Municipality of Hastings Highlands

Bylaw 2004-035 Comprehensive Zoning Bylaw

(Consolidation)

Office Consolidation: November 2026
(contains amendments up to the end of October 2026)

Note: This document is an Office Consolidation and is not a legal document.
In the event of a discrepancy, reference shall be made to the original, approved amending By-law. The Municipality of Hastings Highlands does not warrant the accuracy of consolidated versions.

This consolidation cannot be distributed or used for commercial purposes. Any other distribution must repeat this disclaimer.

How to Read this Consolidated Document:
Amendments to Bylaw 2004-035 Comprehensive Zoning Bylaw will be ***bold and italicized*** with "*" at both the end and beginning of the amended wording and will include the Bylaw No. that amended that wording.

Official versions of all By-laws can be obtained from the Clerk's Office by calling 613-338-2811.

Skip to Page 1 of Zoning Bylaw

Zoning Bylaw Amendments to Bylaw 2004-035 Comprehensive Zoning Bylaw

(as of December 2023)

Bylaw No.	Date	Description
2004-040	September 8, 2004	Rezoning Part of Lot 1, Concession East Hastings Road, Parts 1 to 4, Reference Plan 21R2946, Wicklow from Rural (RU) to Rural Commercial (RC).
~~2004-041~~	~~September 8, 2004~~	~~Rezoning Part of Lot 16, Concession 4, Herschel from Rural (RU) to Rural Residential Special (RRS-3).~~ ***repealed and replaced by Bylaw 2018-034.**
2004-044	October 13, 2004	Rezoning Part of Lot 11, Concession 10, Herschel from Marginal Agriculture (MA) to Rural Residential (RR).
2004-061	December 8, 2004	Rezoning Part of Lots 75 and 76, Concession West Hastings Road, Herschel from Marginal Agriculture (MA) to Urban Commercial (UC).
2004-062	December 8, 2004	Administrative amendment to correct omissions from the Bylaw and amend zone categories omitted in the final draft of Bylaw 2004-035.
2005-009	March 9, 2005	Rezoning Part of Lots 11 and 12, Concession 3, Herschel from Rural Residential (RR) to Waterfront Residential (WR).
2005-014	May 11, 2005	Rezoning Lot 11 and Part of Lot 10, Concession 4, Herschel from Marginal Agriculture (MA) to Waterfront Residential (WR).
2005-029	June 8, 2005	Rezoning Part of Lot 5, Concession 12, Part 2 on Reference Plan 21R5932, McClure from Recreational Resort Commercial (RRC) to Waterfront Residential (WR).
2005-037	July 13, 2005	Rezoning Part of Lot 45, Concession East Hastings Road, Monteagle from Rural Residential (RR) to Rural Commercial (RC).
2005-038	July 13, 2005	Rezoning Part of Lot 14, Concession 3, Herschel from Marginal Agriculture (MA) to Rural Residential (RR).

Bylaw No.	Date	Description
2005-046	August 10, 2005	Rezoning Part of Lot 15, Concessions 3 and 4, Bangor from Marginal Agriculture (MA) to Rural Residential (RR).
2005-053	September 7, 2005	Rezoning Part of Lot 17, Concession 2, Herschel from Marginal Agriculture (MA) to Rural Residential (RR).
2005-054	September 7, 2005	Rezoning Part of Lot 26, Concession 2 and 3, and Part of Road Allowance between Concession 2 and 3 closed by Bylaw 4-93, Monteagle from Marginal Agriculture (MA) to Rural Residential (RR).
2005-060	October 12, 2005	Rezoning Part of Lot 29, Concession 5, Herschel from Marginal Agriculture (MA) to Special Waterfront Residential (WR-1).
2005-061	October 12, 2005	Rezoning Part of Lot 21, Concession 3, Herschel from Special Waterfront Residential (WR-1) to Recreational/Resort Commercial (RRC).
2005-062	October 12, 2005	Rezoning Part of Lots 7 and 8, Concession West Hastings Road, Herschel from Rural Commercial (RC) to Marginal Agriculture (MA).
2005-063	October 12, 2005	Rezoning Part of Lot 34, Concession 6, Herschel from Special Recreational/Resort Commercial (RRC-5) to Marginal Agriculture (MA).
2005-064	October 12, 2005	Rezoning Part of Lot 19, Concession 4, Herschel from Recreational/Resort Commercial (RRC) to Waterfront Residential (WR).
2005-065	October 12, 2005	Rezoning Part of Lots 21 and 22, Concession 8, being Parts 3, 4 and 5 on Plan 21R6356, Monteagle from Environmental Protection (EP) and Marginal Agriculture (MA) to Environmental Protection (EP) and Recreational/Resort Commercial (RRC).
2005-066	October 12, 2005	Rezoning Part Lots 9 and 10, Concession 10 being Part Lot 1 on Plan 2216, Parts 1 and 2 on Plan 21R1580, McClure from Marginal Agriculture (MA) to Recreational/Resort Commercial (RRC).

