

SECTION I TITLE AND COMPONENTS

I.1 Title

This By-law may be cited as the “Corporation of the Township of Frontenac Islands Zoning By-law.”

I.2 Declaration

Schedules “A”, “B”, “C” and “D” contained herein is declared to form part of this By-law.

I.3 Application

This By-law shall apply and be enforceable with respect to the whole of the Corporation of the Township of Frontenac Islands. For the purposes of this By-law, the definitions and interpretations given herein shall govern unless the context requires otherwise.

I.4 Interpretation

For the purpose of this By-law, words in the present tense include the future; words in the masculine gender shall include words in the feminine gender and words used in feminine gender include words in the masculine gender; words in singular number include the plural and words in the plural include the singular number; the word “shall” is mandatory; the word “may” is permissive; the words “used” and “occupied” shall include the words “arranged” and “designed”.

I.5 Zone Symbols

The Zone symbols used on Schedule “A” refer to the use of land, buildings and structures and excavations permitted by this By-law in the zone categories. In this By-law whenever the word “Zone” is used, preceded by any of the symbols, such Zone shall mean any area within the Corporation of the Township of Frontenac Islands delineated on Schedule “A” and designated thereon by the symbol.

I.6 Special Zone Symbols

Where the Zone Symbol designating certain lands, as shown on Schedule “A” is followed by a dash and a number, for example M1-1, Special Zone Provisions apply to such lands. Such special provisions are found by reference to the Subsection of the Zone Provisions of each Zone classification entitled “Special Zone Categories”. Lands zoned in this manner shall be subject to all the restrictions of the Zone, except as may otherwise be provided by the Special Zone Provisions.

I.7 Interpretation of Zone Boundaries

Where possible, the extent and boundary of all zones, as delineated on Schedule “A” shall be construed to be lot lines, boundary lines, centerline of streets or roads or boundaries of registered plans.

Where the extent and boundary of any zone, as delineated on Schedule “A” is uncertain, the following provisions shall apply;

- a) that where a zone boundary is indicated as passing through undeveloped land, then the location of such boundary shall be determined in accordance with the scale of Schedule “A” at the original scale, unless dimensions shown on the aforementioned Schedule provides greater accuracy;
- b) that where a zone boundary is indicated as following the corporate limits of the Corporation of the Township of Frontenac Islands, then such limits shall be the zone boundary, and;
- c) that where a zone boundary is indicated as following a shoreline, then such zone boundary shall follow the shoreline, and, in the event of change in the boundary of the shoreline, the zone boundary shall be constructed as moving with the actual shoreline.

I.8 Residential and Non-Residential Uses

For the purpose of reference, all buildings, structures and excavations, and all uses and activities of , or in relation to, buildings, structures, excavations and lots named as uses or activities permitted and classified under the headings of “Residential” and “Non-Residential” may be referred to as “Residential and Non-Residential” buildings, structures, excavations or uses and activities, respectively.

I.9 Location of Zone Provisions

All the Zone Provisions of this By-law which are applicable to a use or activity, or building, structure or excavation shall be provided within the Zone in which such use or activity, or building, structure or excavation is located, unless a specific provision of this By-law provides otherwise.

I.10 Headings

The headings of the Parts, Sections, Subsections, and Clauses of this By-law or on Schedule “A” hereof, together with the illustrations, examples and explanatory notes appearing at various places throughout this By-law or on Schedule “A” hereof, have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope or meaning of this By-law or any of its provisions.

I.11 Road Closings

In the event that a dedicated street or road, as delineated on Schedule “A” hereof is closed, the property formerly within such street or road shall be included within the Zone of the adjoining property on either side of such closed street or road. Where a closed street or lane is the boundary between two or more different zones, the new zone boundary shall be the former centerline of the closed street or lane.

SECTION 2 DEFINITIONS

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

2.1 Accessory Building or Structure

Shall mean a detached building or structure that is not used for human habitation and the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith.

2.2 Accessory Dwelling House

see “Dwelling House”, Accessory

2.3 Accessory Dwelling Unit

Shall mean a dwelling unit which is part of and accessory to a permitted Non-Residential building other than an automobile service station, a commercial garage, or car wash. Such dwelling unit shall be occupied either by the family or the owner of such Non-Residential building or by the family of a person employed on the premises where such dwelling unit is located.

2.4 Accessory Use

Shall mean a use customarily incidental and subordinate to, and exclusively devoted to the use of the lot, building or structure and located on the same lot as such main use.

2.5 Agricultural Produce Warehouse

Shall mean a building or part of a building used for the storage of agricultural produce and may include facilities for wholesale distribution or an accessory retail commercial outlet for the sale of such agricultural produce to the general public.

2.6 Agriculturally Related Commercial Uses

see Farm Service Use

2.7 Alter

Shall mean, when used in reference to a building or part thereof, to change any one or more of the internal or external dimensions of such building, or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word “alter” means to decrease the width, depth or area thereof or to decrease the width, depth or area of any

required yard, setback, landscaped open space or parking area, or to change the location of any boundary of such lot with respect to a public highway or laneway, whether such alteration is made by conveyance of any portion of said lot, or otherwise. The words “altered: and “alteration” shall have a corresponding meaning.

2.8 Antique Sales Establishment

Shall mean a building or part of a building or structure where antiques are offered or kept for retail sale but does not include any use or establishment otherwise defined or classified in this By-law.

2.9 Assembly Hall

Shall mean a building, or part of a building, in which facilities are provided for such purposed uses as meetings for civic, educational, political, religious or social purposes and may include a banquet hall, private club or fraternal organization.

2.10 Attached

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

2.11 Attic

Shall mean the portion of a building situated wholly, or in part, within the roof and which is not a one-half storey.

2.12 Auditorium

Shall mean a building, or part of a building, in which facilities are provided for athletic, civic, educational, political, religious or social purposes and shall include an arena, gymnasium, or other similar facility or use.

2.13 Automobile Sales Establishment

Shall mean an establishment having as its main use the storage of vehicles for sale, rent or lease. Accessory uses may include facilities for the repair and maintenance of vehicles.

2.14 Automobile Service Station

Shall mean an establishment primarily engaged in the retail sale of gasoline or other petroleum products for motor vehicles. Accessory uses may include minor motor vehicle

maintenance or repair operations, other than bodywork of painting, and the sale of motor vehicle accessories.

If any vehicle, other than a private automobile, a tow truck or similar service vehicle, is kept on the premises of the establishment, except while awaiting repair, maintenance or sale, than such establishment shall be classified as a Commercial Garage.

If more than 2 vehicles are kept on the premises for the purpose of selling such vehicles, then such establishment shall be classified as an Automobile Sales Establishment.

2.15 Basement

Shall mean that portion of a building between two floor levels which is partly underground but which has at least one-half of its height, from finished floor to the undersides of the 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 the underside of the floor joists of the next above storey is less than 1.8 metres.

2.16 Basement, Walkout

Shall mean that portion of a building which is partly underground, but which has more than fifty per cent of the finished floor area not greater than 0.6 metres below the adjacent finished grade level adjacent to the exterior walls of the building and which has a door, at or above the adjacent finished grade, for entrance and exit directly to the outside.

2.17 Bed and Breakfast Establishment

Shall mean a single housekeeping dwelling house or portion thereof containing not more than three guest rooms used or maintained incidentally for the overnight accommodation of the travelling public and in which the proprietor supplies lodging and breakfast in return for monetary compensation.

2.18 Beverage Room

Shall mean a building or premises use, other than a restaurant, which is licensed under The Liquor License Act.

2.19 Block

Shall mean the smallest unit of land, the boundaries of which consist entirely of public streets, rivers, railway lines, public parks or any combination thereof.

2.20 Boatel

See Tourist Establishment, Boatel

2.21 Building

Shall mean a structure having a roof supported by columns or walls or supported directly on the foundation and used for the shelter or accommodation of persons, animals or goods.

a) **Accessory Building**

Shall mean a detached building which is incidental, subordinate and exclusively devoted to a main building or main use and located on the same lot.

b) **Main Building**

Shall mean the building which contains the principal use of the lot on which such building is located.

2.22 Building Area

Shall mean that portion of the lot area of a lot permitted to be covered by one or more building envelopes.

2.23 Building By-law

Shall mean The Ontario Building Code Act, R.S.O. 1997, c 51, and Regulations passed thereunder as may be amended, replaced or re-enacted from time to time.

2.24 Building Envelope

Shall mean the total horizontal area of a building calculated by perpendicular projection onto a horizontal plane. This definition shall not include:

- a) unenclosed porches, balconies or steps unless such structure projects more than 1.5 metres horizontally from an exterior wall of the building.

2.25 Building Official

Shall mean the officer employed by the Corporation of the Township of Frontenac Islands as is appointed under the Building By-law and shall include any inspector likewise appointed.

2.26 Building Permit

Shall mean a building permit issued by the Building Official of the Corporation of the Township of Frontenac Islands under the Building By-law.

2.27 Building Separation

Shall mean the least horizontal distance permitted between the nearest portions of any building envelope on a lot.

2.28 Building Setback

Shall mean the least horizontal distance permitted between a lot line of a lot and the nearest portion of any building envelope or excavation on such lot.

a) **Building Setback Front**

Shall mean the building setback on a lot measured from each front lot line of such lot.

b) **Building Setback Flank**

Shall mean the building setback on a lot measured from each flank lot line of such lot.

c) **Building Setback Rear**

Shall mean the building setback on a lot measured from each rear lot line of such lot.

d) **Building Setback Side**

Shall mean the building setback on a lot measured from each side lot line of such lot.

2.29 Building Supply Outlet

Shall mean an establishment engaged in the selling or installing of building supplies including lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning and similar items. This definition shall not include any establishment otherwise defined herein specifically named elsewhere in this By-law.

2.30 Bulk Storage Tank

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

2.31 By-law

Shall mean the Corporation of the Township of Frontenac Islands Zoning By-law.

2.32 By-law Enforcement Officer

Shall mean any officer or employee of the Corporation of the Township of Frontenac Islands for the time being charged with the duty of enforcing the provisions of this By-law.

2.33 Carport

Shall mean a portion of a dwelling house which is a roofed enclosure designated for the storage or parking of a motor vehicle with at least 40 per cent of the total perimeter, which shall include the main wall of the dwelling house to which such carport is attached, open and unobstructed.

2.34 Cartage or Transport Depot

Shall mean a building, structure or place where trucks or tractor trailers are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers, and which may include a bonded to sufferance warehouse.

2.35 Car Wash

Shall mean a building, structure or premises containing facilities for washing motor vehicles by production line methods which may include a conveyor system or similar mechanical devices. This definition may also include a self-service operation.

2.36 Cellar

Shall mean that portion of a building between two floor levels which is partly or wholly underground and which has more than one-half of its height, from finished floor to the underside of the floor joists of the storey next above, below the average finished grade level adjacent the exterior walls of the buildings.

2.37 Cemetery

Shall mean land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried, within the meaning if The Cemeteries Act, R.S.O. 1990, c. 59,, as amended from time to time.

2.38 Certificate of Occupancy

Shall mean a certificate issued by the By-law Enforcement Officer for the occupancy of any land, building, excavation or structure to the effect that the proposed use or activity complies with this By-law.

2.39 Church

Shall mean a building owned or occupied by a religious congregation or religious organization and dedicated exclusively to worship and other religious activities. Accessory uses may include a church hall, church auditorium, day nursery, Sunday school or parish hall.

2.40 Clinic

Shall mean a building or part of a building used solely by medical doctors, dentists, and/or drugless practitioners, as well as by their staff and their patients, for the purposes of consultation, diagnosis and office treatment. This definition shall not include a hospital or home occupation.

2.41 Club

Shall mean an establishment or premises used as an athletic, recreational, service or social club. This definition may include the premises of a fraternal organization.

2.42 Commercial Garage

see Garage, Commercial

2.43 Community Centre

Shall mean any tract of land, or building or buildings or any part of any building used for community activities whether used for commercial purposes or not, the control of which is vested in the Township or a local board or agent thereof.

2.44 Conservation Project

Shall mean the preservation, protection and improvement of the components of the natural environment through a comprehensive management and maintenance program administered by a public authority, for individual or public use and may include bird sanctuaries and wildlife reserves.

2.45 Contractor's Yard

Shall mean a yard of any contractor where equipment and materials are stored or where a contractor performs shop or assembly work but does not include any other use or activity otherwise defined or classified herein.

2.46 Convenience Store

Shall mean a retail commercial establishment supplying groceries and other daily household conveniences to the immediate surrounding area.

2.47 Corner Lot

See Lot, Corner

2.48 Corporation

Shall mean the Corporation of Frontenac Islands.

2.49 Council

Shall mean the Municipal Council of the Corporation of the Township of Frontenac Islands.

2.50 County Road

Shall mean a improved public street under the jurisdiction of the Corporation of Frontenac County.

2.51 Craft Shop

Shall mean a building or part of a building where arts and crafts, souvenirs and other similar items are offered or kept for sale at retail to the general public but shall not include any other establishment otherwise defined or classified herein.

2.52 Delivery Space

Shall mean an area provided for the temporary parking of vehicles delivering or picking up equipment, goods, material or persons.

2.53 Detached

Shall mean when used in reference to a building, a building which is not dependent on any other building for structural support or enclosure.

2.54 Development

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

2.55 Dining Room

Shall mean that part of a restaurant or other building, which is used for the consumption of food by persons seated at booths, counters, tables or combination thereof.

2.56 Driveway

Shall mean an unobstructed passageway used to provide vehicular access to a lot from a street or lane.

2.57 Driveway Setback

Shall mean the least horizontal distance permitted between a lot line of a lot and the nearest portion of any driveway on such lot.

2.58 Dry Cleaning or Laundry Outlet

Shall mean a building used for the purpose of receiving articles or goods of fabric to be subjected elsewhere to a process of cleaning or dyeing. Such establishment may also be used for pressing and/or distributing any articles or goods of fabric which have been received.

2.59 Duplex Dwelling House

Shall mean the whole of a dwelling house divided horizontally into 2 separate dwelling units, each such dwelling having an independent entrance either directly from outside the building or through a common vestibule.

2.60 Dwelling Room

Shall mean separate living quarters designed or intended for use or used by resident or residents (an individual or individuals) and which shall include at least one room and separate sanitary conveniences with a private entrance form outside or form a common hall-way or stairway inside.

2.61 Dwelling House

Shall mean a permanently affixed building occupied as the home, residence, or living quarters for one or more families, but does not include a mobile home or trailer.

a) **Dwelling House, Single Housekeeping**

Shall mean a dwelling house containing one dwelling unit and occupied by not more than four individuals who reside therein or more that four individuals who reside therein as a family provided there is no program, person or agency required in the

supervision of such individuals, and, for the purpose of this By-law, may include a

modular manufactured dwelling house as herein defined but doesn't include a mobile home or any other dwelling house or unit otherwise defined or classified in this By-law.

b) Dwelling House, Seasonal

Shall mean a dwelling house containing only one dwelling unit, constructed and used as a secondary place of residence, for seasonal vacation and recreational purposes and not as the principal residence of the owner or occupant.

c) Dwelling House Accessory

Shall mean a single family dwelling house which is accessory to a permitted Non-Residential use and is occupied by the owner or by a person employed on the lot where the dwelling is located.

2.62 Dwelling Unit

Shall mean a suite of two or more rooms, designed or intended for use by a group of people living together, in which sanitary conveniences are provided, in which only one kitchen facility is provided for cooking, in which a heating system is provided, and, which has a private entrance from outside the building or from a common hallway or stairway inside. For the purpose of this By-law, a dwelling unit does not include a tent, trailer or mobile home.

2.63 Dwelling Unit Area

Shall mean the habitable area contained within the inside walls of a dwelling unit, excluding any private garage, carport, porch veranda, unfinished attic, cellar or sunroom (unless such sunroom is habitable in all seasons of the year); and, excluding public or common halls or areas, stairways and the thickness of outside walls.

2.64 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 and includes a coffee shop, snack bar or refreshment room or stand.

2.65 Eave

Shall mean a roof overhang, free of enclosing walls, without supporting columns.

2.66 Erect

Shall mean setting up, building, constructing, reconstructing and relocating and, without limiting the generality of the work, also includes:

- a) any preliminary physical operation, such as excavating, filling or drainage;
- b) altering any existing building or structure by an addition enlargement, extension, relocation or other structural change;
- c) any work for the doing of which a building permit is required under The Building Code Act and Regulations passed thereunder as may be amended, replaced or re-enacted from time to time; and
- d) erect, erected and erection shall have a corresponding meaning.

2.67 Established Building Line

Shall mean the average setback from the street line of existing building when at least five buildings have been erected on any one side of a continuous two hundred (200) metres of land with frontage on an improved public street.

2.68 Existing

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

2.69 Family

Shall mean any number of people living as a group with common, shared cooking and sanitary facilities but shall be limited to no more than 4 people living as a group under supervision by an agency.

2.70 Farm

Shall mean any farming or agricultural use and includes apiaries, aviaries, berry or bush crops, breeding, raising or training of horses, the raising of cattle, commercial greenhouses, lands devoted to the hatching raising and marketing of chickens, turkeys other fowl or game birds, animals including those raised specifically for their fur, fish or frogs, lands used for grazing, flower gardening, field crops, growing, raising, picking, treating and storing of vegetable or fruit produce grown on the lands, mushroom farms, nurseries, sod farms, orchards, riding stables, the raising of sheep, goats, swine, tree crops, market gardening, bee keeping, wood lots inclusive of a maple sugar bush, and such other uses or enterprises as are customarily carried out in the field of general agriculture. "Farm" shall include a single

housekeeping dwelling house and building and structures, such as barns and silos, which are incidental to the operation of the farm.

