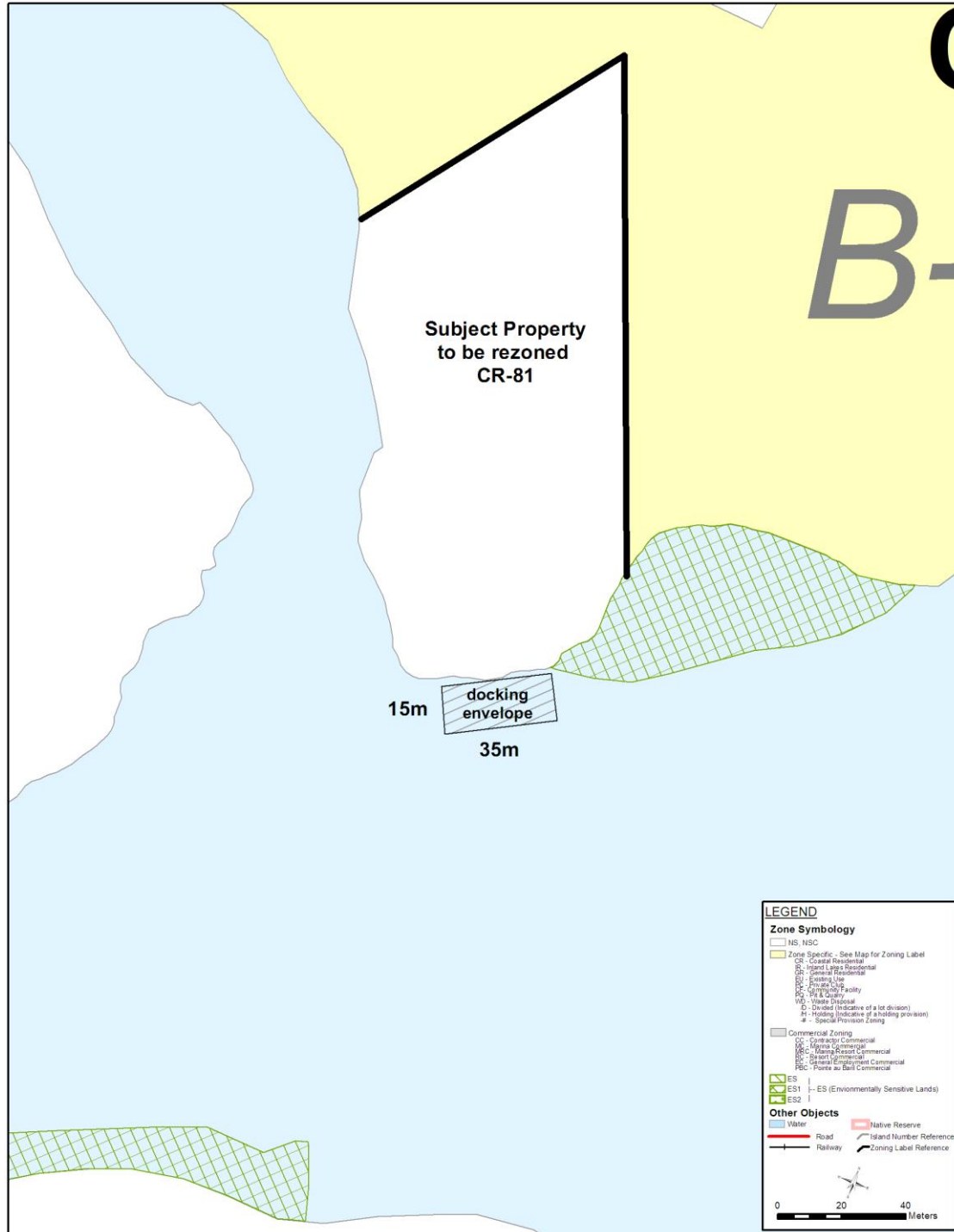
**SCHEDULE 'B-40' OF BY-LAW A2000-07**  
**COASTAL/ISLAND RESIDENTIAL EXCEPTION 78 (CR-78)**