Bylaw No.	Date	Description
2005-070	November 9, 2005	Rezoning Part of Lot 17, Concession East Hastings Road, Monteagle from Residential Second Density (R2) to Urban Commercial (UC).
2005-073	December 7, 2005	Rezoning Part of Lot 20, Concession 1, Herschel from Marginal Agriculture (MA) to Rural Residential (RR).
~~2005-074~~	~~December 7, 2005~~	~~Rezoning Part of Lot 21, Concession 3, Herschel from Waterfront Residential (WR) to Recreational/Resort Commercial (RRC).~~ ***Repealed and replaced by Bylaw 2006-026.**
2006-001	January 11, 2006	Rezoning Part of Lots 11 and 12, Concession 3, Herschel from Marginal Agriculture (MA) to Limited Services Residential (LSR).
2006-010	March 8, 2006	Rezoning Part of Lot 20, Concession 5, Herschel from Recreational/Resort Commercial (RRC) to Limited Services Residential (LSR).
2006-011	March 8, 2006	Rezoning Lots 47, 48 and Part of Lots 43, 44, 45, 46 and Gore being Plan 21R4539 Parts 1, 2 and 3, Concession East Hastings Road, Monteagle from Marginal Agriculture (MA) to Mineral Extractive (MX).
2006-026	May 15, 2006	Ontario Municipal Board decision to amend Bylaw 2005-074 resulting in rezoning Lot 21, Concession 3, Herschel from Waterfront Residential (WR) to Special Recreational/Resort Commercial (RRC-7).
2006-027	May 10, 2006	Rezoning Part of Lots 24 and 25, Concession 16, Monteagle from Rural Commercial (RC) to Special Rural Industrial (RI-13).
2006-028	May 10, 2006	Rezoning Part of Lots 26 and 27, Concession 7, Bangor from Waterfront Residential (WR) to Rural Residential (RR).
2006-040	July 12, 2006	Rezoning Part of Lot 32, Concession 12, Part 1 on HSR 325, Bangor from Marginal Agriculture (MA) to Limited Services Residential (LSR).

Bylaw No.	Date	Description
2006-051	August 9, 2006	Rezoning Part of Lots 41 and 42, Concession West Hastings Road, Herschel from Marginal Agriculture (MA) to Rural Residential (RR).
2006-052	August 9, 2006	Rezoning Part of Lot 8, Concession 11, Parts 11 to 19, Plan 731, McClure from Residential Second Density (R2) to Waterfront Residential (WR).
2006-057	September 6, 2006	Rezoning Part of Lot 19, Concession 2, Monteagle from Marginal Agriculture (MA) to Rural Residential (RR).
2006-064	October 11, 2006	Rezoning Part of Lot 14, Concession 8, Herschel from Environmental Protection (EP) to Waterfront Residential (WR) and Environmental Protection (EP)
2007-007	February 12, 2007	Rezoning Part of Lot 13, Concession 3, Part 3 on Plan 21R-11201, Herschel from Marginal Agriculture (MA) to Rural Residential (RR).
2007-015	April 3, 2007	Rezoning Part of Lot 15, Concession 6, Herschel from Rural Commercial (RC) to Limited Services Residential (LSR) and Recreational/Resort Commercial (RRC).
2007-024	June 5, 2007	Rezoning Part of Lots 8 and 9, Concession 10, McClure from Waterfront Residential (WR) to Limited Services Residential (LSR).
2007-034	July 3, 2007	Rezoning Part of Lot 11, Concession 4, Herschel from Marginal Agriculture (MA) to Limited Services Residential (LSR).
2007-041	August 7, 2007	Rezoning Part of Lot 8, Concession 13, Monteagle from Marginal Agriculture (MA) to Rural Residential (RR).
2007-050	December 4, 2007	Administrative Amendment – Wind Turbines.
2007-059	November 6, 2007	Rezoning Part of Lot 21, Concession 9, being Part of 21R22391, Bangor from Marginal Agriculture (MA) to Rural Residential (RR).

