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**The Town of
NORTHEASTERN MANITOULIN AND THE ISLANDS**

BY-LAW No. 2002-31

A By-law to regulate the use of land and the character, location and use of buildings and structures in the Town of Northeastern Manitoulin and the Islands.

WHEREAS it is considered desirable to regulate the use of land, the character, location and use of buildings and structures within the Town of Northeastern Manitoulin and the Islands, herein after known as the "Town".

AND WHEREAS authority is granted under Section 35 of the Planning Act R.S.O. 1990, as amended, to the Council of the Town of Northeastern Manitoulin and the Islands to exercise such powers subject to the approval of the Ontario Municipal Board;

NOW THEREFORE the Council of the Town of Northeastern Manitoulin and the Islands enacts as follows:

SECTION 1 - TITLE

This By-law shall be known as the "Zoning By-law for the Town of Northeastern Manitoulin and the Islands (Little Current Area)".

SECTION 2 - DEFINED AREA

This By-law applies to all land included on Schedule A to this By-law.

SECTION 3 – INTERPRETATION

3.1 GENERAL

In their interpretation and application, the provisions of this By-law shall be held to be the minimum requirement adopted for the promotion of the public health, safety, convenience or general welfare. Whenever the requirements of this By-law are at variance with the requirements of any other By-law, the most restrictive, or the By-law imposing the higher standards, shall govern and apply. Nothing in this By-law shall be construed to exempt any person from complying with the requirements of any other By-law of the Town of Northeastern Manitoulin and the Islands or from any law of the Province of Ontario or of Canada.

3.2 ZONING AND SITE PLAN SCHEDULES

Schedule A attached hereto, together with notations and references shown thereon, is hereby declared to form part of this By-law.

3.3 ZONE BOUNDARIES

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

- a) a boundary indicated as following a highway, street or lane shall be the centre line of such highway, street or lane;
- b) a boundary indicated as following a watercourse, creek, stream or the right-of-way of a railway or an electrical, gas or oil transmission line shall be the centre line of such watercourse, creek, stream or right-of-way;
- c) a boundary indicated as following a shoreline, either the shoreline of the mainland or the shoreline of an island, shall follow such shoreline, except as noted in subsection g) and in the event of change in the shoreline, the boundary shall be construed as moving with the actual shoreline;
- d) a boundary indicated as approximately following lot lines shown on a registered plan of subdivision or Town Lot, shall follow such lot lines;
- e) a boundary indicated as approximately parallel to a street line or other feature indicated in clauses a), b) or c) of this subsection, and the distance from such street line or other feature is not indicated, and clause d) above is not applicable, such boundary shall be construed as being parallel to such street line or other feature;
- f) a boundary indicated as following the limits of the Town shall follow such limits; and
- g) where any zone on the Schedules abuts a lakeshore, such zone shall be deemed to extend into the lake and to apply to any water lots or to any land created by changing lake levels, landfill operations or by any other means.

3.4 CLOSINGS

In the event a dedicated street or lane shown on Schedule A forming part of this By-law is closed, the property formerly in such street or lane shall be included within the zone of the adjoining property on either side of such closed street or lane. If a closed street or lane is the boundary between two or more different zones, the new zone boundaries shall be the former centre line of the closed street or lane.

3.5 CERTAIN WORDS

In this By-law, words used in the present tense include future; words in the singular number include the plural; words in the plural include the singular number; and the word “used” includes “arranged, designed or intended to be used”; the word “shall” is mandatory and not discretionary.

Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunction “and”, “or”, or “either-or”, the conjunction shall be interpreted as follows:

- a) “and” indicates that all connected items, conditions, provisions or events shall apply in any combination;
- b) “or” indicates that the connected items, conditions, provisions or events may apply single or in combination;
- c) “either-or” indicates that the connected items, conditions, provisions or events shall apply single but not in combination.

3.6 INTERPRETATION OF SIMILAR PERMITTED USES

Uses other than those hereinafter specifically mentioned as uses in each of the zones, may be permitted therein, provided such uses are similar to those specifically mentioned and are, in the opinion of Council, as evidenced by a resolution, not more obnoxious or detrimental to the welfare of the community, than the permitted uses specifically mentioned in the respective zone.

3.7 MULTIPLE USES ON ONE LOT

Notwithstanding any other provisions of this By-law, where any land, building or structure is used for more than one permitted use, all provisions of this By-law shall be complied with for each use, except in the case of lot area, lot frontage, coverage and minimum yard requirements in which case the most restrictive or stringent requirement shall apply.

3.8 PROPERTIES WITH MORE THAN ONE ZONE

Where a lot is divided into more than one zone, each such portion of said lot shall be considered separately for the purposes of determining zone provisions such as lot area, lot frontage, required front yard, required side and rear yards and each such portion shall conform to the provisions of the appropriate zone, but no lot shall have more than one dwelling unit on the whole except as specifically provided in this By-law.

SECTION 4 - ADMINISTRATION

4.1 SCOPE

No building, structure or land shall be used, and no building or structure shall be hereafter erected within that portion of the Town as now or henceforth legally constituted to which this By-law applies except in conformity with the provisions of this By-law.

4.2 ADMINISTRATION AND ENFORCEMENT

This By-law shall be administered by the Chief Building Official or such other person as Council shall designate, and no permit for the use of land or for the erection of any building or structure or approval of any municipal licence within the area to which this By-law applies, shall be issued where the proposed use, building or structure would be in violation of any provision of this By-law.

4.3 APPLICATION AND PLANS

In addition to the requirements of this Zoning By-law, every application for a building permit shall be accompanied by plans, in duplicate drawn to an appropriate scale and based upon an actual survey and showing:

- a) the true shape and dimensions of the lot to be used or upon which it is proposed to erect any building or structure;
- b) the proposed location, height and dimensions of the building, structure or work in respect of which the permit is applied for;
- c) the location of every building or structure already erected on or partly erected on such lot, and the location of every use, building or structure upon adjacent lots;
- d) the proposed location of parking spaces, loading spaces, driveways, landscaping areas or planting strips as may be required; and
- e) other such information as may be necessary to determine whether or not every such building, structure and work conforms to the requirements of this By-law.

Every such application shall be signed by the owner of the lot or the owner's agent duly authorized thereunto in writing and by the Building Inspector and such application shall set forth in detail the current and proposed use of the lot and any building or structure thereon, together with all information necessary to determine whether or not every such proposed use of land, building or structure conforms with the requirements of this By-law.

4.4 CONFORMITY

No land to which this By-law applies shall hereafter be used and no building or structure shall hereafter be erected or used except in accordance with the general and special provisions of this

By-law, but nothing in this By-law prevents the use of any land, building or structure for any use prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the day this By-law comes into effect.

4.5 INSPECTION

The authority having jurisdiction to enforce this By-law from time to time is hereby authorized, after reasonable notice to the owner or assessed owner, occupant or apparent occupant of the property in question, to enter at all reasonable hours for the purposes of inspection.

4.6 VIOLATION AND PENALTY

Any person who uses any land or erects or uses any building or structure in a manner contrary to any requirements of this By-Law, or who causes or permits such use or erection, or who violates any provision of this By-Law or causes or permits a violation, is guilty of an offence and upon conviction therefore, shall be liable to a fine not exceeding two thousand (2,000) dollars, exclusive of costs, which shall be recoverable under the Provincial Offences Act, R.S.O. 1990, as amended.

4.7 REPETITION OF OFFENCE

The conviction of an offender upon a breach of any of the provisions of this By-law, shall not prevent prosecution against the same offender upon any subsequent breach of the same or any other provision of this By-Law.

4.8 REMEDIES

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

4.9 VALIDITY

Should any section, or part of a section of this By-law for any reason be held to be invalid, it is the intention that all the remaining provisions shall remain in full force and effect.

SECTION 5 - DEFINITIONS

In this By-law, unless the context otherwise requires:

ACCESSORY BUILDING shall mean a detached building located on the same lot as the main building, the use of which is incidental or secondary to that of the main building and which is not used for human habitation, and may include a private garage, a boathouse, a tool shed, a storage building or a warehouse.

ACCESSORY USE shall mean a use that is normally incidental, subordinate and exclusively devoted to a principle use located on the same lot therewith.

AGRICULTURAL USE shall mean the use of lands, buildings or structures for the purpose of forestry, field crops or fruit farming, market gardening, dairying, animal husbandry, poultry raising, beekeeping, and such uses as are customarily and normally related to agriculture and includes a farm dwelling and accessory buildings.

ALTER shall mean any alteration in a bearing wall or partition, column, beam, girder or other supporting member of a building or structure or any increase in the area or volume of a building or, structure.

ANIMAL HOSPITAL shall mean the premises of a veterinary surgeon where animals, birds or other livestock are treated or kept.

AUTO BODY REPAIR SHOP shall mean a general industrial establishment for the repair of damage to a motor vehicle caused by collision, accident, corrosion or age, and, without limiting the generality of the foregoing, includes the reconstruction of motor vehicles, the painting or repainting of motor vehicles and the rebuilding or conversion of automotive engines or engine parts, but does not include a motor vehicle repair shop.

AUTOMOBILE SERVICE STATION shall mean a building or place where petroleum products and new supplies, parts and accessories are kept for sale to service motor vehicles, snowmobiles, farm implements and machinery and where minor and/or emergency repairs are performed to motor vehicles, farm implements and machinery but no other activities of a public garage are conducted.

BASEMENT shall mean that portion of a building which is partly underground but which has more than one-half of its height, from finished floor to underside of floor joists of the next above storey, above the adjacent average finished grade level adjacent to the exterior walls of the building and in which the height from finished grade to underside of the floor joists of the next above storey is less than one and eight-tenths (1.8) metres.

BASEMENT, WALKOUT shall mean that portion of a building which is partly underground, but which has more than fifty percent (50%) of the floor area not greater than one-half (0.5) metres below grade, and which has an entrance and exit at grade level. This definition shall only apply in an area where the natural terrain permits construction of a walkout basement.

BED AND BREAKFAST ESTABLISHMENT shall mean a dwelling unit or portion thereof, in which the proprietor resides and supplies for hire or gain to other persons, particularly tourists, on a temporary or day to day basis, lodging with or without meals, but shall not include a boarding house, hotel, motel, tourist cabin establishment or restaurant accommodating the general public. Such an establishment shall provide for no more than three (3) guest rooms used or maintained for the accommodation of the public and shall be clearly secondary to the use of the dwelling unit as a private residence.

BOARDING HOUSE shall mean any single detached dwelling unit structure in which the proprietor resides and occupies floor space for the purposes of the boarding house as his residence, and supplies for hire or gain to up to four (4) persons, lodging with or without meals in rooms furnished by the proprietor with necessary furnishings and includes a rooming house, but does not include a hotel or apartment or tourist home.

BOATHOUSE - LAND BASED shall mean a building or structure or part thereof located on land and not more than one and one half storeys in height, used for the storage of private boats and equipment accessory to their use and accessory to a residential use, part of which may be used for sleeping accommodations.

BOATHOUSE - WATER BASED shall mean a building or structure or part thereof located on a body of water and not more than one and one half storeys in height, used for the storage of private boats and equipment accessory to their use and accessory to a residential use, part of which may be used for sleeping accommodations.

BUILDING shall mean any structure, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment, other than a fence or wall.

BUILDING INSPECTOR shall mean the officer or employee of the Town from time to time charged by the Town with the duty of administering the provisions of the Building By-Law.

BUILDING LINE shall mean a line lying in the interior of a lot drawn parallel to a lot line for the purpose of establishing the minimum distance that must exist between a building or structure erected upon the land and a lot line.

BUILDING, MAIN shall mean that building the nature of the use of which is determined by the zone of the lot upon which it is authorized to be constructed or upon which it is constructed.

BUILDING SETBACK shall mean the least horizontal distance permitted between a lot line of a lot and the nearest portions of any building envelope on such lot.

BUSINESS OR PROFESSIONAL OFFICE shall mean an office in which any business is carried on or any profession is practiced but does not include a home occupation or a clinic.

CELLAR shall mean that portion of a building which is partly or entirely underground but has more than one-half of the building height from finished floor to finished ceiling below the average finished grade level adjacent to the exterior walls of the building.

CEMETERY shall mean a parcel of land set apart or used as a place for the internment of the dead or in which human bodies have been buried.

CHIEF BUILDING OFFICIAL shall mean the person duly appointed by Council as the Chief Building Official and charged with the duty of enforcing the provisions of the The Building Code Act, S.O. 1992, Chapter 23, as amended, together with any regulations thereunder, and the Building By-Law.

CHURCH means a building maintained and controlled by a religious body organized to sustain public worship and dedicated to religious worship and may include a synagogue, a church hall, church auditorium, Sunday school, convent, monastery or parish hall or any other place of worship.

CLINIC shall mean a public or private building used for medical, surgical, dental, physiotherapeutic, chiropractic or other human health treatment by one or more practitioners.

CLUB shall mean an association of persons, whether incorporated or not, united by some common interest, meeting periodically for cooperation or conviviality. Club shall also mean, where the context requires, premises owned or occupied by members of such associations within which the activities of the club are conducted.

COMMERCIAL means the use of land, building or structure for the purpose of buying and selling commodities and supplying of services as distinguished from such uses as manufacturing or assembling of goods, warehousing, transportation terminals, construction and other similar uses.

COMMUNITY CENTRE shall mean any tract of land, or building or buildings or any part of any buildings used for community activities whether used for commercial purposes or not, and the control of which is vested in the Town, a local board or agent thereof except that in the case of a community centre located within a mobile home park, the control of such use may be vested in the owners of the mobile home park.

CONVENIENCE RETAIL shall mean a retail commercial establishment, not exceeding one hundred and forty (140) square metres of gross floor area which deals primarily in goods required by the inhabitants of a residential area to meet their day-to-day needs, but shall not include a store catering primarily to the general commercial requirements of the residents of an area.

COUNCIL shall mean the Council of the Town of Northeastern Manitoulin and the Islands.

COURT shall mean an open, uncovered space on a lot, surrounded on all four sides by the principal building or structure.

COVERAGE shall mean the percentage of lot area covered by all buildings.

DAY LIGHTING TRIANGLE shall mean an area free of buildings or structures, which area is to be determined by measuring from the point of intersection of street lines on a corner lot, the distance required by this By-law along each such street line and joining such points with a

straight line. The triangular shaped land between the intersecting street lines and the straight line joining the points the required distance along the street lines is the "day lighting triangle".

DAY NURSERY shall mean an establishment providing care and maintenance of children separated from their parents or guardian during the part of the day between 6 a.m. and 7 p.m. except a public school or elementary school having a similar curriculum and at least four grades.

DEVELOPMENT shall mean the construction, erection or placing of one or more buildings or structures on land in the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot.

DRY INDUSTRY shall mean an industry that by the nature of its operation, process, or fabrication of raw materials or service rendered does not require a water supply or generate sanitary sewage beyond that associated with the normal sanitary and eating facilities required for the employees.

DWELLING shall mean a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons.

DWELLING, APARTMENT shall mean a building consisting of five or more dwelling units, which units have a common entrance from the street level and the occupants of which have the right to use in common halls and/or stairs and/or elevators and yards.

DWELLING, CONDOMINIUM TOWNHOUSE shall mean a townhouse dwelling unit, as defined in this By-Law, constructed and maintained under the provisions of the Condominium Act.

DWELLING, CONVERTED shall mean a building altered to contain a greater number of dwelling units, with each self-contained dwelling unit having a floor space of not less than 55 square metres.