**SCHEDULE 'B-41' OF BY-LAW A2000-07**

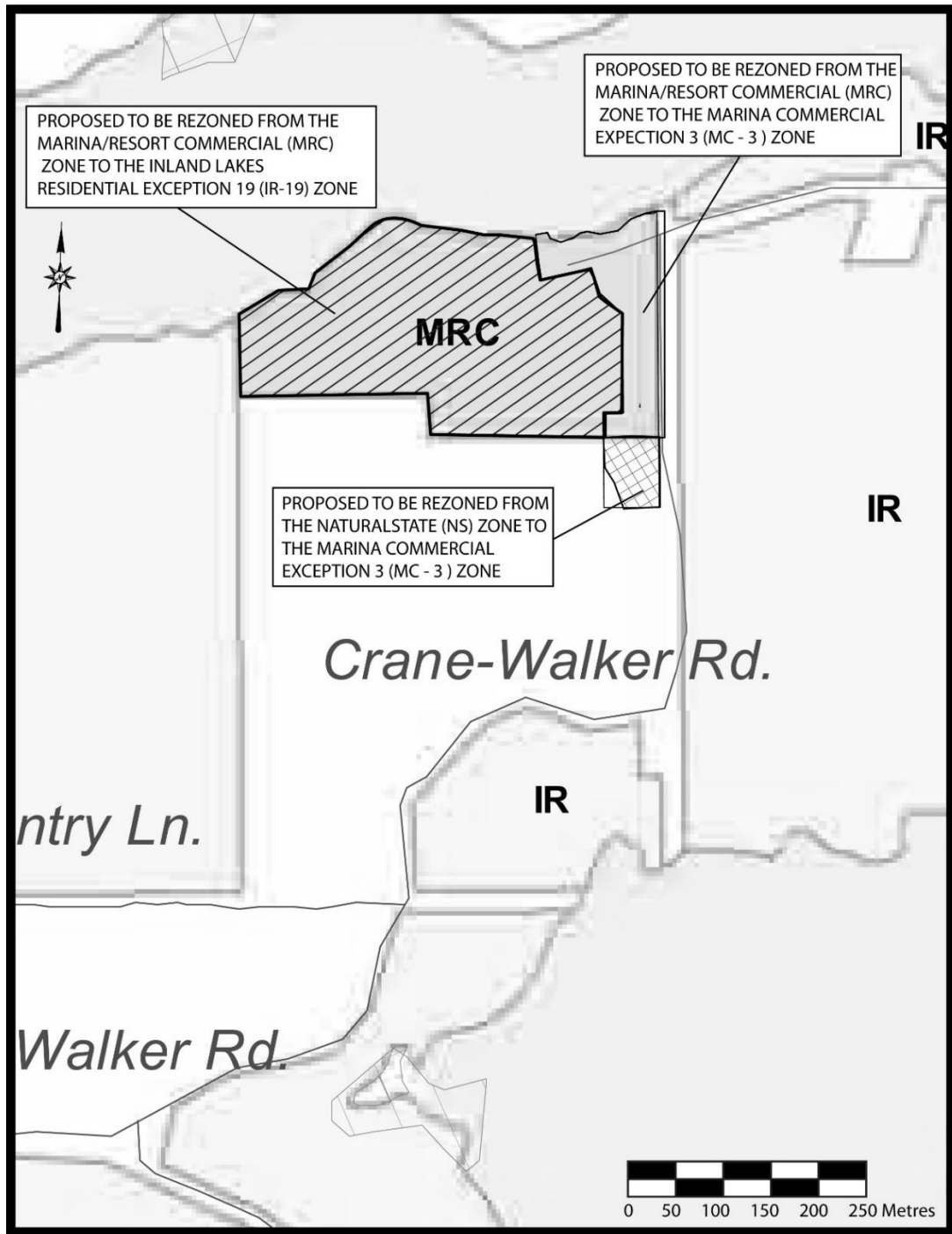
**COASTAL/ISLAND RESIDENTIAL/DIVIDED EXCEPTION 80 (CR/D-80)**



