

# **TOWNSHIP OF LAKE OF THE WOODS**

## **ZONING BY-LAW NO. 60**

November 2000

PREPARED BY:

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PLANNING ACT

NOTICE OF THE PASSING OF A  
ZONING BY-LAW  
BY

**THE CORPORATION OF THE  
TOWNSHIP OF LAKE OF THE WOODS**

TAKE NOTICE that the Council of the Corporation of the Township of Lake of the Woods enacted By-law 60 on the 2nd day of December, 1998 under Section 34 of The Planning Act, 1990.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board, in respect of the by-law, by filing with the Clerk of the Township of Lake of the Woods, not later than the \_\_\_ day \_\_\_\_\_, 2000\_\_, a Notice of Appeal, setting out the objection to the By-law and the reasons in support of the objection.

An explanation of the purpose and effect of the By-law, describing lands to which the By-law applies, and key maps showing the location of the lands to which the By-law applies, are attached. The completed By-law is available for inspection at the Township Office during regular office hours.

Dated at the Township of Lake of the Woods, this \_\_\_ th day of \_\_\_\_\_, 2000.

P. W. Giles - Clerk

## PURPOSE AND EFFECT

### BY-LAW NO. 60

#### TOWNSHIP OF LAKE OF THE WOODS

By-law No. 60 is the first Comprehensive Zoning By-law for the Township of Lake of the Woods. The By-law regulates the use of all land, buildings and structures in the Township of Lake of the Woods. It authorizes the uses set out in the text and prohibits any use of land or the construction or use of buildings not specifically authorized, unless such use was lawfully in existence on the day the By-law was passed.

Applications to change or amend the By-law may be made at any time. All such amendments must be in conformity with the Official Plan for the Township of Lake of the Woods and must receive approval from Council.

All measurements in the By-law are in metric units. A conversion table is provided at the back of the By-law to assist in converting between metric measurements and imperial measurements.

The following is a brief summary of the provisions of the new By-law:

Section 1 of the By-law establishes that the By-law applies to all lands in the Township of Lake of the Woods and that no land shall be used and no building or structure shall be used, erected, altered or enlarged except in conformity with the By-law. It also establishes that the By-law shall come into force and effect as of the date of its passing by Council, if there are no objections, or upon approval by the Ontario Municipal Board, as may be modified by the Board, if there are objections.

Section 2 defines a number of terms used in the By-law.

Section 3 establishes that zone maps comprising Schedule "A", "B", "C" and "D" as part of the By-law and that the zone map is divided into a number of zones. It also provides a manner of interpreting zone boundaries.

Section 4 establishes general provisions that apply to more than one zone in the By-law. These general provisions cover such matters as accessory uses, lots having less than the required frontage or area, non-conforming uses, mobile homes, off-street parking, home occupations and street frontage of building lots.

Section 5 through 14, inclusive, set out specific land use zones. There is a total of 10 zones, including one agricultural zone, one rural zone, three residential zones, a mobile home park zone, a commercial zone, one industrial zone, an institutional zone, an open space zone, a hazard land zone and a holding zone category. For each zone there is a list of permitted uses and standards, including minimum lot area, minimum lot frontage, maximum lot coverage, maximum height and minimum front, side and rear yards. Section 15 identifies specific exceptions to any zone category with respect to use and/or the zone provisions.



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## BY-LAW NO. 60

A By-law to regulate the use of land, and the character, location and use of buildings and structures in the Township of Lake of the Woods.

WHEREAS the Council of The Corporation of the Township of Lake of the Woods deems it necessary in the public interest to pass a restricted area by-law in order to regulate the use of land and the erection and use of buildings and structures;

AND WHEREAS authority is granted under Section 34 of The Planning Act, R.S.O., 1990, to pass this By-law.

NOW THEREFORE the Council of The Corporation of the Township of Lake of the Woods ENACTS AS FOLLOWS:

### **SECTION 1 - INTERPRETATION AND ADMINISTRATION**

#### 1.1 Title

This By-law shall be known as the "Zoning By-law" of The Corporation of the Township of Lake of the Woods.

#### 1.2 Application

The provisions of this By-law shall apply to all lands within the boundaries of the Township as now or hereafter are legally constituted.

#### 1.3 Scope

No lands shall be used and no buildings or structures shall be erected, altered, enlarged or used within the Township of Lake of the Woods except in conformity with the provisions of this By-law.

#### 1.4 Minimum Requirements

In interpreting and applying the provisions of this By-law, they are held to be the minimum requirements for the promotion of the health, safety, comfort, convenience, and general welfare of the inhabitants of the Municipality.

#### 1.5 Meaning of Use

Unless the context otherwise requires, the expressions "use" or "to use" in this By-law include anything done or permitted by the owner or occupant of any land or buildings, directly or indirectly or by or through any trustee, tenant, servant, or agent, acting for, or with the knowledge or consent of such owner or occupant, for the purpose of making use of the said land or building.

## 1.6 Meaning of Shall

In this By-law, the word "shall" shall always be construed as mandatory.

## 1.7 Number and Gender

In this By-law, unless the contrary intention appears, words imparting the singular number or the masculine gender only shall include more persons, parties, or things of the same kind than one, and females as well as males, and the converse.

## 1.8 Administration

This By-law shall be administered by the Chief Building Official and/or such other persons or persons as the Council of the Township of Lake of the Woods designates.

## 1.9 Licenses and Permits

No person shall be entitled to a municipal permit, certificate, or license where the said permit is required for a proposed use of land or a proposed erection, alteration, enlargement or use of any building or structure that is in violation of any provisions of this By-law.

## 1.10 Building to be Moved

No building, residential or otherwise, shall be moved within the limits of the Municipality or shall be moved into the Municipality from outside, without a permit from the Chief Building Official.

## 1.11 Repeal of Existing By-laws

From the coming into force of this By-law, all previous by-laws passed under Section 34 of The Planning Act, or a predecessor thereof, shall be deemed to have been repealed except to the extent that any of the said by-laws prohibits the use of any land, building or structure for a purpose that is also prohibited by this By-law.

## 1.12 Application of Other By-laws

Nothing in this By-law shall serve to relieve any person from the obligation to comply with the requirements of any other By-law of the Municipality, in force from time to time, or the obligation to obtain any license, permit, authority or approval required under any By-law of the Municipality.

## 1.13 Validity

Should any section, clause or provision of this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.

## 1.14 Violations and Penalties

- a) Every person who uses any lot, or erects or uses any building or structure or any part of any lot, building or structure, in a manner contrary to any requirement of this By-law, or who causes or permits such use or erection, or who contravenes any provision of this By-law or causes or permits a contravention, shall be guilty of an offence and upon conviction therefore, shall be liable:
  - i) on a first conviction to a fine of not more than \$25,000; and
  - ii) on a subsequent conviction to a fine of not more than \$10,000 from each day or part thereof upon which the contravention has continued after the day on which the conviction was first made.
- b) Where a corporation is convicted under Section 1.14(a) of this By-law, the maximum penalty that may be imposed is:
  - i) on a first conviction, a fine of not more than \$50,000; and
  - ii) on a subsequent conviction, a fine of not more than \$25,000 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.
- c) Every such penalty as set out in Section 1.14 of this By-law shall be recoverable under the Section 67 of The Planning Act, 1990, and/or The Provincial Offences Act and/or any other legislation applicable.

#### 1.15 Remedies

In case any buildings or structure or any part thereof is to be erected, altered, reconstructed or extended, or any lot is being used or is to be used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the instance of any rate-payer or of the Municipality, pursuant to the provisions of The Planning Act, and/or The Municipal Act and/or any other legislation applicable.

## **SECTION 2 - DEFINITIONS**

For the purpose of this By-law, the definitions and interpretations given herein shall govern.

### **2.1 Abandoned**

Shall mean the failure, in the opinion of the Chief Building Official, to proceed expeditiously with construction work or to undertake construction work during any continuous 12 month period.

### **2.2 Abattoir**

Shall mean a building, structure or lot or part thereof, used for the slaughter of livestock, poultry or other animals for purpose of processing or rendering.

### **2.3 Accessory Building or Structure**

Shall mean a detached building or structure that is not used for human habitation except where a residential use is a permitted accessory use, but the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to a principal use or building and located on the same lot therewith and includes a detached private garage, detached carport, detached deck and dock.

### **2.4 Accessory Use**

Shall mean a use naturally and normally incidental to, subordinate to, or exclusively devoted to a principal use and located on the same lot therewith.

### **2.5 Aggregate**

Shall mean gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite and rock, other than metallic ores.

### **2.6 Aggregate Pit**

Shall mean a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation, and includes the processing thereof for commercial purposes including screening, sorting, washing, crushing, and other similar operations, together with required buildings and structures, but does not include a wayside pit.

### **2.7 Agricultural Services**

Shall mean the use of lands, structure or building for the purposes of buying and selling commodities and services that are necessary to support agricultural operations, including livestock sales barn, but does not include any manufacturing, assembling, processing, warehousing or construction uses.

## 2.8 Agricultural Use

Shall mean the cultivation of land, the production of crops and the selling, packing, storage of such product on the premises, and the breeding, raising and care of livestock, and the selling of such livestock or the product of such livestock raised on the premises and, without limiting the generality of the foregoing, includes animal husbandry, dairying, and the raising and harvesting of field, bush, or tree crops, market gardening, nurseries, bee-keeping, and greenhouses, bait fish culture and harvesting, wild rice culture and harvesting, and associated agriculture buildings and structures.

## 2.9 Airport or Aircraft Landing Area

Shall mean the use of land, including water, runway, or other facility designed, used or intended to be used, either publicly or by any person or persons, for the landing or taking off of aircraft, including all necessary taxiways, aircraft storage, tie-down areas, hangars and other necessary buildings, structures and open spaces.

## 2.10 Alter

- a) When used in reference to a building or structure or part thereof, shall mean to change the use or the external dimensions of such building or structure or to change the type of construction of the exterior walls or roof thereof;
- b) When used in reference to a lot, the word "alter" means to increase the width, depth or area thereof or to decrease the width, depth or area of any required yard, setback, landscaped open space, or parking area, or to change the location of any boundary of such lot with respect to a road or lane, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise; or
- c) When used in reference to a use, to discontinue and replace a use with a use which is defined herein as being distinct from the discontinued use.

## 2.11 Animal Hospital or Veterinary Clinic

Shall mean a building wherein domestic animals/pets, birds, or livestock and farm animals are treated or kept under the care of a licensed veterinary surgeon but shall not include long-term boarding facilities.

## 2.12 Animal Shelter

Shall mean a building or portion thereof where small domestic animals/pets, birds, livestock or farm animals are given temporary shelter, where minor treatment is given, and includes a public pound and crematorium but does not include any establishment engaged primarily in the retail sale of animals or in the breeding or training of animals for gain or profit.

## 2.13 Apartment Building

Shall mean a building that contains 4 or more dwelling units, which units have one or more common entrances from road level and are served by a common corridor, and the occupants of which units have the right to use in common the corridors, stairs, elevators, yards or one or more of them.

#### 2.14 Arcade

Shall mean an establishment, or part or parts of an establishment, containing three or more arcade machines operated for gain, including where the operation of such arcade machines for gain is an accessory use or is not the primary use of the establishment.

#### 2.15 Arena

Shall mean a facility for sport activities and includes ice surfaces for hockey and curling and other surfaces for any sporting activity.

#### 2.16 Assembly Hall

Shall mean a building, or part thereof, in which facilities are provided for such purposes as meetings for civic, educational, political, recreational, religious or social purposes and, without limiting the generality of the foregoing, may include such facilities as a banquet hall or private club.

#### 2.17 Attached

Shall mean a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.

#### 2.18 Attic

Shall mean the space between the ceiling of the top storey and the roof or between a dwarf wall and a sloping roof.

#### 2.19 Automobile Body Repair Shop

Shall mean a building or structure used primarily for making repairs or alterations to the body or paint work of any vehicle.

#### 2.20 Automobile Service Station or Service Station

Shall mean a building or part of a building or a clearly defined space on a lot used primarily for the retail sale or some or all of lubrication oils, gasoline, diesel fuel and propane for motor vehicles, and may include the sale of automobile accessories, and the servicing and repairing essential to the operation of motor vehicles, but does not include a car washing establishment.

#### 2.21 Bait Shop

Shall mean an establishment used for the storage, handling and/or raising for retail sale of minnows, worms and other species used exclusively for recreational bait fish purposes.

## 2.22 Bake Shop

Shall mean a bakery where the prepared food products of such bakery are offered for retail sale on the same premises.

## 2.23 Bank

Shall mean a banking institution as defined in The Bank Act.

## 2.24 Basement or Cellar

Shall mean that portion of a building between two floor levels which is more than 50% below the ground level at the exterior walls.