Bylaw No.	Date	Description
2007-065	December 4, 2007	Rezoning Concession West Hastings Road of Lots 12 and 13, Herschel from Marginal Agriculture (MA) to Rural Industrial (RI).
2008-002	February 6, 2008	Rezoning Part of Lot 16 and 17, Concession 3, Monteagle from Marginal Agriculture (MA) to Residential Second Density (R2), the cemetery to Community Facility (CF) and the retained land excluding the cemetery and Environmental Protection (EP) Zone only at the northern portion of the property, to Marginal Agriculture - Holding (MA-H).
2008-003	February 20, 2008	Rezoning Lot 10, Concession 10, McClure from Marginal Agriculture (MA) to Limited Service Residential (LSR), that a 30 metre buffer, from the lake, where no development or vegetative disturbance be allowed.
2008-016	April 2, 2008	Rezoning Part of Lot 17, Concession 4, Herschel from Marginal Agriculture (MA) to Limited Service Residential (LSR).
2008-018	April 16, 2008	Rezoning Part of Lot 2, Concession 3, Herschel from Marginal Agriculture (MA) to Residential Second Density (R2).
2008-024	April 2, 2008	Rezoning Part of Lot 19, Concession 2, Monteagle from Marginal Agriculture (MA) to Rural Residential (RR) and Environmental Protection (EP) Zone remain.
2008-028	May 7, 2008	Rezoning Part of Lot 11, Concession 10, Herschel from Marginal Agriculture (MA) to Rural Residential (RR).
2008-030	June 4, 2008	Rezoning Part of Lot 19, Concession 8, 589 Centreview Road, Bangor from Marginal Agriculture (MA) to Rural Residential (RR).
2008-037	June 18, 2008	Rezoning Part of Lot 6 and 7, Concession 10, Monteagle from Waterfront Residential (WR) to Limited Service Residential (LSR).

Bylaw No.	Date	Description
2008-039	July 2, 2008	Rezoning Part of Lot 15, Concession 12, Bangor from Marginal Agriculture (MA) to Rural Residential (RR).
2008-042	July 16, 2008	Rezoning Part of Lot 19 and 20, Concession 8, Monteagle from Marginal Agriculture (MA) to Rural Residential (RR).
2008-050	August 6, 2008	Rezoning Part of Lot 27 and 28, Concession 13, Monteagle from Marginal Agriculture (MA) to Rural Residential (RR).
2008-055	October 1, 2008	Rezoning Part Lot 19, Concession 2, Monteagle from Marginal Agriculture (MA), Mineral Extractive (MX), and Environmental Protection (EP) to Marginal Agriculture (MA) and Environmental Protection (EP) and acknowledging th proximity of adjacent Mineral Extractive (MX) Zones.
2008-062	October 29, 2008	Rezoning Concession 2, Part Lot 1, Concession West Hastings Road, Part Lots 5 to 7 Reference Plan 21R4657 Part 1, 29670 Highway 62, Herschel from Marginal Agriculture (MA) to Urban Commercial (UC).
2008-067	December 3, 2008	Rezoning PCL D-1 SEC M53; BLK D Pl M53, BLK A PL M 53 as in LT23866, Part of Lot 18, Concession 6, Bangor from Rural Commercial (RC) to Rural Residential (RR).
2009-002	January 12, 2009	Rezoning Part of Lot 1 and 2, Concession 2, 29601 Highway 62, Herschel from Residential Second Density (R2) to Urban Commercial (UC).
2009-003	January 28, 2009	Rezoning Part of Lots 7 and 8, Concession 10, 56 South Road, McClure from Marginal Agriculture (MA) to Limited Service Residential (LSR).
2009-007	February 18, 2009	Rezoning Part of Lots 20, Concession 1, 384 Mountney Road, Monteagle from Marginal Agriculture (MA) to Rural Residential (RR).

Bylaw No.	Date	Description
2009-013	April 15, 2009	Rezoning Part of Lots 30 and 31, Concession 8, Forestview Road, Herschel from Recreational/Resort Commercial (RRC) to Waterfront Residential (WR) and Environmental Protection (EP).
2009-018	April 15, 2009	Rezoning Part of Lots 14, Concession 3, 115 Brethour Road, Herschel from Marginal Agriculture (MA) and Environmental Protection (EP) to Waterfront Residential (WR) and Environmental Protection (EP).
2009-021	April 15, 2009	Rezoning Part of Lots 11 S and E Plan 21R22679 Part 1, Concession 10, McGarry Road, Herschel from Marginal Agriculture (MA) to Rural Residential (RR).
2009-029	May 20, 2009	Rezoning Part of Lot 14, Concession 10, 465 Mooney Road, Monteagle from Marginal Agriculture (MA) to Limited Service Residential (LSR).
2009-033	May 6, 2009	Rezoning Part of Lot 2, Concession 3, McClure from Environmental Protection (EP) to Marginal Agriculture (MA) to reflect more accurate Environmental Protection boundaries.
2009-054	July 15, 2009	Rezoning Part of Lot 31, Concession 5, 233 West Bay Lane, Herschel from Marginal Agriculture (MA) to Special Limited Service Residential (LSR-2).
2009-058	August 5, 2009	Rezoning Part of Lot 15, Concession 3, 199 Brethour Road, Herschel from Marginal Agriculture (MA) to Special Rural Residential (RR*) and retained to be rezoned Marginal Agriculture (MA), Environmental Protection (EP) and Mineral Extractive (MX) to recognize an existing pit and licensed area.
2009-075	October 28, 2009	Rezoning Part of Lots 14, Concession 3, 115 Brethour Road, Herschel to Special Marginal Agriculture and Environmental Protection (MA&EP*) and Special Waterfront Residential and Environmental Protection (WR&EP*).