## SCHEDULE 'B-42' OF BY-LAW A2000-07

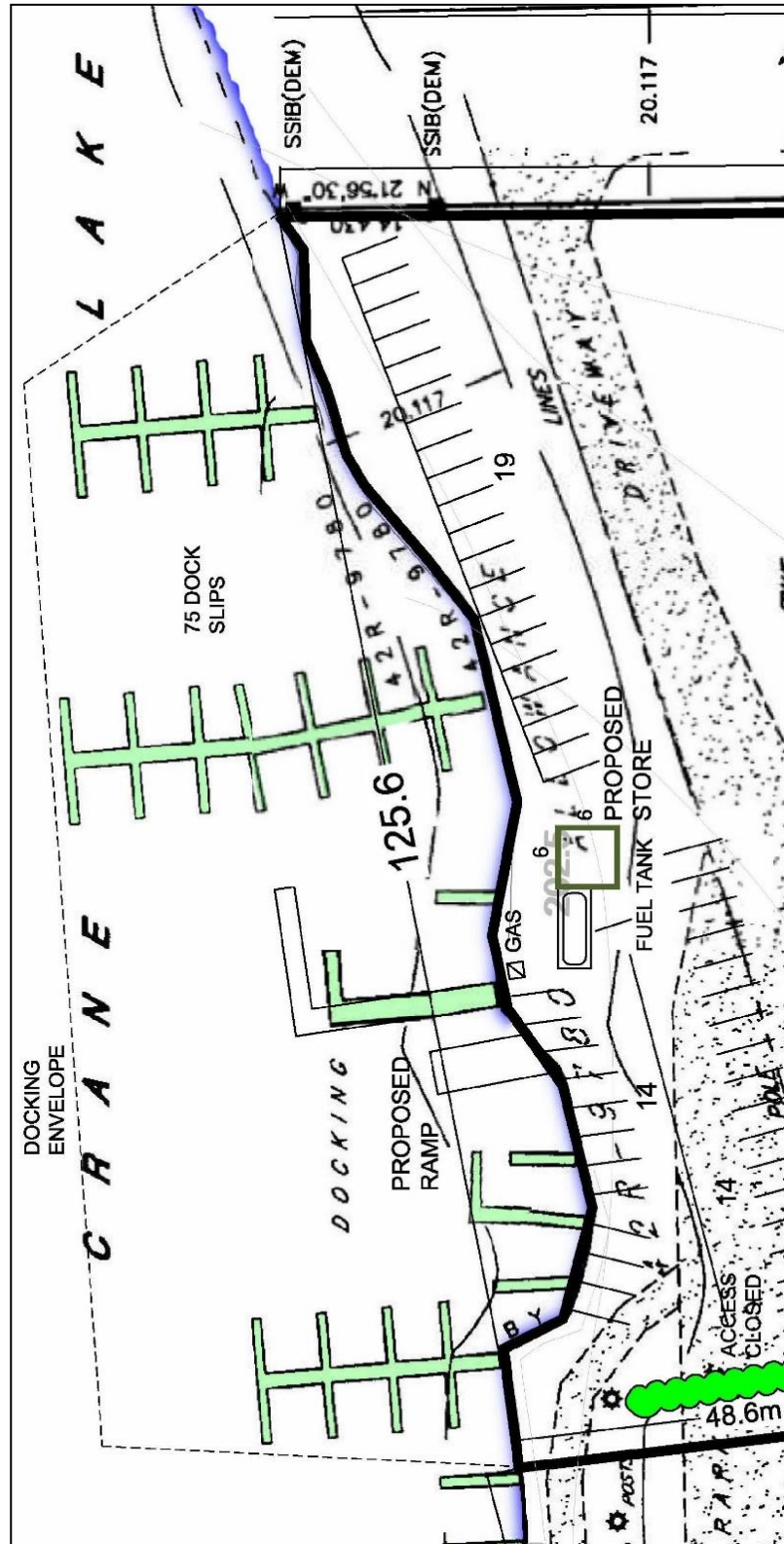
### COASTAL/ISLAND RESIDENTIAL EXCEPTION 81 (CR/D-81)