2.71 Farm Produce Outlet

Shall mean an accessory use to a permitted farm for the retail sale of agricultural products grown on the farm.

2.72 Farm Service Facility

Shall mean a use providing a service to the farm community, requiring proximity to farm operations and includes animal husbandry services, farm machinery sales, and service outlets, grain drying operations, weight scales, silos and elevators for the receiving, processing and storage of grains seeds and fertilizer together with any accessory office for sales and administration.

2.73 Financial Office

Shall mean the premises of a bank, trust company, finance company, mortgage company or investment company.

2.74 Finished Grade

Shall mean the median elevation between the highest and lowest points of the finished surface of the ground (measured at the base of a building or structure) but exclusive of any embankment in lieu of steps.

2.75 Flood Plain

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

2.76 Floor Area

Shall mean the horizontal area of a storey, measured between the exterior faces of the exterior walls at the floor level of such storey.

a) **Dwelling Unit Area**

Shall mean the aggregate of the floor areas of all habitable rooms in dwelling unit, excluding the thickness of exterior walls and excluding any habitable room located in the basement or cellar.

b) Gross Floor Area

Shall mean the aggregate of all floor area of a building or structure.

c) Net Floor Area

Shall mean that portion of the gross floor area of a building which is used for Non-Residential use defined herein or specifically named elsewhere in this By-law, but excluding:

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

2.77 Forestry

Shall mean the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection of water supplies, and preservation of the recreation resource and shall include reforestation area owned or managed by the Ministry of Natural Resources or local Conservation Authority or under a plan approved by Registered Professional Forester.

2.78 Garage, Commercial

Shall mean an establishment or premises where vehicles owned by the general public are repaired or maintained.

2.79 Garage, Dual

Shall mean the whole of a building that is divided vertically along a lot line into 2 separate private garages.

2.80 Garage Maintenance

Shall mean an establishment or premises where vehicles owned or leased by the occupant of

such premises are repaired or maintained.

2.81 Garage Private

Shall mean a detached accessory building or portion of a dwelling house which is designed or used for the sheltering of a private motor vehicle and storage of household equipment incidental to the residential occupancy and which is fully enclosed and roofed. For the purposes of this By-law, a private garage excludes a carport or other open shelter.

2.82 Gasoline Pump Island

Shall mean a structure which is an accessory use intended to provide gasoline for vehicles.

2.83 Gasoline Pump Island, Private

Shall mean gasoline pump islands used to dispense gasoline solely to vehicles owned or leased by the occupant of the lot where such gasoline pump island is located. This definition shall not include an automobile service station or any other facility for the sale of fuels.

2.84 Grade, Finished

Shall mean the average elevation of the finished surface of the ground adjacent the ground level of the building or structure.

2.85 Greenhouse, Commercial

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

2.86 Group Home

Shall mean a home providing staff-supported residential accommodation in a group setting for not less than 3 and not more than 8 residents, exclusive of staff funded wholly or in part of the Province of Ontario under a general or specific Act. A group home shall not include detention or correctional facilities operated or supervised by the Federal Government or the Province of Ontario.

2.87 Guest

Shall mean a person, other than a boarder, who contracts for accommodation and includes all the members of the person's party.

2.88 Guest Room

Shall mean a room or suite of rooms used or maintained for the accommodation of an individual to whom hospitality is extended for compensation.

2.89 Habitable Room

Shall mean a room designed to provide living, dining, sleeping or kitchen accommodation for persons on a year round basis. This definition may include a bathroom, den, library, or enclosed sun room but shall not include any private garage, carport, porch verandah, unfinished attic, unfinished basement or unfinished cellar.

2.90 Height and Height of Building

Shall mean the vertical distance, measured between the finished grade at the front of the building, and:

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

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

2.91 Highway

Shall mean a highway within the meaning of The Municipal Act R.S.O., 1990, as amended, and the Highway Traffic Act, R.S.O., 1990, as amended.

2.92 Home Industry

Shall mean a use accessory to a permitted single family dwelling house which may include a carpentry shop, a craft shop, a metal working shop, a plumbing shop, an electrical shop, a welding shop, storage building for school buses, boats, snowmobiles or a similar use.

2.93 Home Occupation or Rural Occupation

Shall mean any occupation which is carried on, in accordance with the provisions of this By-

law relative thereto, as an accessory use and only by members of the one single housekeeping unit residing upon the premises.

2.94 Housekeeping Unit, Single

Shall mean a single dwelling unit used by not more than four individuals who reside therein or more than four individuals who reside therein as a family provided there is no program, person or agency required in the supervision of such individuals.

2.95 Kennel

Shall mean a building, structure or premises used for the raising or boarding of dogs, cats or other household pets.

2.96 Kennel, Commercial

Shall mean a building or structure where more than three dogs are kept, bred, or boarded on a commercial basis.

2.97 Landscaped Open Space

Shall mean the open unobstructed space from ground to sky at finished grade on a lot accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any natural existing vegetation, surfaced walk, patio, or similar area but does not include any driveway or ramp, whether surfaced or not, any berm, retaining wall, parking or any open space beneath or within any building or structure.

2.98 Lane

Shall mean a thoroughfare, whether or not improved for use, which affords only secondary means of access for vehicular traffic to abutting lots and which is not intended for general traffic circulation.

2.99 Library

Shall mean a public library within the meaning of The Public Libraries Act, R.S.O., 1990, c. 44, as amended.

2.100 Livestock

a) **Livestock Housing Capacity**

Shall mean the total maximum number of livestock that can be accommodated in a

livestock facility at any time.

b) Livestock Facilities

Shall mean barns, buildings or structures where animals are housed and shall also include beef feedlots and the associated manure storage facilities.

c) Livestock unit

Shall mean the equivalent values for various types of animals and poultry based upon manure production and production cycles.

2.101 Loading Space

Shall mean an area provided for the temporary parking of vehicles loading or unloading equipment, goods or materials.

2.102 Lot

Shall mean a parcel or tract of land described in a deed or other legal document which is capable of being legally conveyed and which can be conveyed without contravening any provision of the Planning Act.

2.103 Lot Existing

Shall mean a lot which on the date of passing of this By-law, was held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry or land Titles Office.

2.104 Lot Area

Shall mean the total horizontal area bounded by the lot lines of a lot, excluding the horizontal area of such lot covered by water or marsh.

2.105 Lot, Corner

Shall mean a lot situated at the intersection of two streets, to the intersection of a street and a private right-of-way, of which two adjacent sides that abut the intersecting streets and a private right-of-way, contain an angle of not more than one hundred and thirty-five (135) degrees; where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines, provided that in the latter case, the corner of the lot shall be deemed to be that point on the street line nearest the point of intersection of the said tangents.

2.106 Lot Coverage

Shall mean that percentage of the lot area covered by the perpendicular vertical projection of the area of all buildings onto a horizontal plane.

2.107 Lot Depth

Shall mean the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, "lot depth" shall mean the length of a straight line adjoining the middle of the front lot line with the middle of the rear lot line. When there is no rear lot line, "lot depth" shall mean the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

2.108 Lot Frontage

Shall mean the horizontal distance between the side lot lines measured along a line perpendicular to the line joining mid points of the front lot line and the rear lot line at a distance from the front lot line equal to the minimum depth of the front yard.

2.109 Lot, Interior

Shall mean a lot other than a corner lot.

2.110 Lot Line

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

a) Lot Line, Front

Shall mean, in the case of an interior lot, the line dividing the lot from the street or private right-of-way. In the case of a corner lot, the shorter lot line abutting a street or private right-of-way shall be deemed the front lot line and the longer lot line abutting a street or private right-of-way shall be deemed an exterior side lot line. In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.

b) Lot Line, Flank/Exterior Side

Shall mean any lot line which abuts a street, other than a front lot line.

c) Lot Line, Rear

Shall mean the lot line farthest from and opposite to the front lot line.

d) **Lot Line, Side**

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

2.111 Lot, Through

Shall mean a lot bounded on two opposite sides by streets or a street and a private right-of-way. In the case of a waterfront lot, it means a lot which has no street access, but has water access on more than one shoreline.

2.112 Marina

Shall mean a building, structure or place, including docking facilities located on a navigable waterway, where boats and boat accessories are kept, stored, serviced, repaired or kept for sale and where facilities for the sale of marine fuels and lubricants may be provided and for the purposes of this By-law may include facilities for the operation of boat charters.

2.113 Marine Facility

Shall mean an accessory building or structure which is used to place a boat into or take a boat out of a water body; or to moor, to berth or to store a boat. This definition may include a boat launching ramp, boat lift, dock or boathouse, but shall not include any building used for human habitation or any boat service, repair or sales facility.

2.114 Marine Sales and Service Establishment

Shall mean a building or part of a building and associated lands where a franchised dealer displays new and used boats and boat accessories for sale at retail or for rental, and where marine equipment is serviced or repaired and may include boat storage facilities.

2.115 Mobile Home

Shall mean a factory constructed dwelling manufactured in accordance with the applicable standards of the Canadian Standards Association that is designed to be mobile and transported on its own steel chassis and/or frame, which is manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer, motorized home, tent trailer, trailer or other dwelling unit otherwise defined in this By-law.

2.116 Mobile Home Park

Shall mean land which has been provided and designed for the location thereon of 2 or more mobile homes.

2.117 Modular Dwelling House

Shall mean a factory constructed , sectional, single housekeeping dwelling house, manufactured without a steel chassis and/or frame and in accordance with the applicable standards of the Ontario Building Code, which is transported and permanently affixed to a permanent foundation with the necessary service connections, and, from which the steel carriage used only for transportation is removed upon erection.

2.118 Motor Vehicles

Shall mean a motor vehicle within the meaning of Highway Traffic Act R.S.O. 1990, c H.8, as amended.

2.119 Motor Vehicle, Commercial

Shall mean a commercial motor vehicle within the meaning of the Highway Traffic Act, R.S.O. 1990, c H.8, as amended.

2.120 Motor Vehicle, Derelict

Shall mean a motor vehicle within the meaning of The Highway Traffic Act, R.S.O., 1990, c.H.8, as amended, whether or not same intended for use as a private passenger motor vehicle or not, which is inoperable and has no market value as a means of transportation or has a market value that is less than the cost of repairs required to render the said motor vehicle operable.

2.121 Motor Vehicle Body Shop

Shall mean a building or structure used for the painting or repairing of motor vehicle bodies, exterior and undercarriage, and in conjunction with which there may be towing service and motor vehicle rentals for customers while the motor vehicle is under repair, but shall not include any other use or activity otherwise defined or classified in this By-law.

2.122 Motor Vehicle Repair Garage

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

2.123 Motor Vehicle Service Station

Shall mean a building or structure where gasoline, propane, oil grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, spark plugs, batteries and automotive accessories for motor vehicles, or similar automotive products are stored or kept for sale to the general public, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tire inflated, or batteries charged, or where only minor mechanical or running repairs essential to the actual operation of motor vehicles are executed or performed.

2.124 Motorized Mobile Home

Shall mean any motor vehicle so constructed as to be self-contained, self propelled unit, capable of being utilized for the living, sleeping or eating accommodation of persons.

2.125 Multiple Residential

Shall mean a residential building or structure containing three or more dwelling units.

2.126 Municipal or County Maintenance Garage

Shall mean any land, building or structure owned by the Corporation of the Township of Frontenac Islands or the County of Frontenac used for the storage, maintenance or repair of equipment, machinery or motor vehicles, used in connection with civic works and shall include a public works yard.

2.127 Non Conforming

Shall mean the use or activity in respect of any land, building or structure which does not comply with the permitted uses or activities, provisions or requirements of this By-law for the zone in which such land, building or structure is located.

2.128 Non Residential

Shall mean, when used to describe a use, building or structure, a commercial, industrial, business or public institutional use, building or structure permitted by this By-law.

2.129 Noxious

Shall mean when used with reference to any use or activity in respect of any land, building or structure or a use or activity which, from its nature or from the manner of carrying on same, creates or is liable to create, by reason of destruction gas or fumes, dust, objectionable odour, noise or vibration or unsightly storage of goods, wares, merchandise, salvage, machinery parts, junk, waste or other material, a condition which may become hazardous or injurious as

regards to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use or activity in respect of any land, building or structure as identified in the Health Promotion and Protection Act.

2.130 Nursery

Shall mean land use for the growing of sod, flowers, bushes, trees or other gardening, landscaping orchard stock for wholesale or retail sale.

2.131 Nursery Farm

Shall mean an agricultural area where plants, trees or shrubs are grown for transporting or for use as stocks for budding and grafting for sale on a wholesale basis and, further, may include greenhouses or similar facilities or uses directly incidental to the growing of such plants trees and shrubs but shall not include a garden and nursery sales and supply establishment or any other use or establishment as may otherwise be defined herein.

2.132 Outside Storage

Shall mean an accessory storage area outside of the principal or main building on the lot.

2.133 Park

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

a) **Park, Public**

Shall mean any open space or recreational area, owned or controlled by the Corporation or by the Board, Commission or other Authority established under and statute of the Province of Ontario and may include therein neighbourhood, community, regional and special parks or areas and may include one or more athletic fields, field houses, community centres, bleachers, swimming pools, greenhouses, botanical gardens, zoological gardens, bandstands. Skating rinks, tennis courts, bowling greens, boat liveries, bathing stations, curling rinks, refreshment rooms, fair grounds, arenas, golf courses, or similar uses, but for the purpose of this By-law shall not include a camping establishment.

b) **Park, Private**

Shall mean a park other than a public park.

2.134 Parking Angle

Shall mean the angle which is equal to or less than a right angle, formed by the intersection of the side of the parking space and line parallel to the aisle.

2.135 Parking Area

Shall mean an area provided for the parking of motor vehicles and may include aisles, parking spaces, pedestrian walkways, and related ingress and egress lanes, but shall not include any part of an improved public street.

2.136 Parking Lot

Shall mean any parking area other than a parking area accessory to a permitted use.

2.137 Parking Space

Shall mean an area, exclusive of any aisles, ingress or egress lanes, for the parking or storage of motor vehicles and may include a private garage.

2.138 Person

Shall mean any human being, association, firm, partnership, incorporated company, corporation, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

2.139 Personal Service Shop

see "Service Shop, Personal".

2.140 Pit

Shall mean a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral, or other material is being or has been removed by means of an open excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit or land or land under water excavated for a building or structure. This definition shall not include:

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

2.141 Pit, Wayside

Shall mean a temporary pit opened and used by a public road authority, or their agents, solely for the purpose of road construction or an associated road project or contract and which is not located on the public lands.

2.142 Place of Worship

Shall mean a building dedicated to religious worship and includes a church, synagogue or assembly hall and may include such accessory uses as a nursery school or religious education.

2.143 Planting Strip

Shall mean an area which shall be used for no purpose other than planting a row of trees or a continuous unpierced hedgerow of evergreens or shrubs, not less than 1.5 metres high, immediately adjacent to the lot line or portion thereof along which such planting strip is required herein. The remainder of such planting strip shall be used for no purpose other than planting trees, shrubs, flowers, grass or similar vegetation.

2.144 Planting Strip Width

Shall mean the least horizontal dimension of a planting strip measured perpendicularly to the lot line abutting such planting strip.

2.145 Processing Plant - Aggregate

Shall mean equipment for the crushing, screening or washing of sand and gravel aggregate materials, and includes a concrete batching plant or an asphalt plant.

2.146 Provincial Highway

Shall mean a street under the jurisdiction of the Province of Ontario.

2.147 Principal or Main Building

Shall mean the building in which the principal uses for which the building lot is situated are located.

2.148 Public Authority

Shall mean Federal, Provincial, County or Municipal agencies, and includes any commission,

board, authority or department established by such agency.

2.149 Public Use

Shall mean a building, structure or lot used for public purposes by the Corporation or the County, any local board of the Corporation or the County, any Authority, Board, Commission or Ministry established under any statute of Ontario or Canada, any telephone or telegraph company, any public utility corporation, or any railway company authorized under The Railway Act.

2.150 Quarry

Shall mean an area where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or pit.

2.151 Quarry, Wayside

Shall mean a temporary quarry opened and used by a public road authority, or their agents, solely for the purpose of road construction or an associated road project or contract and which is not located on the public lands.

2.152 Recreational Trailer

Shall mean a vehicle designed to be towed by a motor vehicle for which either a permit or a license is issued under The Highway Traffic Act, which is capable of being used on an occasional or temporary basis only for the living, sleeping or eating accommodation of persons but for the purposes of this By-law shall not include a mobile home or any other use otherwise defined.

2.153 Recreation Use, Active or Passive

a) **Recreation Use, Active**

Shall mean a recreational use with or without buildings which requires alteration of soil or topography and includes such activities as golf courses, playing fields, trailer parks campgrounds and conservation areas involving built structures.

b) **Recreation Use, Passive**

Shall mean an activity or use of land carried out for recreational purposes which does not require the construction of buildings or the alteration of soil or topography and includes open space and environmental areas.

2.154 Restaurant

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

2.155 Retail Commercial Establishment

Shall mean a building, or part of a building in which goods, wares, merchandise, substances, articles or services are offered or kept for sale at retail or on a rental basis.

2.156 Right-of Way, Private

Shall mean a private road which affords access to abutting lots and is not maintained by the Township and does not include a street, road or highway as herein defined.

2.157 Right-of-Way, Public

Shall mean a right-of-way owned by the Township of Frontenac Island which affords access to abutting lots and is not maintained on a year round basis and does not include a street, road or highway herein defined.