Bylaw No.	Date	Description
2010-010	March 24, 2010	Rezoning Part of Lots 32, Concession 5 and 6, 187 Storey Road, Herschel from Marginal Agriculture (MA) and Urban Commercial (UC) to Special Recreational/Resort Commercial (RRC-60).
2010-012	March 24, 2010	Administrative Amendments – accessory buildings, sleeping/bunkie cabin, boathouse; Housekeeping Bylaw.
2010-016	March 24, 2010	Rezoning Part of Lots 5, Concession 3, Part 2 on 21R-2700, High Falls Trail, Herschel from Marginal Agriculture (MA) to Rural Residential (RR).
2010-020	April 14, 2010	Rezoning Part of Lots 27, Concession 5, 150 Shady Maple Lane, Monteagle from Marginal Agriculture (MA) and Environmental Protection (EP) to Marginal Agriculture (MA), Environmental Protection (EP) and the Mineral Extractive (MX) being limited to the retained lands occupied by the existing pit.
~~2010-050~~	~~August 11, 2010~~	~~Rezoning the severed portion of Part of Lot 9, Concession 10, McClure from Waterfront Residential (WR) to Special Recreational Resort Commercial (RRC-62).~~ ***cancelled by owners request.**
2011-001	January 12, 2011	Rezoning Part of Lot 3, Concession 1, being Parts 1 and 2 on Reference Plan 21R-3030, Herschel from Residential Second Density (R2) to Urban Industrial (UI).
2011-016	September 21, 2011	Rezoning that portion of Part of Lots 16 and 17, Concession 3, Monteagle, designated as Part 1 on Plan 21R-21181 save and except for a 15 metre buffer zone surrounding Part 2 on Plan 21R-21181 from Marginal Agriculture (MA – Holding) to Marginal Agriculture (MA). The Environmental Protection (EP) within Part 1 on Plan 21R-21181 shall remain. That a 15 metre buffer zone surrounding Part 2 on Plan 21R-21181 shall remain as Marginal Agriculture Holding (MAH).

Bylaw No.	Date	Description
2011-031	May 25, 2011	Administrative Amendment – Trailer prohibition; definitions of camper trailer, motorized mobile home/recreational vehicle, travel trailer, and truck camper.
2011-054	September 21, 2011	Rezoning Part of Lot 8, Concession 2, designated as Part 3 on Reference Plan 21R-23546, Herschel from Marginal Agriculture (MA) and Environmental Protection (EP) to Rural Residential (RR) and Special Environmental Protection (EP-Special).
2011-063	October 19, 2011	Rezoning Part of Lot 26, Concession 6, Herschel from Limited Services Residential (LSR) to Special Limited Services Residential (LSR-65).
2011-066	January 18, 2012	Rezoning Part of Lots 7 and 8, Concession West Hastings Road, being 29681 Highway 62, Herschel to Special Urban Commercial (UC-67).
2011-068	November 2, 2011	Rezoning 2346 Papineau Lake Road, being Summer Resort Lots 4 and 4A, Plan 1284 and Part 3, Plan 21R-13241, Wicklow from Waterfront Residential (WR) to Special Waterfront Residential (WR-66).
2011-072	November 23, 2011	Rezoning Part of Lot 15, Concession 4, Bangor from Marginal Agriculture (MA) to Rural Residential (RR).
2012-043	May 16, 2012	Rezoning Part of Lot 7, Concession 3, Wicklow from Community Facility (CF) and Environmental Protection (EP) to Marginal Agriculture (MA) and Environmental Protection (EP).
2012-045	May 16, 2012	Administrative Amendment – automobile, building, structure, parking, docks.
2012-047	July 18, 2012	Rezoning Part of Lot 1, Concession East Hastings Road, Wicklow, and shown as Part 1 on Plan 21R-23763 from Marginal Agriculture (MA) to Residential Second Density (R2).