**SCHEDULE 'B-43' OF BY-LAW A2000-07**

**MARINA COMMERCIAL EXCEPTION 3 (MC-3)**



**SCHEDULE 'B-44' OF BY-LAW A2000-07**  
**MARINA COMMERCIAL EXCEPTION 3 (MC-3)**



**SCHEDULE 'B-45' OF BY-LAW A2000-07**

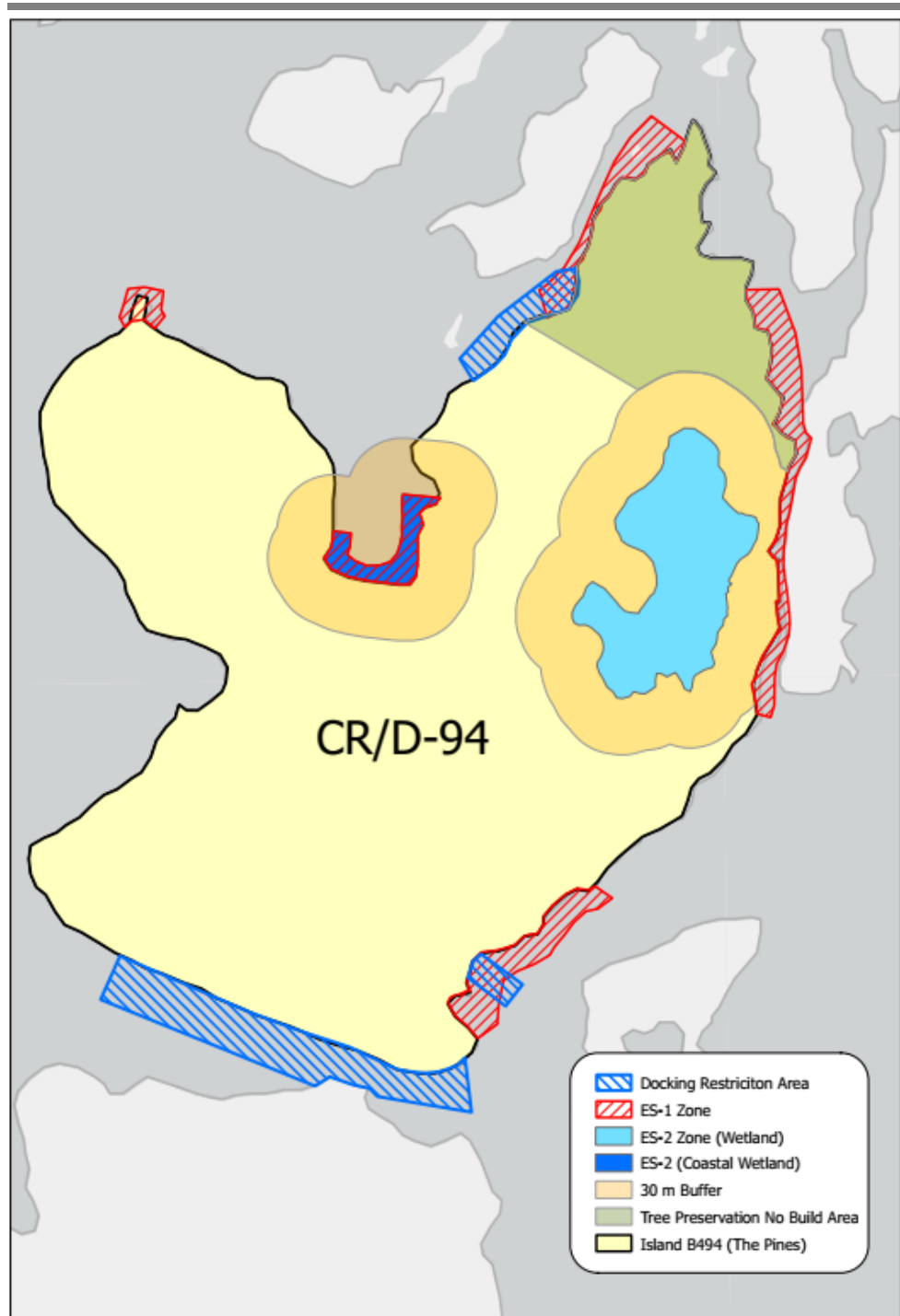
**COASTAL/ISLAND RESIDENTIAL/DIVIDED – EXCEPTION 90 (CR/D-90)**