DWELLING, DUPLEX shall mean a building of two (2) or more storeys that is divided horizontally into two dwelling units each of which has an independent entrance either directly or through a common vestibule.

DWELLING, MULTIPLE shall mean a building designed and intended to contain three of more dwelling units independent of each other but shall exclude an apartment dwelling or townhouse dwelling.

DWELLING, SEASONAL shall mean a dwelling constructed as a secondary place of residence for seasonal vacations and recreational purposes and not as a principal place of residence of the owner or occupant thereof.

DWELLING, SEMI-DETACHED shall mean a building that is divided vertically into two dwelling units each of which has an independent entrance either directly or through a common vestibule.

DWELLING, SINGLE DETACHED shall mean a completely detached dwelling unit.

DWELLING, TOWNHOUSE shall mean a building that is divided vertically into three or more dwelling units, each of which has independent entrances, to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.

DWELLING UNIT shall mean one room or a group of rooms in a building used or designed or intended to be used only as a single, independent and separate housekeeping establishment and,

- a) in which food preparation and sanitary facilities are provided for the exclusive use of the residents of the dwelling unit, and
- b) which has a private entrance from outside the building or from a common hallway or stairway inside the building, but
- c) does not mean or include a tent, or a room or suite of rooms in a boarding or rooming house, in a hotel, motel, motor hotel, tourist cabin establishment, bed and breakfast establishment or a guest cabin.

EATING ESTABLISHMENT shall mean a building or part of a building where food is offered for sale or sold to the public for immediate consumption therein and includes a restaurant, cafe, tea or lunch room, dairy bar, coffee shop or refreshment room or stand but does not include a boarding, or rooming house, or a bed and breakfast establishment.

EMERGENCY VEHICLE DISPATCH CENTRE shall mean a building or place used for the storage, cleaning, incidental maintenance and dispatch of police, fire and ambulance vehicles and employees.

ERECT shall mean to build, construct, reconstruct, alter and relocate, and without limiting the generality of the foregoing shall be taken to include any preliminary physical operations, such as excavating, berming, grading, piling, cribbing, filling or draining structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

ESTABLISHED BUILDING LINE shall mean the average distance from the street line to existing buildings on one side of any block where more than half the frontage has been built upon at the date of final passage of this By-law.

ESTABLISHED GRADE shall mean with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and when used with reference to a structure shall mean the average elevation of the finished grade of the ground immediately surrounding such structures, exclusive in both cases of any artificial embankment or entrenchment and when used with reference to a street, road or highway means the elevation of the street, road or highway established by the Town or other designated authority.

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

FARM shall mean land used for the growing of trees, grain, vegetables, or fruit crops, the grazing or pasturing of livestock, or dairying, and includes a farm dwelling and accessory buildings and such buildings as a barn, a grain and feed storage facilities and silos.

FARM, SPECIALIZED USE shall mean land on which the predominant use of land and/or buildings is for the raising of chickens, turkeys, or other fowl, fur-bearing animals, hogs or the growing of mushrooms, or sod, or the intensive feeding of cattle in a confined area and includes a farm dwelling and accessory buildings.

FLOOD PLAIN shall mean the horizontal area below the high water mark of a watercourse (including a drainage canal) or lake that has been or may be covered by flood water during a regional flood or a one-in-one hundred year flood or as defined by The Ministry of Natural Resources.

FLOOR AREA, DWELLING shall mean the total habitable floor area within a building which area is measured between the exterior faces of the exterior walls or from the centre line of a common or party wall, but excluding any private garage, breezeway, porch or veranda, balcony, sun room, attic, basement or cellar, except that where the natural terrain permits a walkout basement, twenty-five percent (25%) of the floor area of the walkout basement shall be considered as habitable floor area.

FLOOR AREA, GROSS shall mean the aggregate of the floor areas of all the storeys of a building including twenty-five percent (25%) of the floor area of any walkout basement but not of any cellar, and which floor areas are measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building and for the purposes of this clause, the walls of an inner court shall be deemed to be exterior walls.

FLOOR AREA, GROUND shall mean the floor area of the lowest storey of a building approximately at or first above the average finished grade level, excluding any basement or cellar, which area is measured between the exterior faces of the exterior walls at the floor level of such storey, but

- a) excludes car parking or loading areas within the building; and
- b) for the purpose of this paragraph the walls of an inner court are and shall be deemed to be exterior walls.

FLOOR AREA, RETAIL shall mean the gross floor area of a commercial building devoted to retail purposes.

GARAGE, ATTACHED shall mean a private garage, accessory to a dwelling unit on the same lot and attached by a common wall and/or common roof structure; provided however, for the purpose of determining lines of setback and side yard, an attached garage shall be considered part of the main building. Also for the purposes of this definition, a wall between a house and an attached garage may be considered "common" as long as at least forty percent (40%) of the length of the attached garage wall is common with the dwelling wall.

GARAGE, DETACHED shall mean an accessory building or portion of a building which is designed or used for the sheltering of private motor vehicles and the storage of household

equipment incidental to residential occupancy and in which there are no facilities for repairing or servicing of such vehicles for remuneration or commercial use.

GARAGE, PUBLIC (AUTO BODY) shall mean a building or place used as a motor vehicle repair shop including auto body repairs and spray painting and where automobile fuels or lubricants may be stored or kept for sale and where mechanical repairs, washing or cleaning of motor vehicles may be carried on but does not include an automobile washing establishment.

GARAGE, PUBLIC (MECHANICAL) shall mean a building or place used as a motor vehicle mechanical repair shop and where any sale of automobile fuels or lubricants is incidental to the main use and where the washing and cleaning of motor vehicles may be carried on but does not include a public garage (auto body), an automobile washing establishment or an automobile service station.

GARDEN SUITE shall mean a one-unit detached residential structure containing a bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable, 2002, c17, Sched. B, s.12.

GASOLINE BAR shall mean one or more pump islands, each consisting of one or more gasoline pumps, and shelter having a gross floor area of not more than ten (10) square metres, excluding washrooms, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and shall not be used for repairs, oil changes, or greasing.

GOLF COURSE shall mean a public or private area operated for the purpose of playing golf and includes a par 3 or larger golf course but does not include driving ranges, miniature golf courses and similar uses.

GROUP HOME shall mean a residence that is licensed or funded under an Act of the Parliament of Canada or the Province of Ontario for the accommodation of three to ten persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional mental, social, or physical condition or legal status, require a group living arrangement for their well being.

GUEST CABIN shall mean a non-commercial building for sleeping accommodation accessory to a seasonal dwelling in the Shoreline Residential Zone and which contains no provisions for cooking.

GUEST ROOM shall mean a non-commercial room or suite of rooms used or maintained for the accommodation of the public and which contains no provisions for cooking.

HABITABLE ROOM shall mean a room which:

- a) is located within a dwelling unit;
- b) is designed for living, sleeping or eating, or contains sanitary or food preparation facilities; and
- c) can be used at all times throughout the year;

but does not include any room specifically defined herein as a non-habitable room.

HEIGHT shall mean, with reference to a building, the vertical distance measured from the finished established grade level at the front elevation of such building to:

- a) the highest point of the roof surface or the parapet, whichever is the greater, of a flat roof;
- b) the deckline of a mansard roof; or
- c) the mean level between eaves and ridge of a gabled, hip, gambrel roof or other type of pitched roof.

In calculating the height of a building, any construction used as an ornament or for the mechanical operation of the building such as a chimney, tower, cupola or steeple shall not be included.

HIGH WATER MARK shall mean the normal original water mark of any body of water as measured by an Ontario Land Surveyor unless such high water mark has been altered by the construction of a public dam or dams, in which case the measurement shall be from the high water mark as controlled by such dam or dams.

HEREAFTER shall mean after the date of passing of this By-law.

HEREIN shall mean anywhere in this By-law.

HOME INDUSTRY shall mean a gainful occupation including an electrical, woodworking, window frame, welding, plumbing, machine shop or blacksmith, conducted in whole or in part in an accessory building to a single detached dwelling, provided that:

- a) there is no external advertising other than a sign erected in accordance with any by-laws of the Town regulating signs;
- b) there is no external storage of goods, materials or equipment;
- c) such home industry is not an obnoxious trade, business or manufacture;
- d) such home industry is clearly secondary to the main residential use and does not change the residential character of the dwelling unit or creates or becomes a public nuisance, particularly in regard to noise, noxious odours or emission of smoke, traffic or parking;
- e) not more than 2 persons, other than the owner, are employed therein on a full-time basis; and
- f) the lot shall be an existing lot with not less than 40 metres of lot frontage and 50 metres of lot depth.

HOME OCCUPATION such home occupation users are limited to a service or repair shop, a personal service shop or an office.

HOSPITAL shall mean any institution, building or other premises or place established for the maintenance, observation, medical and dental care and supervision and skilled nursing care of persons afflicted with or suffering from sickness, disease or injury or for the convalescent or chronically ill persons.

HOTEL shall mean a building or part of a building or a group of buildings used primarily for the purpose of providing overnight guest room accommodation to the travelling public, with or without accessory restaurants, dining rooms or refreshment rooms, and includes any establishment containing guest rooms which is defined as a hotel in the Hotel Registration of Guests Act, R.S.O. 1990, Chapter H.17, but does not include any residential use.

INDUSTRIAL USE shall mean the use of land, buildings or structures for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage of goods and related accessory uses.

INDUSTRIAL USE, LIGHT shall mean an industrial use engaged in, or used for:

- a) Producing apparel and finished textile products, other than the production of synthetic fibers,
- b) Warehousing or storing of goods or materials indoors
- c) Printing, duplicating or bookbinding
- d) Manufacturing finished paper and allied products other than processing wood pulp,
- e) Producing cosmetics, drugs and other pharmaceutical supplies,
- f) Manufacturing finished lumber products, light metal products, light machinery, computer software, electronic products, finished plastic-ware, porcelain, earthenware, glassware or similar articles including, without limiting the generality of the foregoing, furniture, housewares, monument, toys, musical instruments, jewellery, watches, precision instruments, filters, radios and electronic components, but does not include a tannery or any industrial use accessory to an extractive use, or
- g) Research laboratories and medical offices for engineers, architects and surveyors

KENNEL shall mean a building or structure where animals, birds or other livestock intended or used as domestic household pets are kept or boarded and in the case of a dog kennel, the operation is registered by the Canadian Kennel Club.

LANDFILL SITE shall mean any land approved by the Ministry of the Environment upon, into or in which waste may be deposited or processed.

LANDSCAPING shall mean:

- a) any combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property and/or to provide a screen to mitigate any objectionable adjacent land use; and
- b) does not include parking areas, patios, walkways, driveways or ramps.

LANE shall mean a public or private thoroughfare that affords either a primary or a secondary means of vehicular access to abutting lots and which is not intended for general traffic circulation.

LAUNDROMAT shall mean a building or structure where the services of coin-operated laundry machines, using only water, detergents and additives that are made available to the public for the purpose of laundry cleaning.

LOADING SPACE shall mean an unencumbered area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area:

- a) is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle, and such parking shall not be for the purpose of sale or display;
- b) is suitable for the temporary parking of one commercial motor vehicle;
- c) is not upon or partly upon any street or lane; and
- d) has adequate access to permit ingress and egress of a commercial motor vehicle from a street by means of driveways, aisles, manoeuvring areas or similar areas, no part of which shall be used for the temporary parking or storage of one or more motor vehicles.

LOT shall mean a parcel of land, whether such parcel is described in a registered deed or is shown on a registered plan of subdivision including any of its parts which are subject to right-of-way or easement that is capable of being legally conveyed.

LOT OF RECORD shall mean a lot or parcel of land that can legally be conveyed and which includes lots on a registered plan of subdivision, parcels created by consent in accordance with the Planning Act or other distinct and separate holding, the deed/transfer to which is registered in the Land Registration office and which lot or parcel of land was legally created prior to the date of passing of this By-law. For the purposes of this definition, lots of record shall not include those lots on a registered plan of subdivision which has been deemed not to be a registered plan of subdivision for the purposes of Section 59 (4) of the Planning Act R.S.O. 1990, as amended.

LOT AREA shall mean the total horizontal area within the lot lines of a lot and, in the case of a corner lot having street lines rounding at the corner with a radius of six (6) metres or less, the lot area of such lot shall be calculated as if the lot lines were projected to their point of intersection.

LOT, CORNER shall mean a lot situated at the intersection of and abutting on two or more streets provided that the angle of intersection of such streets is not more than 135 degrees.

LOT COVERAGE shall mean that percentage of the lot area, covered by all buildings above ground level, and shall not include that portion of such lot area which is occupied by a building or portion thereof which is completely below ground level, and for the purpose of this definition the lot coverage in each zone shall be deemed to apply only to that portion of such lot which is located within said zone.

LOT DEPTH shall mean the horizontal distance between the front and rear lot lines. Where these lot lines are not parallel, the lot depth shall be the length of a line joining the midpoints of the front and rear lot lines.

LOT FRONTAGE shall mean the horizontal distance between the side lot lines measured at right angles. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line seven and one-half (7.5) metres back from and parallel to the chord of the lot frontage. For the purpose of this By-law the chord of the lot frontage is a straight line joining the two points where the side lot lines intersect the front lot lines.

LOT, INTERIOR shall mean a lot situated between adjacent lots and having access to one street.

LOT LINE shall mean any boundary of a lot.

LOT LINE, FLANKAGE shall mean a side lot line which abuts the street on a corner lot.

LOT LINE, FRONT shall mean the lot line that divides the lot from the street, but:

- a) in the case of a corner lot with two street lines of equal lengths, the lot line that abuts the wider street or abuts a Provincial Highway shall be deemed to be the front lot line, and in the case of both streets being under the same jurisdiction, or of the same width, the Town may designate either street line as the front lot line;
- b) in the case of a corner lot abutting a 0.3 metre reserve the lot so abutting the 0.3 metre reserve shall be deemed an exterior side lot line and the other line abutting the street shall be deemed the front lot line;
- c) in the case of a through lot, the longer boundary dividing the lot from the street shall be deemed to be the front lot line and the opposite shorter boundary shall be deemed to be the rear lot line. In case each of such lot lines should be of equal length, the Town may designate either street line as the front lot line;
- d) in the case of a lot with frontage on a navigable stream, river or lake, or marine road allowance the front lot line shall be either the line of the established high water mark of such stream, river or lake, or the line of the inner limit of the original marine road allowance along the shore of such stream, river or lake; and
- e) in the case of a lot with frontage on a navigable stream, river or lake, or marine road allowance and an open and maintained road allowance, the front lot line shall be either the line of the high water mark of such stream, river or lake, or the inner line of the original marine road allowance along such stream, river or lake or the lot line adjacent to the open and maintained municipal road allowance.

LOT LINE, REAR shall mean the lot line opposite the front lot line.

LOT LINE, SIDE shall mean the lot line other than a front or rear lot line.

LOT, THROUGH shall mean a lot bounded on two opposite sides by streets, provided however, that if any lot qualifies as being both a "lot, corner" and a "lot, through" as hereinbefore defined, such lot shall be deemed a "lot, corner" for the purpose of this By-law.

MAIN BUILDING shall mean the building in which is carried on the principal purpose for which the building lot is used.

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 or partially enclosed space or roof, where such members are nearer to a lot line than the said exterior wall.

MARINA shall mean a commercial establishment where a boathouse, boat storage, boat repair facilities, boat rental, pier, dock or jetty facilities or any combination of the foregoing are available for all types of marine - pleasure craft and may include a gasoline pump for the fuelling of marine craft and a building or structure for the sale of marine craft, accessories and/or refreshments.