Bylaw No.	Date	Description
2012-048	June 20, 2012	Rezoning Part of Lots 9 and 10, Concession 4, Monteagle from Marginal Agriculture (MA) and Environmental Protection (EP) to Environmental Protection (EP), Special Marginal Agriculture (MA-68), and Rural Residential (RR).
2012-049	June 20, 2012	Rezoning Part of Lot 11, Concession 1, Wicklow, being Part 1 on 21R-23769, from Urban Commercial (UC) to Residential Second Density (R2).
2012-050	July 18, 2012	Rezoning Lot 29, Plan 2216, McClure, 38 Boulter Lake Road, from Marginal Agriculture (MA) and Environmental Protection (EP) to Recreational/Resort Commercial (RRC) and Environmental Protection (EP) .
2012-053	July 18, 2012	Rezoning Part of Lots 8 and 9, Concession 9, and Part of Lots 6, 7 and 8, Concession 10, McClure, from Marginal Agriculture (MA) to Special Marginal Agriculture (MA-69).
2012-058	July 18, 2012	Rezoning Part of Lots 24 and 25, Concession 5, and Part of Lot 26, Concession 6, Shady Maple Lane, Monteagle, from Limited Services Residential (LSR) to Rural Residential (RR).
2012-066	September 19, 2012	Administrative Amendment – Marine/snowmobile dealer.
2012-069	September 19, 2012	Rezoning Part of Lot 26, Concession 13, being Parts 1, 5 and 8, Plan 21R-10307, Monteagle, from Environmental Protection (EP) to Waterfront Residential (WR).
2013-068	November 20, 2013	Amending Special Rural Industrial (RI-35) for Lot 25, Concession 16, Monteagle by adding or amending the permitted uses and zone provisions for RI-35.
2014-002	January 22, 2014	Rezoning Lot 11 and Part of Lot 12, Plan 2272 and Part 1, Plan 21R-23504, Herschel, being 252 Ponacka Road, from Limited Services Residential (LSR) to Special Limited Service Residential (LSR-71) as shown as Parts 3 and 4 on the Preliminary Reference Plan.

Bylaw No.	Date	Description
2014-003	January 22, 2014	Rezoning Part of Lot 12, Plan 2272 and Part 1, Plan 21R-1598 and Part 7, Plan 21R-18527, Herschel, being Ponacka Road, from Limited Service Residential (LSR) to Special Limited Service Residential (LSR-72) shown as Part 2 on the Preliminary Reference Plan.
2014-012	February 19, 2014	Rezoning Part of Lot 32, Concession 1, Bangor, being Part 3 on Plan 21R-24124 from Marginal Agricultural (MA) to Special Rural Residential (RR-74).
2014-013	February 19, 2014	Rezoning Part of Lot 32, Concession 1, Bangor, save and except Parts 1, 2, 3 and 4, Plan 21R-24124 from Marginal Agriculture (MA) to Special Marginal Agriculture (MA-73).
2014-026	March 19, 2014	Rezoning Part of Lot 1, Concession 3, Herschel, being Parts 3 and 6 on Plan 21R-24165 from Marginal Agriculture (MA) to Residential Second Density (R2).
2014-027	March 19, 2014	Rezoning Part of Lot 1, Concession 3, Herschel, being Parts 2 and 5 on Plan 21R-24165, from Marginal Agriculture (MA) to Residential Second Density (R2).
2014-028	March 19, 2014	Rezoning Part of Lot 1, Concession 3, Herschel, being Parts 1 and 4 on Plan 21R-24165, from Marginal Agriculture (MA) to Rural Residential (RR).
2014-029	March 19, 2014	Rezoning Part of Lot 1, Concession 3, Herschel, being 43 Bird Lake Road, from Marginal Agriculture (MA) to Special Marginal Agriculture (MA-75). The Environmental Protection (EP) shall remain as Environmental Protection (EP).
2014-043	June 18, 2014	Rezoning Part of Lot 12, Concession 11, McClure, Elgin Road, from Waterfront Residential (WR) to Special Waterfront Residential (WR-75).
2014-062	July 16, 2014	Rezoning Part of Lot 24, Concession 11, Monteagle, from Marginal Agriculture (MA) to Special Limited Service Residential (LSR-58).

Bylaw No.	Date	Description
2014-067	August 13, 2014	Rezoning Part 2 on Preliminary Reference Plan, Part of Lot 14, Concession 9, Monteagle from Marginal Agriculture (MA) to Limited Service Residential (LSR).
2014-068	August 13, 2014	Rezoning Part Lot 25, Concession 7 and Part Lot 25, Concession 8, Wicklow from Marginal Agriculture (MA) to Special Recreational/Resort Commercial - Holding (RRC-76-H). ***Holding provision removed by Bylaw 2014-081.**
2014-078	November 19, 2014	Rezoning Part of Lot 12, Concession 3, Herschel, from Marginal Agriculture (MA) to Limited Service Residential (LSR).
2014-081	October 15, 2014	Removal of Holding provision of Special Recreational/Resort Commercial (RRC-76) for Part Lot 25, Concession 7 and Part Lot 25, Concession 8, Wicklow, as per Bylaw 2014-068.
2014-083	November 19, 2014	Administrative Amendment – add definitions for brewey and meducal marihuana production facility.
2015-015	April 1, 2015	Rezoning Part Lot 8, Concession 2, being Part 2 on Plan 21R-23546, Herschel, being 669 South Baptiste Lake Road, to Special Recreational/Resort Commercial (RRC-77).
2015-039	June 24, 2015	Rezoning Part of Lot 26, Concession 12, designated as Part 1, Plan 21R-20319 and Part 4, Plan 21R-24386, Monteagle, save and except Part 3 on Plan 21R-24386, from Limited Services Residential (LSR) to Rural Residential (RR). The Environmental Protection (EP) shall remain as is.
2015-065	October 7, 2015	Rezoning Part of Lot 7, Concession 2, Herschel, from Residential Second Density (R2) to Special Rural Commercial (RC-80).
~~2015-071~~	~~September 9, 2015~~	~~Rezoning Part of Lots 3 and 4, Concession 2, Herschel, from Open Space (OS) to Special Rural Industrial (RI-79).~~ ***replaced and repealed by Bylaw 2016-006.**