**SCHEDULE 'B-46' OF BY-LAW A2000-07**

**GENERAL RESIDENTIAL EXCEPTION 6 (GR-6)**

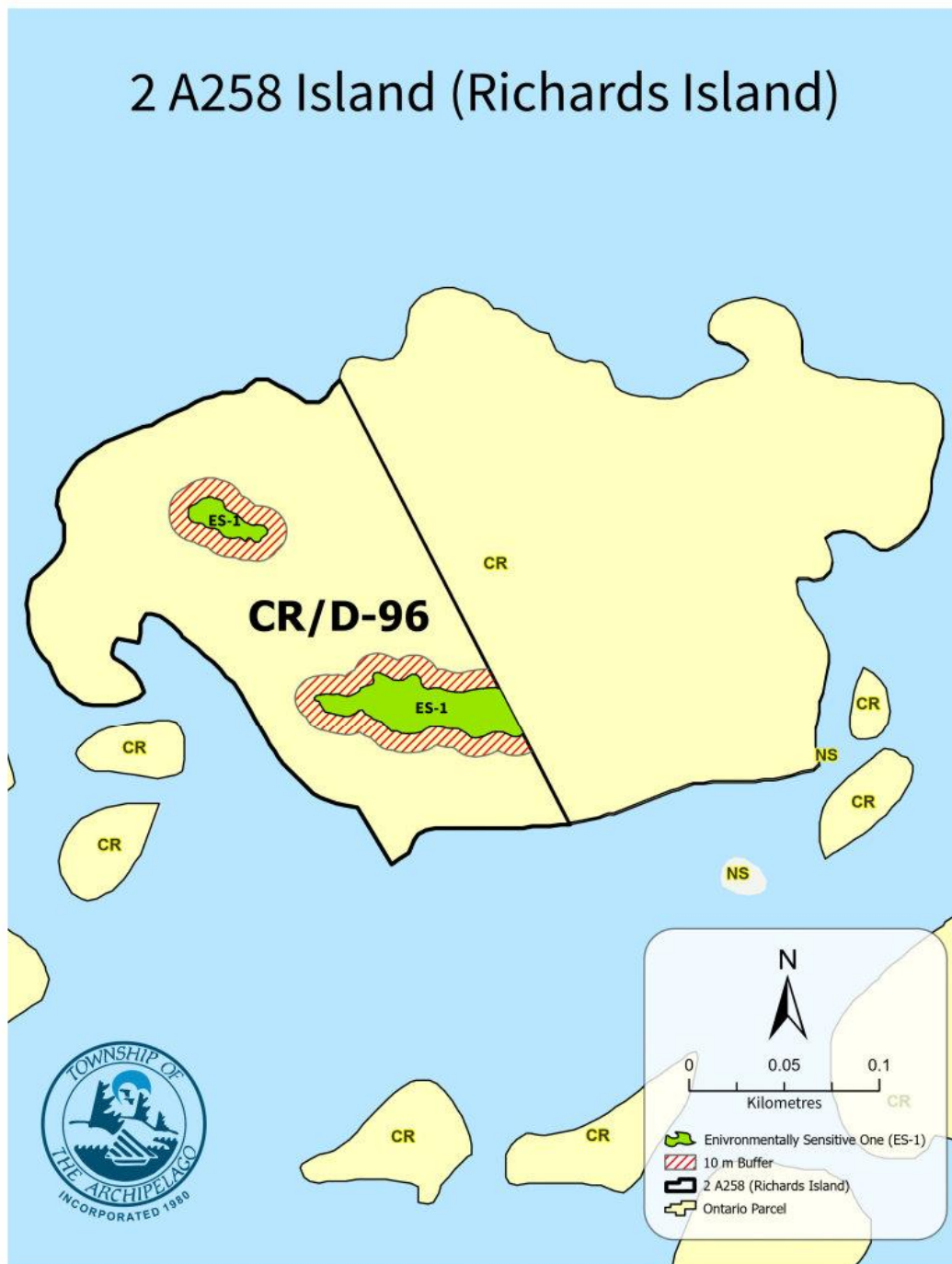




**SCHEDULE 'B-48 OF BY-LAW A2000-07**

**COASTAL ISLAND RESIDENTIAL/DIVIDED EXCEPTION 94 (CR/D-94)**

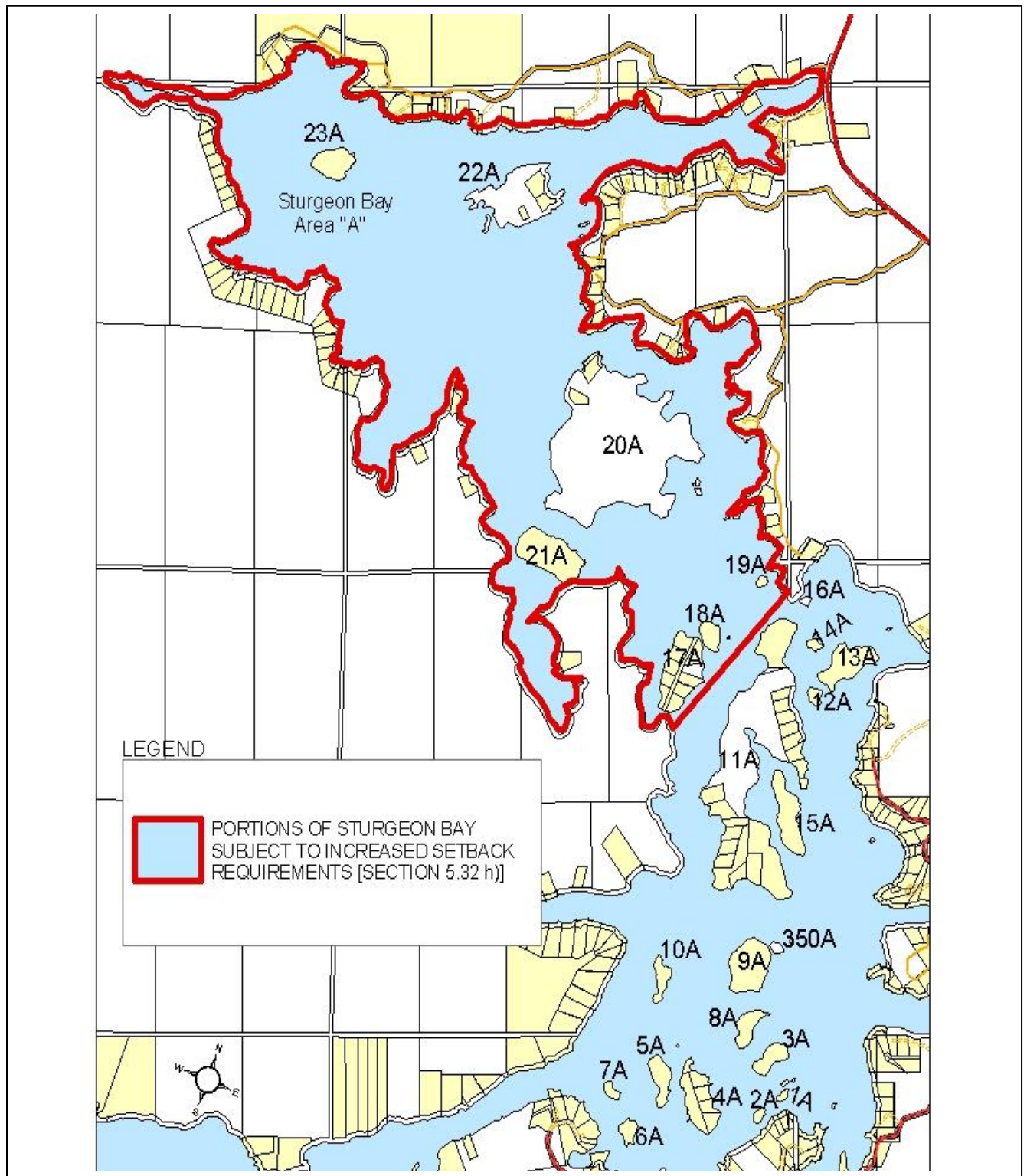
## 2 A258 Island (Richards Island)