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; and has a minimum width of four and one-half (4.5) metres.

MODULAR HOME shall mean a single detached dwelling which has been manufactured in a factory remote from the site where it is intended to be used and transported to the site for installation on a prepared foundation and which unit complies with all applicable standards of the Canadian Standards Association and for the purpose of this By-Law shall be considered as a single detached dwelling.

MOTEL, MOTOR HOTEL shall mean a building or buildings or part thereof on the same lot used to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodations, with or without meals.

MOTOR VEHICLE REPAIR SHOP shall mean a service commercial or general industrial establishment for the repair or replacement of parts in a motor vehicle or recreational vehicle and without limiting the generality of the foregoing, absorbers, transmissions, gears, brakes, clutch assemblies, steering assemblies, radiators, heating and cooling systems, ignition systems, mechanical or electrical parts or systems, but does not include an auto body repair shop.

MOTOR VEHICLE SALES AREA shall mean a place comprised of land or a building or both, the purpose of which is for the display or sale, or both, of new and/or used motor vehicles and/or recreational vehicles; but does not include an automobile wrecking or salvage yard or a scrap yard.

NON-COMPLYING shall mean an existing lot or building or buildings which does not comply with one or more of the zone provisions or standards for the zone within which said lot or building or buildings are located.

NON-CONFORMING shall mean an existing use that is not permitted in the zone in which it is located.

NON-HABITABLE ROOM shall mean any room in a dwelling other than a habitable room including, but not so as to limit the generality of the foregoing, a laundry room, a pantry, a lobby, a communicating corridor, a stairway, a closet, a sunroom, a veranda, a porch, a balcony, a private garage, an unfinished attic, a boiler room and any space used for the service and maintenance of such dwelling or for vertical travel between storeys.

NURSING HOME shall mean a building in which the proprietor supplies for hire or gain, lodging with or without meals and, in addition provides nursing, medical, or similar care and treatment, if required and includes a rest home or convalescent home, and any other establishment required to operate under the appropriate statute.

OBNOXIOUS USE shall mean an offensive use or trade within the meaning of The Public Health Act or any use which is a nuisance by reason of emission, or the creation of odours, gases, dirt, smoke, noise, vibration, fumes, cinders, soot, waste, or the depositing or leaving of unsightly objects or chattels on land.

OFFICE shall mean a room or rooms where business may be transacted, a service performed or consultation given but shall not include the manufacturing of any product.

OPEN SPACE shall mean an unoccupied space open to the sky except such land as is used or required for parking purposes by this By-law, and may include any facility park or recreation area, owned, operated or maintained in whole or in part by any public authority for public use, and shall include neighbourhood, community, regional and special parks or areas.

PARK shall mean an area of land designed for the purposes of passive or active leisure activities and may include thereon one or more athletic fields, field houses, community centres, bleachers, swimming pools, wading pools, skate boarding areas, bandstands, skating rinks, refreshment rooms, or arenas.

PARK, PUBLIC shall mean a park owned or controlled by a Public Authority or by any Board, Commission or other Authority established under any statutes of the Province of Ontario or the Government of Canada.

PARKING AREA shall mean an area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area:

- a) comprises all parking spaces of at least the minimum number required according to the provisions of this By-law, and all driveways, aisles, manoeuvring areas, entrances, exits, and similar areas used for the purpose of gaining access to and egress from the said parking spaces; and
- b) is provided and maintained in accordance with all applicable provisions of this By-law.

PARKING LOT shall mean a parking area forming the principle use of a lot.

PARKING SPACE shall mean an area of land which:

- a) is provided for the temporary parking or storage of one motor vehicle for other than the purpose of sale or display; and

- b) is not less than eighteen (18) square metres exclusive of any aisles or ingress or egress lanes; and
- c) has adequate access to permit ingress and egress of a motor vehicle from the street by way of a driveway systems in accordance with the regulations of this By-law.

PERSON shall mean an individual, association, firm, partnership, corporation, trust, incorporated company, corporation created under The Condominium Act, organization, trustee or agent, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

PERSONAL SERVICE SHOP shall mean a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, such as a barber's shop, a ladies hairdressing establishment, a shoe shine shop and other similar services.

PORTABLE STORAGE CONTAINER shall mean a container, also known as a sea-bin, used for transportation of goods by air, sea or land. For the purposes of this by-law a portable storage container is not a structure or a building and is to be used for storage only and not for human habitation.

PUBLIC AUTHORITY shall mean the Council and any School Board or other board or commission or committee of the Town established or exercising any power or authority under any general or special statutes of Ontario with respect to any of the affairs or purposes of the Town or a portion thereof, and includes any committee or local authority established by By-law of the Town.

PUBLIC BUILDING shall mean any building or structure owned or leased by a municipal corporation, the Province of Ontario or The Government of Canada and in which government activities are carried out.

PUBLIC PARK shall mean a park owned or controlled by the Town of Northeastern Manitoulin and the Islands or by any Board, Commission or other Authority established under any statute of the Province of Ontario.

PUBLIC UTILITY shall mean a waterworks, a water supply system, sewage works, electrical power or energy generating, transmission or distribution system, street lighting system, natural or artificial gas works or supply system, a transportation system or a telephone communications system, and includes any lands, buildings or equipment required for the administration or operation of any such system.

RECYCLING CENTRE shall mean a building or an area where used material is separated prior to shipment to others who will use those materials to manufacture new products.

RESTAURANT shall mean a building or structure or part thereof where food is prepared and offered for sale to the public for consumption within the building or structure or off the site but does not include a drive-in restaurant.

RESTAURANT, DRIVE-IN shall mean premises consisting of a building or structure, together with a parking area, from which food, refreshments, dairy products or beverages are offered for sale or sold to the public for consumption either in automobiles parked on the parking area or for consumption elsewhere on the premises, but not necessarily within such building or structure, and does not include a building or structure where food, refreshments, dairy products or beverages are offered for sale or sold to the public only for consumption within the building or structure or off the premises.

RETAIL STORE shall mean a building or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public at retail prices.

RIGHT-OF-WAY shall mean an area of land that is legally described in an registered deed for the provision of private access to abutting lots and does not include a land, road or street.

ROOMING HOUSE means a building or portion thereof in which the proprietor resides and supplies for hire or gain to more than two persons, lodging and/or meals, but shall not include a hotel, hospital or nursing home.

SCHOOL shall mean an elementary school, a high school, a continuation school, a technical school, a college or university or any other school established and maintained at public expense but does not include a school funded at public expense.

SCRAP OR SALVAGE YARD shall mean a lot and/or land for the storage and/or handling of scrap material, which without limiting the generality of the foregoing, shall include waste paper, rags, bones, bottles, and used bicycles, vehicles, tires, metal and/or other scrap material and salvage.

SECONDARY UNITS also known as accessory or basement apartments and are self-contained residential units with kitchen and bathroom facilities within dwellings or within structures accessory to dwellings

SERVICE INDUSTRY shall mean a public garage including engine and auto body repair shop, a printing establishment, a cleaning establishment, a paint shop, plumbing shop, sheet metal shop and similar uses.

SERVICE OR REPAIR SHOP shall mean a building or part of a building not otherwise classified or defined in this By-law and whether conducted in conjunction with a retail establishment or not, for the servicing, repairing or renting, of articles, goods, materials, but does not include the manufacture or assembly of articles, goods or materials, bicycles, wheel chairs, orthopaedic and prosthetic appliances and articles for fabric mending, window glazing, metal replating, painting and refinishing furniture and other household goods and includes a key shop, a custom picture framing shop, the business of renting small tools and appliances, costumes, chairs, tables, musical instruments and public address systems and other like articles and equipment, but shall not include the renting of automobiles, trucks, construction equipment or other similar articles.

SERVICE SHOP, HEAVY shall mean a shop not otherwise classified or defined in this By-Law and whether conducted in conjunction with a retail store or not, for servicing or repairing tires including vulcanizing or retreading, batteries, brakes or radiators, automotive ignition,

exhaust or electrical systems, furnace and oil burners, water and air coolers and domestic water heaters, fixtures and equipment and any other like articles, the business of renting automobiles or trucks, light construction or lawn care equipment, and includes the regular place of business of a master electrician or plumber.

SETBACK shall mean the distance between the lot line and the nearest main wall of any building or structure and extending the full width or length of the lot.

SEWAGE DISPOSAL FACILITIES shall mean a system of underground pipes or conduits and related pumping and treatment appurtenances operated by the Town and/or the Ontario Ministry of the Environment for public use.

SITE PLAN shall mean a scaled drawing showing the relationship between the lot lines and the uses, buildings or structures existing or proposed on a lot, including such details as parking areas, driveways, walkways, landscaped areas, building areas, minimum yards, building heights, floor areas, densities and areas for special uses.

STOREY shall mean that portion of a building between any floor and the floor, ceiling or roof next above, provided that any portion of a building partly below grade level shall not be deemed a storey unless its ceiling is at least one and eight-tenths (1.8) metres above average grade and provided also that any portion of a storey exceeding four (4) metres in height shall be deemed an additional storey for each four (4) metres or fraction thereof of such excess.

STOREY, ONE HALF shall mean the portion of a building located wholly or partly within a sloping roof having a floor area of not less than one-third or more than two-thirds of the floor area of the storey next below, sidewalls not less than one and two tenths (1.2) metres in height and a ceiling with a minimum height of two and three tenths (2.3) metres over an area equal to at least fifty percent (50%) of its floor area.

STREET OR ROAD, shall mean a public highway as defined by The Municipal Act and The Highway Traffic Act and shall exclude a lane or right-of-way or unopened road allowance, or any street which is shown on a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under Section 50(4) of The Planning Act, R.S.O. 1990, as amended, or which has not been assumed by the Town.

STREET LINE shall mean the boundary line of a street.

STRUCTURE shall mean anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil and/or any other structure. For the purposes of this By-law, a fence not exceeding one and one-half (1.5) metres shall not be deemed to be a structure.

SWIMMING POOL shall mean an artificial body of water, either in ground or above ground, intended and used primarily for bathing, swimming and diving but shall not include a natural dug or dammed pond which is intended primarily for aesthetic or agricultural purposes.

TOURIST CABIN ESTABLISHMENT shall mean an establishment comprising land and buildings under single ownership where individual cabins are offered for rent to tourists on a

short term basis. Such cabins may include food preparation facilities. In addition, a permanent residence for the owner or proprietor may be located on the site.

TOWN shall mean the Town of Northeastern Manitoulin and the Islands.

TRAILER shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purposes of being drawn or propelled by the said motor vehicle and capable of being used for living, sleeping or eating accommodation or the transport of a boat, tent or materials, notwithstanding that such vehicle is jacked up or, that its running gear is removed.

TRAILER PARK shall mean an establishment comprising land or premises under single ownership, licensed by the Town and used for the parking of tourist or travel trailers on a temporary or seasonal basis and where community laundry, social, local commercial and recreational facilities for the exclusive use of the trailer park occupants may be located.

TRAVEL TRAILER shall mean an object designed for accommodation intended and used exclusively for travel, recreation and vacation and which is capable of being drawn or propelled by a motor vehicle or is self-propelled and includes tent trailers or similar transportable accommodation, but does not include a mobile home.

USE shall mean the purpose for which any land, building, structure or premises, or part thereof, is arranged, designed or intended to be used, or is or may be occupied or maintained and the word 'used' has a corresponding meaning.

WATERCOURSE shall mean a natural channel for a stream and, for the purpose of this By-law, includes a natural channel for an intermittent stream and all watercourses, whether or not shown on Schedule A.

WATER SUPPLY shall mean a distribution system of underground piping and related storage, including pumping and purification appurtenances owned and operated by the Town and/or the Ontario Ministry of the Environment for public use.

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

YARD shall mean an open, uncovered space on a lot adjacent to a main building, except a court, and unoccupied by buildings or structures except as specifically permitted elsewhere in this By-law. In determining yard measurements the minimum horizontal distance from the respective lot lines shall be used.

YARD, EXTERIOR shall mean the side yard of a corner lot which side yard extends from the front lot line and the nearest main wall of any building or structure.

YARD, FRONT shall mean a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure on the lot and the "minimum" front yard means the minimum depth of a front yard on a lot between the front lot line and the nearest main wall of any main building or structure on the lot.

YARD, NATURAL shall mean a yard extending across the full width of a lot between a lot line abutting a navigable stream, river or lake and the nearest wall of any building or structure on the lot and which yard contains the natural and undisturbed vegetation of the shoreline.

YARD, REAR shall mean a yard extending across the full width of a lot between the rear lot line and the nearest wall of any main building or structure on the lot and the "minimum" rear yard means the minimum depth of a rear yard on a lot between the rear lot line and the nearest main wall of any main building or structure on the lot.

YARD, SIDE shall mean a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest wall of any building or structure on the lot and the "minimum" side yard means the minimum width of a side yard on a lot between a side lot line and the nearest main wall of any main building or structure on the lot.

ZONE shall mean a designated area of land use shown on any Schedule within this By-law.

SECTION 6 - GENERAL PROVISIONS - ALL ZONES

6.1 ZONES

For the purposes of this By-law, the following Zones are established and are shown on the various Schedules to this By-law:

Zone	Symbol
Shoreline Residential (SR) Zone	SR
Residential (R1) Zone	R1
Multiple Family Residential (RM) Zone	RM
Institutional (I) Zone	I
Core Commercial (C1) Zone	C1
General Commercial (C2) Zone	C2
General Industrial (M) Zone	M
Light Industrial (M1) Zone	M1
Recreational (O1) Zone	O1
Development (D) Zone	D

6.2 ACCESSORY USES

Where this By-law provides that land may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building or accessory use incidental thereto, except that:

- a) An accessory building shall not be erected prior to the erection of a dwelling on the same lot except where it is necessary for the storage of tools and materials for use in connection with the construction of such dwelling and does not exceed ten (10) square metres in area and no accessory building shall be used prior to the erection of such dwelling for any purpose other than such storage.
- b) Except as may be provided herein any accessory building which is not part of the main building shall be erected to the rear of the front line of the main building and shall comply with the yard requirements of the zone in which such building is situated and such accessory uses shall not occupy more than ten percent (10%) of the lot area.
- c) Notwithstanding Sub-paragraph b) above, a boathouse, dock or wharf may be located in the front yard, side yard or rear yard where the yard abuts a navigable stream, river or lake, provided that the approval of any other governmental authority having jurisdiction has been obtained and provided that the boathouse, dock or wharf is located not closer than six (6) metres to the side lot line where the side lot line does not abut a navigable

waterway or does not encroach on adjacent frontage when the lot boundaries are extended into the water.

- d) The use of any accessory building or structure other than a Guest Cabin for human habitation is not permitted except where a dwelling is a permitted accessory use. The use of any accessory building or structure for the keeping of animals, other than domestic pets, is not permitted in any residential zone.
- e) No accessory building shall exceed five (5) metres in height in a residential zone, nor be built within two (2) metres of the main building in all zones.
- f) No accessory building shall exceed an area of eighty-nine (89) square metres in any Residential zone.