Bylaw No.	Date	Description
2015-075	October 21, 2015	Rezoning Part Lot 14, Concession 9, Monteagle to Special Limited Service Residential (LSR-81); rezoning Part Lot 14, Concession 9, Monteagle to Special Limited Service Residential (LSR-82); rezoning Part Lot 14, Concession 9, Montealge to Special Limited Service Residential (LSR-83); and rezoning Part Lot 14, Concession 9, Monteagle to Special Limited Service Residential (LSR-84).
2015-077	October 21, 2015	Rezoning Part of Lot 19, Concession 2, being Part 5 on Plan 21R-21413, Monteagle, 13 Mountney Road, from Mineral Extractive (MX) to Marginal Agriculture (MA).
2015-078	October 21, 2015	Rezoning Part of Lot 18, Concession 2, Monteagle, 1258 Musclow Greenview Road, from Mineral Extractive (MX) to Marginal Agriculture (MA).
2016-006	March 2, 2016	Rezoning Part of Lot 4, Concession 2, being Part 1 on Plan 21R-24554, Herschel from Special Rural Industrial (RI-79) to Special Rural Industrial (RI-85).
2016-013	April 6, 2016	Administrative Amendment – Lot coverage for accessory buildings shall not exceed 5% of the total lot area.
2016-014	April 6, 2016	Administrative Amendment – Minimum gross floor area in a dwelling unit in Marginal Agriculture (MA) is 35.7 sq. metres (384 sq.ft.).
2016-019	June 1, 2016	Rezoning Part of Lot 10, Concession 7, Monteagle, being 2542 Musclow Greenview Road, from Marginal Agriculture (MA) to Special Marginal Agriculture (MA-86); and rezoning Part of Lot 10, Concession 7, Monteagle, being 2542 Musclow Greenview Road, from Marginal Agriculture (MA) to Rural Residential (RR).
2016-020	April 6, 2016	Rezoning Part of Lot 10, Concession 7, Monteagle, being Part 1 on Plan 21R-5237 and Part 3 on Preliminary Reference Plan (on Musclow Greenview Road) from the Rural Residential (RR) and Marginal Agriculture (MA) to the Special Rural Residential (RR-87).

Bylaw No.	Date	Description
2016-048	July 20, 2016	Administrative Amendment – definition of boathouse, private.
2016-049	June 22, 2016	Rezoning Part of Lot 2, Concession 1, Herschel, Roll No. 129027801505305, from Residential Second Density (R2) to Special Urban Commercial (UC-88).
2016-062	August 24, 2016	Rezoning Part of Lots 30 and 31, Concession 5, Wicklow, being 469 Madawaska Road, from Rural Residential (RR) to Marginal Agriculture (MA).
2016-071	October 5, 2016	Rezoning Part of Lot 7, Concession 11, Monteagle from Marginal Agriculture (MA) to Rural Residential (RR).
2016-072	October 5, 2016	Rezoning Part of Lots 14 and 15, Concession 8, Monteagle, being 122 Salmon Trout Lane, from Marginal Agriculture (MA) to Special Marginal Agriculture (MA-89).
2017-002	January 18, 2017	Rezoning Part of Lot 28, Lots 29 and 30, Concession 15, Monteagle, from Marginal Agriculture (MA) to Special Mineral Extractive (MX-90).
2017-039	May 3, 2017	Rezoning Part of Lot 6, Concession 12, being Part 1 on 21R-17832, Monteagle, from Rural Residential (RR) to Marginal Agriculture (MA).
2017-041	May 3, 2017	Rezoning Part of Lot 7, Concession 1, Wicklow, from Marginal Agriculture (MA) to Rural Residential (RR).
2017-045	June 20, 2017	Rezoning Part of Lot 4, Concession 2, Herschel, being Part 2 on 21R-24772, from Open Space (OS) to Special Rural Industrial (RI-91).
2017-046	June 20, 2017	Rezoning Part of Lot 4, Concession 2, Herschl, being Part 1 on Plan 21R-24772, from Open Space (OS) to Special Rural Industrial (RI-92).
2017-072	October 4, 2017	Rezoning Part of Lot 19, Concession 2, being Part 1 on Plan 21R-24923, Monteagle from Marginal Agriculture (MA) to Rural Residential (RR).