2.158 Salvage Yard

Shall mean an establishment or premises where bones, bottles, hides, junk, rags, scrap metals, wrecked vehicles or parts thereof are stored wholly or partly in the open.

2.159 School. Public

Shall mean a school under the jurisdiction of a Board as defined by the Ministry of Education.

2.160 Seasonal Dwelling House

See Dwelling House, Seasonal

2.161 Secondhand Shop

Means a building or part of building in which used goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail and may include such uses as a flea market, a pawnshop, an antique store, an opportunity shop or similar use but shall not

include a salvage yard as defined herein.

2.162 Service Shop, Merchandise

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

2.163 Service Shop, Personal

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

2.164 Setback

Shall mean the horizontal distance from the centre line of the street allowance, measured at right angles to such centre line, to the nearest part of any building or structure or excavation on the adjacent lot.

2.165 Sewage Treatment Facility

Shall mean a building, structure or lagoon approved by the Ministry of the Environment, where domestic and/or industrial waste is disposed, treated or stored.

2.166 Sight Triangles

Shall mean the triangular space formed on a corner lot by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being 9.0 metres measured along the street line from the point of intersection of the street lines. Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines

2.167 Sign

Shall mean a structure or advertising device having illustrations affixed thereto or displayed thereon in any manner, which is used to identify, advertise or attract attention to any object, product, place activity, person, institution, organization firm, group, profession, enterprise, industry or business, or which display or include any letter, work, model number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement.

2.168 Storey

Shall mean the portion of a building, other than an attic, basement or cellar, included between any floor level and the floor, ceiling or roof next above.

2.169 Storey, First

Shall mean the lowest storey of a building closest to finished grade having its ceiling 1.8 metres or more above average finished grade.

2.170 Storey, One-Half

Shall mean that portion of a building situated wholly or in part within the roof and having its floor level not lower than 1.2 metres below the line where roof and outer wall meet and in which there is sufficient space to provide a distance between finished floor and finished ceiling of at least 2.1 metres over a floor area equal to at least 50 percent of the area of the floor next below.

2.171 Street or Road - see Street, Improved Public

2.172 Street Access

Shall mean when referring to a lot, that such lot has a lot line or portion thereof which is also a street line.

2.173 Street, Improved Public

Shall mean a street under the jurisdiction of the Province of Ontario or, in the case of a street under the jurisdiction of the Corporation of the Township of Frontenac Islands, a street which is developed to a standard of construction and maintained on a year round basis in order to provide access to adjacent properties. The Improved Public streets are specifically delineated on Schedule "B".

2.174 Street, Limited Service

Shall mean a street or road not maintained year-round to Ministry of Transportation standards and that no road related services shall be supplied on a year round basis and that there shall be no guarantee of access for emergency vehicles. The Limited Service streets are specifically delineated on Schedule "B".

2.175 Street Line

Shall mean the limit of the street, road allowance or private right-of-way and is in the

dividing line between a lot or block and street or road.

2.176 Street Setback

Shall mean the least horizontal distance required between the centreline of a street allowance and the nearest part of any building envelope or excavation on a lot, measured at right angles to such centreline.

2.177 Structure

Shall mean anything constructed or erected, the use of which requires location on the ground, or attached to something having location on the ground and, without limiting the generality of the foregoing includes a motor vehicle.

2.178 Tent

Shall mean every kind of temporary shelter to which the term is normally considered to apply for sleeping that is not permanently affixed to the site and that is capable of being easily moved and is not considered a structure.

2.179 Tillable Hectares

Shall mean the total are of land including pasture that can be worked or cultivated.

2.180 Township

Shall mean the Corporation of the Township of Frontenac Islands.

2.181 Township Street or Road - see Street, Improved Public

2.182 Tourist Camp

Shall mean any land use to provide temporary accommodation for the public, or members of an organization, in tents, tourist trailers or tourist vehicles whether or not a fee is charged or paid for such accommodation.

a) **Public Tourist Camp**

Shall mean a tourist camp owned or operated by the Corporation, the County or by an Ministry, Board, Commission or Authority established under statute of Ontario of Canada.

b) **Private Tourist Camp**

Shall mean a tourist camp other than a public tourist camp.

2.183 Tourist Establishment

Shall mean a building or buildings designed or used for the accommodation of the travelling or vacationing public.

a) Boatel

Shall mean a tourist establishment associated with a marina or marine facility and containing therein 5 or more guest rooms. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar.

b) Hotel

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

c) Motel

Shall mean a tourist establishment containing therein 5 or more guest rooms, each guest room have a separate entrance directly from outside the building. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar uses.

d) Rental Cabin or Rental Cottage

Shall mean a tourist establishment designed to accommodate one family in a detached building.

2.184 Tourist Store

Shall mean an establishment where food, tobacco, drugs, periodicals or similar items of household necessity are kept for retail sale to the vacationing public.

2.185 Tourist Vehicle

Shall mean a self-propelled vehicle capable of being used for the temporary living, sleeping or eating accommodation of persons. This definition may include a bus, motor home, truck or van.

2.186 Trailer

Shall mean a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle; which shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn, and, for the purposes of this By-law does not include a mobile home dwelling as defined.

2.187 Use

Shall mean, when used a noun, the purpose for which a lot or building or structure, or any combination thereof, is designed, arranged, occupied or maintained and when used as a verb, "USED" shall have a corresponding meaning.

2.188 Vacation Farm Property

Shall mean an operating farm where the owners provide temporary accommodation within the principal residence for not more than three families together with an educational opportunity relating to farming and the production of crops provided further that such activity is supplementary to the farming enterprise.

2.189 Vehicle

Shall mean an automobile, motorcycle, motor assisted bicycle, traction engine, farm tractor, road building, machine, self propelled implement of husbandry, and any other vehicle propelled or driven other than by muscular power, but not including motorized snow vehicle or railroad car or other motor vehicle running only upon rails.

2.190 Vehicle Agency

Shall mean an establishment having as its main use the storage of vehicles for sale, rent or lease. Accessory uses may include facilities for the repair or maintenance of vehicles.

2.191 Warehouse

Shall mean a building or part of a building used for the storage and distribution of goods, wares, merchandise, substances, articles or things, and may include facilities for a wholesale or retail commercial outlet, but shall not include a cartage or transportation depot.

2.192 Water Access

Shall mean that any lot having a lot line or portion thereof which is also a shoreline, shall be deemed to have water access.

2.193 Water Course

Shall mean a body of water or the natural channel for a perennial stream of water.

2.194 Water Frontage

Shall mean the boundary between the water and land fronting on and providing access to a watercourse, bay or lake.

2.195 Water Mark, High

Shall mean the mark made by the action of water under natural conditions on the shore or bank of body of water which has created a difference between the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

2.196 Well

Shall mean an underground source of water which has been rendered accessible by the frilling or digging of a hole from ground level to the water table and may include a private piped system from a surface water source.

2.197 Workshop

Shall mean a building or part of a building where fabrication or manufacturing is preformed by tradesmen requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, tinsmith's shop, a commercial welder's shop, or similar uses.

2.198 Yard

Shall mean a space, appurtenant to a building or structure, located on the same lot as the building or structure, which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted elsewhere in the By-law.

2.199 Yard, Front

Shall mean a yard extending across the full width of the lot between the front lot line of the

lot and the nearest part of any building or structure on the lot, the nearest outside storage use on the lot, or edge or rim of an excavation on the lot. In the case of waterfront lot having no frontage on a Improved Public Street, the front yard shall be deemed to be the waterfront of the property.

2.200 Yard, Front Depth

Shall mean the least horizontal dimension between the front lot of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

2.201 Yard, Rear

Shall mean a yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

2.202 Yard, Rear Depth

Shall mean the least horizontal dimension between the rear lot line of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge of rim of an excavation on the lot.

2.203 Yard, Required

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

2.204 Yard, Side

Shall mean a yard extending from the required front yard to the required rear yard and from the side lot line of the lot to the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

2.205 Yard, Exterior

Shall mean a side yard immediately adjoining a Improved Public Street.

2.206 Yard, Interior Side

Shall mean a side yard other than an exterior side yard.

2.207 Yard, Side Width

Shall mean the least horizontal dimensions between the side lot line of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or edge or rim of excavation on the lot.

2.208 Zone Provisions

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

SECTION 3 GENERAL PROVISIONS

3.1 Accessory Building, Structures and Uses

3.1.1 Permitted Uses

Where this By-law provides that a lot may be used or building of structure may be erected or used for a purpose, that purpose shall include any accessory building or structure or accessory use, but shall not include the following:

- a) Any occupation for gain or profit conducted within or accessory to a dwelling unit or on such lot associated therewith, except as is specifically permitted in accordance with this By-law; or
- b) Any building use for human habitation except in accordance with this By-law, as is specifically permitted.

Accessory buildings, structures and uses shall only be permitted once the principal use has been established.

3.1.2 Relation to Street

- a) Residential Zones

An accessory building or structure, which is not part of the principal or main building on the lot, shall not be erected closer to the street line than the principal or main building on the lot and shall further be erected in conformity with the yard and setback requirements of the respective Residential Zone, except as may otherwise provided for herein.

- b) Non-Residential Zones

An accessory building or structure shall not be erected closer to the street line than the minimum required yard setback requirements of the respective non-residential zone, and further, shall not be erected closer than 3 metres to an interior side or rear lot line except as may otherwise be provided for herein. Notwithstanding the foregoing, a gatehouse or information kiosk or other similar accessory structure shall be permitted within a required front or side yard or within the area between the street line and the required setback.

3.1.3 Relation to Principal or Main Building

Except as may otherwise be provided herein, any accessory building or structure, which is

not part of the principal or main building, shall not be erected closer than 2.0 metres to the principal or main building.

3.1.4 Lot Coverage and Height

The total lot coverage of all accessory buildings and structures, except swimming pools, shall not exceed 8 percent of the lot area, nor, shall the height of any accessory building or structure exceed 5.0 metres, or one storey.

Notwithstanding the foregoing, within an Industrial Zone, the total lot coverage of all accessory buildings or structures shall not exceed 10 percent of the lot area, nor, shall the height of any accessory building or structure exceed the height restriction of the respective Industrial Zone.

3.1.5 Accessory Structure Encroachments

Notwithstanding the yard and setback provisions of this By-law to the contrary, drop awnings, clothes poles, flag poles, garden trellises, retaining walls, fences, signs or similar uses which comply with the licensing and/or regulatory By-laws of the Corporation, shall be permitted in any required yard or in the area between the street line of shoreline and the required setback.

3.1.6 Boat House, Pump House and Docking Facilities

- a) Notwithstanding any other provision of this By-law to the contrary, a boat house or pump house may be erected and used in the required yard of a lot abutting a waterway provided such accessory building or structure is not located closer than one metre to the interior side lot line.
- b) Notwithstanding any other provisions of this By-law to the contrary, no dock or projection thereof shall be located within 2 metres of the lot line or projection thereof.

For the purpose of this Section, the projection of the lot lines shall be made at 90° to the point at which the lot line intersects the shoreline.

3.1.7 Fire Escapes

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed fire escapes may project into any required setback a maximum distance of 1.2 metres.

3.1.8 Garages

Notwithstanding any other provision of this By-law to the contrary, an attached or detached

private garage may be erected and used in a front, exterior side, interior side, or rear side provided that:

- a) Where such accessory building is located in an interior side yard, it shall not be closer than 1 metre to the interior side lot line; or,
- b) Where such accessory building is located in a rear yard it shall not be closer than 1 metre to the interior side lot line or rear lot line; or
- c) Where such an accessory building is located in a rear yard it shall not be closer than 1 metre to the interior side lot line or rear lot line, EXCEPT where a detached private garage is erected with a direct access to the rear yard from a lane, private road or right-of-way or public street, in which case the structure shall not be located closer than 1 metre to the interior side lot line or 2.4 metres to the rear lot line and shall comply with the maximum exterior side yard requirements of the respective zone.
- d) Where such an accessory building is located in a front or exterior side yard, such accessory building shall not be located closer to the lot line, than the required front or exterior side yard set forth under the respective zone.

3.1.9 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, 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 public street or lane, within the zone in which such use is located, loading and unloading spaces 9 metres long, 3.5 metres wide and having a vertical clearance of at least 4 metres and in accordance with the following:

TOTAL FLOOR AREA OF BUILDING OR STRUCTURE	NUMBER OF LOADING SPACES REQUIRED
280 square metres or less	1
exceeding 280 square metres, but not exceeding 2,300 square metres	2
exceeding 2,300 square metres, but not exceeding 7,400 square metres	3
exceeding 7,400 square metres	3 plus 1 additional space for each additional 9,300 square metres or fractional part thereof in excess of 7,400 square metres

3.1.10 Utility Sheds

Notwithstanding any other provision of this By-law to the contrary, a utility shed may be erected within a required interior side or rear yard provided that such accessory building is not closer than 1.2 metres to the interior side or rear lot line. For the purposes of this By-law such a utility shed shall be maintained and used for the purposes of storing lawn and garden equipment or similar household related appurtenances and shall not have a total floor area in excess of 11.3 square metres.

3.1.11 Ornamental Structures

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

3.1.12 Swimming Pools

a) Yard Requirements

Notwithstanding the yard and setback provisions of this By-law to the contrary, an outdoor swimming pool shall be permitted in a side or rear yard of a lot provided that:

- i)** Where such outdoor swimming pool is located in a side yard, such pool shall conform with the minimum front interior side or exterior side yard requirement; or
- ii)** Where such outdoor swimming pool is located in a rear yard, such pool shall not be located closer than 3.0 metres to the rear lot line.

b) Lot Coverage

The maximum lot coverage of an outdoor swimming pool shall not exceed 13 percent of the total lot area.

3.1.13 Unenclosed Porches, Balconies, Steps or Patios

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed porches, balconies, steps and patios, covered or uncovered, may project into any required yard a maximum distance of 1.3 metres, but not closer than 1.2 metres to any lot line, provided that in the case of porches, steps or patios such uses are not more than 1.8 metres above grade, exclusive of hand railings or other similar appurtenances.

3.1.14 Site Specific Accessory Use

(Part 1 Reference Plan 13-R-6462 in Lot 18, North Range, Howe Is. Ward)
Notwithstanding Section 3.1 of this By-law, on that parcel of land described as Part 1 on Reference Plan 13-R-6462 in Lot 18, North Range, Howe Island Ward, construction of a building containing a two car garage, 2 bedrooms and a 3 piece bathroom shall be permitted as an accessory structure provided the structure complies with all other Section of this By-law.

3.2 Compliance with Other Laws

This By-law shall not be effective to reduce or mitigate any restriction lawfully imposed by a Federal, provincial or County Government Authority having jurisdiction to impose such restrictions.

3.3 Dwelling Unit below Grade

3.3.1 Cellar

No dwelling unit shall, in its entirety, be located in a cellar. If any portion of a dwelling unit is located in a cellar, such portion of the dwelling unit shall be used a furnace room, laundry room, storage room, recreation room, or for a similar use only.

3.3.2 Basement or Walkout Basement

A portion of a dwelling unit may be located in a basement or walkout basement, provided that the floor level of such basement is not more than 1.2 metres below the average adjacent finished grade.

3.4 Established Building Line in Residential and Commercial Zones

Notwithstanding the yard and setback provisions of this By-law to the contrary, where a dwelling house or commercial building is to be erected on a lot within a Residential or Commercial Zone and where there is an established building line extending on both sides of the lot, such permitted dwelling house or Commercial building may be erected closet to the street line or the centerline of the street, as the case may be, than required by this By-law such that the yard or setback is equal to the average setback of building on the same side of the street, provided further that such permitted dwelling or commercial building is not erected closer to the street line or the centerline of the street, as the case may be, than the established building line existing on the date of passing of the By-law.

3.5 Existing Buildings, Structures and Uses

3.5.1 Continuation of Existing Uses

The provisions of this By-law shall not apply to prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose.

3.5.2 Permitted Exterior Extension

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

3.5.3 Permitted Interior Alteration

The interior of any building or structure, which building or structure at the date of passing of this By-law was lawfully used for a purpose not permitted within the Zone in which such building or structure is located, may be reconstructed or structurally altered in order to render the same more convenient or commodious for the same purpose for which, at the date of passing of this By-law, such building or structure was lawfully used.

3.5.4 Restoration to a Safe Condition

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any building or structure or part thereof, lawfully used on the date of passing of this By-law, provided that the strengthening or restoration does not increase the building height, size or volume or change the use of such building or structure.

3.5.5 Permitted Non-Complying Buildings or Structures

Nothing in this By-law shall prevent the enlargement, extension, reconstruction, renovation, repair or alteration of a building or structure, which existed at the date of passing of this By-law, which is used for a purpose specifically permitted within the Zone in which such building or structure is located, where such building or structures does not comply with the setback of one or more yards that is or are less than required under the provisions of this By-law provided that the setback of yard or yards that is or are less than required are not further reduced and that all other provisions of this By-law are complied with.

3.5.6 Reconstruction of Damaged Existing Buildings or Structures

Nothing in this By-law shall apply to prevent the reconstruction of any lawful non-conforming building or structure, existing as of the date of passing of this By-law, which is damaged by causes beyond the control of the owner, provided that such reconstruction is proceeded with expeditiously.

3.5.7 Building Permit Issued

The provisions of this By-law shall not apply to prevent the erection or use of any building or structure, for a purpose prohibited by this By-law, for which a permit has been issued pursuant to Section 3 of The Building Code Act prior to the date of passing of this By-law, so long as the building or structure, when erected, is used and continues to be used for the purpose for which it was erected, provided further that the permit has not been revoked pursuant to Section 6 of The Building Code Act.