6.3 AUTOMOBILE SERVICE STATIONS AND GASOLINE BARS

Where automobile service stations and gas bars are permitted in this By-Law, the following provisions shall apply;

- | | | |
|-------------------------|--------------|------------|
| | Interior Lot | Corner Lot |
| a) Minimum Lot Frontage | 60 metres | 60 metres |
| b) Minimum Lot Depth | 45 metres | 60 metres |
- c) No portion of any pump island on an automobile service station or gasoline bar lot shall be located closer than six (6) metres from the street line on any street;
 - d) The minimum distance from the intersection of two street lines to the nearest ingress or egress ramp shall be not less than nine (9) metres;
 - e) The maximum width of a curb ramp at the street line shall be not more than nine (9) metres and the minimum width not less than (8) metres;
 - f) The minimum distance between ramps shall not be less than nine (9) metres;
 - g) The minimum distance between the property line of the lot at the street line and the nearest ramp shall be three (3) metres;
 - h) The area included between ramps or between ramps and a street line or property line as required by this By-law shall not be used for any purpose other than landscaping; and
 - i) The following minimum provision shall apply to buildings and pumps associated with this use;

a) Front Yard	18 metres
b) Side Yard	4.5 metres
c) Rear Yard	7.5 metres

6.4 BOATHOUSES

- a) A land-based boathouse shall be subject to the provisions of Section 6.2 of this by-law, and zone provisions applicable to accessory buildings.
- b) A water-based boathouse may only be erected where approvals for the structure have been obtained, where required, from any authority having jurisdiction.
- c) The maximum number of water-based boathouses shall be one on any lot with 'SR' zoning or used for residential purposes.
- d) The height of a water based-boathouse shall be no more than one & one half (1.5) storeys, as defined in this By-law or six (6) metres, measured from the high water mark to the highest point of the roof, whichever is greater.
- e) The height of the side walls of a water-based boathouse shall be no greater than four (4) metres measured from the high water mark, or three (3) metres measured from the top of an attached deck or dock that is not more than one (1) metres above the water level, whichever is greater.
- f) The width of a water-based boathouse shall be no wider than that required to accommodate up to two boat slips, plus internal access to the slips, plus the exterior walls of the boathouse.
- g) A water-based boathouse may contain sleeping accommodation in the upper half storey but shall not contain cooking facilities or sanitary facilities other than a sink and toilet connected to an approved sewage disposal system. Such sleeping accommodation is not deemed to be a sleep cabin.
- h) In addition, a water-based boathouse shall be subject to the provisions of Section 6.2 (c) of this by-law.

6.5 BUILDING ON LAKE HURON SHORELINE

No person shall erect any habitable building or structure in any zone abutting the Lake Huron shoreline below 178.3 metres Canadian Geodetic Datum unless:

- a) the building or structure is located at least sixty-one (61) metres from the High Water Mark, and
- b) the building or structure is flood-proofed to 179.6 metres Canadian Geodetic Datum.

6.6 BUILDING REPAIR AND RECONSTRUCTION

Nothing in this By-law shall prevent the strengthening to a safe condition or the reconstruction of a building or structure that is a non-complying use and/or a non-conforming use, provided that:

- a) such repair or reconstruction does not further contravene the provisions of this By-law, because of a change in the height, size or volume, or by changing the use of such building or structure; and,
- b) if the building is a dwelling in other than a residential zone, it shall comply with all of the requirements set out for a residential use in a Residential (R1) Zone.

6.7 BUILDINGS TO BE MOVED

In all zones, no building, residential or otherwise, normally requiring a building permit for construction, shall be moved within the area covered by this By-law without a permit from the Building Inspector.

6.8 CHANGE OF USE

The use of a lot, building or structure which, under the provisions of this By-law is not permissible within the zone in which such lot, building or structure is located, shall not be changed except to a use which is permissible within such zone.

6.9 CONTINUATION OF FARMING USE

Nothing contained within this By-law shall prevent the continued use of any land, building or structure for farming purposes as defined under the term Farm or any addition or extension of such use.

6.10 DAY LIGHTING TRIANGLES

On a corner lot, a fence, sign, hedge, shrub, bush or tree, or any other structure or vegetation shall not be erected or permitted to grow to a height greater than one (1) metre above the grade of the streets that abut the lot within the triangular area included within the street line for a distance of six (6) metres from their point of intersection.

6.11 DWELLING UNIT BELOW GRADE

No dwelling unit shall in its entirety be located in a cellar. A dwelling unit in its entirety may be located in a walkout basement or a basement that has at least one exterior wall completely above the grade adjacent to that wall.

6.12 DWELLING UNIT IN NON-RESIDENTIAL BUILDING OR LOT

No person shall use any lot, or erect, alter or use any building or structure for the purpose of a dwelling unit on a lot zoned other than for residential uses or within a portion of a non-residential building except in accordance with the following regulations:

- a) One dwelling unit for use by the owner or operator shall be permitted in any Commercial, Institutional or Industrial Zone provided that:
 - i) the dwelling unit shall have a separate washroom or bathroom and kitchen facilities from those of the non-residential use;
 - ii) the dwelling unit shall have a separate parking space as provided by Sub-section 6.22 of this By-law;
 - iii) the dwelling unit shall have a separate building entrance to that provided for the non-residential use; and
 - iv) the gross floor area of the residential portion of a non-residential building shall not exceed fifty percent (50%) of the lot area.
- b) Residential dwelling units on the second and third floor of a Core Commercial (C1) Zone shall be permitted provided that:
 - i) the dwelling units shall have separate parking spaces as provided by Subsection 6.22 of this By-law;
 - ii) the dwelling units shall have a separate building entrance to that of any commercial use; and
 - iii) the gross floor area of the residential portion of a commercial or non-residential building shall not exceed fifty percent (50%) of the lot area.

Notwithstanding the provisions of this By-law, no dwelling unit shall be located in a non-residential building that is used for an Automobile Service Station or a Public Garage.

6.13 EXCEPTED LANDS, BUILDINGS AND NON-CONFORMING USES

a) Continuation of Existing Uses

The provisions of this By-law shall not apply to prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the day of the passing of this By-law, so long as it continues to be used for that purpose, or to prevent the erection or use for a purpose prohibited by this By-law of any building or structure the plans for which have, prior to the day of the passing of this By-law, been approved by the Building Inspector, 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 that erection of any such building or structure is commenced within 2 years after the day of the passing of this By-law and such building

or structure is completed within a reasonable time after the erection thereof is commenced.

b) Existing Buildings

Where a building has been erected prior to the date of the passing of this By-law on a lot having less than the minimum frontage and/or area, or having less than the minimum set-back and/or side yard and/or rear yard required by this By-law, the said building may be enlarged, reconstructed, repaired or renovated provided that:

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

c) Existing Lots

A lot held as a single lot prior to the passing of this By-law may be built upon, even though said lot is of such size that it cannot comply with the minimum frontage and/or depth and/or area required by this By-law, provided that such lot has not less than thirteen (13) metres of frontage and not less than seven hundred and ninety (790) square metres of area. If a private water supply or sewage disposal system is to be utilized, such lot shall require the approval of the Health Unit or its designated agent prior to the issuance of a building permit and the proposed use must comply with all other applicable provisions of this By-law.

d) Residential Use in a Commercial Zone

Nothing in this By-law shall apply to prevent the alteration of a residential building existing at the date of passing of this By-law in a commercial zone, provided that such alteration does not contravene any of the provisions of this By-law for such use in a Residential (R1) Zone.

6.14 FRONTAGE ON PUBLIC ROAD OR STREET

No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected fronts upon a street or road that is open and maintained by a public road authority on a year round basis, except as otherwise permitted by this By-law.

Notwithstanding the foregoing,

- a) a seasonal dwelling may be erected on a lot where the lot abuts a legal right-of-way that provides access to a street or road that is open and maintained by a public road authority on a year round basis; and
- b) a seasonal dwelling unit may be erected on a lot having only water access provided there is a developed public access point.

6.15 GREATER RESTRICTIONS

This By-law shall not have the effect of reducing or mitigating any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions.

6.16 HEIGHT EXCEPTIONS

Notwithstanding the height provisions, nothing in this By-law shall apply to prevent the erection of a church spire, belfry, chimney, water tank, windmill, radio, radar, or television tower or antenna.

6.17 LICENSES, PERMITS AND OTHER BY-LAWS

Nothing in this By-law shall exempt any person from complying with requirements of The Building By-law or any other By-law in force within the Town or from obtaining any permit, license, permission, authority or approval required by this or any other By-law of the Town by this or any other By-law in force from time to time.

6.18 LANE AS YARD

Where the rear lot line of a lot adjoins any portion of a lane, one-half (0.5) of the width of that portion of such lane may be considered part of the lot for the purpose of computing the area of the lot or the depth of any rear yard required under this By-law.

6.19 LOADING SPACE REGULATIONS

a) Loading Space Requirements

The owner or occupant of any lot, building or structure erected or used for any purpose involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, and merchandise and raw materials, shall provide and maintain at the premises on the lot occupied by the building or structure, and not forming part of a street or lane, within the zone in which such use is located, one loading or unloading space ten (10) metres long, four (4) metres, wide and having a vertical clearance of at least four (4) metres for each four hundred and sixty-five (465) square metres of floor area of the building or structure provided, however, that adequate space shall be provided for the parking of vehicles awaiting access to loading spaces.

b) Access

Access to loading or unloading spaces shall be by means of a driveway at least six (6) metres wide.

c) Loading Space Surface

The driveways, loading and unloading spaces shall be constructed and maintained with a stable surface that is treated so as to prevent the raising of dust or loose particles and with provisions for drainage facilities.

d) Location

The loading space or spaces required shall be located in the interior side or rear yard unless set back from the street line a minimum distance of twenty-four (24) metres.

e) Addition to Existing Use

When a building or structure has insufficient loading space at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that deficiency be made up prior to the construction of any addition. No addition may be built, however, and no change of use may occur, the effect of which would be an increase in that deficiency.

6.20 NUMBER OF DWELLING UNITS ON ONE LOT

Not more than one (1) single detached dwelling shall be erected on one lot.

6.21 OCCUPATION OF UNCOMPLETED BUILDING

No building, or part of any building, shall be occupied until the whole of the exterior of such building has been completed according to the plans and specifications thereof filed with the Building Inspector and the heating, plumbing and electrical facilities shown on the plans are connected and useable in accordance with the building permit issued by the Town, pursuant to the Planning Act.

6.22 PARKING AREA REGULATIONS

a) Parking Space Requirements

The owner of every building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant or other persons entering upon or making use of the said premises from time to time, parking spaces and areas as follows:

Type of Building	Minimum Parking Required
Apartment dwelling, condominium townhouse and Maisonette dwelling	1.5 parking spaces per dwelling unit of which ten percent (10%) shall be designated for guest parking areas.
Residential Dwelling unit in a non-residential building	1 parking space per dwelling unit.
All other residential dwelling units	2 parking spaces per dwelling unit.
Clinic	5 parking spaces for each doctor or practitioner.

Type of Building	Minimum Parking Required
Church, Funeral Home, Auditorium, Restaurant, Arena, or other Places of Assembly	Where there are fixed seats, 1 parking space for every 5 seats or 3 metres of bench space, where there are no fixed seats, 1 parking space for each 9 square metres of floor area devoted to public use.
Hospital or Institution	1 parking space for each 2 beds or 40 square metres of floor area whichever is greater, plus 1 additional space for each resident doctor or resident employee.
Hotel, Motel, Tourist Cabin, Boarding House and Bed and Breakfast Establishment	1 parking space per unit or guest room, and 1 additional parking space for each 9 square metres of floor area devoted to public use.
Office, including a Home Occupation	1 parking space per 27 square metres of office floor area.
Other Commercial Uses	1 parking space for each 18 square metres of total floor area, exclusive of accessory office space.
Schools	1.5 parking spaces for each teaching area, plus 1 separate bus loading area per 2 teaching areas.
Industrial	At least 1 parking space for every 40 square metres of total floor area up to 1800 square metres, plus 1 additional space for every 450 square metres over 1800 square metres including any basement area if used for industrial use.
Marina	1 parking space for each 18 square metres of total retail floor area, plus 1 parking space for each boat slip provided.
Bowling Alleys and Curling Rinks	1 parking space for each 2 persons in the designed capacity of the establishment (designed capacity shall mean 6 persons per bowling lane and 8 persons per curling sheet).

b) Parking Area Requirements

- i) the parking area shall be located on the same lot as the use it is intended to serve except in the case of a water access lot where the parking area shall be located in a zone where such use is permitted by this By-law; or in the case of the Core Commercial (C1) Zone, where the parking area may be allocated in an off-street parking lot.
- ii) each parking space shall be at least three (3) metres by six (6) metres and shall be provided with unobstructed access to a street by a driveway, aisle, lane or private road; and
- iii) no parking shall be permitted within eight (8) metres of the high water mark or within any three (3) metres of lot line abutting a lot in a residential zone.
- iv) the requirement for parking designated for vehicles of handicapped persons shall be at least one percent of the parking spaces required on any lot providing greater than ten (10) parking spaces and shall:
 - i) have a minimum rectangular dimensions of four and one-half (4.5) metres by six (6) metres; and
 - ii) be located on level ground readily accessible to an entrance to such building; and
 - iii) be clearly identified and reserved for the exclusive use of physically disabled persons.

c) Parking Area Surface

In a Commercial or Industrial zone, a parking area and driveway connecting the parking area with a street shall be maintained with a stable surface that is treated so as to prevent the raising of dust or loose particles. They shall, before being used, be constructed of crushed stone, slag, gravel, crushed brick, cinders, asphalt, concrete, Portland cement binder or like material and with provisions for drainage facilities.

d) Ingress and Egress

- i) Ingress and egress, to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least four (4) metres but not more than nine (9) metres in perpendicular width.
- ii) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be nine (9) metres.
- iii) The minimum distance between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be seven and one-half (7.5) metres.

- iv) The minimum angle of intersection between a driveway and a street line shall be sixty (60) degrees.
- v) Every lot shall be limited to the following number of driveways:
 - 1) up to the first thirty (30) metres of frontage not more than two (2) driveways; and
 - 2) for each additional thirty (30) metres of frontage not more than one (1) additional driveway.

e) Illumination

Where parking areas are illuminated, lighting fixtures shall be so arranged that no part of any fixture shall be more than nine (9) metres above the finished grade of the parking area. Fixtures shall be so designed and installed that the light is directed downward and deflected away from adjacent lots, roads and streets.

f) Addition to Building or Structure

When a building or structure has insufficient parking area at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that the deficiency be made up prior to the construction of any addition. No addition may be built, however, and no change of use may occur, the effect of which would be an increase in that deficiency.

g) Use of Parking Spaces and Areas

- i) Any area where off-street parking is permitted under this By-law shall be used for no other parking purpose than for the parking of operative passenger vehicles and commercial vehicles used in operations incidental to the permitted uses on the lot, all bearing currently valid licence plates.

For the purposes of this subsection "commercial motor vehicle" shall mean any commercial vehicles as defined in the Highway Traffic Act.

- ii) Notwithstanding the foregoing, 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, land cruisers, truck campers, or boats and no person shall use any part of a front yard in a residential zone for the parking or storage of a house trailer.

No person shall, in any residential zone use any tourist or travel trailer for the purpose of providing temporary or permanent living or eating accommodation.

Sleeping accommodation may be provided in a tourist or travel trailer for a period not, exceeding fourteen (14) days, notwithstanding that such trailer is jacked up or that its running gear is removed.

h) More Than One Use on a Lot

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

i) Buffer Area

- i) Where a parking area is situated on the boundary between a commercial use and a residential use or open space zone, a strip of land, not less than three (3) metres wide and lying in the commercial use lot along the said boundary shall not be used for any purpose other than landscaping.
- ii) Where a parking area is situated in a residential zone and is designed to accommodate more than six (6) automobiles, a strip of land not less than three (3) metres wide, around the periphery of the said parking area and is within the lot in which said parking area is located shall not be used for any purpose other than landscaping but this shall not prevent the provision of entrances or exists to said parking area across the strip.

j) Parking Area Location on Lot

Notwithstanding the yard and setback provisions of this Bylaw to the contrary, uncovered surface parking areas, in other than residential zones, shall be permitted in any required yard or in the area between the road or street line and the required setback provided no part of the parking area, other than a driveway, is located closer than one (1) metre to any road or street line. In residential zones no parking shall be permitted in the required front yard of any lot except on a driveway of six (6) metres maximum width.