## 2.25 Bed and Breakfast Establishment

Shall mean the use of a portion of a dwelling in which not more than 4 habitable rooms for overnight lodging are provided for gain, with breakfast included, to persons other than the lessee, tenant or owner of said dwelling, or any member of the his household, but shall not include a hotel, motel, resort, trailer camp, seasonal campground or camping establishment and is accessory to the main residential use.

## 2.26 Boarding House or Rooming House

Shall mean a building or portion thereof, in which the proprietor supplies to other persons, for hire or gain, lodging, meals or both, but shall not include a hotel, motel, hospital, home for the young or the aged, or institution, or restaurant accommodating the general public.

## 2.27 Boat House

Shall mean a detached accessory building or structure constructed for the purpose of sheltering or storage of boats or other form of water transportation and accessories, but it shall not include a dwelling unit.

## 2.28 Buffer Strip

Shall mean an area of land used for no other purpose than for the erection of a fence, or the planting and maintaining of a continuous row of natural evergreens or a continuous unpierced hedgerow of natural shrubs and the remainder of which is to be used for landscaping.

## 2.29 Building

Shall include any structure, whether temporary or permanent, used or intended for sheltering any use or occupancy, but shall not include a boundary wall or fence or any vehicle as defined herein.

### 2.30 Building Area

Shall mean the greatest horizontal area of a storey above grade within the outside surface of exterior walls or within the outside surface of exterior walls and the centre line of firewalls.

### 2.31 Builder's Supply Outlet

Shall mean an establishment engaged in the retail sale and/or installation of building supplies and materials including lumber, mill work, siding, roofing, plumbing, electrical, heating, air conditioning and similar materials.

### 2.32 Bulk Sales Establishment

Shall mean the use of land for the purpose of storing, buying and selling coal, fuel oil, propane, wood, lumber, building materials, ice and allied chemicals, but does not include any manufacturing, assembling or processing uses.

### 2.33 Business or Professional Office

Shall mean a building in which one or more persons are employed in the management, direction, or conducting of a business or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatments, but does not include a personal service establishment, a veterinarian's clinic, an animal hospital or shelter, a body-rub parlour or any adult entertainment parlour as defined in The Municipal Act.

### 2.34 By-law Enforcement Officer

Shall mean a person appointed by Council and charged with the duty of enforcing the provisions of the Zoning By-law and any amendments hereto.

### 2.35 Cabin

Shall mean a "cottage" as defined in this By-law.

### 2.36 Campground

Shall mean a parcel of land used for short-term occupancy by campers using travel trailers, tents, tent trailers, or other moveable dwellings, rooms or sleeping quarters of any kind for short-term occupancy.

### 2.37 Car Wash

Shall mean an establishment where motor vehicles are washed, cleaned or polished for compensation, including a coin wash, but does not include a service station or public garage where car washing is incidental to the operation of such service station or public garage.

#### 2.38 Cemetery

Shall mean a cemetery or columbarium within the meaning of The Cemetery Act, as amended from time to time.

#### 2.39 Church, Synagogue or Temple

Shall mean a building dedicated to religious worship and may include a church hall, church auditorium, Sunday school, convent, parish hall, and church day nursery.

#### 2.40 Clinic

Shall mean a building or structure that is used or intended for use by one or more physicians, dentists, chiropractors and/or drugless practitioners, or any one or more of them, as well as their staff and patients, for the purpose of consultation, diagnosis and office treatment.

#### 2.41 Commercial Fish Outlet

Shall mean a use which is primarily devoted to the handling, storage, cleaning, cutting and/or freezing of fish products for wholesale or retail sale and includes accessory uses as docks, warehouses, processing plants and repair facilities for commercial fish equipment.

#### 2.42 Commercial Use

Shall mean the use of land or buildings for the purpose of buying and/or selling commodities and supplying services separate from such uses as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.

#### 2.43 Community Centre

Shall mean a building used primarily for community activities and not used for commercial purposes, the control of which is vested in the Municipality, a local board, or commission.

#### 2.44 Condominium

Shall mean a building or structure wherein the Owner holds title to his/her own dwelling unit while sharing title to the land and other common areas of the development and sharing maintenance/operating costs with other dwelling unit owners through a condominium corporation.

#### 2.45 Conservation Use

Shall mean any land, building or structure used for wild life conservation, research, harvesting or outdoor recreation and may include hunting and trapping.

2.46 Cottage

Shall mean a single detached building used for intermittent residential occupancy for the enjoyment of the surrounding natural environment that is not used for continuous habitation or as a permanent residence and shall have the same corresponding meaning as “cabin” “recreational residential use” or “seasonal residential use”.

2.47 Council

Shall mean the Municipal Council of the Corporation of the Township of Lake of the Woods.

2.48 Convenience Store

Shall mean a retail store serving the daily or occasional needs of the residents of the immediate area with a variety of good such as groceries, meats, dairy products, patent medicines, sundries, tobacco, stationery, hardware, magazines and/or newspapers.

2.49 Day Nursery

Shall mean a premise that received more than 5 children who are not of a common parentage, primarily for the purpose of providing temporary care, or guidance, or both, for a continuous period, not exceeding twenty-four hours in accordance with the Day Nurseries Act, as amended or revised from time to time.

2.50 Demolition

Shall mean the doing of anything in the removal of a building or any part thereof.

2.51 Detached

Shall mean "not attached".

2.52 Development

Shall mean the construction or erection of buildings or structures on, or the excavation and grading of land.

2.53 Dock

Shall mean a structure on land or in the water to be used for transferring goods or passengers to or from a boat or airplane.

2.54 Dwelling

Shall mean a building, occupied or designed to be occupied exclusively as a home, residence or sleeping place by one or more persons, but shall not include hotels, boarding houses, lodging houses, fraternities, sororities, group homes or institutions.

2.55 Dwelling, Duplex

Shall mean a building that is divided horizontally into 2 dwelling units, each of which has an independent entrance either directly or through a common vestibule.

2.56 Dwelling, Double Duplex

Shall mean 2 attached duplex dwellings.

2.57 Dwelling, Modular

Shall mean a prefabricated single detached dwelling being so constructed or assembled that the shortest side of such dwelling is not less than 6 metres in width.

2.58 Dwelling, Multiple

Shall mean a building used, designed, or intended to be used for occupancy as 3 or more dwelling units independently of each other.

2.59 Dwelling, Semi-detached

Shall mean a building that is divided vertically into 2 dwelling units designed or intended to be used for occupancy as a single dwelling unit and which dwelling units may be held in separate ownership. This definition shall not include a mobile home as defined herein.

2.60 Dwelling, Single-detached

Shall mean a separate building or factory built twin-wide or double-wide modular home designed, used, or intended to be used for occupancy as a single dwelling unit. This definition shall not include a mobile home as defined herein.

2.61 Dwelling, Townhouse, or Rowhouse

Shall mean a building containing not less than 3 and not more than 8 attached dwelling units with a common masonry wall dividing each of the abutting dwelling units vertically, each with an independent entrance from the outside. The attachment along the common wall may include a dwelling unit wall and/or a garage wall.

2.62 Dwelling, Triplex

Shall mean a building that is divided horizontally into 3 separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.

2.63 Dwelling Unit

Shall mean one or more habitable rooms occupied or designated to be occupied by an individual or family, as an independent and separate housekeeping establishment, in which separate kitchen and sanitary facilities are provided for the use of such individuals or family, with a private entrance from outside the building or from a common hallway or stairway inside the building.

2.64 Easement

Shall have the meaning attributed to it in the definition of "Right-of-Way".

#### 2.65 Entertainment Facility

Shall mean a building or facility for the use of a motion picture or other theatre, arena, auditorium, public hall, bingo hall, billiard or pool room, arcade, bowling alley, ice or roller skating rink and does not include an adult entertainment establishment designed to appeal to erotic or sexual inclinations.

#### 2.66 Erect

Shall mean to do anything including the building, construction, reconstruction, installation, enlargement, extension or material alteration or repair of a building or structure and shall include the relocation of a building or structure, the installation of a building unit fabricated or removed from elsewhere, the demolition or removal of a building or any part thereof and any physical operation such as excavating, filling, grading or draining preparatory to building construction or reconstruction. "Erected" and "erection" shall have corresponding meanings.

#### 2.67 Existing

Shall mean existing as of the date of the final passing of this By-law.

#### 2.68 Farm Help House

Shall mean a building located on the same lot and accessory to an agricultural use and which is provided and maintained by the owners of the lot for the accommodation of persons employed in the agricultural operation by the owner of the lot.

#### 2.69 Financial Institution

Shall mean a commercial establishment such as a bank, trust company, credit union or other similar business or institution where money is deposited, kept, lent and exchanged.

#### 2.70 Flood Fringe

Shall mean the outer portion of the flood plain between the floodway and the limit of the regulatory flood.

#### 2.71 Flood Plain

Shall mean the area, usually low lands, adjoining a watercourse which has been, or may be covered by flood water.

#### 2.72 Floodproofing

Shall mean the combination of structural changes and/or adjustments incorporated into the basic design and/or construction or alteration of individual buildings, structures or properties subject to flooding so as to reduce or eliminate flood changes. The word "floodproofed" has a corresponding meaning.

#### 2.73 Floodway

Shall mean the channel of a watercourse and that inner portion of the flood plain where flood depths and velocities are generally higher than those experienced in the flood fringe. The floodway represents that area required for the safe passage of flood flows and that area where flood depths and velocities are considered as such that they pose a potential threat to life and property.

#### 2.74 Floor Area

Shall mean the sum of the areas of all of the floors of a building or structure measured from the outside of all outside walls, exclusive of any attached accessory building, terrace, veranda, unfinished attic, basement, cellar, open or enclosed porch or sunroom, unless such sunroom or enclosed porch is an integral part of the building and habitable in all seasons.

#### 2.75 Floor Area, Ground

Shall mean the floor area of the lowest storey of a building approximately at or just above the finished grade level excluding any basement, which area is measured between the exterior faces of the exterior walls at the floor level of such storey but excludes car parking areas within the building.

#### 2.76 Forestry Use

Shall mean the raising and harvesting of wood, timber and wood products, reforestation and forest renewal and, without limiting the generality of the foregoing, includes the raising and cutting of fuel wood, pulp wood, lumber, Christmas trees, and other forest products.

#### 2.77 Fuel Depot

Shall mean a lot where bulk storage of fuel, including petroleum products and propane takes place and where wholesaling and retailing of these products is carried on.

#### 2.78 Garage, Private or Carport

Shall mean a building or portion of a building designed for the storage of private passenger motor vehicles wherein no service for profit is rendered; where such structure is attached to the main building, it shall be deemed to be part of the main building and not an accessory building.

#### 2.79 Garage, Public or Service Station

Shall mean a building or structure which is used for the repair or storage of motor vehicles for remuneration; and/or it may include an automobile body repair shop and it may include a gas bar.

#### 2.80 Garden Suite

Shall mean a self contained temporary dwelling that is accessory to the main dwelling unit with its own kitchen, bathroom and living area which is designed to be portable and is sometimes referred to as a "granny flat". This may include a mobile home.

#### 2.81 Gas Bar

Shall mean a lot containing gasoline, diesel fuel or propane dispensing devices and a structure used for the sale of fuel and lubricants for vehicles.

#### 2.82 Golf Course

Shall mean a public or private area operated for the purposes of playing golf and does not include golf driving ranges.

#### 2.83 Golf Driving Range

Shall mean a public or private area for the purpose of practicing golf driving techniques and is equipped with distance markers, lighting, safety nets, parking areas, golf equipment rental facilities and washrooms, but does not include a golf course.

#### 2.84 Grade

Shall mean the average level of finished ground adjoining a building at all exterior walls.

#### 2.85 Greenhouse Commercial

Shall mean a building for the growing of flowers, plants shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouses, but are sold directly from such lot at wholesale or retail.

#### 2.86 Group Home

Shall mean a single housekeeping unit in a residential dwelling in which a maximum of 6 persons (excluding supervisory staff or the receiving family) live under responsible supervision consistent with the particular requirements of its residents. The group home shall conform with municipal By-laws and shall be licensed and/or approved by the Province of Ontario.

#### 2.87 Guest Cabin

Shall mean a dwelling unit for guest accommodation accessory to a recreational residential use or cottage which contains no provision for cooking or any water and is not used year-round for human habitation and shall not exceed 28 square metres in floor area.

## 2.88 Habitable Room

Shall mean a room in a dwelling used for human occupancy but does not include a bathroom, toilet room, serving or storage pantry, laundry and corridor.

## 2.89 Hazard Land

Shall mean land which could be unsafe for development due to naturally occurring process, including lands covered by water and the farthest landward limit of flooding, erosion or dynamic beach hazards along lakes and the furthest landward limit of flooding and erosion hazard limits along river and stream systems.