3.5.8 Existing Floor Area Less than Required

Nothing in this By-law shall prevent an extension or an addition being made to a permitted dwelling house, which dwelling house existed at the time of passing of this By-law but which has a dwelling unit area less than required by this By-law, provided such extension or additions does not contravene any other provisions of this By-law.

3.6 Undersized Lots

3.6.1 Existing Undersized Lots

Notwithstanding any other provision of this By-law to the contrary, where a lot, having a lesser lot area and/or frontage than required herein existed prior to the date of passing of this By-law, is held under distinct and separate ownership from an abutting lot or lots as shown by a conveyance of title properly registered prior to the date of passing of this By-law, or, where such a lot is created as a result of an exploration, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot provided such smaller lot has a frontage of not less than 13 metres and that all other applicable zone provisions of this By-law are complied with.

3.6.2 Lots Created by Consent Granting Authority in the Rural (RU) and Agricultural (A) Zone

Notwithstanding the provisions of this By-law to the contrary, within the Rural (RU) and Agricultural (A) Zone, where a consent has been granted by the Consent Granting Authority to create a residential lot with a lesser lot area of lot frontage that provided in the Rural (RU) and Agricultural (A) zone a single detached dwelling house shall be permitted provided the minimum lot area is 04. hectares and the minimum lot frontage is 45 metres. All other

provisions of this By-law shall apply.

3.7 Flood Plain Requirements

3.7.1 Use of Flood Plains

No person shall, in any portion of the Zoned Area which is a flood plain, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses.

a) Residential Uses:

a use accessory to a main Residential use located outside the flood plain, such as a detached private garage, tool shed, swimming pool, barbeque or other similar accessory use,

b) Non-Residential Use

A conservation use but excluding a building;
a farm but excluding a building;
a forestry use but excluding a building;
a golf course but excluding a building;
a marine facility;
a parking lot;
a public use.

3.7.2 Restrictions within and Adjacent to Flood Plains

No building or structure, except for a marine facility, shall be erected or altered within a flood plain or within 7.5 metres of a flood plain.

3.7.3 Restrictions Adjacent to the Shoreline of Lake Ontario and the St. Lawrence River

Notwithstanding any provision herein to the contrary, including Section 3.7.2 above, no building or structure, except for a marine facility, shall be erected or altered below the 76.9 metre contour line (Geodetic Surveys of Canada) where such building or structure is to be located adjacent to Lake Ontario or the St. Lawrence River.

3.7.4. Calculation of Zone Provisions

No part of any flood plain shall be used to calculate or satisfy any of the zone provisions

required by this By-law except for minimum lot area and minimum lot frontage provided that safe access to an improved street can be located outside the floodplain.

3.8 Frontage Requirements

3.8.1 Frontage on an Improved Public Street

Except as may otherwise be provided herein, no person shall erect any building or structure after the date of passing of this By-law, unless the lot upon which such building or structure is to be erected fronts upon and is directly accessible from an Improved Public Street, provided all other relevant provisions of this By-law are complied with. For the lands in the SR1, SR2, LSR zones, frontage requirements may be met if the lot fronts upon a right-of-way registered on title and such right-of-way provides legal ingress and egress to an Improved Public Street.

3.8.2 Exceptions

Section 3.8.1 does not apply to a lot, provided the lot meets all of the following:

- a) the lot has frontage on a Improved Public Street or Limited Service Street, or fronts on a private right-of-way registered on title that provides legal ingress and egress to an Improved Public Street or Limited Service Street; and
- b) the lot has been zoned Limited Road Service (LRS) on Schedule “C”; and
- c) the lot meets all other applicable standards for such use, as set out in this Zoning By-law.

3.8.3 Rezoning as a Condition of Consent

The Township shall request, and the Committee of Adjustment shall ensure that any lots created by consent which do not meet the requirements of Section 3.8.1, be subject to a condition requiring the applicant to rezone the lands for Limited Road Service.

3.8.4 County Road

Notwithstanding any other provision of this By-law, where a building or structure is located adjacent to a County Road, frontage shall be provided and maintained in accordance with the standards of the County of Frontenac where the requirements are in excess of those required by this By-law.

3.8.4 Private Right-Of-Way

Notwithstanding the provisions of Subsection 3.8.1 above, where a building has been erected prior to the date of passage of this By-law on a lot which fronts on a private right-of-way registered on title and providing legal ingress and egress to an Improved Public Street, the provisions of this By-law shall not apply to prevent the enlargement, alteration, extension, renovation or reconstruction of such a building or structure, provided the use of such building or structure is permissible in the Zone in which it is located and that all other applicable provisions of this By-law are complied with.

3.9 Height Exceptions

Notwithstanding the height provisions herein contained, nothing in this by-law shall apply to prevent the erection, alteration, or use of the following accessory buildings or structures provided the principal use is a use permitted with the Zone in which it is located, namely:

- a church spire,
- a belfry,
- a flag pole,
- a clock tower,
- a chimney,
- a water tank,
- a windmill,
- a radio or television tower or antenna,
- air conditioner duct,
- a barn or silo,
- incidental equipment required for processing, and,
- external equipment associated with internal building equipment.

3.10 Home Occupation

a) General Regulations

Home occupations shall be permitted in all zones in which a single housekeeping unit is permitted.

The following regulations shall apply to regulate a home occupation:

- i No person, other than a person residing in the premises shall engage in canvassing, delivering or as a go-between in the distribution of merchandise to customers;
- ii There shall be no display or signs other than those erected in conformity with the By-laws of the Township, to indicate to persons outside that any part of

the dwelling house, unit or lot is being used for a purpose other than residential;

- iii Such home occupation shall be clearly secondary to the main residential use and shall not change the residential character of the dwelling house or unit nor create or become a public nuisance;
- iv Such home occupation shall not interfere with television or radio reception of others in adjacent buildings or structures;
- v Not more than 25 percent of the gross floor area of the dwelling house or unit shall be used for the purposes of the home occupation use where such home occupation is conducted within the principal residence;
- vi Such home occupation shall not include a medical clinic, a private hospital, a nursing home, an eating establishment or a veterinary clinic;
- vii There shall be no mechanical or other equipment used except that which is customarily employed in a dwelling house for domestic or household purposes or for use by a professional person; and,
- viii There shall be no outside display or storage of goods or materials associated with a home occupational use.

b) Special Provision - Rural Home Occupations

Notwithstanding any other provision of this By-law to the contrary, a rural home occupation may be conducted in an accessory building occupying a maximum of 186 square metres. Rural home occupations shall include uses such as farm related sales, machine repairs, welding, carpentry, electrical, machine or auto repairs.

Notwithstanding the provisions of Section 3.10 (a) (vii), the necessary equipment needed to undertake these works shall be permitted.

3.11 Multiple Uses on One Lot

Where any land, building or structure is used for more than one purpose, the applicable provision of this By-law which serve to regulate each use shall be complied with, provided that no dwelling, as may be permitted, shall be erected closer than 10 metres to any other building or structure as may be permitted in accordance with the provisions of Section 3.1 hereof.

3.12 Multiple Zones on One Lot

Where a lot is divided into more than one zone under the provisions of this By-law, each such portion of the said lot shall be used in accordance with the Zone Provisions of this By-law for that portion of the lot.

3.13 Noxious Trade

Except as otherwise be specifically permitted under this By-law, no use shall be permitted which, from its nature or the materials used therein, is declared by the Local Board of Health or Council of the Corporation to be a noxious trade, business or manufacture under The Health Protection and Promotion Act, S.O., 1983, as amended, and The Regulations proclaimed thereunder.

3.14 Parking Area Regulations

Parking spaces and area are required under this By-law, in accordance with the Parking Space Requirement Table, and 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 accordingly.

PARKING SPACE REQUIREMENT TABLE

TYPE OR NATURE OF USE	MINIMUM OFF-Street PARKING REQUIREMENTS
Assembly Hall, Auditorium, Community Centre, Place of Worship or other similar places of assembly not otherwise specified herein	The greater of one parking space per five fixed seats or three metres of bench seating to portion thereof; or a) one parking space per nine square metres of gross floor area; or, b) one parking space for each four persons that may be legally accommodated at any one time.
Bed and Breakfast Establishment	One parking space per guest room
Business and/or Professional office, including a Home Occupation	One parking space for each 18.3 square metres of gross floor area of the building directly related to the specified permitted use.
Wholesale Establishment or Warehouse	One parking space per 38 square metres of gross floor area or portion thereof.

TYPE OR NATURE OF USE	MINIMUM OFF-Street PARKING REQUIREMENTS
Marina	One parking space per 20 square metres of the total retail floor area or fraction thereof plus one parking space for each boat slip provided.
Public Library	One parking space for each 38 square metres of gross floor area.
Residential	One parking space per dwelling unit.
Restaurant	One parking space per 15 square metres of net floor area or one parking space for each 4 person design capacity of all dining rooms.
Retail Commercial establishment or other similar, Commercial Uses	Three parking spaces plus one parking space for 18.3 square metres of gross floor area or portion thereof.
Tourist Establishment	One parking space per guest room, plus one parking space per rental cabin or cottage, plus one parking space per each 5 square metres of net floor area in all beverage rooms, plus one parking space for each 4 person design capacity of all dining rooms and meeting rooms.
Workshop	One parking space per 38 square metres of gross floor area.
Uses permitted by this By-law other than those listed in this Table	One parking space per 18.3 square metres of gross floor area.

3.14.1 Parking Area Surface

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

3.14.2 Ingress and Egress Regulations

Except as may otherwise be provided for herein, the following provisions shall apply to ingress and egress driveways, namely:

- a) Ingress and egress to and from the required parking spaces and areas shall be

provided by means of unobstructed driveways or passageways at least 3 metres but not more than 9 metres in perpendicular width.

- b) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 9 metres.
- c) The minimum distance between any two driveways on one lot, or between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 9 metres.
- d) The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
- e) Every lot shall be limited to the following number of driveways, namely:
 - a) Up to the first 13 metres of lot frontage, not more than one driveway;
 - b) Greater than 13 metres of lot frontage but less than 30 metres of frontage, not more than two driveways with a combined width not exceeding 30 percent of the lot frontage; and,
 - c) For each additional 30 metres of frontage, not more than one additional driveway.

3.14.3 Ingress and Egress Regulations - Retail Gasoline Establishments

Notwithstanding any other provisions set forth in this By-law to the contrary, the following provisions shall apply to ingress and egress driveways establishments in conjunction with a motor vehicle gasoline bar, a motor vehicle repair garage, a motor vehicle service centre, or motor vehicle service station where gasoline is offered or kept for sale at retail, namely:

- a) The maximum width of a driveway measured along the street line shall be 9 metres;
- b) The minimum distance between driveways, measured along the street line intersected by such driveway, shall be 9 metres;
- c) The minimum distance between a driveway and in intersection of street lines, measured along the street line intersected by such driveway, shall be 9 metres;
- d) The minimum distance between an interior side lot and any driveway shall be 3 metres; and
- e) The interior angle formed between the street line and the centerline of any driveway shall not be less than 43 degrees.

3.14.4 Parking Area Design Requirements

The following parking area design requirements shall apply to all required parking areas in all zones, except for a single housekeeping dwelling house, namely:

- a) The minimum width parking space shall be 3 metres and the minimum length shall be 6 metres;
- b) That where a parking space has a parking angle of 30 degrees or less, such parking space shall be at least 7 metres in length where the aisle width is at least 4 metres;
- c) That where the parking angle is less than 30 degrees, the minimum aisle width shall be at least 4 metres;
- d) That where the parking angle is equal to or greater than 30 degrees, but less than 70 degrees, the minimum aisle width shall be at least 3.3 metres; and,
- e) That where the parking angle is equal to or greater than 70 degrees but less than or equal to 90 degrees, the minimum aisle width shall be at least 7.0 metres.

3.14.5 More Than One Use on a Lot

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

3.14.6 Parking Area Location on Lot

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

- a) In all Zones, except Residential, no parking space shall be permitted within 3.0 metres of the boundary of a Residential Zone;
- b) Within all Residential Zones, parking spaces and areas shall be permitted within a required front, interior side or rear yard provided that no part of any parking area, other than a driveway, is located closer than 2 metres to any street line or within a sight triangle. The maximum width of parking areas or driveways within the front yard shall be 7.3 metres;
- c) Within the Agricultural, Community Facility and Commercial Zones, parking spaces and areas shall be permitted in all yards provided that no part of any parking area, other than a driveway is located closer than 2 metres to any street line abutting lot in commercial area or within a sight triangle;

- d) With all Industrial Zones, parking spaces and areas shall be located in an interior side or rear yard only, except for visitor parking areas which may be located within a front or exterior side yard, provided that no part of any parking area other than a driveway, is located closer than 3 metres to any street line, lot line, or within a sight triangle.

3.14.7 Additions to or Changes in Use of Buildings

The parking space requirements referred to herein shall not apply to any building or structure in existence at the date of passing of this By-law so long as the floor area, as it existed at such date, is not increased. If an addition is made to the building or structure which increases the floor area, then parking spaces for the addition shall be provided as required by the Parking Space Requirement Table. Where a change in use of the building or structure occurs, parking spaces shall be provided in accordance with the requirements of the Parking Space Requirement Table.

3.14.8 Use of Parking Spaces Areas

Parking spaces and areas required in accordance with this By-law shall be used for the parking of operative, currently licensed vehicles only, and for vehicles used in operations incidental to the permitted uses in respect of which such parking spaces and areas are required or permitted.

Notwithstanding the foregoing within any Residential Zone, the owner or occupant of a dwelling unit may use a parking space for the purposes of the parking of storage of one commercial motor vehicle, provided such motor vehicle does not exceed a rated capacity of one ton.

3.15 Pits and Quarries

The making or establishment of pit and quarries and wayside pits is prohibited except in the locations and in accordance with the express provisions of this By-law, and, no person shall use land or erect any building or structure for the purpose of processing, washing, sorting, screening or crushing rock, sand or gravel except as expressly provided for this By-law.

3.16 Planting Strip Regulations

3.16.1 Location

Where the interior side or rear lot line in a Community Facility Commercial or Industrial Zone abuts a Residential Zone, a planting strip adjoining such abutting lot line or portion thereof shall be provided on the lot within the Community Facility, Commercial or Industrial

Zone with a minimum width of 3.0 metres.

3.16.2 Contents

Where in this By-law a planting strip is required to be provided and maintained, such planting strip shall consist of a row of trees or a continuous unpierced hedgerow of evergreens or shrubs, not less than 1.3 metres high at planting, immediately adjacent to the lot line or hereunder. The remainder of the strip shall be used for no other purpose than the planting of shrubs, flower beds, grass or a combination thereof.

3.16.3 Interruption for Driveways or Pedestrian 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 3.0 metres of the edge of such driveway or within 1.3 metres of the edge of such walk.

3.16.4 Maintenance

Where a planting strip is required it shall be planted, nurtured and maintained by the owner or owners of the lot on which the strip is located.

3.16.5 Landscaped Open Space Supplement

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

3.16.6 Private Roads and Right-of-Way

Nothing in this By-law shall apply to prevent the use of land for the purpose of a private road or private right-of-way.

3.17 Public Service and Utilities

3.17.1 General

Except as provided for in Subsection 3.17.2 hereof, the provisions of this By-law shall not apply to prohibit the use any lot or the erection or use of any building or structure for the purposes of public services provided by the Corporation of the Township of Frontenac Island, or any Public Authority including any department of the County of Frontenac or any Department or Ministry of the Government of Canada or Hydro One, and, for the purposes of this Section shall include Hydro One; and telephone or telecommunication, cable television or telegraph company; and, any natural gas distribution system operated by a Company

which possesses all the necessary powers, rights, licenses and franchises.

3.17.2 Location Restrictions

Notwithstanding the provisions of Subsection 3.17.1 hereof to the contrary, in a Community Facility (CF) Zone where a use of land, building or structure is specifically permitted, then such use of land, building or structure shall not be carried on in any other Zone classification or classifications, regardless of whether such use is carried on by a public authority.

3.17.3 Provisions

Notwithstanding any other provisions to this By-law to the contrary where a public use is not restricted to a specific Zone, no land, building or structure is to be used for the purposes of a public use unless the following provisions are complied with, namely:

- a) Minimum Yard Requirements
 - a) Front Yard 10 metres
 - b) Exterior Side Yard 10 metres
 - c) Interior Side Yard 3 metres
 - d) Rear Yard 10 metres
- b) Maximum Lot Coverage - All Building and Structures 30 percent
- c) Minimum Setback from Street Centerline
 - 1. County Road 30 metres
 - 2. Township Road 20 metres
- d) Maximum Height of Buildings 10 metres
- e) Minimum Landscaped Open Space 30 percent
- f) Outside Storage

No goods, materials or equipment shall be stored outside the building, or structure located on the lot except as may otherwise be permitted under this By-law.
- g) Other Provisions

No building or structure erected in accordance with the provisions of this Section

shall be used for the purpose of an office or maintenance or works depot.

3.17.4 Streets and Installations

Nothing in this By-law shall prevent the use of any public lands for gas distribution pipeline, any municipal service or water pipelines or overhead or underground hydro or communication line, telecommunication facility or high voltage and extra high voltage electrical facilities owned, operated and maintained by Hydro One, provided the location of such pipeline or facility, as the case may be, has been approved by the Council of the Corporation of the Township of Frontenac Island. Notwithstanding the generality of the foregoing, this approval by the Council of the Corporation of the Township of Frontenac Island shall not be required for any public use which has received prior approval pursuant to the provisions of The Environmental Assessment Act, R.S.O., 1980, c.140 as amended.