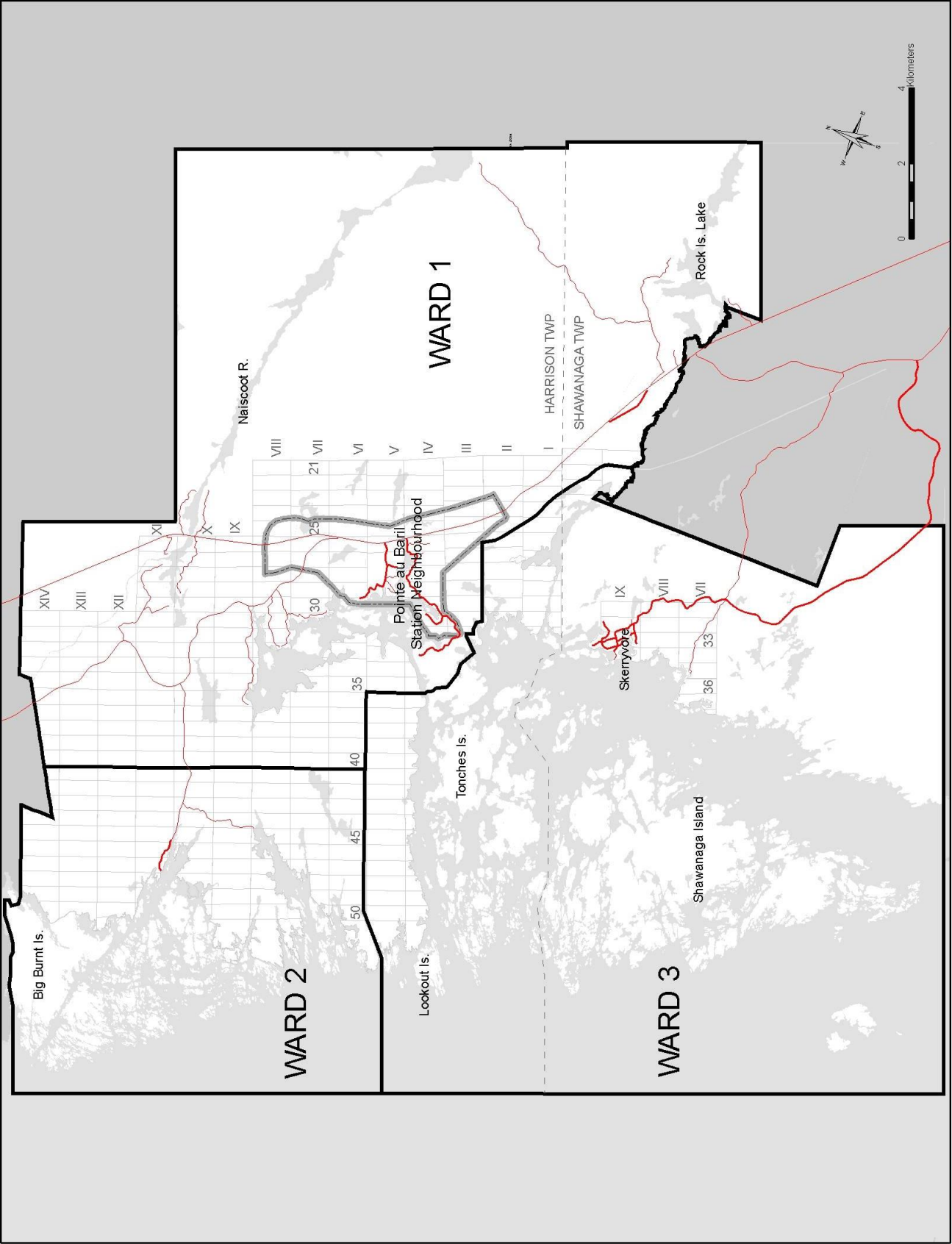
**SCHEDULE 'B-49 OF BY-LAW A2000-07**

**COASTAL ISLAND RESIDENTIAL /DIVIDIED EXCEPTION 96 (CR/D-96)**

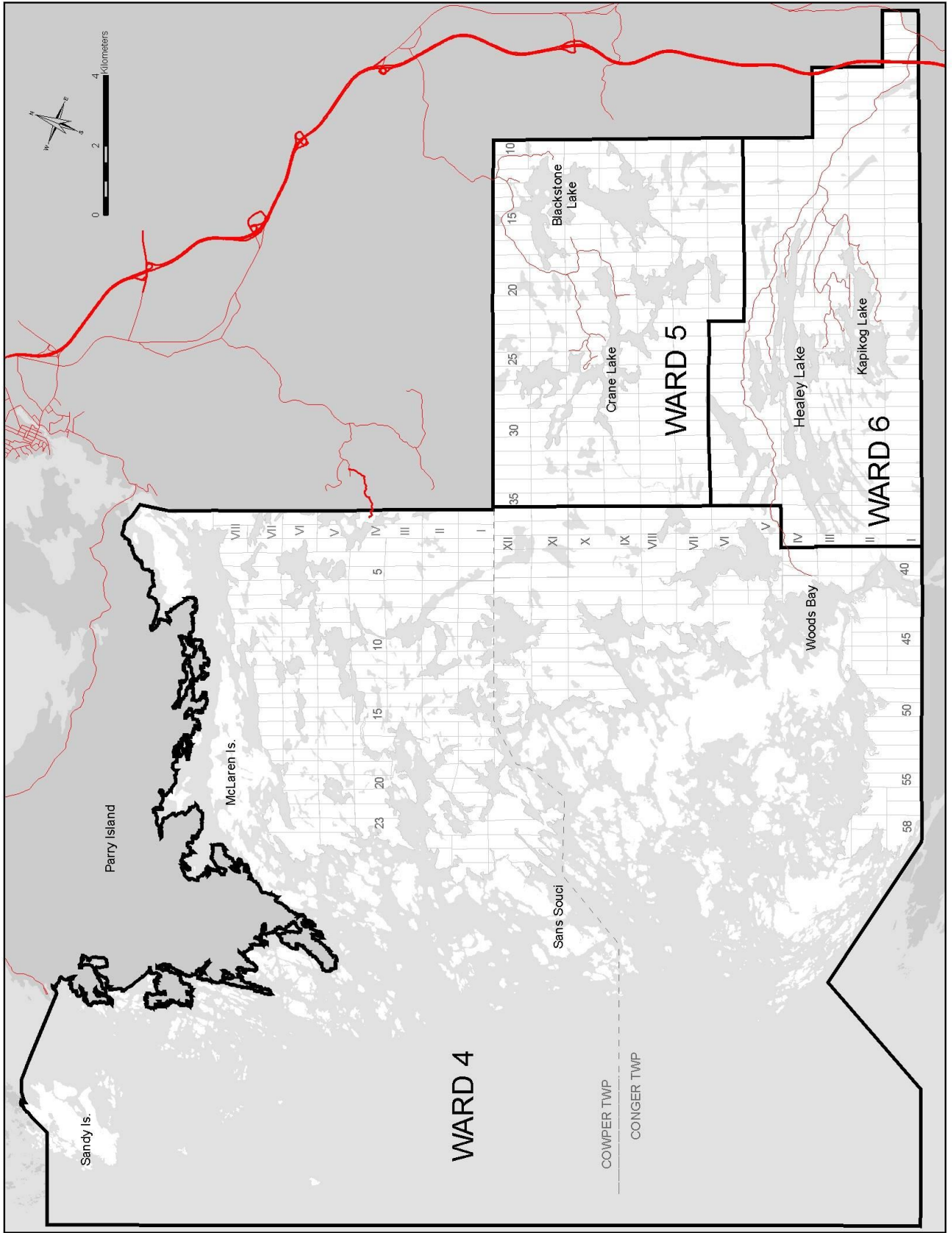
## Schedule 'C'