## 2.90 Height

Shall mean when used with reference to a building or structure, shall mean the vertical distance in metres between the horizontal plane through the established grade and a horizontal plane through:

- a) the highest point of the roof assembly in the case of a building with a flat or deck roof;
- b) the average level of a sloped roof, provided that a roof having a slope of less than 20 degrees with the horizontal shall be considered a flat roof;
- c) the deck roof line, in the case of a mansard roof;
- d) the average level between eaves and ridges in the case of a cottage, gambrel or hip roof.

## 2.91 Home Day Care

Shall mean a dwelling unit where a maximum of 6 children, who are not residents of the dwelling, are provided temporary care, guidance, or both for a continuous period, not exceeding 24 hours.

## 2.92 Home Industry

Shall mean the use of part of a dwelling unit or an accessory building to a dwelling unit for an industrial use by one of the permanent residents of such dwelling unit, which is clearly secondary to the main use of the dwelling unit or agricultural operation. The home industry uses permitted include: photography, sculpting, ceramic making, upholstering, weaving, dressmaking, animal hospital, wood-working shop, auto body repair and auto repair, window-frame shop, welding shop, electrical shop, carpentry shop, machine shop, blacksmith shop, office and administrative operations.

## 2.93 Home Occupation

Shall mean an occupation, trade, business, profession or craft which is clearly secondary to the main use of the dwelling unit and carried on entirely within part of a dwelling unit by at least one of the permanent residents of such dwelling unit and may include hairdressing, accounting/bookkeeping, instruction in arts, crafts, music, dancing and painting, medical/dental practitioner, drafting, word processing, etc.

#### 2.94 Hotel

Shall mean any hotel, tavern, inn, lounge, or public house in one main building or in two or more buildings used mainly for the purposes of catering to the needs of the travelling public by supplying food and furnishing sleeping accommodations of not less than 6 guest rooms, and shall include all buildings liable to be licensed under The Liquor License Act, and operating under The Tourist Act, as revised or amended from time to time.

#### 2.95 Hunt Camp

Shall mean an area where one or more buildings and/or tents are used for sleeping, accommodations, the preparation and serving of food and/or sports or recreation facilities and are intended for uses as a base camp for hunting, fishing, trapping, mining or forestry. A hunt camp is to be used on a temporary or seasonal basis, and is not a commercial facility.

#### 2.96 Industrial Use

Shall mean the use of land, buildings or structures primarily for manufacturing, processing and assembling of goods or raw materials warehousing and bulk storage of goods and repair and servicing of goods including transportation terminals.

#### 2.97 Institutional Use

Shall mean the use of land, buildings or other structures for some public or social purpose and may include governmental, religious, educational, charitable, philanthropic, hospital or other similar uses.

#### 2.98 Kennel, Animal

Shall mean any lot, building or structure on or within which 4 or more domesticated animals of more than 4 months of age are housed, groomed, bred, boarded, trained or sold, and which may offer minor medical treatment but does not include a veterinary clinic or animal hospital.

#### 2.99 Landscaped Area

Shall mean an area not built upon and not used for any purpose other than as a landscaped area, which may include grass, shrubs, flowers, trees and similar types of vegetation and appurtenances, but does not include parking areas, parking lots, driveways or ramps.

#### 2.100 Lane

Shall mean a public thoroughfare or way, not more than 9 metres wide, which affords only secondary means of access to abutting lots.

#### 2.101 Loading Space

Shall mean a space or bay located on a lot which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise or materials used in connection with the main use of the lot or any buildings thereto, and which has unobstructed access to a road or lane.

#### 2.102 Lodging House

Shall mean an establishment catering to the vacationing public by providing meals and sleeping accommodation with at least 3 guest rooms or cabins, but shall not include a hotel, home or institution licensed, approved or supervised under any other provincial legislation.

#### 2.103 Lot

Shall mean a parcel or tract of land which is capable of being legally conveyed in accordance with The Planning Act, as amended or revised from time to time.

#### 2.104 Lot Area

Shall be the total horizontal area within the lot lines of a lot.

#### 2.105 Lot, Corner

Shall mean a lot situated at the intersection of, or abutting upon, two or more roads, provided that the angle of intersection of such roads is not more than 135 degrees and each of which is at least 10 metres wide, where such adjacent sides are curved, the angle of intersection of such street lines shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines, and the corner of the lot shall be deemed to be that point of intersection of the said tangents.

#### 2.106 Lot, Coverage

Shall mean the combined area of all buildings or structures, but not including an outdoor swimming pool on the lot, measured at the level of the lowest storey above grade, including all porches and verandas, open or covered areas, but excluding open, unenclosed terraces at grade, steps, cornices, eaves, bay windows, chimney breasts, corbelling and similar projections and open parking areas.

#### 2.107 Lot Depth

Shall mean the horizontal distance between the midpoints of the front and rear lot line and in the case of a 3 side lot, lot depth means the horizontal distance between the midpoint of the front lot line and the apex of the triangle formed by the side lot lines.

#### 2.108 Lot Frontage

Shall mean the horizontal distance between the side lot lines of a lot measured at right angles, but where such lot lines are not parallel, the lot frontage shall be measured perpendicularly to the line joining the midpoint of the front and midpoint of the rear lot lines at a point 7.5 metres back from the front lot line. Where the side lines meet, the lot frontage shall be measured perpendicularly to the line joining the apex of the triangle formed by the side lot lines and the midpoint of the front lot line at a point measured 7.5 metres back from the front lot line. Where the front lot lines are curved, the lot frontage shall be measured along the line between the interior side lot line and the intersection or the tangents to the street line, drawn through the front lot line and exterior side lot line.

#### 2.109 Lot, Interior

Shall mean a lot other than a corner lot which is situated between adjacent lots and has access to one road.

#### 2.110 Lot Lines

Shall mean the boundary lines of a lot defined as follows:

- a) Front Lot Line shall mean:
  - i) in the case of an interior lot, the lot line dividing the lot from the road;
  - ii) in the case of a corner lot, the shorter lot line abutting the road unless each lot line is of equal length, in which case the front lot line shall be the lot line where the principal access to the lot is provided;
  - iii) in the case of a through lot, the front lot line shall be the lot line where the principal access to the lot is provided;
  - iv) in the case of a waterfront lot, either the shoreline or streetline shall be deemed the front lot line;
- b) Rear Lot Line shall mean the lot line farthest from and opposite the front lot line.
- c) Side Lot Line shall mean a lot line other than a front or rear lot line.
- d) Side Lot Line, Exterior shall mean a side lot line that is also a street line.

#### 2.111 Lot, Through

Shall mean a lot bounded on two opposite sides by roads each of which is at least 10 metres wide, provided, however, that if any lot qualifies as being both a corner lot and a through lot, such lot shall be conclusively deemed to be a corner lot.

#### 2.112 Lot, Waterfront

Shall mean a lot which abuts a shoreline of a water body or abuts a shoreline reserve/allowance and may or may not also abut a street or lane.

#### 2.113 Main Building

Shall mean the building or structure in which is conducted the principal use for which the lot is used.

#### 2.114 Main Wall

Shall mean the exterior front, side or rear wall of a building, and all structural members essential to the support of a fully enclosed space or roof.

#### 2.115 Marina

Shall mean a commercial establishment where a boathouse, boat storage, boat repair facilities boat rental, pier, dock or jetty facilities, or any combination thereof, are available for marine craft and may include a pump for the fuelling of marine craft and a building or structure for the sale or repair of marine craft and accessories.

#### 2.116 Mobile Home

Shall mean any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer or trailer otherwise designed.

#### 2.117 Mobile Home Park

Shall mean a lot managed by a mobile home park operator, for the permanent placement of one or more mobile homes or factory built park model homes or double-wide homes on individual mobile home sites, and may include a park or place of recreation.

#### 2.118 Mobile Home Site

Shall mean a parcel of land within a mobile home park which is serviced and intended for the placement of one mobile home.

#### 2.119 Modular Home, Double-Wide or Twin-wide

Shall mean a mobile home where the two halves of the unit have been joined and placed on a permanent foundation, such as a poured concrete or mortared concrete block foundation.

#### 2.120 Motel, Motor Hotel

Shall mean one building, or 2 or more detached buildings, for the purpose of catering to the needs of the travelling public by furnishing sleeping accommodations with or without supplying food, and shall include a motor court, auto court, and all buildings liable to be licensed under The Liquor License Act, and/or operating under The Tourist Act, as amended or revised from time to time.

#### 2.121 Municipality

Shall mean the Corporation of the Township of Lake of the Woods.

#### 2.122 Navigable Waterway

Shall mean a navigable body of water or stream as deemed under the Beds of Navigable Waters Act, and includes any body of water which is capable in its natural state or at normal water level of being navigated by floating vessels for the purpose of transportation, recreation or commerce.

#### 2.123 Non-Complying

Shall mean a use, building, or structure which is existing but does not meet, comply or agree with the regulations of this By-law, but is a permitted use, building or structure within the zone in which it is located.

#### 2.124 Non-Conforming

Shall mean a use, building or structure which is existing but which is not permitted in the zone in which it is located.

#### 2.125 Non-Residential

Shall mean a building, structure or use designed, intended or used for purposes other than a dwelling.

#### 2.126 Nursing Home

Shall mean a place where accommodation and care are provided for one or more persons, who, by reason of age or infirmity, are in need of same.

#### 2.127 Obnoxious Use

Shall mean an offensive trade within the meaning of the Public Health Act, or any use which is offensive or dangerous by reason of the emission of odour, smoke, dust, noise, gas fumes, vibration or refuse matter.

#### 2.128 Open Storage

Shall mean the storage of goods, merchandise or equipment in the open air and in unenclosed portions of buildings which are open to the air on one or more sides.

#### 2.129 Park, Private

Shall mean a park controlled or owned by a private individual, group or organization and which may not be open to the public.

#### 2.130 Park, Public

Shall mean a park controlled or owned by the Municipality or a public authority and which is normally open to the public.

#### 2.131 Parking Lot, or Parking Area

Shall mean an area for the parking of vehicles and may include aisles, parking spaces and related entrance and exit lanes, but shall not include any part of a road.

#### 2.132 Parking Space

Shall mean an area 3 metres by 6 metres enclosed in a building, or unenclosed, and set aside for the temporary storage of a vehicle.

#### 2.133 Parking, Tandem

Shall mean the parking of two or more vehicles one behind the another in a row.

#### 2.134 Permitted

Shall mean permitted by this By-law.

#### 2.135 Person

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

#### 2.136 Personal Service Establishment

Shall mean a building or part thereof in which persons are employed in furnishing services and otherwise administering to individual and personal needs and may include the premises of a barber, hairdresser, beautician and shoe repair establishment, but shall not include an adult entertainment parlour. The sale of merchandise shall be permitted only as an accessory use to the personal service provided.

#### 2.137 Portable Asphalt Plant

Shall mean a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process and is not of permanent construction, but is designed to be dismantled and moved to another location as required.

#### 2.138 Private Club

Shall mean a building or part thereof used as a meeting place for members of an organization not operated for profit or of an athletic, social or recreational club not operated for profit.

#### 2.139 Public Authority

Shall mean any Federal or Provincial agency, school board, public utility commission, transportation commission, public library board, board of parks management, board of health, board of commissioners of police, planning board or other board or commission or committee or local authority established or exercising any power or authority under any general or special statute of Ontario or Canada with respect to any of the affairs or purposes of the Municipality or

any portion thereof, and includes any committee or local authority established by By-law of the Municipality, Hydro One and Hydro Power Generation Corp.

#### 2.140 Public Services

Shall mean the buildings, structures and other related works necessary for supplying water, gas, oil, electricity, steam, hot water, telephone services, telecommunication services, sewage collection and treatment facilities and other services provided by a public authority.

#### 2.141 Quarry

Shall mean a place where consolidated rock has been or is being removed by means of an open excavation, and includes the processing thereof for commercial purposes including screening, sorting, washing, crushing, and other similar operations, required buildings and structures.

#### 2.142 Recreation Use

Shall mean the use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf courses, picnic areas, swimming pools, day camps, campgrounds, community centres, snow skiing and other similar uses, together with necessary and accessory buildings and structures, but does not include a track for racing animals, motor vehicles, snowmobiles, all terrain vehicles or motorcycles.

#### 2.143 Recreation Residential Use

Shall mean a single detached dwelling which is used for intermittent residential occupancy for the enjoyment of the surrounding natural environment that is not used for continuous habitation or as a permanent residence and shall have the same corresponding meaning as “cabin” “cottage” or “seasonal residential use”.

#### 2.144 Redevelopment

Shall mean the creation of new residential units on land previously used for residential or non-residential purposes, where demolition of the previous structure is to take place or has taken place.