6.23 PLANTING STRIPS

Where a lot is used for a commercial or industrial purpose and the interior side or rear lot line abuts a residential zone, then a strip adjoining such abutting lot line shall be used for no purpose other than a planting strip in accordance with the following provisions:

a) Width of Planting Strip

Minimum three (3) metres.

b) Use

A planting strip shall be used for not other purpose than a continuous fence or hedge row of evergreens or shrubs, not less than one and one-half (1.5) metres high immediately adjoining the lot line or portion thereof along which such planting strip is required herein, provided that no fence or hedge row shall be required or permitted to a height in excess of one (1) metre closer to a street line than the required yard depth.

c) Driveways or Walks

In all cases where ingress and egress driveways or walks extend through a planting strip, it shall be permissible to interrupt the strip within three (3) metres of the edge of such driveway or within one and one-half (1.5) metres of the edge of such walk.

d) Landscaped Open Space

A planting strip referred to in this subsection may form part of any landscaped open space required by this By-law.

6.24 PUBLIC USES PERMITTED

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 for the purpose of public service by the Town of Northeastern Manitoulin and the Islands and/or any Public Authority, or Ministry of the Government of Ontario or Canada, including the Hydro One Networks Inc., or any telephone, telegraph or gas company, provided that where such land, building or structure is located in any zone:

- a) no goods, material or equipment shall be stored in the open, except as permitted in such zone;
- b) the lot coverage and yard requirements described for such zones shall be complied with; and
- c) parking and loading requirements as contained in this By-law shall be complied with.

Nothing in this By-law shall prevent the installation of a watermain, sanitary sewer main, storm sewer main, gas main, pipe line or overhead or underground hydro and telephone line provided that the location of such main or line has been approved by the Town.

6.25 REDUCTION OF REQUIREMENTS

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

6.26 SIGNS

The provisions of this By-law shall not apply to prevent the erection, alteration or use of any sign provided such sign complies with the By-laws of the Town regulating signs.

6.27 SPECIAL USES PERMITTED

The following uses are permitted in all zones within the Town:

- a) Temporary camps used in the construction of public works but only for so long as it is necessary for such works as may be constructed adjacent to the camp and only until such time as the work is completed, or abandoned, or
- b) A tool shed, scaffold or other building or structure incidental to construction on the premises where it is situated and only for so long as it is necessary for the work in progress and until the work is completed or abandoned.

"Abandoned" in this Section shall mean the failure to proceed expeditiously with the construction of a work, specifically abeyance of construction for six (6) months.

6.28 SWIMMING POOLS

a) Permitted in Side Yard

A swimming pool erected in any residential or development zone shall be permitted in the side yard of any lot provided that:

- i) No part of such pool shall be located closer to any lot line or street line than the minimum distance required for the principal building located on such lot;
- ii) The maximum height of such pool shall be one and one-half (1.5) metres above the average finished grade level of the ground both adjoining and within four and one-half (4.5) metres of such pool; and
- iii) Any building or structure, other than the main building, required for changing clothing or for pumping or filtering facilities, or other similar accessory uses, shall be in accordance with the provisions applicable to accessory buildings on such lot.

b) Permitted in Rear Yard

A swimming pool as an accessory use to a permitted residential use shall be permitted in the rear yard of any lot provided that no part of such pool shall be located closer to any lot line or street line than the minimum distance required for an accessory building located on such lot.

6.29 THROUGH LOT

Where a lot which is not a corner lot has a frontage on more than one street, the setback and front yard requirements contained herein shall apply on each street in accordance with the provisions of the zone or zones in which such lot is situated.

6.30 TRUCK, BUS AND COACH BODIES

No truck, bus, coach, or structure of any kind other than a dwelling unit erected and used in accordance with this and all other By-laws of the Town shall be used for human habitation whether or not the same is mounted on wheels.

6.31 USE FOR HAZARDOUS PURPOSE

No land, building or structure shall be used for such commercial or industrial purpose as is likely to create a public nuisance or danger to health or danger from fire or explosion, except in accordance with the provisions of or regulations under The Gasoline Handling Act.

6.32 USES PROHIBITED

No use shall be permitted which from its nature or the materials used therein is declared by the Council to be a noxious trade, business or manufacture under The Public Health Act, as amended, or regulations thereunder.

6.33 VACANT LOT - STORAGE

Notwithstanding any other provisions of this By-law a vacant lot in a residential zone may be used for the storage or parking of a motor vehicle, boat, tourist trailer or other similar vehicle for up to fourteen (14) days provided that the said motor vehicle, boat, tourist trailer or other similar vehicle is located on the rear one half of the vacant lot.

6.34 YARD EXCEPTION, TERRAIN UNSUITABILITY

Where in this By-law, a front, side or rear yard is required, and part of the area of the lot is usually covered by water or marsh or a swale or is beyond the edge of a river bank or water course or between the top and toe of a cliff or embankment having a slope of thirty (30) degrees or more from the horizontal, then the required yard shall be measured from the nearest main wall of the main building or structure on the lot to the edge of said area covered by water or marsh, or to the edge of said river bank or watercourse, or to the top of the said cliff or embankment if such area is closer than the lot line.

6.35 YARD AND SETBACK ENCROACHMENTS PERMITTED

a) Ornamental Structure

Notwithstanding the yard and setback provision of this By-law to the contrary, chimneys, cornices, eaves, gutters, parapets, pilasters or other ornamental structures may project into any required yard or the area between the road or street line and the required setback a maximum distance of six-tenths (0.6) metres.

b) Accessory Structure

Notwithstanding the yard and setback provisions of this By-law to the contrary, drop awnings, clothes poles, flag poles, garden trellises, fences, retaining walls, signs or similar accessory uses erected in accordance with the By-laws of the Town regulating signs shall be permitted in any required yard or in the area between the road and street line and the required setback.

c) Unenclosed Porch, Balcony, Patio or Steps

Notwithstanding the yard and setback provisions of this By-law to the contrary, an unenclosed porch, balcony, patio or steps may project into any required yard a maximum distance of one and one-half (1.5) metres provided that in the case of a porch or steps such uses are not more than one and eight-tenths (1.8) metres above grade.

d) Fire Escape

Notwithstanding the yard and setback provisions of this By-law to the contrary, an unenclosed fire escape and the structural members necessary for its support, may project into any required yard or setback a maximum distance of one and two-tenths (1.2) metres.

e) Gate House

Notwithstanding the yard and setback provisions of this By-law to the contrary, in an industrial zone, a gate (guard) house shall be permitted in a front or side yard or in the area between the street line and the required setback.

f) Building in Built-up Area

Notwithstanding the provisions of this By-law to the contrary, where a detached dwelling or accessory use thereto is to be erected in a built-up area where there is an established building line, such dwelling or accessory use may be erected closer to the street line, than required by this By-law provided such dwelling or accessory use is not erected closer to the street line than the established building line on the date of passing of this By-law and further provided that in no case shall any building be erected closer than three (3) metres from the front lot line and need not be set back a distance greater than setback regulations prescribed in the zone in which it is situated.

SECTION 7 - SPECIFIC ZONES

7.1 SHORELINE RESIDENTIAL (SR) ZONE

7.1.1 Permitted Uses

No persons shall within any Shoreline Residential (SR) Zone use any land, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

a) Residential Uses

- a seasonal dwelling
- a garden suite
- Secondary unit
- a home occupation use

b) Recreational Uses

- a public park a playground
- a public beach
- a public launching area
- a tennis court
- a public docking facility

c) Other Uses

- a public utility
- a bed and breakfast establishment

7.1.2 Zone Requirements

No persons within any Shoreline Residential (SR) Zone shall use any land, or erect, alter or use any building or structure except in accordance with the applicable provisions of Section 6 - General Provisions for all zones and Section 8 - Special Provisions and the following:

- | | |
|---|--|
| a) Minimum lot frontage | 45.5 m (30.5 m with communal water) |
| b) Minimum lot area | 4,045 sq. m (3,038 sq m with communal water) |
| c) Maximum lot coverage (%) | 20 |
| d) Minimum front yard | 7.5 m |
| e) Minimum rear yard | 3 m |
| f) Minimum interior side yard | 3 m |
| g) Minimum exterior side yard | 7.5 m |
| h) Maximum building height | 9 m |
| i) Minimum distance to a lot line for an accessory building | 3 m |
| j) Maximum building height for an accessory building | 5 m |
| k) Maximum building floor area for an accessory building | 89 sq m |

7.1.3 Special Uses

Notwithstanding the provisions of Section 7.1.1 - Permitted Uses, a single detached dwelling may be erected in a Shoreline Residential (SR) Zone provided:

- a) the lot abuts a public road, opened and maintained by a public road authority; and
- c) the lot is serviced with municipal water supply and municipal sewage disposal systems in which case, the standards for a fully serviced single detached dwelling unit in the Residential (R1) Zone shall apply.

7.2 Residential (R1) Zone

7.2.1 Permitted Uses

No person within any Residential (R1) Zone shall use any land or erect, alter or use any building or structure for any purpose except one or more of the following uses:

a) Residential Uses

- a single detached dwelling
- garden suite
- secondary unit
- a semi detached dwelling
- a duplex dwelling
- a converted dwelling
- a home occupation

b) Recreational Uses

- a park
- a playground

c) Other

- a bed and breakfast establishment
- a public utility

7.2.2 Zone Requirements

No person within any Residential (R1) Zone shall use any land, or erect, alter or use any building or structure except in accordance with the applicable provisions of Section 6 General Provisions for all Zones and Section 8 - Special Provisions and the following:

A single detached dwelling building, a duplex dwelling building and a converted dwelling building on a lot serviced with piped water supply and sewage disposal systems:

- | | |
|-----------------------------|----------|
| a) Minimum lot frontage | 15 m |
| b) Minimum lot area | 460 sq m |
| c) Maximum lot coverage (%) | 30 |
| d) Minimum front yard | 6 m |

- e) Minimum rear yard 7.5 m
- f) Minimum interior side yard 1 m
- g) Minimum exterior side yard 6 m
- h) Maximum building height 9 m
- i) Minimum distance to a lot line for an accessory building 1 m
- j) Maximum building height for an accessory building 5 m
- k) Maximum building floor area for an accessory building 89 sq m

A semi detached dwelling unit on a lot serviced with piped water supply and sewage disposal systems:

- a) Minimum lot frontage 10 m
- b) Minimum lot area 337 sq m
- c) Maximum lot coverage (%) 30
- d) Minimum front yard 6 m
- e) Minimum rear yard 7.5 m
- f) Minimum interior side yard 1 m on one side, 0.0 m on the other side
- g) Minimum exterior side yard 6 m
- h) Maximum building height 9 m
- i) Minimum distance to a lot line for an accessory building 1 m
- j) Maximum building height for an accessory building 5 m
- k) Maximum building floor area for an accessory building 89 sq m

A single detached dwelling building, a duplex dwelling building and a converted dwelling building on a lot serviced with piped water supply or sewage disposal system:

- a) Minimum lot frontage 15 m
- b) Minimum lot area 700 sq m

c)	Maximum lot coverage (%)	30
d)	Minimum front yard	6 m
e)	Minimum rear yard	7 m
f)	Minimum interior side yard	1 m
g)	Minimum exterior side yard	6 m
h)	Maximum building height	9 m
i)	Minimum distance to a lot line for an accessory building	1 m
j)	Maximum building height for An accessory building	5 m

A semi detached dwelling unit on a lot serviced with piped water supply or sewage disposal system:

a)	Minimum lot frontage	10 m
b)	Minimum lot area	469 sq m
c)	Maximum lot coverage (%)	30
d)	Minimum front yard	6 m
e)	Minimum rear yard	7.5 m
f)	Minimum interior side yard	1 m on one side, 0.0 m on the other side
g)	Minimum exterior side yard	6 m
h)	Maximum building height	9 m
i)	Minimum distance to a lot line for an accessory building	1 m
j)	Maximum building height for An accessory building	5 m

7.3 Multiple Family Residential (RM) Zone

7.3.1 Permitted Uses

No person within any Multiple Family Residential (RM) Zone shall use any land or erect, alter or use any building or structure except for one or more of the following uses:

a) Residential Uses

- an apartment dwelling
- a converted dwelling containing more than three dwelling units
- garden suite
- secondary unit
- a maisonette dwelling
- a multiple dwelling
- a townhouse dwelling
- a senior citizens home

b) Commercial Uses

- a convenience retail use located within an apartment dwelling

c) Other Uses

- a public utility

7.3.2 Zone Requirements

No person within any Multiple Family Residential (RM) Zone shall use any land or erect, alter or use any building or structure except in accordance with the applicable provisions of Section 6 - General Provisions for all Zones and Section 8 - Special Provisions and the following:

An apartment building

- | | |
|-----------------------------|------------|
| a) Minimum lot frontage | 30 m |
| b) Minimum lot area | 1,200 sq m |
| c) Maximum lot coverage (%) | 35 |
| d) Minimum front yard | 6 m |
| e) Minimum rear yard | 7.5 m |

- | | | |
|----|--|---------|
| f) | Minimum interior side yard | 2.5 m |
| g) | Minimum exterior side yard | 6 m |
| h) | Maximum building height | 12 m |
| i) | Minimum distance to a lot line for an accessory building | 1 m |
| j) | Maximum building height for an accessory building | 5 m |
| k) | Maximum building floor area for an accessory building | 89 sq m |

A maisonette building:

- | | | |
|----|--|---|
| a) | Minimum lot frontage | 30 m |
| b) | Minimum lot area | 232 sq m for 1 bedroom dwelling units plus 14 sq. m for each additional bedroom |
| c) | Maximum lot coverage (%) | 35 |
| d) | Minimum front yard | 6 m |
| e) | Minimum rear yard | 7.5 m |
| f) | Minimum interior side yard | 2.5 m |
| g) | Minimum exterior side yard | 6 m |
| h) | Maximum building height | 12 m |
| i) | Minimum distance to a lot line for an accessory building | 1 m |
| j) | Maximum building height for an accessory building | 5 m |
| k) | Maximum building floor area for an accessory building | 89 sq m |

A townhouse building:

- | | | |
|----|--------------------------|----------------------------|
| a) | Minimum lot frontage | 6 m per unit |
| b) | Minimum lot area | 232 sq m per dwelling unit |
| c) | Maximum lot coverage (%) | 35 |
| d) | Minimum front yard | 6 m |

- | | | |
|----|--|---------|
| e) | Minimum rear yard | 7.5 m |
| f) | Minimum interior side yard | 2.5 m |
| g) | Minimum exterior side yard | 6 m |
| h) | Maximum building height | 12 m |
| i) | Minimum distance to a lot line for an accessory building | 1 m |
| j) | Maximum building height for an accessory building | 5 m |
| k) | Maximum floor area for an accessory building | 89 sq m |

A commercial use within a residential building shall be no more than 50% of the ground floor area of the building.