Bylaw No.	Date	Description
2017-073	October 4, 2017	Rezoning Part of Lot 5, Concession 10, being Part 1 on Plan 21R-14695, Monteagle, from Rural Residential (RR) to Special Marginal Agriculture (MA-93).
2017-078	October 4, 2017	Rezoning Lot 8, Registrar's Compiled Plan 2216 and Part of Lot 2, Registrar's Compiled Plan 2216 being Part 1, Plan 21R-20918, McClure, from the Special Rural Residential (RR-4) to Limited Service Residential (LSR).
2017-087	December 6, 2017	Rezoning Part of Lot 14, Concession 8, being Part 2 on Plan 21R-15382, Herschel from Environmental Protection (EP) to Waterfront Residential – Holding (WR-H). The Holding provision shall only be removed when construction plans satisfactory to the Muncipal Council have been approved and Council is satisfied that the minimum height of building openings exceeds 352.6 metres Canadian Geodetic Datum.
2017-088	December 6, 2017	Rezoning Part of Lot 14, Concession 8, being Part 1 on Plan 21R-15382, Herschel, from Environmental Protection (EP) to Waterfront Residential – Holding (WR-H). The Holding provision shall only be removed when construction plans satisfactory to the Muncipal Council have been approved and Council is satisfied that the minimum height of building openings exceeds 352.6 metres Canadian Geodetic Datum.
2018-005	January 17, 2018	Rezoning Part of Lot 17, Concession 9, Monteagle, from Marginal Agriculture (MA) to Rural Residential (RR).
2018-022	March 7, 2018	Rezoning Part of Lots 24 and 25, Concession 13, and south part of Lot 25, Concession 14, Monteagle, from Marginal Agriculture (MA) and Environmental Protection (EP) to Special Marginal Agriculture (MA-95) and Environmental Protection (EP).

Bylaw No.	Date	Description
2018-034	May 30, 2018	Rezoning Part of Lot 16, Concession 4, being Part 3 on Plan 21R-21134 and Part 2 on Plan 21R-25127, Herschel, from Limited Service Residential (LSR) and Special Rural Residential (RR-53) to Special Limited Service Residential (LSR-97).
2018-035	May 30, 2018	Rezoning Part of Lot 16, Concession 4, being Part 1 on Plan 21R-25127, Herschel, from Limited Service Residential (LSR) to Special Limited Service Residential (LSR-96).
2018-052	May 30, 2018	Rezoning Part of Lot 9, Concession 13, being Part 2 on Plan 21R-10564, Monteagle, from Marginal Agriculture (MA) to Rural Residential (RR).
2018-062	May 30, 2018	Administrative Amendment – remove definition of medical marihuana production.
2018-095	September 5, 2018	Rezoning Part of Lot 14, Concession 9, being Part 1 on Preliminary Reference Plan, Monteagle, from Marginal Agriculture (MA) to Limited Service Residential (LSR).
2018-108	October 3, 2018	Rezoning Part of Lot 11, Concession 5, being Part 1 on Reference Plan 21R-25193, Bangor, from Marginal Agriculture (MA) to Rural Residential (RR).
2019-002	February 20, 2019	Administrative Amendment – add Section 5.50 “Second “Dwelling Units”.”
2019-003	January 16, 2019	Rezoning Part of Lot 10, Concession 10, being Parts 1 and 4 on Reference Plan 21R-25260, Herschel, from Marginal Agriculture (MA) to Rural Residential (RR).

Bylaw No.	Date	Description
2019-025	April 17, 2019	Rezoning Part of Lot 17, Concession 6 and Part of the Shore Road Allowance around Purdy Lake in front of Lot 17, Concession 6, Bangor, being Parts 1 and 6 on Plan 21R-25344, from Recreational/Resort Commercial (RRC) to Waterfront Residential (WR); and rezoning Part of Lot 16, Concession 6, and Part of Shore Road Allowance around Purdy Lake in front of Lot 16, Concession 6, Bangor, being Parts 4, 5, 9 and 10 on Plan 21R-25344, from Rural Residential (RR) to Waterfront Residential (WR).
2019-033	April 17, 2019	Rezoning Parts 1, 2, 3 and 4 on Plan 21R-25317, Lots 3 and 4, Concesion 2, Herschel, from Open Space (OS) to Special Rural Residential (RR-98).
2019-060	May 29, 2019	Rezoning Part of Lot 8, Concession 16, Monteagle, being Part 1 on Plan 21R-25334, from Marginal Agriculture (MA) to Rural Residential (RR).
2019-061	May 29, 2019	Rezoning Part of Lot 10, Concession 4, Herschel, being Part 4 on Plan 21R-21572, from Marginal Agriculture (MA) to Special Rural Residential (RR-99).
2019-076	September 4, 2019	Administrative Amendment – Tiny Homes Bylaw; amended Section 5.49 “Minimum Gross Floor Area in a Dwelling Unit”
2020-005	January 22, 2019	Rezoning Part of Lot 14 and Lot 15, Concession 8, Herschel, from Marginal Agriculture (MA) to Special Marginal Agriculture (MA-100).
2020-015	March 4, 2019	Rezoning Part of Lots 13 and 14, Concession East Hastings Road and Part 2 on Plan 21R-6594, Monteagle, from Special Urban Commercial (UC-15) to Residential First Density (R1).
2020-022	March 4, 2019	Rezoning Part of Lot 10, Concession 15, Monteagle, from Marginal Agriculture (MA) to Rural Residential (RR).