#### 2.145 Religious Retreat

Shall mean the use of land for religious purposes and includes a place of worship, temporary sleeping accommodation and sanitary facilities.

#### 2.146 Renovate

Shall mean to restore by improving or repairing to an earlier condition.

#### 2.147 Residential Use

Shall mean the use of a building or structure of parts thereof for human habitation as a dwelling or residential unit.

#### 2.148 Resort

Shall mean a tourist commercial use that operates throughout all or part of the year and that has facilities for serving meals and furnishing equipment, supplies or services to persons in connection with recreational purposes.

#### 2.149 Resource Management

Shall mean the use of land solely for the preservation and enhancement of the natural environment.

#### 2.150 Restaurant

Shall mean a building used for the purpose of serving food and/or refreshments including a licensed establishment, and may include take-out food facilities as an accessory use.

#### 2.151 Retail or Service Store

Shall mean a building or part of a building where goods, wares, merchandise or articles are offered or kept for sale at retail directly to the public and includes storage on or about the premises.

#### 2.152 Right-of-Way or Easement

Shall mean any right, liberty or privilege in, or along or under land which a person may have with respect to any land in the Municipality.

#### 2.153 Road

Shall mean a public highway under the jurisdiction of the Municipality or the Province or as shown on a plan of subdivision with respect to which a subdivision agreement has been entered into which affords the principal means of access to abutting lots, but does not include a public lane or right-of-way.

#### 2.154 Road Allowance

Shall mean land held under public ownership for the purpose of providing a road.

#### 2.155 Salvage Yard

Shall mean a lot, building or structure used for wrecking, dismantling, storing or selling used goods, wares or materials including, but not so as to limit the generality of the foregoing, rags, bones, bottles, metals, clothing, furniture, paper, machinery, building materials, vehicles and parts thereof.

#### 2.156 School

Shall mean a school under the jurisdiction of a Board as defined in The Education Act, a college, a university or any other education establishment including, but not necessarily restricted to, a nursery school or a boarding school having accessory dormitory facilities.

2.157 School, Commercial

Shall mean a school operated by one or more persons for gain or profit.

2.158 School, Private

Shall mean a school, other than a public school or a commercial school, under the jurisdiction of a private board or trustees or governors, a religious organization or charitable institution.

2.159 School, Public

Shall mean a school under the jurisdiction of a public agency.

2.160 Seaplane Base

Shall mean the use of land, buildings, or structures for the purposes of docking, storing or repairing seaplanes and for the supplying of associated services.

2.161 Seasonal Campground

Shall mean an establishment that is owned and operated by a private club or organization for the boarding and lodging of children during the summer months only, and may include such recreational activities as boating, swimming, crafts, riding, archery, etc.

2.162 Service Industries

Shall mean a bake shop, a public garage, including engine and body repair shop, a printing establishment, a paint shop, plumbing shop, sheet metal shop, welding shop, vehicle inspection station, boat repair and construction, small engine repair shop, woodworking shop and similar non-effluent producing uses.

2.163 Service Shop

Shall mean a building or part thereof used for the sale or repair of household articles and includes radio, television and appliance repair shops, but does not include industrial or manufacturing uses or motor vehicle repair shops.

2.164 Setback

Shall mean the horizontal distance between the nearest part of any main wall of any building or structure and the lot line measured at right angles to such line.

2.165 Setback From Top of Bank

Shall mean the horizontal distance from the point of the slope or bank where the downward inclination of the land begins or the upward inclination of the land levels off to the nearest part of any main wall of any building or structure.

#### 2.166 Setback From Water

Shall mean the horizontal distance between the normal or controlled high water mark of any navigable waterway and the nearest part of any main wall of any building or structure.

#### 2.167 Shopping Centre

Shall mean a building or group of buildings planned, designed, developed or managed as a unit, having off-road parking provided on the same lot, and which building or buildings contain one or more retail stores, and offices.

#### 2.168 Shoreline

Shall mean any lot line or portion thereof which abuts a navigable waterway.

#### 2.169 Sight Triangle

Shall be determined by connecting two points which are obtained by measuring a distance of 6.0 metres drawn along each lot line abutting the street line from a point where the tangents of the lot lines abutting the street lines intersect.

#### 2.170 Storey

Shall mean that portion of a building:

- a) which is situated between the surface of any floor and the surface of the floor next above it and if there is no floor above it, that portion between the surface of any floor and the ceiling above it; and
- b) which is more than 50% above the average finished grade; and
- c) which has a height of not less than 2 metres and includes an attic having not less than 2 metres headroom for at least 50% of the attic floor area.

#### 2.171 Storey, First

Shall mean the lowest storey of a building whereby the ceiling is at least 1.5 metres above finished grade.

#### 2.172 Street, Highway or Road

Shall be considered to be synonymous and have the meaning as defined for "Road".

#### 2.173 Structure

Shall mean anything that is erected, built or constructed of parts joined together and which is fixed to or supported by the soil but not a terrace, patio, sign, boundary wall, fence, bridge or culvert.

#### 2.174 Tavern

Shall mean a building, where alcoholic beverages are sold to be consumed on the premises and shall include all such buildings operating or liable to be licensed under The Liquor License Act, as amended or revised from time to time.

#### 2.175 Temporary Buildings

The temporary use of buildings and structures, including mobile homes, incidental to and accessory for lawful construction work, will be permitted in all zones, but only for so long as the same are necessary for the construction work subject to an agreement with the municipality.

#### 2.176 Tourist Commercial

Shall mean a use or establishment which provides goods, services, lodging or meals to the vacationing public but excludes a marina.

#### 2.177 Tourist Home

Shall mean a tourist establishment containing 3 or more guest rooms or cabins for hire for a single night or for less than a week at a time and may include accommodation for permanent staff and a dining room, meeting room, recreational facilities or similar uses.

#### 2.178 Trailer

Shall mean a vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by a motor vehicle and capable of being used for temporary living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or that its running gear is removed. This definition shall not include a mobile home as defined herein.

#### 2.179 Trailer Park

Shall mean any land upon which any travel trailer tent, or tent trailer is used or intended to be used for temporary occupation.

#### 2.180 Use

Shall mean the purpose for which any land, building or structure is designed, used or intended to be used.

#### 2.181 Use, Continuous

Shall mean the continuous use of a lot, building or structure, notwithstanding a change of ownership of the property where the use is located. Use shall further be deemed to be continuous if, after having ceased, the same use recommenced within a period of one year from the date of cessation, and/or if a structure is destroyed or damaged, it is rebuilt or repaired for the same use within a period of one year from the date of its destruction or damage. This is in addition to the protection afforded by Section 34(9) of The Planning Act.

#### 2.182 Vehicle

Shall mean a motor vehicle, trailer, traction engine, farm tractor, road-building machine, motorized snow vehicle and any vehicle drawn, propelled or driven by any kind of power.

#### 2.183 Vehicle Repair Shop

Shall mean a building or part thereof which contains facilities for the repair and maintenance of vehicle and/or recreational vehicles on the premises, and in which vehicle accessories are sold and vehicle maintenance and repair operations are performed in return for remuneration, but does not include a body shop or any establishment engaged in the retail sale of vehicle fuels.

#### 2.184 Warehouse

Shall mean a building or part thereof which is used primarily for the housing, storage, adapting for sale, packaging or distribution of goods, wares, merchandise, foodstuff, substances, articles or things, and includes the premises of a warehouseman, but does not include a fuel depot.

#### 2.185 Waste Disposal Area

Shall mean a place where garbage, refuse, or domestic or industrial waste is disposed of or dumped.

#### 2.186 Waste Disposal Cell

Shall mean the actual physical location where wastes have been buried.

#### 2.187 Watercourse

Shall mean the natural channel for a stream of water and for the purpose of this By-law, includes any watercourse shown on Schedule "A" "B" "C" and "D" of this By-law.

#### 2.188 Waterfrontage

Shall mean the boundary of a lot directly abutting an original shoreline reserve.

#### 2.189 Wayside Pit or Quarry

Shall mean a temporary open excavation made for the removal of soil, earth, clay, marl, silt, sand, gravel or consolidated rock, opened and used by a public road authority, or person or company operating under the authority of the Ministry of Transportation, solely for the purposes of road connection.

#### 2.190 Yard

Shall mean an open space on the same lot with a main building or structure, unoccupied and unobstructed from the ground to the sky, except as otherwise permitted by this By-law. In determining yard measurements the minimum horizontal distance between the nearest wall of the main building or structure and the respective lot lines measured perpendicular from the lot line shall be used:

- a) Front Yard shall mean a yard extending across the full width of a lot between the front lot line and nearest main wall of the main building or structure on the lot;
- b) Rear Yard shall mean a yard extending across the full width of a lot between the rear lot line and the nearest main wall of the main building or structure on the lot;
- c) Side Yard shall mean a yard between the nearest side wall of the main building or structure on the lot and the side lot line and extending from the front yard to the rear yard; and
- d) Exterior Side Yard shall mean a side yard immediately adjoining a public or private street or abutting a reserve on the opposite side of which is located a private or public street;

#### 2.198 Zone

Shall mean a designated area of land shown on zoning schedules attached hereto.

## SECTION 3 - ZONES AND ZONE MAP

### 3.1 Establishment of Zones

For the purpose of this By-law, the maps hereto attached as Schedule "A", "B", "C" and "D" shall be referred to as the "Zoning Maps" for the Township of Lake of the Woods and the said zoning maps shall be divided into the following zones:

<u>Zone</u>	<u>Symbol</u>
Rural Zone	R
Residential 1 Zone	R1
Waterfront Residential Zone	WR
Mobile Home Park Zone	MHP
General Commercial Zone	C1
Industrial Zone	M
Institutional Zone	I
Open Space Zone	OS
Hazard Land Zone	HL
Holding Zone	H

### 3.2 Use of Zone Symbols

The symbols listed in Section 3.1 shall be used to refer to land, buildings and structures and uses thereof permitted by this By-law in the said zones, and wherever in this By-law the word "Zone" is used preceded by any of the said symbols, such zones shall mean any area within the Township of Lake of the Woods delineated on the zoning maps and designated therein by the said symbol.

### 3.3 Interpretation of Zone Boundaries

Where any uncertainty exists as to the location of the boundary of any of the said zones, as shown on the zoning maps, the following shall apply:

- a) Unless otherwise shown, the boundary of the zones as shown on the zoning maps and the centre lines of the road allowance or lot lines and the projection thereof;
- b) Where zone boundaries are indicated as approximately following lot lines shown on a plan of subdivision, such lot lines shall be deemed to be the said boundary;
- c) Where zone boundaries are indicated as approximately parallel to the line of any road and the distance from such road is not indicated, such zone boundaries shall be construed as being parallel to such road and the distance therefrom shall be determined by the use of the scale shown on the zoning maps;
- d) Unless otherwise indicated, a road, lane, right-of-way or watercourse included on the zoning maps, is included within the zone of the adjoining property on either side thereof; and where such road, lane, right-of-way or watercourse serves as a boundary between two or more different zones, a line midway in such road, lane, right-of-way or watercourse and extending in the general direction of the long division thereof is considered the boundary between zones, unless specifically indicated otherwise;

- e) In the event a dedicated road, lane or right-of-way shown on the zone maps is closed, the property formerly in said road lane or right-of-way shall be included within the zone of the adjoining property or either side of the said closed road lane right-of-way and the zone boundary shall be the former centre line of the closed road, lane or right-of-way;
- f) Where any zone boundary is left uncertain after application of the preceding provisions, then the boundary line shall be determined according to the scale on the zoning maps in the office of the Chief Building Official; and
- g) Wherever it occurs, the municipal limit of the Township of Lake of the Woods is the boundary of the zone adjacent to it.

### 3.4 Special Provisions

Whenever lands on Zoning Schedule have the zone symbol followed directly by a dash (-) and a number, e.g. R-1, such lands shall be considered to have a “Special Provision” number and to have referenced a Zone category. The said lands shall be subject to the provisions of the relevant zone category and all other provisions contained herein, and shall in addition, be subject to any special provisions or exceptions provided for within the relevant Special Provision.

## SECTION 4 - GENERAL PROVISIONS

### 4.1 Application

The provisions of this section apply in all zones except as may be indicated otherwise.