7.4 RURAL (R) ZONE

7.4.1 Permitted Uses

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

7.4.1.1 Rural Uses

- a farm
- any other agricultural use
- a private airfield (subject to the provisions of 7.1.4)
- a home industry
- the parking and servicing of school buses and including a public garage (Mechanical) and/or an existing public garage (Auto and Farm Equipment).
- a wayside or borrow pit

7.4.1.2 Rural Residential Uses

- a single detached dwelling
- garden suite
- secondary unit
- a home occupation use
- a seasonal dwelling on a lot for which a consent has been granted

7.4.1.3 Institutional Uses

- a cemetery
- a church
- a school
- a community centre

7.4.1.4 Recreational Uses

- a golf course
- a public park
- a playground
- a hunt camp
- a cross country ski area

7.4.1.5 Other Uses

- a bed and breakfast establishment
 - a public utility

7.4.2 Zone Requirements

No person within any Rural (R) Zone shall use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the applicable provisions of Section 6 - General Provisions - All Zones and Section 8 Special Provisions and the following.

A rural use or lot:

a) Minimum lot frontage	134 m
b) Minimum lot area	10 ha
c) Maximum lot coverage (%)	none
d) Minimum front yard	15 m
e) Minimum rear yard	15 m
f) Minimum interior side yard	15 m
g) Minimum exterior side yard	15 m

A rural residential use, as permitted in section 7.2.1.2 and institutional and public uses:

a) Minimum lot frontage	45.5 m
b) Minimum lot area	0.4 ha
c) Maximum lot coverage (%)	15
d) Minimum front yard	9 m
e) Minimum rear yard	15 m
f) Minimum interior side yard	3 m
g) Minimum exterior side yard	9 m
h) Maximum building height	9 m
i) Minimum distance to a lot line for an accessory building	3 m

- j) Maximum building height for an accessory building 5 m
- k) Maximum floor area for an accessory building 89 sq m

A commercial use within a residential building shall be no more than 50% of the ground floor area of the building.

7.5 INSTITUTIONAL (I) ZONE

7.5.1 Permitted Uses

No person within any Institutional (I) Zone shall use any land or erect, alter or use any building or structure for any purpose except one or more of the following uses:

a) Residential Uses

- a dwelling unit or units in accordance with the provisions of Section 6.12 of this By-law.

b) Institutional Uses

- an auditorium
- a church
- a fire hall
- a municipal office
- a private club
- a public building
- a school
- a nursing home
- a hospital
- a group home
- A Clinic when located on the same property as a hospital or nursing home

c) Recreational Uses

- a park
- a playground

d) Other Uses

- a public utility

7.5.2 Zone Requirements

No person within any Institutional (I) Zone shall use any land, or erect, alter or use any building or structure except in accordance with the applicable provisions of Section 6 - General Provisions for all Zones and Section 8 - Special Provisions and the following:

An institutional or recreation use:

- | | | |
|----|--|-----------|
| a) | Minimum lot frontage | 15 m |
| b) | Minimum lot area | 600 sq. m |
| c) | Maximum lot coverage (%) | 35 |
| d) | Minimum front yard | 6 m |
| e) | Minimum rear yard | 7.5 m |
| f) | Minimum interior side yard | 2.5 m |
| g) | Minimum exterior side yard | 6 m |
| h) | Maximum building height | 12 m |
| i) | Minimum distance to a lot line for an accessory building | 1 m |
| j) | Maximum building height for an accessory building | 5 m |
| k) | Maximum floor area for an accessory building | 89 sq m |

7.6 CORE COMMERCIAL (C1) ZONE

7.6.1 Permitted Uses

No person within any Core Commercial (C1) Zone shall use any land, or erect, alter or use any building or structure except for one or more of the following uses:

a) Residential Uses

- a dwelling unit or units in accordance with the provisions of Section 6.12 of this By-law.

b) Commercial Uses

- a bowling alley
- a gift shop
- a convenience retail store
- a personal service shop
- a service or repair shop
- a retail store
- a restaurant
- a restaurant, drive-in
- a laundromat
- a motor vehicle sales area
- an automobile service station
- a bank
- post office
- a business or professional office
- a hotel

c) Institutional Uses

- a church
- a legion hall
- an auditorium
- a community hall
- a public building

d) Other Uses

- a public utility

7.6.2 Zone Regulations

No person within any Core Commercial (C1) Zone shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 6 - General Provisions for all Zones and Section 8 - Special Provisions and the following:

A commercial building or lot:

a) Minimum lot frontage	none
b) Minimum lot area	none
c) Maximum lot coverage (%)	75
d) Minimum front yard	none
e) Minimum rear yard	6 m
f) Minimum interior side yard	0 m
g) Minimum exterior side yard	0 m
h) Maximum building height	12 m
i) Maximum GFA as a percentage of the lot area	150

An institutional building or lot

a) Minimum lot frontage	none
b) Minimum lot area	none
c) Maximum lot coverage (%)	60
d) Minimum front yard	none
e) Minimum rear yard	6 m
f) Minimum interior side yard	0 m
g) Minimum exterior side yard	0 m
h) Maximum building height	12 m

7.7 GENERAL COMMERCIAL (C2) ZONE

7.7.1 Permitted Uses

No person within any General Commercial (C2) Zone shall use any lot or erect, alter or use any building or structure except for one or more of the following uses:

a) Residential Uses

- a dwelling unit or units in accordance with the provisions of Section 6.12 of this By-law.

b) Commercial Uses

- an animal hospital
- a motel or hotel
- a restaurant
- a restaurant, drive-in
- a retail store
- a recreational vehicle sales area
- a marina
- a convenience retail store
- a personal service shop
- a service or repair shop
- a laundromat
- a motor vehicle sales area
- an automobile service station
- a bank
- a post office
- a business or professional office
- a hotel
- a bowling alley
- an emergency vehicle dispatch centre
- a farm equipment dealer

c) Recreational Uses

- a park
- a playground

- a community centre

d) Other Uses

- a public utility

7.7.2 Zone Regulations

No person within any General Commercial (C2) Zone shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 6 - General Provisions for all Zones and Section 8 - Special Provisions and the following:

A commercial or recreational building or lot:

- | | |
|---|-----------|
| a) Minimum lot frontage | 15 m |
| b) Minimum lot area | 700 sq. m |
| c) Maximum lot coverage (%) | 30 |
| d) Minimum front yard | 6 m |
| e) Minimum rear yard | 6 m |
| f) Minimum interior side yard | 5 m |
| g) Minimum exterior side yard | 6 m |
| h) Maximum building height | 12 m |
| i) Minimum distance to a lot line for an accessory building | 1 m |
| j) Maximum building height for an accessory building | 5 m |
| k) Maximum floor area for an accessory building | 89 sq m |

7.8 GENERAL INDUSTRIAL (M) ZONE

7.8.1 Permitted Uses

No person within any General Industrial (M) Zone shall use any lot or erect, alter or use any building or structure except for one or more of the following uses:

a) Residential Uses

- a dwelling unit or units in accordance with the provisions of Section 6.12 of this By-law.

b) Industrial Uses

- a contractors shop or yard
- a builders supply yard
- a warehouse
- an equipment or materials storage yard
- a transport terminal
- a business office accessory to a permitted use
- a manufacturing plant
- a processing plant
- a dry industry
- a public garage
- an auto body shop
- a welding shop
- a petroleum storage depot

c) Commercial Uses

- a commercial use accessory to a permitted Industrial use

d) Other Uses

- a public building
- a public utility

7.8 (i) Light Industrial (M1) Zone

7.8.1 (i) Permitted Uses

No person within any Light Industrial (M1) shall use any lot or erect, alter or use any building or structure except for one or more of the following uses:

- a) **Residential Uses**
 - A dwelling unit or units in accordance with the provisions of Section 6.12 of this by-law

- b) **Light Industrial Uses**
 - Business – accessory to a permitted use
 - Emergency vehicle dispatch centre
 - Landscaping operation
 - Mobile home dealership
 - Modular home dealership
 - Public works yard
 - Rental store – small equipment
 - Scientific or medical laboratory
 - School, commercial (adult training)
 - Service industry, not including or excepting a public garage
 - Veterinary Clinic
 - Warehouse

- c) **Commercial Uses**
 - A commercial use accessory to a permitted Light Industrial use

- d) **Other Uses**
 - A public building
 - A public utility

7.8.2 Zone Regulations

No person within any General Industrial (M) Zone shall use any land or erect or use any building or structure except in accordance with the provisions of Section 6 - General Provisions for all Zones and Section 8 Special Provisions and the following:

An industrial building or lot or a commercial building on an industrial lot that is accessory to the industrial use:

- a) Minimum lot frontage 30 m

b)	Minimum lot area	1,850 sq. m
c)	Maximum lot coverage (%)	50
d)	Minimum front yard	7.5 m
e)	Minimum rear yard	7.5 m
f)	Minimum interior side yard	5 m
g)	Minimum exterior side yard	7.5 m
h)	Maximum building height	12 m
i)	Minimum distance to a lot line for an accessory building	2 m
j)	Maximum building height for an accessory building	5 m
k)	Maximum floor area for an accessory building	89 sq m

7.9 RECREATIONAL (01) ZONE

7.9.1 Permitted Uses

No person within any Recreational (01) Zone shall use any land or erect, alter or use any building or structure except for one or more of the following uses:

a) Residential Uses

- a dwelling unit or units in accordance with the provisions of Section 6.12 of this By-law.

b) Recreational Uses

- an area where the primary use of land is for public or private recreation
- an arena
- a community centre
- a curling rink
- a playground
- a playfield
- a race track
- a tennis court
- a skating rink
- a swimming area
- a public wharf or dock
- a marina

c) Other Uses

- a public utility
- a public washroom

7.9.2 Zone Regulations

No person within any Recreational (01) Zone shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 6 - General Provisions for all Zones and Section 8 Special Provisions and the following:

A recreational building or lot:

- a) Minimum lot frontage 15 m

b)	Minimum lot area	460 sq. m
c)	Maximum lot coverage (%)	10
d)	Minimum front yard	7.5 m
e)	Minimum rear yard	7.5 m
f)	Minimum interior side yard	2.5 m
g)	Minimum exterior side yard	7.5 m
h)	Maximum building height	12 m
i)	Minimum distance to a lot line for an accessory building	1.2 m
j)	Maximum building height for an accessory building	5 m
k)	Maximum floor area for an accessory building	89 sq m

7.10 DEVELOPMENT (D) ZONE

7.10.1 Permitted Uses

No person within any Development (D) Zone shall use any land or erect, alter or use any building or structure for any purpose except one or more of the following uses:

a) Residential Uses

- an existing single detached dwelling

b) Other Uses

- an existing non-residential use
- a public utility

7.10.2 Zone Regulations

No person within any Development (D) Zone shall use any land or erect, alter or use any building or structure except in accordance with the provisions of this Section, the applicable provisions of Section 6 -General Provisions for all Zones and Section 8 - Special Provisions.

7.10.3 Official Plan Conformity

Lands within a Development (D) Zone may, upon an application by the Town or the landowner, be rezoned to a specific zone or zones in conformity with the Official Plan. Until such time as the lands are rezoned to a specific zone or zones, no person shall change the use of any land, structure or building, or erect or use any land, building or structure except in conformity with the provisions of this By-law.

7.10.4 Existing Uses

Where any building or structure has previously been erected or used and any land used at the date of the passing of this By-law within the Development (D) Zone, such uses may continue to be used for the same purposes and may be reconstructed, repaired or renovated.

SECTION 8 - SPECIAL PROVISIONS

8.1 SETBACK FROM LAKE HURON

Notwithstanding any other provisions of this By-law, no new habitable structures shall be constructed below the 178.3 metre contour adjacent to Lake Huron unless the setback from the shoreline is a minimum of sixty-one (61) metres and the structure is flood proofed to the 179.6 metre contour. For the purposes of this By-law, a flood proofed structure is that which has no opening below the minimum elevation of 179.6 metres, Canadian Geodetic Datum.

8.2 BY-LAW 1547

Notwithstanding any other provisions of this by-law, the permitted uses for C2-Sp on Lot 17, Townplot 2, South Side of Robinson Street municipally known as 19 Robinson Street shall be a restaurant, a licenced restaurant, rental of rooms or a combination of both.

8.3 BY-LAW 1607

Notwithstanding the provisions of this by-law, in addition to business offices on the south part of Lots 26 and 27, south side of Campbell Street, three apartments are permitted on the ground floor.

8.4 BY-LAW 1608

Notwithstanding the provisions of this by-law, an automobile service station is also permitted on the east part of Lot 30 and Lot 31, north side of Blake Street.

8.5 By-Law 1665

Notwithstanding the provisions of this By-Law, minimum side yard on Lot 30, Plan 31R 1775 shall be 1 metre less than otherwise required by this By-law.

8.6 BY-LAW 1644

RM

Notwithstanding the provisions of this By-law, on the land shown as RM on Schedule A, all dwelling units shall be townhouses and in not more than 65 of the townhouses portions thereof may be rented out on a short term basis only, in association with the hotel development on the land shown as C2 Sp on Schedule A of this by-law. The portions of the townhouses to be rented out shall not be equipped with kitchen facilities and no townhouse shall be used as a boarding house, as defined in this By-law. All buildings and structures shall be located within the building envelopes identified on Schedule A-1 to By-Law 1644.

RM-A

Notwithstanding the provisions of this By-law, on the land shown as RM-1 on Schedule A, of By-Law #1644, tennis courts and a club house, not exceeding 8m in height, for social and recreational purposes accessory to the permitted residential and tennis court uses are permitted.

01

Notwithstanding the provisions of this By-law, the land shown as O1 on Schedule A shall not be used for other than landscaped open space as part of the development permitted on the land shown as RM-A and shall at no time be used for active recreational purposes.

C2

Notwithstanding the provisions of this By-law, on the land shown as C2 on Schedule A to this By-law, the uses permitted shall be limited to a hotel with a minimum of 50 rooms, accessory uses such as recreational, dining, social, convention and tourist facilities normally associated with the operation of a hotel or the uses permitted in the O1 Zone and in accordance with the requirements.

8.7 BY-LAW 1673

Notwithstanding the provisions of this by-law, the Water Lot opposite Town Plot 2 Lot 27, Part 10 and 11, RP 31R-741 North Side of Water Street shall have a maximum lot coverage of 80% and a minimum rear yard of 0.0 m.

8.8 BY-LAW 1682

Notwithstanding the provisions of this by-law, a business office shall also be permitted on the Lot opposite Lot 17 N/S Water Street.

8.9 BY-LAW 1698

Notwithstanding the provision of this by-law the following is permitted, a single car garage to be constructed on the West part of Lot 8, South Side Meredith Street, one metre (1) from an adjacent lot line.

8.10 BY-LAW 1699

Notwithstanding the provisions of this by-law, three apartments are permitted in the main floor of the building located on parts 1 & 2, Lots 29 & 30, south side of Vankoughnet Street.

8.11 BY-LAW 1710

Notwithstanding the provisions of this by-law, the minimum rear yard setback for the building located on Park Lots 9 & 10 on the north side of Vankoughnet Street, Part 1 & 2 on registered Plan No. 31-R2003 shall be two metres.

8.12 BY-LAW 1714

Notwithstanding the provisions of this by-law, the minimum front yard setback for the building located on Part 1 of Part of Lot 35, south side of Draper Street and Part 2 of Lot 36, south side of Draper Street shall be 0.88 metres less than that otherwise required.

8.13 BY-LAW 1726

Notwithstanding the provisions of this by-law, the minimum exterior side yard setback for the building located on the west part of Lot 22 on the south side of Vankoughnet Street shall be 1.2 metres.