3.18 Reduction of Requirements

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

3.19 Sight Triangles

Notwithstanding any other provisions of this By-law to the contrary no person shall, within a sight triangle, as defined hereunder, park a motor vehicle, as defined in The Highway Traffic Act, or erect any building or structure which would obstruct the vision of drivers of motor vehicles or use of land for the purposes of growing shrubs or trees in excess of 0.6 metres in height.

3.20 Special Separation Requirements - Agricultural Uses

i) Notwithstanding any other yard or setback provision of this By-law to the contrary, no residential, institutional, commercial, industrial or recreational use, located on a separate lot and permitted in the Rural, Agricultural or Rural Residential Zone, shall be erected or altered unless it complies with the Minimum Distance Separation Formulae (MDS1) calculated using Schedule "C" to this By-law. The provisions of this section shall not apply to lots existing as of the date of passing of this By-law which are less than 4 hectares in area.

ii) Livestock Facilities

Notwithstanding any other yard or setback provisions of this By-law to the contrary, no livestock facility shall be erected or expanded unless it complies with the

Minimum Distance Separation Formulae (MDSII) calculated using Schedule “C” to this By-law.

3.21 Special Setback Provisions - High Water Mark

3.21.1 Setback

Notwithstanding the yard and setback provisions set forth under this By-law to the contrary, except as specified under Section 3.1.6 hereof, where a lot abuts a watercourse of water body no building or structure shall be erected within 15 metres of the existing high water mark of such watercourse of flood plain limit where established as may otherwise be specified hereunder.

3.21.2 Minimum Exterior Elevation Opening

Notwithstanding any other provision of this By-law to the contrary, where a building or structure intended for human habitation is erected adjacent to the shoreline of St. Lawrence River the minimum elevation of any exterior opening shall not be less than 76.9 metres as established by the Geodetic Survey of Canada.

3.22 Special Setback Provisions to Extractive Industrial

No Residential Zone or dwelling house shall be located within 103 metres or any area zoned Extractive Industrial - Pits (M2) Zone in which only the removal of sand and gravel is involved.

No Residential Zone or dwelling house shall be located within 200 metres of an area zoned Extractive Industrial - Quarrier (M3) Zone in which the removal of quarry stone, or the processing of sand, gravel or stone are involve.

3.23 Special Uses Permitted

A tool shed, construction trailer, scaffold or other building or structure incidental to construction is permitted in all Zones within the Corporation on the lot where construction is permitted in all Zones within the Corporation on the lot where construction is being undertaken and only for so long as it is necessary for the work in progress and until the work is completed or abandoned. For the purpose of this Section, “abandoned” shall mean the revocation of the building permit pursuant to the provisions of Section 6 of The Building Code Act.

3.24 Through Lots

Where a lot, which is not a corner lot, has a frontage on more than one street or is bounded

on more than one side by a street, private right-of-way or watercourse or water body, the setback and front yard requirements contained herein shall apply on each street or adjacent the private right-of-way or watercourse or water body, as the case may be, in accordance with the provisions of the Zone or Zones in which such lot is located.

3.25 Truck, Bus and Coach Bodies

No truck, bus, coach or streetcar body, or structure of any kind, other than a dwelling unit erected and used in accordance with this By-law, The Building Code Act, R.S.O., 1980, c.31, as amended, and the Regulations passed thereunder; and, all other By-laws of the Corporation, shall be used for human habitation.

3.26 Marina Provisions

Notwithstanding any building setback provision contained herein to the contrary, nothing shall prevent the location of a marine facility in any yard adjacent to a shoreline provided that such marine facility is not located within one metre of any lot line except the shoreline.

Special Building Setback Provision for Marinas:

Notwithstanding any building setback provisions contained herein to the contrary, nothing shall prevent the location of a marina in any yard adjacent to a shoreline provided that such marina is not located within 9.0 metres of a Residential Zone or within 3.0 metres of any other Non-Commercial Zone.

3.27 Holding Provisions

Where a zone category is followed by a holding symbol (-h), holding provision under Section 36 of the Planning Act, R.S.O. 1990 Chap. P.13 are in effect. The Zone category specifies the use to which the lands, buildings or structures may be put at such time as the holding provisions have been removed or amended by an amendment to the Holding By-law.

3.28 Aggregate and Mineral Reserve Assessment Areas (-a)

Where a zone category is followed by an Aggregate and Mineral Reserve Assessment Area symbol “-a” or by an area delineated on Schedule “A” as an Aggregate Assessment Area, the use of these lands shall be limited to the use existing at the date of adoption of the By-law placing this symbol on the lands in accordance with Section 36 of the Planning Act R.S.O. 1990 as amended. This symbol may be removed or amended in accordance with Section 36 of the Planning Act when it has been proved to Council’s satisfaction that either there is no aggregate or mineral potential on these lands or that the aggregate/mineral potential cannot be economically removed. Upon removal of the designation or amendment of the “-a” the lands may be used in accordance with the Zone provisions for the remaining symbol without

further amendment to this By-law.

3.29 Waste Management Assessment Areas (_-d)

Where a zone category is followed by a Waste Management Assessment Area symbol “-d” the use of these lands shall be limited to the use existing at the date of adoption of the By-law placing this symbol on the lands in accordance with Section 36 of the Planning Act R.S.O. 1990 as amended. This symbol may be removed or amended in accordance with Section 36 of the Planning Act when it has been proved to Council’s satisfaction that there is no risk to the proposed use from the adjacent waste management use. Upon removal or amendment of the “-d” the lands may be used in accordance with the Zone provisions for the remaining symbol without further amendment to this By-law.

3.30 Wetlands Assessment Areas (_-w)

Where a zone category is followed by a Wetlands Assessment Area symbol “-w” the use of these lands shall be limited to the use existing at the date of adoption of the By-law placing this symbol on the lands in accordance with Section 36 of the Planning Act. R.S.O. 1990 as amended. This symbol may be removed or amended in accordance with Section 36 of the Planning Act when it has been proved to Council’s satisfaction that there is no impact on the adjacent wetland for the proposed use. In general the wetland assessment area shall not be removed. Rather it shall be amended to permit the site improvements proposed. This amendment shall be in accordance with Section 36 of the Planning Act.

3.31 Group Homes

Notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply to Group Homes:

- i) A maximum of one Group Home per 1,000 permanent residents of the Municipality shall be permitted;
- ii) No Group Home of any type shall be located within 400 metres of another Group Home;
- iii) Only Group Homes licensed or approved by the Province of Ontario or its agencies shall be permitted
- iv) All Group Homes shall be registered with the Municipality.

SECTION 4 ZONE PROVISIONS

4.1 HAZARD LAND (HL) ZONE

4.1.1 Permitted Uses

No person shall within an Hazard Land (HL) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

- a) Residential Uses
 - i) Prohibited
- b) Non-Residential Uses
 - i) conservation, reforestation, or other similar uses as provides for the preservation of the natural environment;
 - ii) farm or nursery farm exclusive of any permanent buildings or structures;
 - iii) public park exclusive of any permanent buildings or structures; and
 - iv) public service or utility in accordance with the provisions of Section 3.17 of this By-law
- c) Accessory Uses

Uses, exclusive of any permanent buildings and structures in accordance with the provisions of Section 3.1 of this By-law.

4.1.2 General Zone Provisions

All provisions of Section 3 General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Hazard Land (HL) Zone shall apply and be complied with.

4.2 AGRICULTURAL (A) Zone

4.2.1 Permitted Uses

No person shall within an Agricultural (A) Zone use any land or erect, alter or use any building or structure except as specified herein:

- a) Residential Uses
 - i) single housekeeping dwelling house; and
- b) Non-Residential Uses
 - i) bed and breakfast establishment;
 - ii) commercial greenhouse;
 - iii) commercial kennel;
 - iv) conservation project or other similar uses as provided for the preservation of the natural environment;
 - v) farm, riding and boarding stable, nursery farm and greenhouses associated therewith;
 - vi) farm produce outlet;
 - vii) forestry project;
 - viii) home occupation
 - ix) public service or utility in accordance with the provisions of Section 3.1 of this By-law;
 - x) vacation farm property; and
 - xi) wayside pit or wayside quarry in accordance with the provisions of Section 3.15, 4.12.2 and 4.13.2 of this By-law.

c) Accessory Uses

Uses, buildings or structures accessory to any of the foregoing permitted uses specified under Subsections (a) and (b) hereof and in accordance with the provisions of Section 3.1 of this By-law.

4.2.2 Regulations for Residential Uses

- a) Minimum Lot Area Requirement 0.4 hectares
- b) Minimum Lot Frontage Requirement 45 metres
- c) Minimum Yard Requirements
 - i) Front Yard 10 metres

ii)	Exterior Side Yard	10 metres
iii)	Interior Side Yard	7 metres
iv)	Rear Yard	10 metres
d)	Minimum Dwelling Unit Area Requirement	85 square metres
e)	Maximum Lot Coverage - all buildings and structures	30 percent
f)	Minimum Setback from Street Centerline	
i)	County Roads	30 metres
ii)	Township Road	20 metres
g)	Maximum Number of Dwelling Houses Per Lot	one
h)	Maximum Height of Buildings	10 metres

4.2.3 Regulations for Non-residential Uses

a)	Minimum Lot Area Requirement	20 hectares
b)	Minimum Lot Frontage Requirement	150 metres
c)	Minimum Yard Requirements	
i)	Front Yard	13.7 metres
ii)	Exterior Side Yard	13.7 metres
iii)	Interior Side Yard - an accessory dwelling house or single detached dwelling house	6 metres
	-other permitted uses	7.5 metres
iv)	Rear Yard	7.5 metres
d)	Maximum Lot Coverage - all buildings and structures	10 percent
e)	Minimum Setback from Street Centerline	
i)	County Roads	30 metres
ii)	Township Road	20 metres
f)	Maximum Height of Buildings	12 metres

g) Separation Requirements - Farm Buildings, Structures and Uses

i) Non-Agricultural

Notwithstanding any other yard or setback provisions contained in this By-law to the contrary, no residential, institutional, commercial, industrial or recreational use located on a separate lot and permitted in the Rural, Agricultural or Rural Residential Zone, shall be erected or altered unless it complies with the Minimum Distance Separation Formula (MDS I) calculated using Schedule "D" to this By-law. The provision of this section shall not apply to lots existing as the date of passing of this By-law which are less than 4 hectares in area.

ii) Livestock Facilities

Notwithstanding any other yard or setback provision of this By-law to the contrary, no livestock facility shall be erected or expanded unless it complies with the Minimum Distance Separation Formula (MDS II) calculated using Schedule "D" to this By-law.

iii) Notwithstanding the provisions of paragraph (I) of this Subsection to the contrary, where a farm building or structure, or use associated therewith, existed with the yard or setback requirements of Section 4.1.3 such farm building or structure, or use associated therewith, shall not be extended, enlarged, reconstructed or altered if the effect of such extension, enlargement, reconstruction or alteration thereof is to further reduce or encroach on the setback, yard or yards that is or are less than required.

h) Special Regulations - Commercial Kennels

i) Notwithstanding the yard or setback provisions contained in this By-law to the contrary, no commercial kennel shall be erected or established less than 60 metres of the lot line of adjacent lands which are held under distinct and separate ownership. Where a commercial kennel existed as of the date of passing of this By-law which does not comply with the foregoing setback or yard requirements, the use shall not be extended, enlarged, reconstructed or altered if the effect of such extension, enlargement, reconstruction or alteration thereof is to further reduce or encroach on the setback, yard or yards that is or are less than required.

4.2.4 General Zone Provisions

All provisions of Section 3, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Agricultural (A) Zone shall apply

and be complied with.

4.2.5 Special Zone Categories - Agricultural (A) Zone

a) Agricultural Exception One (A-1) Zone

Part of Part 1, Reference Plan 13R12374 in Part Lot 14, North Range, Howe Islands
Alexander Marshall Estate.

Notwithstanding the minimum lot area and lot frontage requirement of Section 4.2.3 to the contrary, the land located on part of Part 1, Reference Plan 13R12374 in Part Lot 14, North Range, may be used as a farm with lot frontage of 750 feet and a lot area of 9.6 acres. All other requirements shall be complied with.

Notwithstanding the minimum front yard and set back requirements of Section 4.2.3 to the contrary, the existing barn located on part of Part 1, Reference Plan 13R12374 in Part 14, North Range, may be used as a barn with lesser front yard and setback requirements. All other requirements shall be complied with.

b) Agricultural Exception One (A-2) Zone

Part of Part 1, Reference Plan 13R12374 in Part Lot 14, North Range, Howe Islands
Alexander Marshall Estate

Notwithstanding the minimum lot area and lot frontage requirements of Section 4.2.3 to the contrary, the land located on part of Part 1 Reference Plan 13R12374 in Part 14, North Range, may be used as a farm with a lot frontage of 66 feet and a lot area of 81.84 acres. All other requirements shall be complied with.

c) Agricultural Exception Three (A-3) Zone

Part Lot 7, Concession 9 and 10, Wolfe Island

In addition to the uses permitted in Section 4(2) on those lands identified as Agricultural Exception 3 (A-3) Zone on Schedule "A", a parking lot to provide for overflow parking to the adjacent golf course shall be permitted.

d) Agricultural Exception Four (A-4) Zone

Part Lot 22, North Range, Howe Island

Notwithstanding the minimum lot area and lot frontage requirement of Section 4.2.3 to the contrary, for those lands delineated as "A-4" on Schedule A the minimum lot area shall be 5

acres and the lands shall be exempted from the requirement for a minimum lot frontage on an Improved Public Street.

4.3 SHORELINE RESIDENTIAL TYPE ONE (SR1) ZONE

4.3.1 Permitted Uses

No person shall within the Shoreline Residential Type One (SR1) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

- a) Residential Uses
 - i) Single housekeeping dwelling house;
 - ii) Seasonal dwelling house; and
- b) Non-Residential
 - i) Home occupation
 - ii) bed and breakfast establishment;
 - iii) Public service or utility in accordance with the provisions of Section 3.17 hereinafter set forth in this By-law.

- c) Accessory Uses

Uses, buildings or structures accessory to any of the foregoing permitted uses, specified under Subsections (a) or (b) hereof, and in accordance with the provisions of Section 3.1 hereof.

4.3.2 Regulations for Residential Uses

- a) Minimum Lot Area Requirement 4,050 square metres
- b) Minimum Lot Frontage Requirement 45 metres
In accordance with Section 3.8.41 this frontage may be on a private right of way which provides access to an Improved Public Street.
- c) Minimum Yard Requirements
 - i) Front Yard 10 metres
 - ii) Exterior Side Yard 10 metres
 - iii) Interior Side Yard 3 metres
- d) Rear Yard 10 metres
- e) Minimum Dwelling Unit Area Requirement 85 square metres
- f) Maximum Lot Coverage

- | | | |
|-----|---|------------|
| i) | all buildings and structures | 30 percent |
| g) | Minimum Setback from Street Centerline | |
| i) | County Road | 30 metres |
| ii) | Township Road | 20 metres |
| h) | Maximum Number of Dwelling Houses per lot | one |
| i) | Maximum Height of Buildings or Structures | 10 metres |

4.3.3 Provisions Regulating Conversion of Seasonal Dwelling

Notwithstanding the residential uses permitted under Section 4.3.1 (a) hereof to the contrary, with the Shoreline Residential Type One (SR1) Zone a seasonal dwelling house, existing as of the date passing of this By-law, may be permitted to convert a permanent single housekeeping dwelling house provided the following provisions are complied with namely;

- a) That the lot is serviced by a private water supply system and private waste disposal system which comply with the standards of the Ministry of the Environment, as amended from time to time; and, as administered by the medical Officer of Health;
- b) That the dwelling unit complies with the minimum dwelling unit area requirements set forth under Section 4.3.2 (d) hereof;

That such dwelling complies with the Ontario Building Code Act and Regulations set forth thereunder; and,

- c) That a Certificate of Compliance is obtained from the Corporation of the Township of Frontenac Islands.

4.3.4 General Zone Provisions

All other provisions of this By-law where applicable to the use of any land, building or structure permitted within the Shoreline Residential Type One (SR1) Zone shall apply and be complied with.

4.4 LIMITED SERVICE RESIDENTIAL (LSR) ZONE

4.4.1 Permitted Uses

No person shall within the Limited Service Residential (LSR) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

a) Residential Uses

- i) Single housekeeping dwelling house;
- ii) Seasonal dwelling house; and

b) Non-Residential

- i) Home occupation
- ii) bed and breakfast establishment;
- iii) Public service or utility in accordance with the provisions of Section 3.17 hereinafter set forth in this By-law.

c) Accessory Uses

Uses, buildings or structures accessory to any of the foregoing permitted uses, specified under Subsections (a) or (b) hereof, and in accordance with the provisions of Section 3.1 hereof.