### 4.2 Accessory Uses

Accessory uses, buildings or structures, are permitted in any yard, in any zone, subject to the provisions of this By-law for the particular zone in which said building, structure, or use is located, and provided that the accessory building, structure or use:

- a) shall not be used for human habitation, except where a residential use is a permitted accessory use;
- b) in a residential zone, shall not be located in the front yard or the exterior side yard, in the case of a corner lot except for a garden suite which may be provided in a front yard or exterior side yard subject to an agreement with the Township. A farm help house may be permitted in the front yard in the Rural zones;
- c) in a commercial and industrial zone shall not be built closer to the street than the main building is to that street;
- d) shall not be built closer than 1.2 metre to any lot line except;
  - i) that common semi-detached private garages or carports may be centred in the mutual lot line;
  - ii) that where a lot abuts a lane an accessory building or structure may be located not less than 0.5 metres from the said lane.
- e) shall not exceed 10 percent coverage of the total lot area;
- f) in a residential zone shall not exceed 4.5 metres in height, or contain more than one storey, except that where a dwelling unit is a permitted accessory use it shall not exceed 6.0 metres in height, or contain more than two storeys. In all other zones the maximum height shall not exceed 7.0 metres;
- g) shall not be considered as an accessory building or structure if attached to the main building in any way;
- h) shall not be considered an accessory building or structure if located completely underground; and
- i) may be permitted in the front yard of a lot having frontage on a lake or river.
- j) Notwithstanding any other provisions of this By-law, where a commercial use is permitted as an accessory use in an industrial zone, it shall be located within the main building, shall not exceed 40 percent of the total floor area of the main building, and shall not exceed a maximum floor area of 278.0m<sup>2</sup>

### 4.3 Agricultural Separation Distances

New development shall be located away from existing livestock facilities or liquid manure storage structures in accordance with the Minimum Distance Separation I Criteria and new or expanding livestock facilities or liquid manure storage structures shall be located away from existing non-farm residential dwellings in accordance with the Minimum Distance Separation II Criteria of the Ministry of Agriculture, Food and Rural Affairs. Notwithstanding any other provision of this By-law, the following may be considered:

- a) a residential use to be located on an existing lot of record 1.0 hectare or less in area in the Rural Zone will not be required to comply with the Minimum Distance Separation I criteria; and
- b) in the Rural Zone the Minimum Distance Separation II criteria will be measured from the nearest point of an existing vacant lot of record 1.0 hectares or less in area to the nearest point of the proposed livestock facility.

#### 4.4 Automobile Wrecking Yards and Scrap Metal Yards

Where land is used for the purpose of an automobile wrecking yard or scrap metal yard or similar use, the storage of derelict automobiles, scrap metal, junk and other material shall not be carried out in that part of the land designated herein as the required front yard, required side yard or required rear yard. A natural or artificial screen or buffer strip shall be provided to obscure the subject property from the street on which the lands abut and from any adjoining properties to the side or rear of the subject property and shall be a minimum of 6.0 metres in width in compliance with Section 4.6 of this By-law.

#### 4.5 Bed and Breakfast Establishments

Where permitted, a bed and breakfast establishment shall be subject to the requirements of the zone in which it is located and the following:

- a) be permitted only within an existing single detached and semi-detached residential dwelling;
- b) be clearly secondary to the main residential use;
- c) be operated by a resident of the dwelling, in which the bed and breakfast establishment is located;
- d) not contain more than 4 guest rooms; and
- e) not provide outside display or advertising, other than a non-illuminated sign which shall not exceed 1.0m<sup>2</sup> in area indicating the name of the bed and breakfast establishment.

#### 4.6 Buffer Strips

- a) A buffer strip shall be used for no other purpose than for the erection of a fence or the planting of a continuous row of natural evergreens or natural shrubs, immediately adjacent to the lot line or portion thereof along which such buffer strip is required hereunder, the remainder of the strip shall be landscaped and planted with ornamental shrubs, flowering shrubs, flower beds or a combination thereof.
- b) Where a buffer strip is required in any zone, it shall be of a minimum width as specified in the regulations for that zone.
- c) A buffer strip shall be located within the zone for which it is required.

#### 4.7 Continuation of Agricultural Use

Nothing herein contained shall prevent the continued use of any land, building or structure for farming purposes, or any addition or extension of such use provided that any additions or extensions of such use shall comply with the requirements of Section 5 for a Rural (R) Zone as to coverage, height and yard provisions.

#### 4.8 Corner Lot Sight Restrictions

Notwithstanding any other provisions of this By-law, and except in a Commercial Zone on a corner lot, within the triangular space included between the street lines for a distance of 6 metres from the point of intersection, no building or structure including a fence or sign shall be erected and no shrubs or foliage shall be planted or maintained which obstruct the view of a driver or a vehicle approaching intersection.

#### 4.9 Dangerous Uses

No land, building or structure shall be used in the Township of Lake of the Woods for the industrial manufacture or distribution of coal oil, rock oil, fuel oil, burning fluid gas, naphtha, benzene, gasoline, dynamite, dualene, nitroglycerine, gunpowder, petroleum products or other combustible or inflammable or liquid material which is likely to create danger to health, or danger from fire or explosion except as otherwise specifically provided for in this By-law.

#### 4.10 Existing Lots

An existing vacant lot, having less than minimum frontage or lot area required by this By-law, may be developed for all uses in the appropriate zone, provided all other regulations of this By-law are satisfied; and

- a) such lots can be safely serviced; and
- b) such lots have a minimum frontage of 7.5 metres on a road.

#### 4.11 Garden Suites

- a) Garden suites shall be permitted as accessory temporary residential accommodation for a maximum of 10 years pursuant to Section 39 of The Planning Act, and shall be considered accessory to a permitted single detached or semi-detached dwelling;
- b) the garden suite shall not be permitted to separate by consent from the main residential dwelling on the lot;
- c) the garden suite may be serviced from the main dwelling on the lot, subject to the approval of the Health Unit where required; and
- d) a mobile home may be used as a garden suite.

#### 4.12 Group Homes

A group home, licensed by the appropriate Provincial Ministry, shall be permitted within any single detached dwelling, a semi-detached or duplex dwelling, subject to the requirements of this subsection:

- a) a group home shall have a maximum of 6 residents, excluding staff or receiving family; and
- b) save as hereinafter provided, a group home in any zone in which single unit residential uses are permitted shall not be within 5 kilometers of another group home in the Rural zone.

#### 4.11 Height Exceptions

The height regulations shall not apply to any ornamental dome, chimney, communications tower, power transmission tower, storage silo, barn, cupola, steeple, church spire, water storage tank, elevator enclosure, flag pole, television or radio antennae, grain elevator, windmill or weather monitoring device.

#### 4.12 Home Industry

Where a home industry is permitted in a particular zone, it shall:

- a) have at least one permanent resident of the dwelling unit engaged in the business;
- b) have not more than two persons, other than the owner, employed on a full-time basis;
- c) have no external display or advertising, other than a non-illuminated sign which is a maximum size of 1.0m<sup>2</sup>;
- d) any external storage of materials, containers or finished products shall be screened, fenced or buffered from view to maintain an attractive appearance;
- e) the home industry shall not occupy more than 25% of the floor area of the dwelling unit including the floor area of the basement used for the home industry or, if conducted entirely within an accessory building, the accessory building shall not occupy more than 110.0 m<sup>2</sup> ;
- f) be clearly secondary to the main residential use and not change the character of the dwelling unit as a private residence or create or become a nuisance due to such matters as noise, smell, hours of operation or traffic generation;
- g) be located on the same lot as the residential use;
- h) access approval from the Ministry of Transportation will be required for those home industries that access from a Provincial Highway; and
- i) have adequate area on the lot for parking and storage of all vehicles associated with the home industry and ensure that the home industry is suitably separated and buffered from adjacent residential uses.

#### 4.15 Home Occupations

Where a home occupation is permitted in a particular zone, it shall:

- a) have at least one permanent resident of the dwelling unit engaged in the business;
- b) have no external display or advertisement other than a non-illuminated sign which is a maximum size of 1.0.m<sup>2</sup>;
- c) have no external storage of materials, containers or finished products;
- d) not change the character of the dwelling as a private residence or create or become a nuisance;
- e) not occupy more than 25% of the floor area of the dwelling unit including in the floor area any basement area used as living quarters and any basement area used for home occupation;
- f) there shall be no outside storage of goods, wares, or merchandise other than those produced on the premises, offered or exposed for sale or rent on such premises;
- g) have not more than one person employed, including a contractor, who is not a permanent resident of the dwelling unit.

#### 4.16 Land Without Buildings

Where land is used for or in connection with any use but without any buildings or structures therein, all yards required by the By-law on a lot in the respective use zone shall be provided and maintained as yards and the applicable regulations shall apply, except where the land or lot is used for agriculture, gardening or open space purposes not prohibited by this By-law in such use zone.

#### 4.17 Loading Spaces

No person shall erect or use any building or structure in a Commercial or Industrial Zone which involves the movement of goods, merchandise or materials, unless loading spaces are provided and maintained in accordance with the following provisions:

- a) one loading space shall be provided for each 278 m<sup>2</sup> or fraction thereof of the total floor area;
- b) loading spaces shall have dimensions not less than 3.0 metres by 7.5 metres; and
- c) loading spaces shall not have less than 4.5 metres of vertical clearance.

#### 4.18 Loading Spaces Standards

Where in this By-law, loading spaces are required or permitted, the following standards shall apply:

- a) adequate driveway space to permit the safe manoeuvring, loading and unloading of vehicles on the lot such that they do not cause an obstruction or a hazardous condition on adjacent streets or sidewalks;
- b) adequate drainage facilities in accordance with the requirements of the municipality;
- c) illumination of loading spaces shall be so arranged as to be diverted away from any adjacent Residential or Open Space Zone;
- d) location of loading spaces to be restricted to the rear yard where a lot has access at both the front and rear to a street or road.

#### 4.19 Mobile Homes

Mobile homes shall be permitted in all areas where a single detached dwelling is a permitted use.

#### 4.20 Non-Compliance with Minimum Lot or Yard Requirements

Where an existing building is located on a lot having less than the minimum frontage or area required by this By-law, or having less than the minimum setback, front yard, side yard, or rear yard required by this By-law, the said building may be enlarged, reconstructed, repaired or renovated provided that:

- a) the enlargement, reconstruction, repair or renovation does not further reduce setback, front yard, side yard, or rear yard having less than the minimum required by this By-law; and
- b) all other applicable provisions of this By-law are complied with.

#### 4.21 Non-Conforming Uses

The provisions of this By-law shall not apply or prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this by-law providing such use has been continuous since that date; nor to prevent the erection or use for any purpose prohibited by this By-law of any building or structures the plans for which have, prior to the date of the passing of the 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 erected and provided the erection of such building or structure is commenced within two years after the date of the passing of the By-law, and such building or structure is completed forthwith after the erection thereof is commenced.

#### 4.22 Number Permitted

No person shall erect more than one dwelling unit on a lot, unless specifically allowed in a zone. No person shall erect more than one main building on a lot except for commercial and industrial buildings located in commercial or industrial zones and farm related buildings associated with a farming operation.

#### 4.23 Obnoxious Uses

Nothing in this By-law shall be construed to permit the use of land for the erection or use of a building or structure for any purpose:

- a) that is or is likely to become a nuisance or offensive:
  - i) by the creation of noise or vibrations; or
  - ii) by reason of the emission of gas, fumes, dust or objectionable odour; or
  - iii) by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter or other such material; and
- b) which by the nature of the materials used therein is declared under The Public Health Act, as amended or revised or any regulations thereunder to be a noxious or offensive trade, business or manufacture.

#### 4.24 Occupancy of Partially Completed Buildings

No new building, except in the case of an apartment building shall be occupied before the main walls and roof have been erected and the external siding and roofing have been completed, water and sanitary services installed, kitchen and heating facilities have been installed and an occupancy permit has been issued by the Chief Building Official. Any dwelling unit in an apartment building may be occupied, provided that all of the above conditions are satisfied, notwithstanding that one or more of the dwelling units have not been completed.

#### 4.25 Outdoor Wood Burning Furnaces/Stoves

Outdoor wood burning furnaces or stoves may be permitted provided they are:

- a) properly vented;
- b) separated a safe distance from the main and accessory buildings;
- c) are located on the property so that the prevailing winds take the smoke away from

- d) adjacent residential uses; and
- d) a permit has been issued by the Chief Building Official.

4.26 Parking and Loading Areas Screen Requirements

A parking area designed for 4 or more vehicles and any loading area shall be screened from any abutting residential use by a landscaped buffer strip, in compliance with Section 4.6 of this By-law.

4.27 Parking Areas Standards

Where in this By-law parking areas designed for 4 or more vehicles are required or permitted:

- a) adequate drainage facilities shall be provided and maintained in accordance with the requirements of the Municipality;
- b) the parking area and approaches shall be surfaced with concrete, asphalt, crushed stone, gravel or a combination thereof with a stable surface treated to prevent the raising of dust or loose particles;
- c) the lights used for illumination of parking areas shall be so arranged as to divert the light away from adjacent lots;
- d) parking areas shall be within 90.0 metres of the location which it is intended to serve and shall be situated in the same zone;
- e) a strip of land not less than 3.0 metres wide lying within the lot in which the parking area is located and along all boundaries of said area shall be used for landscaping, excluding those areas used as entrances and exits; and
- f) each parking space shall be 3.0 metres by 6.0 metres and shall be provided with unobstructed access to a street by a driveway, aisle or lane.