8.14 BY-LAW 1728

Notwithstanding the provisions of this by-law, the minimum front side yard setback for the building located on the west part of Lot 20, north side of Meredith Street West shall be 1.8 metres.

8.15 BY-LAW 1729

Notwithstanding the provisions of this By-law, a home occupation to construct cabinets is permitted on Town Plot 2, Part Lot 29, on the south side of Vankoughnet street.

8.16 BY-LAW 1734

Notwithstanding the provisions of this by-law, the following is permitted, a single car garage to be constructed on Parts 2 and 6 of RP 31R1196 North Side of Campbell Street one metre (1) from the adjacent lot line.

8.17 BY-LAW 1741

Notwithstanding the provisions of this by-law, the minimum rear yard setback for the building located on part of the Water Lot, Shaftesbury Town Plot 1, opposite Lot 22, Water Street shall be 1.5 metres less than otherwise required by this by-law.

8.18 BY-LAW 1745

Notwithstanding the provisions of this by-law, two apartments shall be permitted on the ground floor of the building located on the west part of Lot 32, north side of Meredith Street.

8.19 BY-LAW 1768

Notwithstanding the provisions of this by-law, a motor vehicle sales area and a public garage are also permitted on the north part of Lot 32, Town Plot of Shaftesbury, south side of Meredith Street.

8.20 BY-LAW 1777

Notwithstanding the provisions of this by-law, in addition to the commercial uses allowed, three (3) apartments be permitted on Lots 32 and 33, South Side of Campbell Street.

8. 21 BY-LAW 1798

Notwithstanding the provisions of this by-law, a funeral home is also permitted on Lots 34 and 35, North Side of Wilson Street and part of Lot 34, South Side of Draper Street.

8.22 BY-LAW 1824

Notwithstanding the provisions of this by-law, the minimum rear yard requirement shall be 5.18 metres and the number of parking spaces shall be 11 for Part 1, 31R-595, east part of Spider Island

8.23 BY-LAW 1825

Notwithstanding the provisions of this by-law, a garage located on the east part of Lot 20, south side of Vankoughnet Street shall be limited to a maximum size of 89.2 square metres.

8.24 BY-LAW 98-50

To permit one (1) parking space for each 18 sq. m. of total floor area, but excluding accessory office space, and no additional area for snow storage is required, being Lot 31, North Side of Meredith Street and Lot 31 South Side of Campbell Street, RP 2, Town of Little Current.

8.25 BY-LAW 2001-24

To permit a maximum of two (2) of the following uses, a personal service shop, the office of a doctor, lawyer, dentist, real estate broker, insurance broker, planner, architect or engineer, as well as continued residential uses on land described as Lots 27 & 28 North Side of Meredith Street, Town Plot of Shaftesbury.

8.26 BY- LAW 2003-27

Despite Section 7.2.1, the property owner, who operates a hair dressing shop as a home occupation is permitted to have one person, who is not a family member, employed at one time. Subsection 1 applies to that parcel of land described as Part Lot 4, North Hardbargain Road and Part of Lot 6, South Glen Street, being Part 2, Plan 31R-2301, within the Townplot of Shaftesbury in the District of Manitoulin, registered in the Land Registry Office for the Registry Division of Manitoulin (31).

8.27 BY-LAW 2003-31

Despite Section 7.2.2 e), the minimum rear yard requirements is reduced from 7.5 metres to 1.8m, commencing at a point 1.5 metres north of the south limit of lands registered as Instrument No. 0064532, and extending a distance of 13.5 metres northerly therefrom. Subsection 1 applies to that parcel of land described as Part Lot 22, S/S Meredith Street and Part Lot 22, N/S Vankoughnet Street, Townplot of Shaftesbury, registered as Instrument No. 0064532 in the Land Registry Office for the Registry Division of Manitoulin (31).

8.28 BY LAW 2004-08

Despite Section 6.2, two dwelling units shall be permitted; and Despite Section 7.2.2, the minimum yard requirements for the dwelling located on Part 4, Plan 31R-1311 shall be as set out on Schedule A of this by-law. Subsection 1 applies to that parcel of land described as Part Lots 32 and 33, South Side Campbell Street, being Parts 1,2 and 4, Plan 31R-1311 and Part 1, Plan 31R-2954, within the Townplot of Shafesbury, within the Town of Northeastern Manitoulin and the Islands, registered in the Land Registry Office for the Registry Division of Manitoulin (31).

8.29 BY-LAW 2004-19

Despite requirements expressed in Zoning By-Law No. 2002-31 that a custom meat cutting service be permitted in an accessory building as a Home Occupation in a Residential Zone. Subsection 1 applies to that parcel of land described as Part Lot 32, S/S Wilson Street, being Part 2, Plan 31R-0642, Town of Little Current, within the Town of Northeastern Manitoulin and the Islands, registered in the Land Registry Office for the Registry Division of Manitoulin (31).

8.30 BY-LAW 2003-45

Despite minimum requirements expressed in Zoning By-Law 2002-32, the minimum lot dimensions and minimum lot area of Part 7, Plan 31R-3245 shall be as surveyed. Subsection 1 applies to that parcel of land described as Part 7, Plan 31R-3245, within Parcel 423, the East ½ of Island TP 1457, McGregor Bay Area, within the Town of Northeastern Manitoulin and The Islands, registered in the Land Registry Office for the Registry Division of Manitoulin (31).

8.31 BY-LAW 2004-17

Notwithstanding the uses permitted in a (SR) Shoreline Residential zone in this by-law, residential uses shall be limited to seasonal residential use. Subsection 8.41 applies to that parcel of land described as Part 1, Registered Plan 31R-3128, District of Manitoulin, being part Lot 26, Concession 9, Sheguiandah Township, District of Manitoulin, registered in the Land Registry Office for the Registry Division of Manitoulin (31).

8.32 BY-LAW 2005-18

Despite Section 5, the following signage is permitted on that parcel of land described as Part Lots 27 and 28 N/S Meredith Street, Town of Little Current:

- One main illuminated sign, 3.66 m x 2.44 m., located perpendicular to Meredith Street,
- Two corner lot signs, 1 m. x 1 m., located perpendicular to Manitowaning Road and Meredith Street,
- One directional arrow, 0.3 m. x 1 m.,
- All signs to have a minimum set back of one (1) metre from the property line.
-

8.33 BY-LAW 2007-31

Notwithstanding the uses permitted in the Rural Zone as set out in Section 7.2, the minimum lot dimensions and area shall be established in accordance with the Part No.'s as identified on the registered Plan of Survey described as Part 1, Plan 31R-3592; Parts 2,3 and 4, Plan 31R-3592; Part 5, Plan 31R-3592; and Part 6, Plan 31R-3592, Township of Howland.

Despite Section 7.5.1.1 and Section 6.21 – three seasonal dwellings are permitted on the land described in Subsection (2). Subsection 1 (above) applies to that parcel of land described as Island T.P. 1640, Parcel No. 299, McGregor Bay, Town of Northeastern Manitoulin and the Islands, registered in the Land Registry Office for the Registry Division of Manitoulin (31).

8.34 BY-LAW 2007-31

Notwithstanding the uses permitted in a Residential (R1) Zone as set out in Sections 6 and 7.2 the following shall apply to that parcel of land described as Lots 27 and 28, excepting Parts 1,2 and 3, Plan 31R-706, S/S Meredith Street, Townplot of Shaftesbury:

i) In addition to uses permitted under Section 7.2, the following uses are permitted

- a personal service shop
- a service or repair shop
- a business or professional office

ii) General Provisions Sec. 6.22(i), the minimum buffer area between a commercial and residential area, does not apply;

iii) General Provisions Sec. 6.23, Planting strips, as required between a commercial use and a residential area, does not apply;

iv) The minimum rear yard requirement shall be 4 m; and

v) One illuminated sign facing Highway 6, having a height of 22' and a width of 8' to be located 4' from lot line and 4' north of the driveway despite requirements set out in By-Law No. 2002-31.

8.35 BY-LAW 2008-22

1) Section 8, Special Provisions of the Restricted Area Zoning By-Law No. 2002-31 is hereby amended to add the following Subsection 8.52

Notwithstanding the uses permitted in a Residential (R1) Zone as set out in Sections 6 and 7.2 of the Restricted Area Zoning By-Law No. 2002-31 the following shall apply:

i) In addition to uses permitted under Section 7.2 of By-Law No. 2002-31 the following uses are permitted:

- a personal services shop
- a service or repair shop
- a business or professional office

ii) General Provision Sec. 6.22 (i) the minimum buffer area between a commercial and residential area does not apply;

iii) General Provisions Sec. 6.23 Planting strips as required between a commercial use and a residential area does not apply;

iv) The minimum rear yard requirement shall be 4 m, and

v) One illuminated sign facing Highway 6, having a height of 22' and a width of 8' to be located 4' from lot line and 4' north of the driveway despite requirements set out in By-Law No. 2002-31 for lands described in Subsection (2)

2) Subsections (1) applies to that parcel of land described as Lots 27 and 28, excepting Parts 1, 2 and 3, Plan 31R706, S/S Meredith Street, Townplot of Shaftesbury, Town of NEMI.

8.36 By-Law 2009-53

Section 8, Special Provisions of the Restricted Area Zoning By-Law No. 2002-31 is hereby amended to add the following subsection 8.54,
Notwithstanding the uses permitted in a Residential (R1) Zone as set out in Section 7.2 of the Restricted Area Zoning By-Law No. 2002-31 the following shall apply:
In addition to uses permitted under Section 7.2 of By-Law No. 2002-31, a business or professional office shall be permitted on lands described in as West half of Lot 29, N/S Meredith Street (30 Meredith St) Townplot of Shaftesbury.

8.36 By-Law No. 2010-14

Section 8, Special Provisions of the Restricted Area Zoning By-Law No. 2002-31 is hereby amended to add the following Subsection 8.53,
Notwithstanding the uses permitted in a General Industrial (M) Zone, as set out in Section 7.7.1 of the Restricted Area Zoning By-Law No. 2002-31, one (1) portable storage container in accordance with Section 6.2 shall be permitted to be located and used a storage, accessory to the Industrial use at 75 Vankoughnet Street, East, within lands described as Part Park Lot 10, surveyed as Part 2, Plan 31R-2780, Townplot of Shaftesbury.

By-Law No 2011-20

That Section 8, Special Provisions, of the Restricted Area Zoning By-Law No. 2002-31 is hereby amended to add the following Subsection 8.56
Despite Section 7.2.2, the minimum yard requirements' for the dwellings located on Part 2, Plan 31R-3829 shall be as set out on Schedule A
Subsection (2) applies to those lands within Part lots 32 and 33, S/S Campbell Street, surveyed as Part 2, Plan 31R-3829

8.37 By-Law No. 2010-22

Section 8, Special Provisions of the Restricted Area Zoning By-Law No. 2002-31 is hereby amended to add the following Subsection 8.54,
Despite Section 7.6.2 the minimum front yard setback shall be 0 metres applies to lands described as Part Park Lot 7, being Part of Part 1, Plan 31R590, Townplot of Shaftesbury.

8.57 By-Law No 2012-16

Section 8, Special Provisions, is hereby amended to add the following Subsection 8.57 to permit a 2nd dwelling unit for other than the owner or operator on the lower level of a non-residential building, in an institutional (I) zone.

This section 1, applies to that parcel of land described as the East half of lot 16 s/s Campbell Street, (21 Campbell Street West), Townplot of Shaftesbury, Town of Northeastern Manitoulin and the Islands, District of Manitoulin, registered in the Land Registry Division of Manitoulin. All other uses, performance standards and provisions of Restricted Zoning By-Law 2002-31, which apply to the Institutional (I) Zone not specifically varied hereby continue to apply to the land described under section (2) of the by-law.

8.58 By-Law 2012-37

Rezone Part Lot 20, , N/S Campbell Street from Residential (R1) zone to Multiple Family Residential (RM) zone; and amend section 8, Special Provisions, to add the following 8.58 to permit two (2) apartment units on the ground floor, within the north west portion of the existing non-residential building (formerly Snappy's Furniture), located with Part Lot 21, N/S Campbell Street, in a Core Commercial (C1) zone,

8.59 By-Law 2012-39

Section 8, Special Provision is hereby amended to add the following Subsection 8.59
Despite section 7.2 permit a denture clinic to occupy the main floor of the existing residential building and Despite section 6.22 provide for a minimum of three (3) parking spaces
Subsection 1 applies to that parcel of land described as Part Lot 22 S/S Draper Street East, (58 Worthington) surveyed as Part 1, Plan 31R-3825, Townplot of Shaftesbury, Town of Northeastern Manitoulin and the Islands, District of Manitoulin, as registered in the Land Registry Office for the Registry Division of Manitoulin.

8.60 By-Law 2012-41

Section 8, Special Provisions, is hereby amended to add the following Subsection 8.60
Despite Section 7.2.1, Residential (R1) Zone, the property owner, who operates an Accounting Business as a Home Occupation, is permitted to have up to four (4) full time employees, and who do not reside in the existing dwelling unit.
Subsection (1) applies to that parcel of land described as Lot 13, Plan S-148, (30 Hardbargain Road), Shaftesbury Townplot 2, Town of Northeastern Manitoulin and the Islands, District of Manitoulin, as registered in the Land Registry Office for the Registry Division of Manitoulin.

8.61 By-Law 2012-50

Amend Section 8, Special Provisions, to add the following Subsection 8.61 to permit up to three apartment units on the ground floor within the north west portion of the existing commercial building, in a Core Commercial (C1) Zone
Subsection (1) applies to the parcel of land described as Part Lot 21, N/S Campbell Street, (15 Worthing Street), Townplot of Shaftesbury, Town of Northeastern Manitoulin and the Islands, District of Manitoulin as registered in the Land Registry Office for the Registry Division of Manitoulin.

BY-LAW 2013-17

Notwithstanding the provisions of By-law 2002-31, in addition to uses permitted within the Core Commercial (C1) Zone, an Animal Hospital on the ground floor of the existing building, shall be permitted, no outdoor housing of animals or kennels shall be permitted

8.62 By-Law 2013-27

Section 8, Special Provisions, is hereby amended to replace subsection 8.62 to permit four dwelling units not associated with the industrial uses on the 2nd floor of a structure located in a General Industrial (M) Zone. Subsection 1) applies to the lands described as Part of Park Lots 19, 20, and 21 (86 Vankoughnet Street East) surveyed as Part 1, Plan 31R-3720, Townplot of Shaftesbury, Town of Northeastern Manitoulin and the Islands, District of Manitoulin.

8.63 By-Lay 2014-24

Section 8, Special Provisions, is hereby amended to add the following subsection 8.63 to permit the minimum interior side yard setback for a car port to be reduced from 1 meter to 3.30 meters (1 foot), in a Residential (R1) Zone

SECTION 9 - EXISTING BY-LAW REPEALED

9.1 Any By-law passed under Section 34 of The Planning Act or predecessor thereof in force in the Town on the date of adoption of this Zoning By-law No. 2002-31 is hereby repealed.

SECTION 10 – ZONING BY-LAW AMENDMENTS

10.01 BY-LAW 99-08

Zoning By-Law No. 96-01 is hereby amended by permitting the following on Peru Island, TP 1410, Parcel 2338, McGregor Bay, District of Manitoulin. Notwithstanding Section 5(3) one additional guest cabin may be erected. Notwithstanding Section 24(5) a habitable building or structure may be located within 8 metres of the high water mark, subject to the inspection and approval of the municipality.