4.4.2 Regulations for Residential Uses

- a) Minimum Lot Area Requirement 4,050 square metres
- b) Minimum Lot Frontage Requirement 45 metres
In accordance with Section 3.8.1 this frontage may be on a private right of way which provides access to a Improved Public Street.
- c) Minimum Yard Requirements
 - i) Front Yard 10 metres
 - ii) Exterior Side Yard 10 metres
 - iii) Interior Side Yard 3 metres
- d) Rear Yard 10 metres
- e) Minimum Dwelling Unit Area Requirement 85 square metres
- f) Maximum Lot Coverage

- | | | | |
|----|-----|---|------------|
| | i) | all buildings and structures | 30 percent |
| g) | | Minimum Setback from Street Centerline | |
| | i) | County Road | 30 metres |
| | ii) | Township Road | 20 metres |
| h) | | Maximum Number of Dwelling Houses per lot | one |
| i) | | Maximum Height of Buildings or Structures | 10 metres |

4.4.3 Provisions Regulating Conversion of Seasonal Dwelling

Notwithstanding the residential uses permitted under Section 4.4.1 (a) hereof to the contrary, within the Limited Service Residential (LSR) Zone a seasonal dwelling house, existing as of the date passing of this By-law, may be permitted to convert a permanent single housekeeping dwelling house provided the following provisions are complied with namely;

- a) That the lot is serviced by a private water supply system and private waste disposal system which comply with the standards of the Ministry of the Environment, as amended from time to time; and, as administered by the medical Officer of Health;
- b) That the dwelling unit complies with the minimum dwelling unit area requirements set forth under Section 4.4.2 (d) hereof;
- c) That such dwelling complies with the Ontario Building Code Act and Regulations set forth thereunder; and,
- d) That a Certificate of Compliance is obtained from the Corporation of the Township of Frontenac Islands.

4.4.4 Limited Service Residential Exception Zones

4.4.4.1 Limited Service Residential Exception No. 1 (LSR-1) Part Lot 9, Concession XVII S.B.L. Wolfe Island Ward

Notwithstanding any other provisions of this By-law within the Seasonal Residential Exception No. 1 (LSR-1) Zone the minimum elevation for all building openings shall be 76.9 m. G.S.C. and the minimum lot area shall be 0.4 hectares and the minimum lot frontage shall be 34 metres.

4.4.5 General Zone Provisions

Notwithstanding all provisions of Section 3.8.1 hereof to the contrary, within the Limited Service Residential (LSR) Zone where a lot is accessible by means of a limited service road,

the provisions of this By-law shall not apply to prevent the erection, alteration or use of a building or structure for a use permitted within the Limited Service Residential (LSR) Zone provided that all other provisions of this By-law are complied with.

All other provisions of this By-law where applicable to the use of any land, building or structure permitted within the Limited Service Residential (LSR) Zone shall apply and be complied with.

4.5 SHORELINE RESIDENTIAL TYPE TWO (SR2) ZONE

4.5.1 Permitted Uses

No person shall within the Shoreline Residential Type Two (SR2) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

- a) Residential Uses
 - i) Seasonal dwelling house
- b) Non-Residential
 - i) Public service or utility in accordance with the provisions of Section 3.17 hereof.
- c) Accessory Use

Uses, buildings or structures accessory to any of the foregoing permitted uses, specified under Subsection (a) or (b) hereof, and in accordance with the provisions of Section 3.1 hereof.

4.5.2 Regulations for Residential Uses

- a) Minimum Lot Area Requirement 4,050 square metres
- b) Minimum Lot Frontage Requirement 45 metres
In accordance with Section 3.8.1 this frontage may be on a private right of way which provides access to an Improved Public Street.
- c) Minimum Yard Requirements
 - i) Front Yard 10 metres
 - ii) Exterior Side Yard 10 metres
 - iii) Interior Side Yard 3 metres
 - iv) Rear Yard 10 metres
- d) Minimum Dwelling Unit Area Requirement 85 square metres
- e) Maximum Lot Coverage
 - i) all buildings and structures 30 percent
- f) Minimum Setback from Street Centerline
 - i) County Road 30 metres

- | | | |
|-----|---|-----------|
| ii) | Township Road | 20 metres |
| g) | Maximum Number of Dwelling houses per lot | one |
| h) | Maximum Height of Buildings or Structures | 10 metres |

4.5.3 General Zone Provisions

All provisions of Section 3, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Shoreline Residential Type Two (SR2) Zone shall apply and be complied with.

4.6 RECREATIONAL OPEN SPACE (RE) ZONE

4.6.1 Permitted Uses

No person shall within the Recreational open Space (RE) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

- a) Residential Uses
 - i) Single housekeeping dwelling house shall be permitted where such dwelling is ancillary to a permitted non-residential use and occupied by the owner, caretaker, watchman or other similar person, and his family, as is or are employed on the lot on which such dwelling is located.
- b) Non-Residential Uses
 - i) Conservation area including nature study and wildlife areas, or other similar use as provides for the preservation of the natural environment;
 - ii) Public or provincial park; home occupation and,
- c) Public service or utility in accordance with the provisions of Section 3.17 of this By-law.
- d) Accessory Uses

Uses, buildings and structures accessory to any of the foregoing permitted uses, specified under Subsections (a) and (b) hereof and in accordance with the provisions of Section 3.1 of this By-law.

4.6.2 Regulations for Residential Uses

- a) Single Housekeeping Dwelling House
 - i) Minimum Yard Requirements
 - 1. Front Yard 15 metres
 - 2. Exterior Side Yard 15 metres
 - 3. Interior Side Yard 15 metres
 - 4. Rear Yard 15 metres
 - ii) Minimum Setback from **Street** Centerline
 - 1. County Roads 30 metres

2.	Township Road	20 metres
iii)	Minimum Dwelling Unit Area Requirement	85 square metres
iv)	Maximum Number of Dwelling Houses Per Lot	one
v)	Maximum Height of Buildings	10 metres

4.6.3 Regulations for Non-Residential Uses

- a) Minimum Yard Requirements
 - i) Front Yard 15 metres
 - ii) Exterior Side Yard 15 metres
 - iii) Interior Side Yard 15 metres
 - iv) Rear Yard 15 metres
- b) Maximum Lot Coverage
 - all buildings and structures 30 percent
- c) Minimum Setback from Street Centerline
 - i) County Road 30 metres
 - ii) Township Road 20 metres
- d) Maximum Height of Buildings 10 metres

4.6.4 General Zone Provisions

All provisions of Section 3, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Recreational Open Space (RE) Zone shall apply and be complied with.

4.7 RURAL RESIDENTIAL (RR) ZONE

4.7.1 Permitted Uses

No person shall within a Rural Residential (RR) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

- a) Residential Uses
 - i) Single housekeeping dwelling house;
- b) Non-Residential Uses
 - i) Home occupation;
 - ii) bed and breakfast establishment;
 - iii) Public service or utility in accordance with the provisions of Section 3.17 of this By-law.
- c) Accessory Uses

Uses, buildings or structures accessory to any of the foregoing permitted uses specified under Subsections (a) and (b) hereof and in accordance with the provisions of Section 3.1 of this By-law.

4.7.2 Regulations for Residential Uses

- a) Minimum Lot Area Requirement 4,050 square metres
- b) Minimum Lot Frontage Requirement 45 metres
- c) Minimum Yard Requirements
 - i) Front Yard 10 metres
 - ii) Exterior Side Yard 10 metres
 - iii) Interior Side Yard 7 metres
 - iv) Rear Yard 10 metres
- d) Minimum Dwelling Unit Area Requirement 85 square metres
- e) Maximum Dwelling Unit Area Requirement
 - All buildings and structures 30 percent
- f) Minimum Setback from Street Centerline

- | | | |
|-----|--|------------|
| i) | County Road | 30 metres |
| ii) | Township Road | 20 metres |
| g) | Minimum Landscaped Open Space Requirements | 30 percent |
| h) | Maximum Number of Dwelling houses Per Lot | one |
| i) | Maximum Height of Buildings | 10 metres |

4.7.3 General Zone Provisions

All provisions of Section 3, General Zone Provision, of this By-law where applicable to the use of any land, building or structure permitted within the Rural Residential (RR) Zone shall apply and be complied with.

4.7.4 Rural Residential Exception Zone

- a) Rural Residential Exception One (RR-1)

Part Lot 6, Concession 16 Wolfe Island (MAP SHOWS AS Lot 5 Conc 14)

In addition to the provisions of Section 4.4.2, the following provisions shall apply:

- i) Shoreline Setback: 10 metres (32.8 feet)

A shoreline setback shall be defined as the area measured from the highwater mark in which no disturbances other than normal maintenance shall be permitted. Marine Facilities as defined by the By-law may be permitted within the Shoreline Setback.

Note: Any disturbances that result in danger to fish habitat may result in charges under the Federal Fisheries Act. Any construction on or over the bed or a watercourse requires approval from the appropriate agency. Please consult the municipal office for contacts.

All other provision of the Rural Residential (RR) Zone shall apply and be complied with.

4.8 SEASONAL RESIDENTIAL (RS) ZONE (WOLFE ISLAND ONLY)

4.8.1 Permitted Uses

No person shall within Seasonal Residential (RS) Zone use any land or erect, alter or uses any building or structure for any purpose except as specified hereunder:

- a) Residential Uses
 - i) an existing single detached dwelling house;
 - ii) a seasonal dwelling house.
- b) Non Residential Uses
 - i) a marine facility
 - ii) a public use

4.8.2 Regulations for Permitted Uses

- a) Minimum Lot Requirements
 - i) Lot Area - seasonal dwelling house 2,000m²
 - ii) Lot Frontage - seasonal dwelling house 30metres
In accordance with Section 3.8.4 this frontage may be on a private right of way which provides access to a Public Road maintained year round.
 - iii) Front Yard 13.7 metres
 - iv) Rear Yard - main building 7.5 metres
 - v) Rear yard - accessory building 1 metre
 - vi) Exterior Side Yard 13.7 metres
 - vii) Interior Side Yard 4.5 metres
- b) Dwelling units per lot 1 only
- c) Minimum Building Separation 1 metre
- d) Maximum Building Height - main building 10 metres
- e) Maximum Building Height - accessory building 5 metres
- f) Minimum Dwelling Unit Area 37.2 m²
- g) Minimum Landscaped Area 30%
- h) Minimum Driveway Setback 4.5 metres
- i) Parking Spaces 2 for each dwelling house

4.8.3 General Provisions

All provisions of Section 3, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within a Seasonal Residential (RS) Zone shall apply and be complied with.

4.9 COMMUNITY FACILITY (CF) ZONE

4.9.1 Permitted Uses

No person shall within a Community Facility (CF) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

a) Residential Uses

- i) Residential uses are prohibited except a detached single housekeeping dwelling house accessory to a place of worship or a dwelling unit as part of a permitted non-residential use.

b) Non-Residential Uses

- i) Assembly hall or auditorium;
- ii) Cemetery;
- iii) Community centre;
- iv) Convent or retreat centre;
- v) Ferry dock
- vi) Fire hall;
- vii) Municipal administration office;
- viii) Municipal maintenance garage and yard;
- ix) Place of worship;
- x) Public library;
- xi) Public park;
- xii) Public service or utility in accordance with the provisions of Section 3.17 of this By-law.
- xiii) School.

c) Accessory Uses

Uses, buildings or structures accessory to any of the foregoing permitted uses specified under Subsection (a) and (b) hereof and in accordance with the provisions of Section 3.1 of this By-law.

4.9.2 Regulations for Residential Uses

a) Minimum Yard Requirements

- | | | |
|------|--------------------|-----------|
| i) | Front Yard | 15 metres |
| ii) | Exterior Side Yard | 15 metres |
| iii) | Interior Side Yard | 6 metres |

- iv) Rear Yard 15 metres
- b) Minimum Number of Dwelling Unit Area Requirement
 - i) Single housekeeping dwelling house or a dwelling unit as part of a permitted non-residential use. 85 square metres
- c) Maximum Number of Dwelling Units per Lot one
- d) Setback Requirements

In accordance with the yard and setback provisions for the permitted non-residential use.
- e) Maximum Height of Buildings 10 metres
- f) Spacial Separation Requirements

Between single housekeeping detached dwelling and Community Facility use. 15 metres

4.9.3 Regulations for Non-Residential Uses

- a) Minimum Lot Area Requirement 4,050 square metres
- b) Minimum Lot Frontage 45 metres
- c) Minimum Yard Dimensions
 - i) Front Yard 15 metres
 - ii) Exterior Side Yard 15 metres
 - iii) Interior Side Yard 10 metres
 - iv) Rear Yard 15 metres
- d) Maximum Lot Coverage
 - all buildings and structures 30 percent
- e) Minimum Setback from Street Centerline
 - i) County Roads 30 metres
 - ii) Township Roads 25 metres
- f) Minimum Landscaped Open Space Requirements 30 percent

g) maximum Height of Buildings 14 metres

4.9.4 Planting Strip Requirements

Where the interior side or rear lot line abuts a Residential Zone, an area adjoining such abutting lot line or portion thereof shall be used for no other purpose than for a planting strip in accordance with the requirements of Section 3.16 of this By-law.

4.9.5 General Zone Provisions

All provisions of Section 3, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within a Community Facility (CF) Zone shall apply and be complied with.

4.10 COMMERCIAL (C) ZONE

4.10.1 Permitted Uses

No person shall within a Commercial (C1) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

- a) Residential Uses
 - i) Single housekeeping dwelling house or a dwelling unit in a portion of a non-residential building shall only be permitted where such dwelling is accessory and incidental to a permitted non-residential use and is occupied by the owner, caretaker, watchman or other similar persons, and his family, as are employed on the lot on which such dwelling unit is located; and

- b) Non Residential Uses
 - i) Antique sales establishment;
 - ii) Bed and breakfast establishment
 - iii) Business or professional office;
 - iv) Commercial greenhouse
 - v) Convenience store;
 - vi) Craft shop;
 - vii) Eating establishment;
 - viii) Marina;
 - ix) Marine sales and service establishment;
 - x) Bakery;
 - xi) Billiard or pool hall;
 - xii) bowling alley;
 - xiii) Car Wash
 - xiv) Clinic;
 - xv) Club;
 - xvi) Dry Cleaning or laundry outlet;
 - xvii) Financial Office;
 - xviii) Hotel;
 - xix) Personal Service Shop;
 - xx) Printing Shop;
 - xxi) Retail Store;
 - xxii) Secondhand Shop;
 - xxiii) Vehicle Agency;
 - xxiv) Motor vehicle gasoline bar, a motor vehicle repair garage, a motor vehicle service station in accordance with the provisions of Section 4.10.4 hereof;
 - xxv) Outside display and storage of goods and materials where such use is accessory and incidental to a permitted non-residential use specified hereunder;

- xxvi) Public service use or utility in accordance with the provisions of Section 3.17 of this By-law; and
- xxvii) Retail commercial establishment.

c) Accessory Uses

Uses, building or structures accessory to any of the foregoing permitted uses specified under Subsections (a) and (b) hereof and in accordance with the provisions of Section 3.1 of this By-law.

4.10.2 Regulations for Residential Uses

a) Single Housekeeping Dwelling House

i) Spatial Separation Requirements

Where a single housekeeping dwelling house is erected or any building or structure is altered or used for the purpose of a single housekeeping dwelling on a lot in a Commercial (C) Zone in conjunction with a permitted non-residential use, such single housekeeping dwelling shall not be erected, nor shall any building be altered or used for the purpose of a single housekeeping dwelling house, within 10 metres of the permitted non-residential use.

ii) Minimum Yard Requirements

- | | | |
|----|--------------------|-----------|
| 1. | Front Yard | 15 metres |
| 2. | Exterior Side Yard | 15 metres |
| 3. | Interior Side Yard | 6 metres |
| 4. | Rear Yard | |

iii) Minimum Setback from Street Centerline

- | | | |
|----|---------------|-----------|
| 1. | County Road | 30 metres |
| 2. | Township Road | 25 metres |

iv) Maximum Number of Dwelling Houses per lot

one

v) Maximum Height of Buildings

10 metres

b) Dwelling Unit in Portion of Non-Residential Building

- i) A maximum of one dwelling unit is permitted in a portion of a non-residential building permitted within the Commercial (C) Zone in accordance

with the requirements of the non-residential building or structure, except that, in no case shall a dwelling unit be permitted within a motor vehicle repair garage or a motor vehicle service station,

ii) Minimum Dwelling unit Area Per Dwelling Unit

1.	One Bedroom Dwelling Unit	56 square metres
2.	Two Bedroom Dwelling Unit	70 square metres
3.	Three Bedroom Dwelling Unit	84 square metres
4.	More that Three Bedroom Dwelling Unit	84 square metres plus 9 square metres for each bedroom in excess of three

4.10.3 Regulations for Non-Residential Uses Exclusive of Retail Gasoline Establishments

- | | | |
|----|--|--|
| a) | Minimum Lot Area Requirement | 4,050 square metres |
| b) | Minimum Lot Frontage Requirement | 45 metres |
| c) | Minimum Yard Requirements | |
| | i) Front Yard | 15 metres |
| | ii) Exterior Side Yard | 15 metres |
| | iii) Interior Side Yard | Minimum interior side yard requirement shall be 6 metres
Except where the interior side lot line abuts a Residential Zone, in which case the minimum interior side yard width shall be 12 metres, |
| | iv) Rear Yard | 12 metres |
| d) | Maximum Lot Coverage
- all buildings and structures | 50 percent |
| e) | Minimum Setback from Street Centerline | |
| | i) County Road | 30 metres |
| | ii) Township Road | 25 metres |
| f) | Minimum Landscaped Open Space Requirements | 10 percent |
| g) | Maximum Height of Buildings | 10 metres |

4.10.4 Regulations for Retail Gasoline Establishments

- | | | |
|----|------------------------------|---------------------|
| a) | Minimum Lot Area Requirement | 4,050 square metres |
|----|------------------------------|---------------------|

- b) Minimum Lot Frontage Requirements 45 metres
- c) Minimum Yard Requirements
 - i) Front Yard 15 metres
 - ii) Exterior Side Yard 15 metres
 - iii) Interior Side Yard
Minimum interior side yard requirement shall be 6 metres
Except where the interior side lot line abuts a Residential Zone, in which case
the minimum interior side yard width shall be 12 metres.
 - iv) Rear Yard 15 metres
- d) Minimum Lot Depth Requirement

Minimum lot depth requirement shall be 30 metres except where the lot is a corner
lot in which case the minimum lot depth requirement shall be 36 metres
- e) Maximum Lot Coverage 50 percent
- all building or structures
- f) Minimum Setback form Street Centerline
 - i) County Road 30 metres
 - ii) Township Road 25 metres
- g) Minimum Landscaped Open Space Requirements 10 percent
- h) Maximum Height of Buildings 10 metres
- i) Gasoline Pump Location

Notwithstanding any other provision of this By-law to the contrary, a gasoline pump island or gasoline pumps, as part of or as accessory to motor vehicle dealership, a motor vehicle gasoline bar, a motor vehicle repair garage, or motor vehicle service station, may be located within any yard provided:

- i) That the minimum distance between any portion of the pump island or gasoline pumps and any street line or any rear or interior side lot line is not less than 5 metres; and
- ii) That where a lot is a corner lot, no portion of any pump island or gasoline pumps shall be located closer that 3 metres to a straight line between a point in the front lot line and a point in the exterior side lot line, such points being distant 15 metres from the intersection of such lines.

j) Bulk Fuel and Propane Storage Tank Location

Bulk fuel and propane storage tank shall not be installed except in accordance with the provisions of the Provincial Gasoline Handling Act or the Ontario Propane Storage Handling and Utilization Code as may be applicable.

k) Entrance Regulations

Notwithstanding any other provision set fourth in the By-law to the contrary, ingress an egress driveways associated with a motor vehicle dealership, a motor vehicle gasoline bar, a motor vehicle repair garage or motor vehicle service station, where gasoline is offered or kept for sale at retail, shall be established in accordance with the provision of Section 3.14.3 of this By-law.