4.28 Parking for the Handicapped

- a) Handicapped parking spaces shall be a minimum of 3.7 metres wide and the minimum number required to be provided shall be as follows:

TOTAL NUMBER OF PARKING SPACES	REQUIRED NUMBER OF HANDICAPPED SPACES
0-9	0
10-99	1
100-199	2
200 plus	3

4.33 Parking Requirements

- a) No person shall, within any Residential Zone, use any part of any front yard except the driveway for the parking or temporary storage of tent trailers, motor homes, travel trailers, truck campers, school buses, converted buses or fifth wheel units;
- b) where a building or structure accommodates more than one use, the required parking

- spaces shall be the sum of the required parking spaces for each use;
- c) where a building or structure has deficient parking spaces at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require the deficiency be made up prior to the construction of any addition. However, no addition may be built and no change in use may occur, the effect of which would increase the number of deficient parking spaces;
  - d) tandem parking of vehicles is permitted to accommodate the parking requirements for single detached dwellings, semi-detached dwelling units, duplex units, townhouse units, mobile homes, group homes, home occupations and home industries.

Off-street parking shall be provided in accordance with the following provisions:

TYPE OF USE OF BUILDING	MINIMUM PARKING REQUIRED
single detached dwellings, semi-detached dwellings, duplexes, and mobile home	1.5 spaces per dwelling unit rounded to the next highest number
multiple unit dwellings, townhouses, apartment dwellings	1 space per dwelling unit
senior citizens apartment house	1 space per dwelling unit
Schools	1 space for each teaching staff member, plus 1 additional space for each 20 m <sup>2</sup> of auditorium or gymnasium floor space
churches	1 space for every 6 seats or 4.0 metres of bench space of its maximum seating capacity
hospital, nursing home	1 space for every 4 beds
libraries	a minimum of 10 spaces or 1 space per 28 m <sup>2</sup> of building floor space, whichever is greater
group homes	1 space for every 49 m <sup>2</sup> of floor area with a minimum of 2 spaces
boarding house, rooming house, tourist home and bed and breakfast establishment	1.5 spaces for every 2 rooms rented
bowling alley	3 spaces per bowling lane
curling rink	4 spaces per curling sheet
clinic	6 spaces per practitioner
offices	1 space per 28 m <sup>2</sup> of floor area

retail or service stores	1 space per 28 m <sup>2</sup> of retail floor area
auditoriums, restaurants, take-out restaurants, theaters, arenas, community centres, private clubs and other places of assembly	where there are fixed seats, 1 space for every 5 seats or for every 3.0 metres of bench space; where there are no fixed seats, 1 space for each 9.0 m <sup>2</sup> of floor area devoted to public use
home occupation and home industry	1 space for each 28 m <sup>2</sup> of floor area or fraction thereof devoted to said use in addition to the parking required for the dwelling
hotels, motels, taverns	1 space per rental unit, plus 1 additional space for each 9.0 m <sup>2</sup> of floor area devoted to public uses such as restaurants, taverns and other eating places associated with motels and staff houses
industrial uses	1 space for each 93 m <sup>2</sup> of floor area or for each 3 employees whichever is greater
golf courses	2 spaces per hole
golf driving range	1 space for every 2 persons who can be accommodated at one time
riding stable	1 space for every 4 horses available for public riding
marinas	1 space per 28 m <sup>2</sup> of retail floor area plus 1 space for each boat slip

#### 4.30 Permitted Encroachments in Yards

Every part of any yard required by this By-law shall be open and unobstructed by any structure, other than a fence, deck or patio from the ground to the sky, provided however that those structures listed in the following table shall be permitted to project into the yards indicated for the distances specified:

STRUCTURE	YARD IN WHICH PROJECTION IS PERMITTED	MAX. PROJECTION FROM MAIN WALL PERMITTED
sills, belt courses, cornices, eaves, gutters, chimneys, parapets or pilasters	Any yard	0.5 metres
fire escapes, and exterior	Rear yard only	1.5 metres

staircases		
window bays	Any yards	1.0 metres
balconies	Front and Rear yards for single detached, semi-detached and duplex dwellings; any yard for apartment buildings	2.0 metres
open roofed porches not exceeding one storey in height; covered terraces	Any yard	2.5 metres including eaves and cornices
canopies over entrances	Front and Rear yards only	3.0 metres
gate house	Any yard in a Commercial or Industrial Zone	1.0 metres from property boundary

#### 4.17 Permitted Public Uses

Notwithstanding anything else in this By-law, the provisions of this By-law shall not apply to the use of any land or to the erection or use of any building or structure by any public authority provided that:

- a) the lot coverage, setback and yard requirements prescribed for the zone in which such land, building or structure is located are complied with, except electric power facilities;
- b) no goods, material, or equipment are stored in the open in a residential zone, or within 30.0 metres of a residential zone;
- c) any building erected in a residential zone under the authority of this paragraph is designed and maintained in general harmony with residential buildings of the type permitted in the said residential zone; and
- d) any parking and loading regulations are complied with.

#### 4.18 Prohibited Uses

It shall be prohibited to use any land or to erect and use any building or other structure in any zone for the purpose of wrecking yards, automobile salvage yards, a waste disposal site or processing facility, a pit or quarry, the collection of rags, junk, any refuse, scrap iron, or other scrap metals unless such uses are specifically listed as permitted uses within a particular zone.

#### 4.2 Road Frontage Required

No person shall erect any building or structure for permanent, year-round or full-time use unless the lot upon which such building or structure is to be erected, except as otherwise specifically permitted by this By-law, has lot frontage upon a road which has been assumed by the municipality, Province of Ontario or some other road authority, and is maintained year round by such authority in such a manner so as to permit its use by vehicular traffic. Notwithstanding the

foregoing, a building or structure may be erected upon a lot within a registered plan of subdivision in accordance with the provisions of a subdivision agreement in respect of such plan by subdivision notwithstanding that the roads within such plan of subdivision have not been assumed and are not being maintained by the municipality.

Notwithstanding anything to the contrary in this clause, buildings and structures accessory to agricultural, forestry and mining uses, but not for human habitation are permitted in appropriate zones where publicly maintained road frontage is not available.

#### 4.34 Service Stations, Public Garages and Gas Bars

- a) Fuel pumps and fuel pump islands may be located in any required yard, however no portion of any fuel pump island shall be erected closer than 6.0 metres from any road allowance;
- b) the minimum distance from the intersection of the front and side lot line to the nearest ingress or egress ramp shall not be less than 9.0 metres;
- c) the maximum width of a curb ramp at the front or side lot line shall not be more than 7.0 metres;
- d) the minimum distance between the ramps shall not be less than 9.0 metres;
- e) a canopy or roof may be erected over fuel pumps and fuel pump islands or may be extended from the main building to the pump island, however a minimum setback of 3.0 metres is required between the extent of the canopy or the roof and any lot line; and
- f) where the lot is a corner lot, no portion of any canopy or roof shall be located within any sight triangle.

#### 4.35 Services Required

Notwithstanding any other provisions of this By-law, no lands shall be used nor any building or structure erected or used thereon unless the requirements of the Northwestern Health Unit and the Ministry of the Environment are met for the use of private water supply and sewage treatment services for the servicing of said land, buildings or structures.

#### 4.36 Setback from Navigable and Non-Navigable Watercourses, Hazard Land and Municipal Surface Drains

Notwithstanding any other provisions of this By-law, a building in any zone is required to be no nearer than 15 metres from the top of the bank of any watercourse, or municipal drainage ditch permanent or intermittent, which may or may not be navigable, with the exception of development along the shoreline of Lake of the Woods on both the mainland and islands, no development shall be located below the 324.5 GSC elevation except non-habitable structures. In the case of hazard lands no part of any building shall be constructed closer than 15 metres to the nearest point of the area to which the hazardous condition is deemed to exist

#### 4.37 Setbacks and Access on Provincial Highways

A building or structure in any zone adjacent to a provincial highway is subject to the setback requirements of the Ministry of Transportation which may be greater than municipal requirements. In general, Ministry setbacks for residential uses along a provincial highway is 7.6 metres and all other uses require a 13.7 metres setback. The Ministry of Transportation shall

be consulted for specific setback and access requirements along provincial highways.

#### 4.38 Setbacks on Municipal Roads

Notwithstanding any other provisions of this By-law, a building or structure in any zone on a public road allowance which is less than 20 metres wide, shall be set back 10 metres plus the required minimum front yard for that zone measured from the centre line of the road allowance.

#### 4.39 Setback from Waste Disposal Site

Notwithstanding any other provisions of this By-law, a residential building in any zone is required to be setback a distance of 500 metres from existing and former waste disposal cells.

#### 4.40 Special Uses Permitted

Nothing in this By-law shall prevent the use of land or the use or erection of a building or structure for:

- a) a scaffold or other temporary building or structure incidental to construction in progress on premises for which a building permit has been granted, until such time as the work has been finished or abandoned;
- b) a sign having an area of not more than 4.7 m<sup>2</sup> incidental to construction in progress on premises for which a building permit has been granted, until such time as the work has been finished or abandoned;
- c) a street sign or street light or yard light;
- d) an authorized sign or signal;
- e) a public election list or other proclamation of governmental authority; or

#### 4.41 Structures in Water

No person shall erect, alter or use any structure located in a navigable water except in compliance with the standards of the Lake of the Woods Control Board. The Lakes and Rivers Improvement Act, and The Navigable Waters Act, as revised or amended from time to time.

#### 4.42 Temporary Buildings

The temporary use of buildings and structures, including mobile homes, incidental to and necessary for lawful construction work will be permitted in all zones, but only for as long as the same are necessary for the construction work subject to an agreement with the Municipality.

#### 4.43 Truck, Bus and Coach Bodies or Trailers or Tents used for Human Habitation

- a) Except as expressly permitted by this By-law no truck, bus, railroad car, caboose, coach or streetcar body shall be used for human habitation whether the same is mounted on wheels or not; and
- b) except as expressly permitted by this By-law, the use of tents and trailers for human habitation is prohibited provided, however, that this provision shall not prevent the use of tents or trailers for children's play or for picnics, or for the occasional accommodation

of guests in a Residential Zone.

#### 4.44 Wayside Pits and Quarries and Portable Asphalt Plants

Wayside pits and quarries and portable asphalt plants shall be permitted throughout the Township without an amendment to the Official Plan or Zoning By-law, except in the Village of Bergland and Village of Morson and wayside pits and quarries are not permitted within 90 metres of an existing residential use and portable asphalt plants are not permitted within 300 metres of an existing residential use.

#### 4.45 Yard and Open Space Provision for all Zones

No part of a yard or other open space required abutting any building for the purpose of complying with the provisions of this By-law shall be included as part of a yard or other open space similarly required for another building.