10.02 BY-LAW 99-43

Despite Subsection 44, a seasonal dwelling together with buildings and structures accessory to it may be erected and used on the land described in subsection (2), if the following requirements are met;

Seasonal Dwelling

1. Maximum lot coverage 15 per cent
2. Minimum front yard 7.5 metres
3. Minimum rear yard 7.5 metres
4. Minimum side yards 3 metres
5. Maximum height 9 metres

Boat Storage Building

All requirements of Sec. 5, Accessory Buildings and Structures. All other requirements of Zoning By-Law No. 96-01 are not hereto varied. Subsection (1) applies to that parcel of land described as Island T.P. 1900 (Iroquois Island) ,Parcel 782, Location J.D.D. 332, McGregor Bay of the North Channel, Lake Huron, District of Manitoulin, as illustrated in Schedule A attached hereto being part of this by-law.

10.03 BY-LAW 99-48

To re-zone the lands described in Sec. (2) from Conservation, “02”, to Rural, “R” Subsection (1) applies to that parcel of land described as Parcel 14229, T.P. 2936, Cow Island, Bay of Islands Area of the North Channel, Lake Huron, District of Manitoulin.

10.04 BY-LAW 2000-13

To re-zone the lands described in Sec. (2) from Residential, “R1”, to Core Commercial, “C1”. Subsection (1) applies to that parcel of land described as Part Lot 25, South Side Campbell Street East, being Part 2, Plan 31R-1555, Townplot of Shaftebury, registered in the Land Registry Office for the Registry Division of Manitoulin (31).

10.05 BY-LAW 2000-24

That map Schedule ‘B’ of By-law No. 9-80, as amended, be amended by changing the zone classification to Landfill (LF) Zone and Waste Processing (WP) Zone, of the lands so depicted on Schedule “A” hereto annexed and forming part of this By-Law, being Lot 14 and Part Lot 13 Part 1, RP 31R-2150, Concession XL, Township of Howland, District of Manitoulin.

10.06 BY-LAW 2000-35

Despite Sections 5(3), 5(4) (c) and 24 (5), one guest cabin having a gross floor area not exceeding 66 square metres and having a minimum set back distance from the high water line of 13.5 metres may be erected and used on the lands described in Subsection (2). Subsection (1) applies to that parcel of land described as Island T.P. 2709, Bay of Islands Area of the North Channel, Lake Huron, District of Manitoulin, as illustrated in Schedule A attached hereto being part of this by-law.

10.07 BY-LAW 2000-41

Despite Sections 5(3), 5(4) (c) and 24 (5), one guest cabin having a gross floor area not exceeding 66 square metres and having a minimum set back distance from the high water line of 13.5 metres may be erected and used on the lands described in Subsection (2). Subsection (1) applies to that parcel of land described as Island T.P. 2709, Bay of Islands Area of the North Channel, Lake Huron, District of Manitoulin, as illustrated in Schedule A attached hereto being part of this by-law.

10.08 BY-LAW 2001-38

To re-zone the lands described in Sec. (2) from Development, “D” to Residential, “R1”. Subsection (1) applies to that parcel of land described as Lots 11 & 12, South Side Meredith Street, excepting Parts 1 and 2, Plan 31R-2019, Town plot of Shaftesbury, registered in the Land Registry Office for the registry Division of Manitoulin (31).

10.09 BY-LAW 2001-43

To re-zone a parcel of land described as part of Lot 26, Concession 9, Township of Sheguiandah, in the former Township of Howland, now in the Town of Northeastern Manitoulin and the Islands. Specifically, the subject land will be rezoned from Rural to Shoreline Residential in By-

Law 9-80. Approval of this amendment will facilitate the approval and future development of a 17-lot subdivision for which an application has also been filed. That it is hereby certified that this amending by-law is in conformity with the Official Plan for the Manitoulin.

10.10 BY-LAW 2002-03

To re-zone the lands described in Sec. (4) from Conservation, “02” to Rural “R”. Despite Section 50, a seasonal dwelling together with building and structures accessory of Zoning By-Law No. 96-01 are not hereto varied.

10.11 BY-LAW 2002-35

To re-zone the lands described in Sec. (2) from Residential, “R1” to Institutional “I”. Subsection 1 applies to that parcel of land described as the east ½ of Lot 26, South Side of Meredith Street, within the Townplot of Shaftesbury in the District of Manitoulin, registered in the Land Registry Office for the Registry Division of Manitoulin (31).

10.12 BY-LAW 2003-17

To re-zone the lands described in Section 2 from General Commercial, “C2”, to General Industrial, “M”. Subsection 1 applies to that parcel of land described as part of Lots 33, 34, & 35, South Side Meredith Street, being Parts 1, 2, & 3, Plan 31R-2833, within the Townplot of Shaftesbury in the District of Manitoulin, registered in the Land Registry Office for the Registry Division of Manitoulin (31).

10.13 BY-LAW 2003-41

To re-zone the lands described in Paragraph 2 from General Industrial Zone “M1” to Shoreline Residential Zone “SR” thereby providing for uses as permitted in Section 7.1 of Zoning By-law 2002-31. Paragraph 1 above applies to that parcel of land described as Part Lot 23, Cone. XII, being Parts 1, 2, & 3, Plan 31R-3005, Township of Howland, Town of Northeastern Manitoulin and the Islands, registered in the Land Registry Office for the Registry Division of Manitoulin (31).

10.14 BY-LAW 2005-14

To re-zone the lands described in Sec. (3) from (R1) Residential Zone and (C2) General Commercial Zone to (C1) Core Commercial Zone; and to delete Special Provision 8.19 of Section 8, Special Provisions. Subsection (1) and (2) applies to the parcel of land described as Lot 32, S/S Meredith Street, Townplot of Shaftesbury, within the Town of Northeastern Manitoulin and the Islands, District of Manitoulin.

10.15 BY-LAW 2005-23

By-law 2002-31, the Comprehensive Zoning By-Law for the Town of Northeastern Manitoulin and the Islands (Little Current Area) and Schedule "A" thereto is hereby amended by changing the zone classification from "RM", Residential Multiple Zone and "01", Recreation Zone to "C2-X", General Commercial Special Zone for the properties described herein and as shown in a shaded manner on Schedule "A" to this By-Law.

Property Description: Part 1, Plan 31R-2110, Townplot of Shaftesbury, in the former Town of Little Current, District of Manitoulin

Notwithstanding any other provision to the contrary, within any area zoned C2-X, General Commercial Special, all provisions of this By-Law applicable to C2 Zones shall apply subject to the following modifications:

The only permitted uses shall be the following: A hotel/motel and accessory uses, including, but not limited to a restaurant, convention facilities, swimming pool, recreation facility and other accessory uses.

10.16 BY-LAW 2005-39

That lands described in Subsection 2 be rezoned from Hazard (HZ) to Rural (R) Subsection 1 applies to that parcel of land described as Lot 5, Island T.P. 20, McGregor Bay, Town of Little Current, Town of Northeastern Manitoulin and the Islands, registered in the Land Registry Division of Manitoulin (31).

10.17 BY-LAW 2005-49

That lands described in Subsection 2 be rezoned from Shoreline Residential (SR) to Residential (R1) zone. Subsection 1 applies to that parcel of land described as Part Lot 5, Conc. 10, being Parts 1-4, Plan 31R-2896 and Parts 1-7, Plan 31R-3213, Town of Little Current, Town of Northeastern Manitoulin and the Islands, registered in the Land Registry Office for the Registry Division of Manitoulin (31).

10.18 BY-LAW 2007-23

To rezone from Development (D) Zone to General Industrial (M) Zone, those lands described as Part Park Lot 10, surveyed as Part 2, Plan 31R-2780. Townplot of Shaftesbury.

10.19 BY-LAW 2007-32

To rezone from Commercial Recreation (CR) Zone to Agricultural (A) Zone the parcel of land described as Part Lot 6, Conc XI, surveyed as Part 1, Plan 31R-1095, Township of Bidwell.

AND, Notwithstanding the uses permitted in the Agricultural (A) Zone:

- i) a seasonal dwelling and accessory uses, in accordance with Section 7.5 shall be permitted on lots created by Consent File No's. B34-07 and B35-07 and,
- ii) that the minimum front yard requirement shall be 160 m. despite requirements set out in By-Law No. 2002-32.

10.20 BY-LAW 2007-35

To rezone from Residential (R1) Zone to Institutional (I) Zone, that parcel of land described as Part Lot 26, N/S Vankoughnet Street, surveyed as Part 1, Plan 31R-1747, Townplot of Shaftesbury.

10.21 BY-LAW 2007-45

To rezone from Hazard (HZ) to Rural (R) Zone, those lands described as A.E. 398, Parcel 694, known as Avis Island, (North of Cockburn Island in the North Channel).

AND, Notwithstanding the uses permitted in the Rural Zone as set out in Section 7.2, a seasonal dwelling and accessory uses in accordance with Section 7.5, shall be permitted on lands described in Subsection 2.

10.22 BY-LAW 2008-28

To rezone from General Commercial (C2) Zone to Residential (R1) Zone, those land described in Inst. No. 79648, being Part of Lot 15, N/S, Campbell Street, Townplot of Shaftesbury.

10.23 BY-LAW NO. 2009-25

To rezone the lands described in Section (2) from Development 'D' Zone to Residential (R1) Zone. Lots 12 & 13, S/S Campbell Street and Lot 12, N/S Meredith Street, Townplot of Shaftesbury.

1024 BY-LAW NO. 2009-51

The Restricted Area Zoning By-Law No 2002-32 is to be amended to provide for changes to requirements provided for in Section 7.1 – Agricultural Zone and Section 7.2 – Rural Zone and correct zoning from Hazard (H) Zone to Shoreline Residential (SR) Zone, lands described as Island T.P. 1388, Parcel 364, McGregor Bay Area of Lake Huron, and provide changes to minimum yard requirements as provided for in By-Law No. 2002-31 in Section 7.5.2 – Core Commercial Zone, a commercial building or lot , minimum interior side yard to be reduced from 2.5 m to none, Town of Northeastern Manitoulin and the Islands, District of Manitoulin;

enacts as follows:

- 1) That Section 7.1.1.1 is hereby amended by adding
 - a single detached dwelling on a lot of record
- 2) That Section 7.1.3 is hereby amend as follows:
An agricultural building or lot
 - d) Minimum front yard 9 m
 - e) Minimum rear yard 3 m
 - f) Minimum interior side yard 3 m
 - g) Minimum exterior side yard 9 m

A single detached dwelling permitted under Section 7.1.1.1

- a) Minimum lot frontage 30.5 m
- b) Minimum lot area 1858 sq m

- g) Minimum exterior side yard 9 m
 - h) Maximum building height for an accessory building 10 m
- 3) That Section 7.2.2 is hereby amended as follows:
- A rural use or lot
- e) Minimum rear yard 3 m
 - f) Minimum interior side year 3 m
- A rural residential use, as permitted in Section 7.2.1.2 and institutional and public uses
- a) Minimum lot frontage 30.5 m for Residential and 60 m for Institutional
 - b) Minimum lot area 1858 sq m
 - c) Maximum lot coverage 30%
 - e) Minimum rear yard 3 m
 - g) Minimum exterior side yard 9 m
 - j) Maximum building height for an accessory building 10 m
- 4) That lands described as Island TP 1388, Parcel 364, McGregor Bay of Lake Huron, Town of Northeastern Manitoulin and the Islands, registered in the Land Registry Office for the Registry Division of Manitoulin (31) be rezoned from Hazard (H) Zone to Shoreline Residential (SR) Zone.
- 5) By-Law No 2002-31
Section 7.5.2 Core Commercial Zone
A commercial building or lot
- Minimum interior side yard to be reduces from 2.5 m to none
- 6) That it is hereby certified that this amending by-law is in conformity with the Official Plan for the Manitoulin Planning Area.
- 7) This by-law shall come into force in accordance with the provisions of Section 34 of the Planning Act, R.S.O. 1990 C.P. 13 and take effect on the date of its final reading subject to the expiration of the 20 day appeal period, provided in Section 34(19) of the Planning Act and subject to the approval of the Ontario Municipal Board where objections to this by-law are filed with the Municipal Clerk together with the prescribed fee.

10.25 BY-LAW NO. 2010-28

The Restricted Area Zoning By-Law No. 2002-31 is to be amended and rezoned from Development (D) Zone to Residential (R1) Zone and permit a private garage to be located and used prior to the construction of a dwelling under the temporary use provisions of Section 39 of the Planning Act on lands described as Lot 1, Plan S-148, Townplot of Shafesbury. Despite Section 6.2 (a) one accessory private garage may be located and used as a temporary use until 31st day of December, 2011 in accordance with Section 39 of the Planning Act.

10.26 BY-LAW NO. 2010-34

To rezone from General Commercial – Special (C2-X) Zone to Residential (R1)
Applies to that parcel of land described as all of Lot 6, S/S Water Street, Part Lots 5,7&8, S/S

Water Street, Part Lots 7,8,9&10 N/S Robinson Street and Part Lot 11, N/S Robinson Street, being Part 1 Plan 31R-2110, excepting Part 1, Plan 31R-2207, Townplot of Shaftesbury.

10.27 BY-LAW NO. 2010-36

Section 5 Definitions of the Restricted Area Zoning By-Law No. 2002-31 is here by amended to add the following definition:

INDUSTRIAL USE, LIGHT shall mean an industrial use engaged in, or used for:

- h) Producing apparel and finished textile products, other than the production of synthetic fibers,
- i) Warehousing or storing of goods or materials indoors
- j) Printing, duplicating or bookbinding
- k) Manufacturing finished paper and allied products other than processing wood pulp,
- l) Producing cosmetics, drugs and other pharmaceutical supplies,
- m) Manufacturing finished lumber products, light metal products, light machinery , computer software, electronic products, finished plastic-ware, porcelain, earthenware, glassware or similar articles including, without limiting the generality of the foregoing, furniture, housewares, monument, toys, musical instruments, jewellery, watches, precision instruments, filters, radios and electronic components, but does not include a tannery or any industrial use accessory to an extractive use, or
- n) Research laboratories and medical offices for engineers, architects and surveyors

The Restricted Area Zoning By-Law No 2002-32 is to be amended to provide for changes to requirements provided for in Section 7.1 – Agricultural Zone and Section 7.2 – Rural Zone and correct zoning from Hazard (H) Zone to Shoreline Residential (SR) Zone, lands described as Island T.P. 1388, Parcel 364, McGregor Bay Area of Lake Huron, and provide changes to minimum yard requirements as provided for in By-Law No. 2002-31 in Section 7.5.2 – Core Commercial Zone, a commercial building or lot , minimum interior side yard to be reduced from 2.5 m to none, Town of Northeastern Manitoulin and the Islands, District of Manitoulin;

10.28 BY-LAW 2014-26

To rezone, from Development (D) Zone to Residential (R1) Zone. Sybsectuib1) applies to that parcel of land described ad Part Park Lot 5, N/S Wilson Street West, PIN 47122-0506, Shaftesbury Townplot 2, Town of Northeastern Manitoulin and the Islands

Read a First and Second time this 19th day of November, 2002.

Kenneth Ferguson **Mayor**

E.O. Martin **Clerk-Treasurer**

Read a Third Time and Finally Passed this 18th day of December, 2002

Kenneth Ferguson **Mayor**

E.O. Martin **Clerk-Treasurer**

RESTRICTED AREA
(ZONING) BY-LAW
FOR THE
TOWN OF NORTHEASTERN
MANITOULIN AND THE ISLANDS
BY-LAW NO. 2002-31

DECEMBER 18, 2002

(Little Current Area)