4.10.5 Regulations for Outside Display and Storage

No portion of any lands zoned within the Commercial (C) Zone shall be used for the outside display and sale of goods and materials except in accordance with the following provisions, namely:

- a) That such outside display and/or storage no be located closer than 10 metres to the front lot line;
- b) That such outside storage not be located closer than 2 metres to an interior side or rear lot line where the lot line abuts a lot zoned for commercial purposes or 6 metres of an interior side or rear lot line where the lot line abuts a lot zoned for other than commercial purposes;
- c) That such outside display and/or storage does not cover excess of 50 percent of the total lot area;

4.10.6 Planting Strip Requirements

Where the interior side or rear lot line of a lot within a Commercial (C) Zone abuts a Residential Zone or residential use, an area adjoining such abutting lot line or portion thereof shall be used for no other purpose than for a planting strip in accordance with the requirements of Section 3.16 of this By-law.

4.10.7 General Zone Provisions

All provisions of Section 3, General Zone Provision, of this By-law where applicable to the use of any land, building or structure permitted within the Commercial (C) Zone shall apply and be complied with.

4.10.8 Special Zone Category - Commercial (C) Zone

- a) Commercial Exception One (C-1) Zone
Part lot 6, North Range, Westerly 18 metres

Notwithstanding the Non-Residential provisions of the Commercial Zone, to the contrary, in the C-1 Zone a convenience store and snack bar only shall be permitted. All other provisions shall apply.

4.11 RURAL INDUSTRIAL (M1) ZONE

4.11.1 Permitted Uses

No person shall within a Rural Industrial (M1) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

a) Residential Uses

- i) Single housekeeping dwelling house provided such dwelling is accessory and incidental to a permitted non-residential use and occupied by the owner, caretaker, watchman, or other similar person, and family, as is employed on the lot on which such dwelling house is located;

b) Non-Residential Uses

- i) Agricultural produce warehouse;
- ii) Business or professional office provided such use is accessory and incidental to a permitted non-residential use otherwise specified herein;
- iii) Cartage or transport depot;
- iv) Contractor's yard;
- v) Farm implement and equipment sales and service establishment;
- vi) Machine or welding shop;
- vii) Motor vehicle body shop;
- viii) Motor vehicle repair garage;
- ix) Motor vehicle service station;
- x) Outside storage of goods and materials where such use is accessory and incidental to a permitted non-residential use otherwise specified hereunder;
- xi) Public service or utility in accordance with the provisions of Section 3.17 of this By-law;
- xii) Retail commercial establishment where such use is accessory and incidental to a permitted non-residential use otherwise specified hereunder and does not exceed 25 percent of the gross floor area of all buildings and structures;
- xiii) Truck repair and maintenance depot;
- xiv) Warehouse; and
- xv) Workshop

c) Accessory Uses

Uses, buildings or structures accessory to any of the foregoing permitted uses specified under Subsection (a) and (b) hereof and in accordance with the provisions of Section 3.1 of this By-law.

4.11.2 Regulations for Residential Uses

a) Spatial Separation Requirements

Where a single housekeeping dwelling house is erected or any building or structure is altered or used for the purpose of a single housekeeping dwelling on a lot in an Industrial (M1) Zone in conjunction with a permitted non-residential use, such single housekeeping dwelling shall not be erected, nor shall any building be altered or used for the purpose of a single housekeeping dwelling house, within 10 metres of the permitted non-residential use.

b) Minimum Yard Requirements

i)	Front Yard	15 metres
ii)	Exterior Side Yard	15 metres
iii)	Interior Side Yard	6 metres
iv)	Rear Yard	15 metres

c) Minimum Dwelling Unit Area Requirement 85 square metres

d) Minimum Setback from Street Centerline

i)	County Road	30 metres
ii)	Township Road	25 metres

e) Maximum Number of Dwelling houses per Lot one

f) Maximum Height of Buildings 10 metres

4.11.3 Regulations for Non-Residential Uses

a) Minimum Lot Area Requirement 4,050 square metres

b) Minimum Lot Frontage Requirement 45 metres

c) Minimum Yard Requirements

i)	Front Yard	20 metres
ii)	Exterior Side Yard	20 metres
iii)	Interior Side Yard	10 metres
iv)	Rear Yard	15 metres

d) Special Yard Provisions

Notwithstanding the yard requirements set forth under Section 4.11.3 hereof to the contrary, where the interior side lot line or rear lot line abuts a Residential Zone the minimum yard requirement shall be 20 metres.

e) Maximum Lot Coverage 40 percent
- all buildings or structures

f) Minimum Setback from Street Centerline

i) County Road 30 metres
ii) Township Road 30 metres

g) Minimum Landscaped Open Space Requirements 10 percent

h) Maximum Height of Buildings 12 metres

4.11.4 Regulations for Outside Display and Storage

Within the Rural Industrial (M1) Zone, no portion of any lot may be used for the outside display and/or storage of goods or material except in accordance with the following provisions:

- a) That such outside display and/or storage be restricted to the area to the rear of the front of the principal structure and comply with the required front and exterior side yard and setback requirements provided that such outside storage is not located closer than 5 metres to an interior side lot line where the lot line abuts a lot zoned within a Rural or Industrial Zone or 10 metres of a rear lot line or interior side lot line of a lot zoned other than Rural or Industrial;
- b) That such outside display and/or storage does not cover in excess of 50 percent of the total lot area;
- c) That any portion of a lot used for the outside display and/or storage of goods or materials is screened from abutting residential uses and Improved Public Street adjoining the lot by buildings, or, is enclosed by unpierced shrub planting 1.5 metres in height in conjunction with a planting strip as may be required under this By-law or is enclosed within a closed wooden, plastic and/or metal fence extending at least 1.8 metres in height from the finished grade.

4.11.5 Restrictions on use of Front and Exterior Side Yards

Required front and exterior side yards shall be open and unobstructed by any structure or

4.12 EXTRACTIVE INDUSTRIAL - PITS (M2) ZONE

4.12.1 Permitted Uses

No person shall within an Extractive industrial- Pits (M2) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

a) Residential Uses

Prohibited

b) Non-Residential Uses

- i) Agriculture;
- ii) Aggregate processing plant;
- iii) Aggregate stockpiling
- iv) Conservation, forestry and reforestation;
- v) Outside storage;
- vi) Sand and gravel pit;
- vii) Public service or utility in accordance with provisions of Section 3.17 of this By-law;
- viii) Processing plant for the crushing, screening and primary processing of aggregate material; and,
- ix) Wayside pit.

c) Accessory Uses

Uses, buildings or structures accessory to any of the foregoing permitted uses specified under Subsections (a) and (b) and in accordance with the provisions of Section 3.1 of this By-law.

4.12.2 Regulatory Provisions

a) Minimum Yard Requirements

- | | |
|-------------------------|-----------|
| i) Front Yard | 30 metres |
| ii) Exterior Side yard | 15 metres |
| iii) Interior Side yard | 15 metres |
| iv) Rear Yard | 15 metres |

b) Special Yard Provisions

Notwithstanding the minimum yard requirements set forth under Section 4.12.2 (a) hereof to the contrary, within the Extractive Industrial - Pits (M2) Zone, that part of the extractive

operation involving the removal of sand and gravel shall be prohibited, within 100 metres of any residence or property zoned within a Residential Zone.

c) Minimum Setback from Street Centerline

- | | | |
|-----|---------------|-----------|
| i) | County Road | 45 metres |
| ii) | Township Road | 40 metres |

4.12.3 Planting Strip and Landscaping Requirements

Planting strips and earthen berm shall be provide in all required yard. Tree planing shall consist of deciduous and coniferous trees, at least 1.2 metres in height and planted at a density not less than 250 trees per hectare. In addition an earthen berm, of not less that 3 metres in height shall be constructed in all front yard and exterior side yard and in all interior side and rear yards where they abut a Residential, Commercial and Community Facility Zone.

4.12.4 General Zone Provisions

All provisions of Section 3, General Zone Provision, of this By-law where applicable to the use of any land, building or structure permitted within the Extractive Industrial - Pits (M2) Zone shall apply and be complied with.

4.13 EXTRACTIVE INDUSTRIAL - QUARRIES (M3) ZONE

4.13.1 Permitted Uses

No person shall within an Extractive Industrial - Quarries (M3) Zone use any land or erect, alter or use building or structure except as specified hereunder:

a) Residential Uses

Prohibited.

b) Non-Residential Uses

- i) Agriculture;
- ii) Aggregate processing plant;
- iii) Aggregate stockpiling;
- iv) Conservation, forestry and reforestation;
- v) Outside storage;
- vi) Processing plant for crushing, screening and primary processing of aggregate materials;
- vii) Public service or utility in accordance with the provisions of Section 3.17 of this By-law;
- viii) Quarry; and
- ix) Wayside quarry

c) Accessory Use

Uses, buildings or structures accessory to any of the foregoing permitted uses specified under Subsections (a) and (b) and in accordance with the provisions of Section 3.1 of this By-law

4.13.2 Regulatory Provisions

a) Minimum yard Requirements

- | | |
|-------------------------|-----------|
| i) Front Yard | 30 metres |
| ii) Exterior Side Yard | 15 metres |
| iii) Interior Side Yard | 15 metres |
| iv) Rear Yard | 15 metres |

b) Special Yard Provisions

Notwithstanding the minimum yard requirements set fourth under Section 4.13.2 (a) hereof to the contrary, within the Extractive Industrial - Quarries (M3) Zone, that part

of the extractive operation involving the processing or crushing of aggregate materials shall be prohibited within 215 metres of any residence or property zoned within the Residential Zone.

c) Minimum Setback from Street Centerline

- | | | |
|-----|---------------|-----------|
| i) | County Road | 45 metres |
| ii) | Township Road | 40 metres |

4.13.3 Planting Strip and Landscaping Requirements, etc.

Planting strips and earthen berms shall be provided in all required yards. Trees planting shall consist of deciduous and coniferous trees, at least 1.2 metres in height and planted at a density not less than 250 trees per hectare. In addition an earthen berm, of not less than 3 metres in height shall be constructed in all front yards and exterior side yards, and in all interior side and rear yards where exterior side yards, and in all interior side and rear yards where they abut a Residential, Commercial and Community Facility Zone.

4.13.4 General Zone Provisions

All provisions of Section 3, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Extractive Industrial - Quarries (M3) Zone shall apply and be complied with.

4.14 VILLAGE RESIDENTIAL (RV) ZONE

4.14.1 Permitted Uses

No person shall within a Village Residential (RV) Zone use any land or erect, alter or use building or structure except as specified hereunder:

- a) Residential Uses
 - i) Duplex dwelling house;
 - ii) Semi-detached dwelling house; and
 - iii) Single detached dwelling house

- b) Non-Residential Uses
 - i) Home occupation;
 - ii) bed and breakfast establishment;
 - iii) Marine facility; and
 - iv) Public park

4.14.2 Regulations for Residential Uses

- a) Minimum Yard Requirements
 - i) Lot area - duplex or single detached dwelling house 4,000 m²
 - ii) Lot Area - single detached dwelling house 2,000 m²
 - iii) Lot Frontage - duplex or single detached dwelling house on corner lot 24 metres
 - iv) Lot Frontage - duplex or single detached dwelling house on interior or through lot 21 metres
 - v) Lot Frontage - semi detached dwelling house on corner lot 45 metres
 - vi) Lot Frontage - semi detached dwelling house on interior lot or through lot 42 metres
 - vii) Front Yard 6 metres
 - viii) Exterior Side Yard 6 metres
 - ix) Interior Side Yard 3 metres
 - x) Rear Yard - main building 7.5 metres
 - xi) Rear Yard - accessory building 1 metre
 - xii) Dwelling Houses Per Lot 1 maximum
 - xiii) Maximum Lot Coverage 30 %
 - xiv) Minimum Building Separation 1 metre
 - xv) Maximum Building Height 10 metres
 - xvi) Maximum Building Height - accessory building 5 metres

xvii)	Minimum Dwelling Unit Area	83.6 m ²
xviii)	Minimum Landscaped Area	30 %
xix)	Minimum Driveway Setbacks	
xx)	Lot line bisecting dual garage	Nil
xxi)	Other lot lines	0.6 metres
xxii)	Parking Spaces	
	1. Dwelling House	1 for each dwelling unit
	2. Home Occupation	1 for each home occupation
	3. No part of any parking space shall be located closer than 3 metres to any street	

4.14.3 Regulations for Non-Residential Uses

a)	Minimum Lot Requirements	
	i) Lot Area Other Uses	.4 ha
b)	Lot Frontage - lot with water access	6 metres
c)	Lot Frontage - other lots	45 metres
d)	Water Frontage - lot with water access	45 metres
e)	Water Frontage - other lots	Nil
f)	Front Yard	13.7 metres
g)	Exterior Side Yard	13.7 metres
h)	Rear Yard	7.5 metres
i)	Interior Side Yard	7.5 metres
j)	Maximum Lot Coverage	35%
k)	Building Separations - between tour establishment buildings	10 metres
l)	Building Separations - between other buildings	3 metres
m)	Building Height - main building	10 metres
n)	Building Height - accessory building	5 metres
o)	Minimum Landscaped Area	35 %
p)	Minimum Driveway Setback	3 metres
	provided that where a lot line abuts a Residential Zone or abuts a lot having Residential Use situated thereon, the minimum driveway setback from such Lot line shall be	4 metres
q)	Gasoline Pump Island Location	
	No part of any gasoline pump island shall be located closer than	
	i) 6 metres to any lot line; or	
	ii) 3 metres to any sight triangle	

4.14.4 Special Zone Category

- a) Non-Residential Uses, Village Residential Exception One (RV-1) Zone

Notwithstanding any provision of Section 4.14.1a) hereof to the contrary, the lands designated RV-1 on Schedule "A" hereto may be used for an existing Non-Residential Use.

b) RV-2 Zone, Part Lot 2, Old Survey, Marysville

Notwithstanding the minimum lot area and lot frontage requirements for a single family dwelling house in the Village Residential Zone (RV), within the Village Residential Exception No. Two Zone (RV-2), located in part of Lot 2, Old Survey, a maximum of two (2) lots only shall be permitted and such lot shall have a minimum lot area and a minimum lot frontage of 925 square metres and 22 metres respectively

4.15 TOURIST COMMERCIAL (CT) ZONE

4.15.1 Permitted Uses

No person shall within the Tourist Commercial (CT) Zone use any land or erect, alter or use any building or structure for any purpose except one or more of the following Tourist Commercial Uses.