## SECTION 5 - RURAL ZONE (R) REGULATIONS

### 5.1 Permitted Uses

No land shall be used in the Rural Zone (R) except for the following purposes:

- a) agricultural uses
- b) forestry management uses
- c) mining and mineral exploration
- d) wildlife management
- e) trapping
- f) conservation uses
- g) wayside pits and quarries
- h) a single detached dwelling
- i) a farm help house accessory to an agricultural operation
- j) a mobile home
- k) a modular dwelling
- l) a cottage, cabin or recreational residential use
- m) peat extraction and processing
- n) a home occupation
- o) a home industry
- p) kennel
- q) commercial greenhouse
- r) grain elevator and grain drying facility
- s) small scale commercial/industrial uses
- t) public recreational uses
- u) portable asphalt plants
- v) portable sawmill
- w) airport and aircraft landing area
- x) accessory uses

### 5.2 Zone Provisions

- a) Minimum Lot Area 4.0 hectares
- b) Minimum Lot Frontage 100.0 metres
- c) Maximum Lot Coverage 10 percent
- d) Minimum Front Yard 15.0 metres
- e) Minimum Side Yard 15.0 metres
- f) Minimum Exterior Side Yard 15.0 metres
- g) Minimum Rear Yard 15.0 metres
- h) Maximum Building Height 10.5 metres
- i) Minimum Dwelling Unit Area 60.0 square metres

### 5.3 Zone Provisions for Residential Uses

- a) Minimum Lot Area 0.4 hectares
- b) Minimum Lot Frontage 45.0 metres
- c) Maximum Lot Coverage 15 percent
- d) Minimum Front Yard 7.5 metres

- e) Minimum Side Yard 3.0 metres
  - f) Minimum Exterior Side Yard 7.5 metres
  - g) Minimum Rear Yard 15.0 metres
  - h) Maximum Building Height 10.5 metres
  - i) Minimum Dwelling Unit Area 60 square metres
  - j) Agricultural Separation Distance in accordance with Section 4.3
- 5.4 Zone Provisions for Farm Help Houses
- a) Minimum Front Yard 7.5 metres
  - b) Minimum Side Yard 3.0 metres
  - c) Minimum Exterior Side Yard 7.5 metres
  - d) Minimum Rear Yard 15.0 metres
  - e) Maximum Building Height 10.5 metres
  - f) Minimum Dwelling Unit Area 45 square metres
  - g) Maximum Dwelling Unit Area 60 square metres
- 5.5 Zone Provisions for Small Scale Commercial and Industrial Uses
- a) Minimum Lot Area
    - i) Commercial Use 0.6 hectares
    - ii) Industrial Use 1.2 hectares
  - b) Minimum Lot Frontage 60.0 metres
  - c) Maximum Lot Coverage 15 percent
  - d) Minimum Front Yard 15.0 metres
  - e) Minimum Side Yard 15.0 metres
  - f) Minimum Rear Yard 15.0 metres
  - g) Maximum Height 10.5 metres
  - h) Minimum Ground Floor Area 60.0 square metres

## SECTION 6 - RESIDENTIAL 1 ZONE (R1) REGULATIONS

### 6.1 Permitted Uses

No land shall be used in the Residential 1 Zone (R1) except for the following purposes:

- a) a single detached dwelling
- b) a mobile home
- c) a modular dwelling
- d) a semi-detached dwelling
- e) a home occupation
- f) a home industry
- g) a group home
- h) a boarding house, rooming house or tourist home
- i) accessory uses

### 6.2 Zone Provisions for a Single Detached Dwelling

- a) Minimum Lot Area 0.4 ha
- b) Minimum Lot Frontage 30.0 metres
- c) Maximum Lot Coverage 20 percent
- d) Minimum Front Yard 7.5 metres
- e) Minimum Side Yard 2.0 metres
- f) Minimum Exterior Side Yard 7.5 metres
- g) Minimum Rear Yard 15.0 metres
- h) Maximum Building Height 10.5 metres
- i) Minimum Dwelling Unit Area 60 square metres

### 6.3 Zone Provisions for a Mobile Home and Modular Dwelling

- a) Minimum Lot Area 0.4 ha
- b) Minimum Lot Frontage 30.0 metres
- c) Maximum Lot Coverage 20 percent
- d) Minimum Front Yard 7.5 metres
- e) Minimum Side Yard 2.0 metres
- f) Minimum Exterior Side Yard 7.5 metres
- g) Minimum Rear Yard 10.0 metres
- h) Maximum Dwelling Height 4.0 metres
- i) Minimum Dwelling Unit Area 45.0 square metres

### 6.4 Zone Provisions for a Semi-Detached Dwelling

- a) Minimum Lot Area 0.8 ha
- b) Minimum Lot Area per Unit 0.4 ha
- c) Minimum Lot Frontage 25.0 metres
- d) Maximum Lot Coverage 20 percent
- e) Minimum Front Yard 7.5 metres

- |    |                            |  |
|----|----------------------------|--|
| f) | Minimum Side Yard          | 4.0 metres, no side yard is required for a semi-detached dwelling between the common vertical wall dividing one unit from another.         |
| g) | Minimum Exterior Side Yard | 7.5 metres on each side, except that where an entrance to a garage faces an exterior side yard, the exterior side yard shall be 6.0 metres |
| h) | Minimum Rear Yard          | 15.0 metres  |
| i) | Maximum Building Height    | 10.5 metres  |
| j) | Minimum Dwelling Unit Area | 80 square metres   |

#### 6.5 Zone Provisions for Boarding House, Lodging House, Tourist House

- |    |                            |                   |
|----|----------------------------|-------------------|
| a) | Minimum Lot Area           | 0.4 ha            |
| b) | Minimum Lot Frontage       |                   |
|    | i) on Municipal Road       | 30.0 metres       |
|    | ii) on Provincial Highway  | 45.0 metres       |
| c) | Maximum Lot Coverage       | 15 percent        |
| d) | Minimum Front Yard         |                   |
|    | i) on Municipal Road       | 7.5 metres        |
|    | ii) on Provincial Highway  | 14.0 metres       |
| e) | Minimum Side Yard          | 4.0 metres        |
| f) | Minimum Exterior Side Yard | 7.5 metres        |
| g) | Minimum Rear Yard          | 15.0 metres       |
| h) | Minimum Landscaped Space   | 10 percent        |
| i) | Maximum Dwelling Height    | 10.5 metres       |
| j) | Minimum Dwelling Unit Area | 110 square metres |
| k) | Minimum Guest Room Area    | 9 square metres   |
| l) | Maximum Guest Cabin Area   | 28 square metres  |

## SECTION 7 - WATERFRONT RESIDENTIAL ZONE (WR) REGULATIONS

### 7.1 Permitted Uses

No land shall be used in the Waterfront Residential Zone (WR) except for the following purposes:

- a) a single detached dwelling
- b) a mobile home
- c) a modular dwelling
- d) a recreational residential use
- e) a home occupation
- f) a home industry
- g) a boarding house, rooming house or tourist home
- h) conservation uses
- i) accessory uses

### 7.2 Zone Provisions for a Single Detached Dwelling

- a) Minimum Lot Area 0.4 ha
- b) Minimum Lot Frontage 30.0 metres
- c) Maximum Lot Coverage 20 percent
- d) Minimum Front Yard 7.5 metres
- e) Minimum Side Yard 2.0 metres
- f) Minimum Exterior Side Yard 7.5 metres
- g) Minimum Rear Yard 15.0 metres
- h) Maximum Building Height 10.5 metres
- i) Minimum Dwelling Unit Area 60 square metres
- j) Maximum Guest Cabin Area 28 square metres

### 7.3 Zone Provisions for a Mobile Home and Modular Dwelling

- a) Minimum Lot Area 0.4 ha
- b) Minimum Lot Frontage 30.0 metres
- c) Maximum Lot Coverage 20 percent
- d) Minimum Front Yard 7.5 metres
- e) Minimum Side Yard 2.0 metres
- f) Minimum Exterior Side Yard 7.5 metres
- g) Minimum Rear Yard 10.0 metres
- h) Maximum Dwelling Height 4.0 metres
- i) Minimum Dwelling Unit Area
  - i) for Mobile Home 45.0 meters
  - ii) for Modular Dwelling 60.0 square metres
- j) Maximum Guest Cabin Area 28 square metres

### 7.4 Zone Provisions for Boarding House, Lodging House, Tourist House

- a) Minimum Lot Area 0.4 ha
- b) Minimum Lot Frontage 30.0 metres

c)	Maximum Lot Coverage	15 percent
d)	Minimum Front Yard	7.5 metres
e)	Minimum Side Yard	4.0 metres
f)	Minimum Exterior Side Yard	7.5 metres
g)	Minimum Rear Yard	15.0 metres
h)	Minimum Landscaped Space	10 percent
i)	Maximum Dwelling Height	10.5 metres
j)	Minimum Dwelling Unit Area	110 square metres
k)	Minimum Guest Room Area	9 square metres
l)	Maximum Guest Cabin Area	28 square metres

#### 7.5 Development on Crown Lands

Development on Crown Lands on the islands in Lake of the Woods shall be in accordance with the requirements of the Ministry of Natural Resources and will generally be for conservation uses.

#### 7.6 Access

Lots with water frontage and water access only must have boat launching, docking vehicular parking facilities and/of float plane access to support the water access.

## SECTION 8 - MOBILE HOME PARK ZONE (MHP) REGULATIONS

### 8.1 Permitted Uses

No land shall be used in the Mobile Home Park Zone (MHP) except for the following purposes:

- a) mobile homes
- b) accessory uses

### 8.2 Zone Provisions

- a) Minimum Lot Area 2.0 hectares
- b) Minimum Site Area per Unit 275 square metres
- c) Minimum Lot Frontage 90 metres
- d) Maximum Lot Coverage 30 percent
- e) Minimum Front Yard 9.0 metres
- g) Minimum Side Yard 7.5 metres
- g) Minimum Exterior Side Yard 9.0 metres
- h) Minimum Rear Yard 9.0 metres
- i) Minimum Landscaped Space 10 percent
- j) Maximum Dwelling Height 4.0 metres
- k) Minimum Dwelling Unit Area 45 square metres

## SECTION 9 - GENERAL COMMERCIAL ZONE (C) REGULATIONS

### 9.1 Permitted Uses

No land shall be used in the General Commercial Zone (C) except for the following purposes:

- a) retail, service or convenience store
- b) business or professional office
- c) bank or financial institution
- d) commercial or private club
- e) entertainment facility
- f) community centre
- g) automobile service station, public garage, gas bar
- h) florist
- i) motor vehicle or recreation vehicle sales, leasing and storage establishment
- j) personal service establishment
- k) restaurant, tavern
- l) animal hospital or veterinary clinic
- m) car wash
- n) laundromat or dry cleaning establishment
- o) bake shop or bakery
- p) taxi service establishment
- q) undertaking establishment
- r) parking lot
- s) builder's supply outlet
- t) contractor's yard
- u) gift shop or craft shop
- v) grocery store
- w) house boat rental establishment
- x) commercial school
- y) shopping centre
- z) curling rink
- aa) a seasonal campground
- bb) a tourist commercial use
- cc) marina
- dd) a bait shop
- ee) a trailer park
- ff) a tourist lodge, cabins or camp
- gg) a motel
- hh) hunting and fishing camps
- ii) seaplane base and docking facilities
- jj) boat launch and docking facilities
- kk) accessory manufacturing to a retail or service store provided the manufacturing does not exceed 50 percent of the floor area and the products manufactured are primarily for sale at retail on the premises
- ll) accessory uses, including an accessory single detached dwelling unit, mobile home or apartment unit.

9.2 Zone Provisions for Commercial Uses

a)	Minimum Lot Area	0.6 ha
b)	Minimum Lot Frontage	
	i) on Municipal Road	30 metres
	ii) on Provincial Highway.	45 metres
c)	Maximum Lot Coverage	60 percent
d)	Minimum Front Yard	
	i) on Municipal Road	6.0 metres
	ii) on Provincial Highway	14.0 metres
e)	Minimum Side Yard	2.0 metres
f)	Minimum Exterior Side Yard	4.5 metres
g)	Minimum Rear Yard	6.0 metres
h)	Minimum Landscaped Space	10.0 percent
i)	Maximum Height	10.5 metres
j)	Minimum Floor Area	
	i) Guest Cabin	28 metres
	ii) Other Uses	60 square metres
k)	Buffer Strip	Where a General Commercial Zone (C) abuts a residential, institutional or open space zone, a buffer strip shall be provided along the property line having a minimum width of 3.0 metres in compliance with Section 4.6

9.3 Zone Provisions for Automobile Service Stations and Public Garages

Notwithstanding any other provision of this By-law, where a lot is used for an automobile service station or public garage, the following regulations shall apply:

a)	Minimum Lot Area	0.8 hectare
b)	Minimum Lot Frontage	
	i) on Municipal Road	36.0 metres
	ii) on Provincial Highway	45.0 metres
c)	Maximum Lot Coverage	35 percent
d)	Minimum Front Yard	
	i) on Municipal Road	12.0 metres
	ii) on Provincial Highway	14.0 metres
e)	Minimum Side Yard	4.5 metres
f)	Minimum Exterior Side Yard	7.5 metres
g)	Minimum Rear Yard	7.5 metres
h)	Minimum Landscaped Space	10 percent
i)	Maximum Building Height	10.5 metres
j)	Minimum Floor Area	40 square metres
k)	Buffer Strip	Where an automobile service station or public garage abut a residential, institutional or open space use, a buffer strip shall be provided along the property line having a minimum width of 3.0 metres in compliance with Section 4.6

- l) Outside Storage Outside storage is prohibited, except merchandise offered for sale

#### 9.4 Zone Provisions for Seaplane Base and Docking Facilities

- a) Minimum Lot Area 0.6 hectare
- b) Minimum Lot Frontage 46 metres
- c) Maximum Lot Coverage 30 percent
- d) Minimum Front Yard
  - i) abutting a road 9.0 metres
  - ii) abutting water 20.0 metres
- e) Minimum Side Yard 7.5 metres
- f) Minimum Exterior Side Yard 10.0 metres
- g) Minimum Rear Yard 7.5 metres
- h) Maximum Building Height 9.0 metres
- i) Minimum Floor Area 55 square metres
- j) Buffer Strip Where a Seaplane launch and docking facilities abuts a residential, institutional or open space use, a buffer strip shall be provided along the property line having a minimum width of 3.0 metres in compliance with Section 4.6

#### 9.5 Zone Provisions for Accessory Apartment Dwelling Unit

- a) Minimum Dwelling Unit Area
  - i) Bachelor Unit 45 square metres
  - ii) One Bedroom Unit 55 square metres
  - iii) Two Bedroom Unit 65 square metres
- b) Minimum Amenity Area per Dwelling Unit 9 square metres

#### 9.6 Zone Provisions for a Single Detached Dwelling

In accordance with the provisions set out in Section 6.2 for a single detached dwelling and Section 6.3 for a mobile home.