Schedule 'D'







**Ward 1:** includes all of the lands encompassed within an area commencing at the intersection of the northerly boundary of the Township of The Archipelago and the centre line of the road allowance between Lots 40 and 41 in Concession 14 of the geographic township of Harrison;

Thence southerly along the centre line of the said road allowance to the southerly limit of Concession 6 in the geographic township of Harrison;

Thence easterly along that southerly limit to the centre line of the road allowance between Lots 35 and 36 in the said geographic township of Harrison;

Thence southerly along the centre line of the said road allowance to Georgian Bay;

Thence southeasterly following the middle of the waters east of Barclay Island and north of Ozone Island, Oliver Island and Hearts Content to the centre line of the road allowance between Concessions 2 and 3 of the geographic township of Harrison;

Thence easterly along the centre line of the said road allowance to the centre line of the Canadian Pacific Railway;

Thence southerly along that centre line of the said Railway to the northerly limit of the Shawanaga Indian Reserve No. 17;

Thence easterly following the said northerly limit to the easterly limit of the said Indian Reserve;

Thence southerly along the easterly limit of the said Indian Reserve to the northeasterly limit of the King's Highway Number 69;

Thence North 69° 08' 22" East 3 miles to the easterly boundary of the geographic township of Shawanaga;

Thence northerly along the easterly boundaries of the Township of The Archipelago to its northeasterly angle;

Thence westerly along the centerline of the road allowance between Concessions 10 and 11 to the easterly limit of Lot 25;

Thence northerly to the easterly boundary of the north portion of the Township of The Archipelago;

Thence westerly along the northerly boundary of the Township of The Archipelago to the point of commencement, as identified on Schedule 'D' attached hereto.

**Ward 2:** includes all of the lands and waters encompassed within the area commencing at the intersection of the northerly boundary of the Township of The Archipelago and the centre line of the road allowance between Lots 40 and 41 in Concession 14 of the geographic township of Harrison;

Thence southerly along the centre line of the said road allowance to the southerly limit of Concession 6 in the geographic township of Harrison;

Thence westerly along that southerly limit to the ~~high water mark~~ shoreline of LeBlanc Bay;

Thence southwesterly along the northerly ~~high water mark~~ shoreline of LeBlanc Bay and Georgian Bay to Nares Point;

Thence south 69°08'20" west to the westerly boundary of the Township of The Archipelago in the middle of Georgian Bay;

Thence northerly along the said westerly boundary to the most northwesterly point of the Township of The Archipelago;

Thence easterly along the northerly boundary of the Township of The Archipelago to the point of commencement, as identified on Schedule 'D' attached hereto.

**Ward 3:** includes all of the lands and waters encompassed within the area commencing at the intersection of the southerly limit of Concession 6 and the centre line of the road allowance between Lots 35 and 36 in the geographic township of Harrison;

Thence westerly along the southerly limit of the said Concession 6 to the ~~high water mark~~ shoreline of LeBlanc Bay;

Thence southwesterly along the northerly ~~high water mark~~ shoreline of LeBlanc Bay and Georgian Bay to Nares Point;

Thence South 69°08'20" West to the westerly boundary of the north portion of the Township of The Archipelago in the middle of Georgian Bay;

Thence southerly along the said westerly boundary of the said township to the southerly boundary of the north portion of the Township of The Archipelago;

Thence easterly along the southerly boundary of the north portion of the Township of The Archipelago to the easterly boundary of the north portion of the Township of The Archipelago;

Thence northerly along the easterly boundary of the said Township to the southerly boundary of the Shawanaga Indian Reserve Number 17;

Thence northerly following the boundaries between the said township and Indian Reserve to the centre line of the Canadian Pacific Railway;

Thence northerly along the said centre line of Railway to the centre line of the road allowance between Concessions 2 and 3 of the geographic township of Harrison;

Thence westerly along the centre line of the said road allowance to the ~~high water mark~~ shoreline of Georgian Bay;

Thence northwesterly following the middle of the waters north of Hearts Content, Oliver Island and Ozone Island and east of Barclay Island to the intersection of the ~~high water mark~~ shoreline of Georgian Bay and the centre line of the road allowance between Lots 35 and 36 in the geographic township of Harrison;

Thence northerly along the centre line of the said road allowance to the point of commencement;

Saving and excepting thereout and therefrom the lands lying within the Naiscoutaing Indian Reserve Number 17B, as identified on Schedule 'D' attached hereto.