- a) Residential Uses
 - i) Accessory Dwelling House
- b) Non-Residential Uses
 - i) Gasoline pump island accessory to a boatel or marina;
 - ii) Marina;
 - iii) Marine Facility;
 - iv) Open Storage Area accessory to a CT use;
 - v) Park;
 - vi) Public Use;
 - vii) Restaurant;
 - viii) Retail Establishment for boats, snowmobiles and related supplies
 - ix) Tourist camp
 - x) Tourist Establishment; and
 - xi) Tourist Store

4.15.2 Regulations for Permitted Uses

- a) Minimum Lot Requirements
 - i) Lot Area Tourist Establishment 2,800 m² plus additional 185m² for each guest room in excess of 4
 - ii) Lot Area Tourist Camp 1 ha
 - iii) Lot Area Other Uses .4 ha
- b) Lot Frontage - lot with water access 6 metres
- c) Lot Frontage - other lots 45 metres
- d) Water Frontage - lot with water access 45 metres
- e) Water Frontage - other lots Nil
- f) Front Yard 13.7 metres
- g) Exterior Side Yard 13.7 metres
- h) Rear Yard 7.5 metres

- | | | |
|----|--|----------------------|
| i) | Rear Yard - provided that where a rear lot line abuts a Residential Zone or abuts a lot having a Residential Uses situated thereon, the minimum rear building setback shall be | 10 metres |
| j) | Interior Side Yard | 7.5 metres |
| k) | Interior Side Yard - provided that where a side Lot line abuts a Residential Zone or abuts a lot having a Residential Use situate thereon, the minimum side building setback shall be | 10 metres |
| l) | Dwelling Units Per Lot | 1 only |
| m) | Maximum Lot Coverage | 35% |
| n) | Building Separations - between tour establishment buildings | 10 metres |
| o) | Building Separations - between other buildings | 3 metres |
| p) | Building Height - main building | 10 metres |
| q) | Building Height - accessory building | 5 metres |
| r) | Minimum Dwelling Unit Area | 83.6 metres |
| s) | Minimum Landscaped Area | 35 % |
| t) | Minimum Driveway Setback
provided that where a lot line abuts a Residential Zone or abuts a lot having Residential Use situated thereon, the minimum driveway setback from such Lot line shall be | 3 metres
4 metres |
| u) | Gasoline Pump Island Location
No part of any gasoline pump island shall be located closer than | |
| | i) 6 metres to any lot line; or | |
| | ii) 3 metres to any sight triangle | |

4.15.3 General Provisions

All provisions of Section 3, General Zone Provisions, of this By-law where applicable to the uses of any land, building or structure permitted with the Tourist Commercial (CT) Zone shall apply and be complied with.

4.16 DISPOSAL INDUSTRIAL (MD) ZONE

4.16.1 Permitted Uses

No person shall within any Disposal Industrial (MD) Zone use any land or erect, alter or use any building or structure for any purpose except one or more of the following Disposal Industrial Uses.

- a) Residential Uses
 - i) Prohibited
- b) Non-Residential Uses
 - i) Salvage Yard;
 - ii) Sanitary Landfill Site; and
 - iii) Sewage Treatment Facility

4.16.2 Regulations for Permitted Uses

- a) Minimum Yard Requirements
- b) Lot Area
 - Salvage Yard 2 hectares
 - Sanitary Landfill Site 4 hectares
 - Sewage Treatment Facility 1 hectare
- c) Frontage 15 metres
- d) Front Yard 20 metres
- e) Exterior Side Yard 20 metres
- f) Rear Yard 5 metres
 - Provided that where a rear lot line abuts a zone other than an MD, M1, M2, and M3 Zone the minimum rear building setback shall be 20 metres
- g) Minimum Building Setback 5 metres
 - Provided that where a side lot line abuts a zone other than an MD, M1, M2 and M3 Zone, the minimum side building setback shall be 20 metres
- h) Minimum Building Separation 3 metres

- | | | |
|----|--|-----------|
| i) | Maximum Building Separation | 12 metres |
| j) | Landscaping Area | 10 % |
| k) | Minimum Driveway Setback | 5 metres |
| | Provided that, where a lot line abuts a zone other than an MD, M1, M2 or M3 Zone, the minimum side building setback shall be | 20 metres |
| l) | Landfill Area Location | 8 metres |
| | No dumping or disposal of any was material on a sanitary Landfill site shall be permitted within: | |
| | i) 30 metres of any street line; or | |
| | ii) 75 metres of any lot line which abuts a zone other than an MD, M1, M2 or M3 Zone. | |
| m) | Salvage Storage Location | |
| | No land on any lot used as salvage yard shall be used for the outside storage of any salvage, scrap or similar goods or material within: | |
| | i) 30 metres of any street line; or | |
| | ii) 60 metres of any lot line which abuts a zone other than an MD, M1, M2 or M3 Zone. | |

4.16.3 General Provisions

All provisions of Section 3, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Disposal Industrial (MD) Zone shall apply and be complied with.

4.17 WETLANDS (WL) ZONE

4.17.1 Permitted Uses

No person shall within any Wetlands (WL) 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
- b) Only uses existing as of the date of passing of this By-law shall be permitted.
- c) Non-Residential Uses
 - i) A public use or utility in accordance with the General provision of this By-law;
 - ii) Hunting;
 - iii) Fishing;
 - iv) Wild rice and cranberry farming/harvesting;
 - v) Passive recreation uses (no structures)
 - vi) Duck blinds;
 - vii) Conservation Uses
 - viii) Uses, buildings or structures including agricultural activities existing as of the date of passing of this By-law.

4.17.2 General Zone Provisions

All the provisions of Section 3 general provision is they apply to the use of land, buildings or structures permitted in the Hazard Land (HL) Zone shall apply and be complied with.

4.18 RURAL (RU) ZONE

4.18.1 Permitted Uses

No person shall within an Rural (RU)Zone use any land or erect, alter or use any building or structure except as specified herein:

- a) Residential Uses
 - i) Single housekeeping dwelling house; and
- b) Non-Residential
 - i) Bed and breakfast establishment;
 - ii) Commercial greenhouse;
 - iii) Commercial kennel;
 - iv) Conservation project or other similar uses as provided for the preservation of the natural environment;
 - v) Farm, riding and boarding stable, nursery farm and greenhouses associated therewith;
 - vi) Farm produce outlet;
 - vii) Forestry project;
 - viii) home occupation
 - ix) Public service or utility in accordance with the provisions of Section 3.17 of this By-law;
 - x) Vacation farm property; and
 - xi) Wayside pit or wayside quarry in accordance with the provisions of Section 3 of this By-law.

- c) Accessory Uses

Uses, buildings or structures to any of the foregoing permitted use specified under Subsection (a) and (b) hereof and in accordance with the provisions of Section 3.1 of this By-law.

4.18.2 Regulations for Residential Uses

- a) Minimum Lot Area Requirement 0.4 hectares
- b) Minimum Lot Frontage 45 metres
- c) Minimum yard Requirements
 - i) Front Yard 10 metres

ii)	Exterior Side Yard	10 metres
iii)	Interior Side Yard	7 metres
iv)	Rear Yard	10 metres
d)	Minimum Dwelling Unit Area Requirement	85 square metres
e)	Maximum Lot Coverage - all buildings and structures	30 %
f)	Minimum Setback from Street Centreline	
i)	County Roads	30 metres
ii)	Township Roads	20 metres
g)	Maximum Number of Dwelling House Per Lot	one
h)	Maximum Height of Buildings	10 metres

4.18.3 Regulations for Non-Residential Uses

a)	Minimum Lot Area Requirement	10 hectares
b)	Minimum Lot Frontage Requirement	200 metres
c)	Minimum Yard Requirements	
i)	Front Yard	30 metres
ii)	Exterior Side Yard	30 metres
iii)	Interior Side Yard	30 metres
iv)	Rear Yard	30 metres
d)	Maximum Lot Coverage - all buildings and structures	10 %
e)	Minimum Setback from Street Centreline	
i)	County Roads	30 metres
ii)	Township Roads	20 metres
f)	Maximum Height of Buildings	12 metres

g) Separation Requirements - Farm Building, Structures and Uses

i) Non-Agricultural Uses

Notwithstanding any other yard or setback provisions of this By-law to the contrary, no residential, institutional, commercial, industrial or recreational use, located on a separate lot and permitted in the Rural, Agricultural or Rural Residential Zone, shall be erected or altered unless it complies with the Minimum Distance Separation Formula (MDS I) calculated using Schedule "D" to this By-law. The provision of this section shall not apply to lots existing as of the date of passing to this By-law which are less than 4 hectares in area.

ii) Livestock Facilities

Notwithstanding any other yard or setback provisions of this By-law to the contrary, where a farm building or structure, or use associated therewith, existed with the yard or setback requirements of Section 4.18.3 such farm building or structure, or use associated therewith, shall not be extended, enlarged, reconstructed or altered if the effect of such extension, enlargement, reconstruction or alteration thereof is to further reduce or encroach on the setback, yard or yards that is or are less than required.

h) Special Regulations - Commercial Kennels

Notwithstanding the yard or setback provisions contained in this By-law to the contrary, no commercial kennel shall be erected or established less than 60 metres from the lot line of adjacent lands which are held under distinct and separate ownership. Where a commercial kennel existed as of the date of passing of this By-law which does not comply with the foregoing setback or yard requirements, the use shall not be extended, enlarged, reconstructed or altered if the effect of such extension, enlargement, reconstruction or alteration thereof is to further reduce or encroach on the setback, yard or yards that is or less than required.

4.18.4 General Zone Provisions

All provisions of Section 3, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Agricultural (A) Zone shall apply and be complied with.

4.18.5 Special Rural Zones

a) Rural Exception No. 1 (RU-1)

Part Lot 9 Concession XVIII S.B.L. Wolfe Island Ward

Notwithstanding the minimum lot area requirement for this By-law within the Rural Exception No. 1 (RU-1) Zone to the minimum lot area shall be 25 hectares and the minimum elevation for all building openings shall be 76.0 metres G.S.C. In all other respects the provisions of this By-law shall apply.

- b) Rural exception No. 2 (RU-2)
Part Lot 6 Concession VIII, NBL Wolfe Island Ward

The provisions of this By-law shall apply to the lands shown on the zone map as RU-2 with the following exceptions:

- i) In addition to the uses permitted in the Rural (RU) Zone the following uses shall also be permitted:

1. A farm service facility;
2. A marina; and
3. A welding and service shop.

- ii) The following provision shall apply:

1. Building Setback

• Front (minimum)	13.7 metres
• Flank (minimum)	13.7 metres
• Rear (minimum)	7.5 metres
• Side (minimum)	7.5 metres

- iii) Building Height (maximum) 22.8 metres

- iv) Building Separation (minimum) 3.0 metres

- v) Parking Spaces (minimum) 20

- c) Rural Exception No. 3 (RU-3)
Walton Golf Course part Lot 14 and 15 O.S. Wolfe Island Ward

In addition to those uses in the Rural (RU) Zone, a golf course and a driving range shall be permitted use. A Golf Course shall include the active playing area plus such uses normally accessory and incidental to a Golf Course including a club house.

In addition to the provisions of the Rural Zone the following provisions shall apply:

- | | |
|---------------------------------------|------------------------|
| i) Minimum Lot Area | 40 ha (100 ac) |
| ii) Maximum Floor Area for Club House | 250 sq.m. (2691 sq.ft) |

- iii) Minimum Parking required
 - For the Golf Course 1 parking space per hole plus 2 spaces
 - For the Club House 1 parking space for each 20 sq.m. of floor area.

d) Rural Exception No. 4 (RU-4)

McCready Golf Course Part lot 7 Concession 9 and 10

In addition to the uses permitted in the Rural (RU) Zone on those lands identified as Rural Exception (RU-4) a public Golf Course together with accessory uses including a club house of up to 250 sq.m. shall be permitted. A minimum of 18 parking spaces for the golf course shall be provided. Parking requirements for the club house shall be in addition to this minimum.

e) Rural Exception No. 5 (RU-5)

Murray Boat House Part of Lot 27, South Range, Howe Island

Notwithstanding Section 4.18.2g) to the contrary, an accessory Dwelling Unit will be permitted above an existing or reconstructed boat house in the Rural Exception No. 5 (RU-5) Zone. All other zone provisions shall apply and be complied with.

4.19 LIMITED ROAD SERVICE (LRS) ZONE - OVERLAY

The Limited Road Service (LRS) Zone is an overlay zone that must be considered with the zoning of the lands as shown on Schedule "A". The lands to which the LRS zone applies are shown on Schedule "C" of this By-law.

- 4.19.1 In order to qualify for the exemption as set out in Section 3.8.2, roads in the LRS zone shall have frontage on either a Limited Service Street, or a private right-of-way registered against title to the lands that provides legal ingress and egress to either an improved Public Street or Limited Service Street.
- 4.19.2 Lands in the LRS zone shall be exempt from the frontage requirement in Section 3.8.1.
- 4.19.3 The Municipality will not maintain Limited Service Street except on a limited seasonal basis.
- 4.19.4 The Municipality will not assume or otherwise be responsible whatsoever for maintaining any private rights-of-way. Responsibility for maintaining a private right-of-way shall be the sole responsibility of the owner of the lands that rely on it for access.
- 4.19.5 Due to the nature of the maintenance on Limited Service streets and private rights-of-way, conditions may exist that prevent emergency vehicles from gaining access to the lands when needed.

SECTION 5 COMPLIANCE

5.1 Compliance

No land, building, structure, excavation, lot or premises shall be used or occupied and no building, structure or excavation shall be erected, altered or made, in whole or in part, for any purpose EXCEPT in conformity with the provisions of this By-law.

5.2 Requirements

The provisions of this By-law shall be held to be the minimum requirement EXCEPT where the word maximum is used, in which case the maximum requirement shall apply.

5.3 Change in Lot Size

No lot shall be reduced in area, depth or width, either by the conveyance of land or otherwise; so that the lot coverage exceeds the maximum permitted by this By-law; or, so that the existing or resulting lot area, lot width or yards will be less than the minimum permitted by the provisions of the By-law.

5.4 Change in Use

A use or occupation of land, building, structure, excavation, lot or premises, or any activity in connection therewith which, under the provisions of this By-law, is not permissible within the Zone in which such land, building, structure or excavation, lot or premises is located, shall not be changed except to a use or activity connected therewith which is permissible within such zone.

5.5 Public Acquisition

No person shall be deemed to have contravened any provision of this By-law by reason of the fact that any parts of any lot have been conveyed to or acquired by any Public Authority.

SECTION 6 ADMINISTRATION. ENFORCEMENT AND ENACTMENT

6.1 Administration

6.1.1 Administration

This By-law shall be administered and enforced by the By-law Enforcement Officer or such other person or persons as may be appointed for such purpose by the Council of the Corporation of the Township of Frontenac Islands from time to time.

6.1.2 Certificate of Occupancy

No change may be made in the type of use or activity of any lot covered by this By-law, or of any building, structure or excavation on any such lot to any part of such lot, building, structure or excavation until a Certificate of Occupancy has been issued by the By-law Enforcement Officer to the effect that the proposed use of activity complies with this By-law.

6.1.3 Occupancy of Uncompleted Dwelling Houses

No dwelling house shall be used for human habitation until The Building Code Act, R.S.O., 1990, as amended, and the Regulations passed thereunder have been complied with and, in any event, not before the main side walls and roof have been erected; the external siding and roofing completed; and kitchen, heating and sanitary conveniences have been installed and rendered usable, safe and fit for human habitation, and until such time as a certificate of occupancy has been obtained.

6.1.4 Buildings or Structures to be Moved

In all Zones, no building or structure, residential or otherwise, normally requiring a building permit for construction shall be moved within the area affected by this By-law without a permit from the By-law Enforcement Officer.

6.2 Enforcement

6.2.1 Violation and Penalties

- a) Every person who contravenes this By-law is guilty of an offence, and on conviction is liable,
 - i) On a first conviction, to a fine of not more than \$20,000.00; and
 - ii) On a subsequent conviction, to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which he was first convicted.
- b) Where a corporation is convicted under Subsection (a), the maximum penalty that may be imposed is,
 - i) On a first conviction, a fine of not more than \$50,000.00; and
 - ii) On a subsequent conviction, a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted, and not as provided in Subsection (a).
- c) Where a conviction is entered under Subsection (a), in addition to any other remedy or any penalty provided by law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make order prohibiting the continuation or repetition of the offence by the person convicted.
- d) Every fine imposed under the provisions of this Section is recoverable under the Provincial Offences Act.

6.2.2 Remedies

In the case where any building or structure is to be erected, altered, reconstructed, extended, or part thereof is to be used, or any lot is to be used, in contravention of any requirement of this By-law such contravention may be restrained by action at the instance of any ratepayer or of the Corporation, pursuant to the provisions of The Municipal Act, R.S.O., 1980, c. 302, as amended.

6.2.3 Validity

If any section, clause or provision of this By-law, including anything contained of Schedule "A" or Schedule "B" is for any reason declared by a court of competent jurisdiction to

invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the section, clause or provisions including anything contained on Schedule "A" or Schedule "B" so declared to be invalid. It is hereby declared to be the intention that all the remaining section, clauses or provisions, including anything contained on Schedule "A" or Schedule "B" of this By-law, shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

6.3 Zone Schedules

The provisions of this By-law shall apply to all lands within the limits of the Corporation of the Township of Frontenac Islands. For the purposes of this By-law such lands are divided into various Zones which are delineated on Schedule "A" the Zone Map, attached hereto and forming part of this By-law.

6.4 Enactment

Subject to notice of the passing of this By-law in accordance with the provisions of Section 34 (17) of the Planning Act, this By-law shall come into force on the date of passing by the Council of the Corporation of the Township of Frontenac Islands where no notice of appeal or objection is received pursuant to the provisions of Section 34 (19) of the Planning Act, c. 1, R.S.O., 1990. Where notice of an appeal or objections is received as a result of the circulation of the notice of passing of the By-law, this By-law does not come into force until all such appeals have been disposed of whereupon the By-law shall be deemed to have into force on the day it was passed pursuant to Section 34 (31) of the Planning Act, c. R.S.O., 1990, as amended, except for such parts thereof as are repealed or amended in accordance with the direction of the Municipal Board or as are repealed or amended by the Municipal Board or by the Lieutenant Governor in Council pursuant to Sections 34 (27) and 34 (30) of the Planning Act.

READ FIRST TIME ON THE ____ DAY OF _____, 200__

READ A SECOND TIME ON THE ____ DAY OF _____, 200__

____ READ A THIRD TIME AND FINALLY PASSED ON THE ____ DAY OF _____
200__

Mayor

636/Z.B. Appeal\636Revised Z.B.

Clerk

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