#### 9.7 Access

Lots with water frontage and water access only must have boat launching, docking vehicular parking facilities and/of float plane access to support the water access.

## SECTION 10 - INDUSTRIAL ZONE (M) REGULATIONS

### 10.1 Permitted Uses

No land shall be used in the Industrial Zone (M) except for the following purposes:

- a) light industrial workshop
- b) buildings to house automotive sales and service and scrap metal facilities
- c) an equipment sales and servicing establishment
- d) blacksmith or welder's shop
- e) carpenter or joiner's shop
- f) concrete products factory
- g) warehouse
- h) forest products processing plant
- i) sawmill
- j) commercial fish outlet or fish packing and processing plant
- k) machine shop
- l) hydro generating or distribution station
- m) communication transmission facility
- n) automobile wrecking yard or scrap metal yard
- o) contractor's building and yard
- p) bulk sales or warehouse sales establishment
- q) abattoir
- r) manufacturing, processing and assembly plant
- s) waste disposal site
- t) mining and mineral exploration
- u) aggregate extraction and processing including crushing, screening, washing
- v) wayside pits and quarries
- w) portable asphalt plants
- x) accessory uses including retail uses and a single detached dwelling unit or mobile home for a caretaker or one person and his family employed by a manufacturing or industrial operation or permitted use.

### 10.2 Zone Provisions for Industrial Uses

- a) Minimum Lot Area 1.2 hectare
- b) Minimum Lot Frontage
  - i) on Municipal Road 40.0 metres
  - ii) on Provincial Highway 45.0 metres
- c) Maximum Lot Coverage 35 percent
- d) Minimum Front Yard 15.0 metres
- e) Minimum Side Yard 10 metres
- f) Minimum Exterior Side Yard 10 metres
- g) Minimum Rear Yard 10 metres
- h) Minimum Landscaped Space 10 percent
- i) Maximum Building Height 12 metres
- j) Minimum Floor Area 140 square metres

- |    |                 |   |
|----|-----------------|---|
| k) | Buffer Strip    | Where an industrial use abuts a residential, institutional or open space use, a buffer strip shall be provided along the property line having a minimum width of 3.0 metres in compliance with Section 4.6  |
| l) | Retail Use Area | maximum of 5% of the ground floor area or 278 square metres, whichever is the greater   |
| m) | Outside Storage | Outside operations and storage of goods and materials including refuse containers are not permitted within 9.0 metres of Residential Zone. Outside operations and storage of goods and materials including refuse containers shall be permitted in the rear yard and interior side yard and in the case of a corner lot, not within the required exterior yard setback. Outside operations and storage of goods and materials including refuse containers are to be screened from the view of adjacent streets by means of fencing and/or landscaping features. |

### 10.3 Zone Provisions for Waste Disposal Sites

- |    |                         |  |
|----|-------------------------|--|
| a) | Minimum Lot Area        | 20.0 hectare   |
| b) | Minimum Lot Frontage    | 100.0 metres   |
| c) | Maximum Lot Coverage    | 1 percent  |
| d) | Minimum Front Yard      | 30.0 metres  |
| e) | Minimum Side Yard       | 30.0 metres  |
| f) | Minimum Rear Yard       | 30.0 metres  |
| g) | Maximum Building Height | 10.5 metres  |
| h) | Buffer Strip            | where a waste disposal site abuts a residential, institutional or open space zone a buffer strip, together with screening measures shall be provided along the property line having a minimum width of 6.0 metres in compliance with Section 4.6 |

### 10.4 Zone Provisions for Aggregate Extraction and Processing Uses

- |    |                      |              |
|----|----------------------|--------------|
| a) | Minimum Lot Area     | 4.0 hectare  |
| b) | Minimum Lot Frontage | 100.0 metres |
| c) | Maximum Lot Coverage | 1 percent    |

- |    |   |  |
|----|---|--|
| d) | Minimum Excavation Setback  |  |
|    | i) from lot line  | 15.0 metres  |
|    | ii) from road allowance   | 30.0 metres  |
|    | iii) from abutting lands used for residential, institutional, commercial or recreational uses | 30.0 metres  |
|    | iv) from abutting any lands zoned for Residential uses  | 30.0 metres  |
| e) | Minimum Setback for Building, Equipment, Machinery, or Stockpiling                            |  |
|    | i) from lot line  | 30.0 metres  |
|    | ii) from road allowance   | 30.0 metres  |
|    | iii) from lands used or zoned for residential purposes  | 90.0 metres  |
| f) | Minimum Setback for Blasting Operations   | 450 metres   |
| g) | Buffer Strip  | where an aggregate use abuts a residential, institutional, commercial or open space use, a buffer strip together with screening measures shall be provided along the property line having a minimum width of 6.0 metres in compliance with Section 4.6 |

#### 10.5 Zone Provisions for Wayside Pits and Quarries and Portable Asphalt Plants

In accordance with the provisions of Section 4.44.

#### 10.6 Zone Provisions for an Accessory Dwelling Unit

In accordance with the provisions set out in Section 6.2 for a single detached dwelling or Section 6.3 for a mobile home.

## SECTION 11 - INSTITUTIONAL ZONE (I) REGULATIONS

### 11.1 Permitted Uses

No land shall be used in the Institutional Zone (I) except for the following purposes:

- a) hospital
- b) clinic
- c) public or private school or other educational institution
- d) church, synagogue, church hall or religious institution
- e) library or cultural institution
- f) government office
- g) post office
- h) fire hall
- i) arena
- j) curling club
- k) community centre
- l) nursing home or home for the aged
- m) animal shelter
- n) assembly hall, club or fraternal organization
- o) cemetery
- p) accessory uses

### 11.2 Zone Provisions

- |    |                         |              |
|----|-------------------------|--------------|
| a) | Minimum Lot Area        | 0.4 hectares |
| b) | Maximum Lot Coverage    | 40 percent   |
| c) | Minimum Front Yard      | 7.5 metres   |
| d) | Minimum Side Yard       | 5.0 metres   |
| e) | Minimum Rear Yard       | 7.5 metres   |
| f) | Maximum Building Height | 10.5 metres  |

## SECTION 12 - OPEN SPACE ZONE (OS) REGULATIONS

### 12.1 Permitted Uses

No land shall be used in the Open Space Zone (OS) except for the following purposes:

- a) public and private parks, playgrounds and sports and recreation facilities
- b) picnic facilities
- c) dock and launching ramp
- d) conservation area
- e) golf course
- f) golf driving range
- g) fair grounds
- h) swimming pool
- i) community centre
- j) outdoor skating rink
- k) arena
- l) curling rink
- m) religious retreat
- n) accessory uses

### 12.2 Zone Provisions

- |    |                         |                    |
|----|-------------------------|--------------------|
| a) | Minimum Lot Area        | 0.4 hectares       |
| b) | Minimum Lot Frontage    | 30.0 metres        |
| c) | Maximum Lot Coverage    | 15 percent         |
| d) | Minimum Front Yard      | 10.0 metres        |
| e) | Minimum Side Yard       | 10.0 metres        |
| f) | Minimum Rear Yard       | 10.0 metres        |
| g) | Maximum Building Height | 10.5 metres        |
| h) | Maximum Floor Area      | 50.0 square metres |

## **SECTION 13 - HAZARD LAND ZONE (HL) REGULATIONS**

### **13.1 Permitted Uses**

No land shall be used in the Hazard Land Zone (HL) except for the following purposes:

- a) agricultural
- b) forestry management uses
- c) wildlife management, conservation area
- d) electric power generation and transmission
- e) mineral exploration
- f) dwellings existing at the date of the passing of this By-law, and uses, buildings and structures accessory thereto, but not conversions or enlargements thereof unless a use permit can be obtained from the appropriate authorities
- g) public and private parks, including playgrounds, picnic facilities, sport fields, tennis courts, golf course, outdoor natural rinks and docks.

### **13.2 Fill**

No fill shall be placed on or removed from land in the Hazard Land Zone (HL) whether originating on such lands or elsewhere without the approval of the Ministry of Natural Resources.

### **13.3 Zone Provisions**

- a) **Minimum Building Setback**                      15 metres from top of bank and along the shoreline of the Little Grassy River, Big Grassy River and Lake of the Woods no building shall be located below 324.6 metres (C.G.D.) with the exception of docks and boathouses.

## SECTION 14 - HOLDING ZONE (H) REGULATIONS

### 14.1

The Holding Zone (H) limits development on lots to which it applies until such time as Council adopts a by-law, pursuant to Section 35 of The Planning Act, 1990, removing the Holding (H) symbol. When the Holding (H) symbol is removed, the regulations of the parent zone which applies to the lot will come into force.

### 14.2 Permitted Uses

No land shall be used in the Holding Zone (H), except for the following purposes:

- a) existing uses
- b) accessory uses

### 14.3 Zone Provisions

- |    |                      |                  |
|----|----------------------|------------------|
| a) | Minimum Lot Area     | as existing      |
| b) | Minimum Lot Frontage | as existing      |
| c) | Maximum Lot Coverage | 10 percent       |
| d) | Maximum Height       | 10.5 metres      |
| e) | Minimum Floor Area   | 70 square metres |
| f) | Minimum Front Yard   | 7.5 metres       |
| g) | Minimum Side Yard    | 7.5 metres       |
| h) | Minimum Rear Yard    | 7.5 metres       |

## SECTION 15 - EXCEPTIONS

The following provisions shall have effect notwithstanding anything else in this By-law and the other provisions of this By-law shall be deemed to be amended insofar as is necessary to give effect hereto:

### Exception Numbers

(Used with Various Zoning

Classifications as Shown

on Schedules "A" "B" "C" and "D")

### Provisions

- |    |  |  |
|----|--|--|
| 1. | WR-1 Schedule "A-1"<br>"Bernier Trailer Zoning By-law" | For the purposes of this By-law, the following regulations shall apply:<br><br>a) One mobile home located on Parcel 9445 and a second mobile home on Parcel 7914 |
| 2. | C-1<br>"Collinson Resort Trailer By-law"               | Notwithstanding Section 9.1 of this By-law, the following uses are permitted:<br><br>a) A mobile home park with a maximum of 12 mobile home units                |
| 3. | C-2<br>"Buena Vista Resort Trailer By-law"             | Notwithstanding Section 9.1 of this By-law, the following uses are permitted:<br><br>a) A mobile home park with a maximum of 50 mobile home units                |
| 4. | C-3<br>"Morson Outboard & Marina Trailer By-law"       | Notwithstanding Section 9.1 of this By-law, the following uses are permitted:<br><br>A mobile home park with a maximum of 25 mobile home units                   |

If no notice of objection is filed with the Clerk within the time provided, this By-law shall come into force and take effect on the date of enactment by the Council of the Corporation of the Township of Lake of the Woods, in accordance with Section 34 of The Planning Act, 1990.

If a notice of objection is filed with the Clerk, this By-law shall become effective on the date of enactment hereof, subject to receiving the approval of the Ontario Municipal Board.

Enacted this 7th day of November 2000.

V Pizey  
Mayor – V. Pizey

P. W. Giles  
Clerk - P. W. Giles

CONVERSION TABLE (APPROXIMATE)

Metres	Feet	Square Metres	Square Feet
0.5	2.0	0.2	2
1.0	3.0	9.0	100
1.5	5.0	16.75	180
2.0	6.5	20.0	215
2.5	8.0	28.0	300
3.0	10.0	37.0	400
3.5	11.0	45.0	484
4.0	13.0	55.0	592
4.5	15.0	60.0	645
6.0	20.0	65.0	700
7.0	23.0	70.0	750
7.5	25.0	80.0	860
9.0	30.0	85.0	915
10.0	33.0	110.0	1180
10.5	34.0	140.0	1500
12.0	39.0	232.0	2500
15.0	49.0	275.0	2960
18.0	59.0	372.0	4000
20.0	66.0	465.0	5000
23.0	75.0	511.0	5500
24.4	80.0	557.0	6000
30.0	98.0	650.0	7000
38.0	125.0	690.0	7400
90	295.0	700	7535
100.0	328.0	744	8000

Hectares	Acres
0.4	1.0
0.8	2.0
1.2	3.0
4.0	10.0
20.0	50.0
32.0	80.0

Conversion Factors:   Metres to Feet multiply by 3.2808  
                              Square Metres to Square Feet multiply by 10.7642  
                              Hectares to Acres multiply by 2.4707

NOTE: The above tables are for convenience only and do not form part of this By-law.