**Ward 4:** includes all of the lands and waters encompassed within the area commencing at the boundary intersection of the southerly boundary of the geographic township of Conger and the southerly prolongation of the westerly limit of Lot 38 in the geographic township of Conger;

Thence northerly to and along the westerly limit of Lot 38 in Concessions 1, 2, 3 and 4 in the geographic township of Conger to the centre line of the road allowance between Concessions 4 and 5;

Thence easterly along the centre line of the said road allowance to the centre line of the road allowance between Lots 35 and 36 in the geographic township of Conger;

Thence northerly along the centre line of the said road allowance to the easterly boundary of the south portion of the Township of The Archipelago;

Thence northerly along the easterly boundary of the south portion of the Township of The Archipelago to the northerly boundary of the south portion of the Township of The Archipelago;

Thence westerly along the northerly boundary of the south portion of the Township of The Archipelago to the westerly boundary of the said township in the middle of Georgian Bay;

Thence southerly along the westerly boundary of the south portion of the Township of The Archipelago to the southerly boundary of the said township;

Thence easterly along the southerly boundary of the Township of The Archipelago to the point of commencement;

Saving and excepting thereout and therefrom the lands lying within the Parry Island Indian Reserve Number 16, as identified on Schedule 'D' attached hereto.

**Ward 5:** includes all of the lands and waters encompassed within the area commencing at the intersection of the northerly boundary of the geographic township of Conger and the centre line of the road allowance between Lots 35 and 36 in the said township;

Thence southerly along the centre line of the said road allowance to the centre line of the road allowance between Concessions 6 and 7 of the geographic township of Conger;

Thence easterly along the centre line of the said road allowance to the northerly prolongation of the westerly limit of Lot 22 in Concession 6 of the said township;

Thence southerly to and along the westerly limit of Lot 22 to the southerly limit of Concession 6 of the said township;

Thence easterly along the southerly limit of Concession 6 of the said township to the easterly limit of Lot 10 in the said Concession;

Thence northerly along the easterly limit of Lot 10 in Concessions 6 to 12, both inclusive, to the northerly boundary of the geographic township of Conger;

Thence westerly along the northerly boundary of the said geographic township of Conger to the point of commencement, as identified on Schedule 'D' attached hereto.

**Ward 6:** includes all of the lands and waters encompassed within the area commencing at the intersection of the southerly boundary of the geographic township of Conger and the southerly prolongation of the westerly limit of Lot 38 in Concession 1 of the said geographic township of Conger;

Thence northerly to and along the westerly limit of Lot 38 in Concessions 1, 2, 3 and 4 to the centre line of the road allowance between Concessions 4 and 5;

Thence easterly along the centre line of the said road allowance to the centre line of the road allowance between Lots 35 and 36 in the said township;

Thence northerly along the centre line of the said road allowance to the centre line of the road allowance between Concessions 6 and 7 of the said township;

Thence easterly along the centre line of the said road allowance to the northerly prolongation of the westerly limit of Lot 22 in Concession 6 of the said township;

Thence southerly to and along the westerly limit of Lot 22 to the southerly limit of Concession 6;

Thence easterly along the southerly limit of Concession 6 to the easterly limit of Lot 10 in Concession 6;

Thence southerly along the easterly limit of Lot 10 in Concessions 5 and 4 to the northerly limit of Concession 3;

Thence easterly along the northerly limit of Concession 3 to the easterly limit of Lot 5 in Concession 3;

Thence southerly along the easterly limit of Lot 5 in Concessions 3 and 2 to the southerly limit of Concession 2 of the said geographic township of Conger;

Thence easterly along the southerly limit of Concession 2 to the northwesterly limit of King's Highway Number 612;

Thence southwesterly along the northwesterly limit of the said King's Highway to the southerly boundary of the Township of The Archipelago;

Thence westerly along the southerly boundary of the Township of The Archipelago to the point of commencement, as identified on Schedule 'D' attached hereto."

## APPENDIX I – Metric Conversions

| DISTANCE |          |
|----------|----------|
| metric   | imperial |
| 1 m      | 3.2 ft   |
| 3 m      | 9.8 ft   |
| 5 m      | 16.4 ft  |
| 6 m      | 19.7 ft  |
| 7.5 m    | 24.6 ft  |
| 9 m      | 29.5 ft  |
| 10 m     | 32.8 ft  |
| 12 m     | 39.3 ft  |
| 15 m     | 49.2 ft  |
| 20 m     | 65.6 ft  |
| 25 m     | 82.0 ft  |
| 50 m     | 164.0 ft |
| 100 m    | 328.1 ft |

| AREA                 |                          |
|----------------------|--------------------------|
| metric               | imperial                 |
| 10 m <sup>2</sup>    | 107.6 ft <sup>2</sup>    |
| 20 m <sup>2</sup>    | 215.3 ft <sup>2</sup>    |
| 40 m <sup>2</sup>    | 430.5 ft <sup>2</sup>    |
| 50 m <sup>2</sup>    | 538.2 ft <sup>2</sup>    |
| 100 m <sup>2</sup>   | 1076.4 ft <sup>2</sup>   |
| 150 m <sup>2</sup>   | 1614.6 ft <sup>2</sup>   |
|                      |                          |
| 1800 m <sup>2</sup>  | 19,375.6 ft <sup>2</sup> |
| 4047 m <sup>2</sup>  | 1.0 acre                 |
| 16187 m <sup>2</sup> | 4.0 acre                 |
| 32374 m <sup>2</sup> | 8.0 acre                 |
|                      |                          |
| 1 ha                 | 2.5 acre                 |
| 5 ha                 | 12.4 acre                |