Bylaw No.	Date	Description
2020-046	September 2, 2020	Rezoning Part of Lot 16, Concession 4, being Part 1 on Reference Plan 21R-25537, Bangor, from Marginal Agriculture (MA) to Rural Residential (RR); and rezoning Part of Lot 16, Concessions 3 and 4, save and except Part 1 on Reference Plan 21R-25537, Bangor, from Marginal Agriculture (MA) ro Special Marginal Agriculture (MA-102).
2020-056	October 7, 2020	Rezoning Part of Lot 14, Concession 9, Monteagle, being Parts 1, 2 and 3 on Preliminary Reference Plan from Marginal Agriculture (MA) to Limited Services Residential (LSR).
2020-072	September 2, 2020	Rezoning Part of Lot 11, Concession 5, being Part 1 on Plan 21R-25698, Bangor, from Rural Residential (RR) to Special Rural Residential (RR-103).
2020-078	October 7, 2020	Rezoning Part of Lot 22, Concession 15, Monteagle, being Part 1 on Reference Plan 21R-25676, from Marginal Agriculture (MA) to Special Rural Residential (RR-104).
2021-025	June 2, 2021	Rezoning Lot 11 and Part of Lot 12, Registrars Compiled Plan 2272, being Parts 3 and 4 on Plan 21R-24177 and Part 2 on draft Reference Plan by P. A. Miller Surveying Ltd. dated January 14, 2021, in the Geographic Township of Herschel, from the Special Limited Service Residential-71 (LSR-71) Zone to the Special Limited Service Residential-106 (LSR-106) Zone. **amended by Bylaw 2025-006**
2021-026	June 2, 2021	Rezoning Part of Lot 9, Registrar's Compiled Plan 2272, Part 1 Plan 21R-13462, Part 6, Plan 21R-18537 and Part of Lot 10, Registrar's Compiled Plan 2272 being Part 3 on draft Reference Plan dated January 14, 2021, in the Geographic Township of Herschel from the Limited Service Residential (LSR) Zone to the Special Limited Service Residential-107 (LSR-107) Zone. **amended by Bylaw 2025-007**

Bylaw No.	Date	Description
2021-035	June 2, 2021	Rezoning Part of Lots 3 and 4, Concession 2, being Part 1, Reference Plan 21R-25331, in the Geographic Township of Herschel from the Open Space (OS) Zone to the Rural Industrial (RI) Zone; and Part of Lots 3 and 4, Concession 2, being Parts 3 and 4, Reference Plan 21R-25331, in the Geographic Township of Herschel, from the Open Space (OS) Zone to the Urban Industrial (UI) Zone.
2021-050	August 18, 2021	Rezoning Part of Lots 6 and 7, Concession 10, as in QR631502, except the Easement therein; subject to Easement in Gross as in HT63262, together with Easement over Parts 1 and 2, Plan 21R-22863 as in HT63360, together with Easement over Part 3, Plan 21R-22863 as in HT63361, except for Parts 1, 2, 3, 5, 6, 7, 8 and 9, on Plan 21R-22863, in the Municipality of Hastings Highlands, formerly the Geographic Township of McClure, from the Limited Service Residential Zone to the Special Limited Service Residential-108 (LSR-108-h) – 108 Holding Zone. The Holding provision may be removed when a Development Agreement and appropriate servicing plan has been designed and approved by the necessary approval authority(ies). The Environmental Protection (EP) Zone will remain in the Environmental Protection (EP) Zone. ***Holding Provision removed by Bylaw 2023-010.**
2021-057	October 6, 2021	Rezoning Part of Lots 13 and 14, Concession 9 and Part 1 on 21R-15583, in the Geographic Township of Monteagle, from the Marginal Agriculture (MA) Zone to the Limited Service Residential (LSR) Zone.
2021-059	October 6, 2021	Rezoning Part of Lot 4, Concession 10, in the Geographic Township of Herschel, from the Waste Disposal (WD) to the Special Marginal Agriculture – 110 (MA-110) Zone.

Bylaw No.	Date	Description
2021-058	December 1, 2021	Rezoning Part of Lots 17 and 18, Concession 9, being Part 1 on Plan 21R-_____ in the Geographic Township of Monteagle from the Marginal Agriculture (MA) Zone to the Special Rural Residential – 109 (RR-109) Zone.
2021-090	December 1, 2021	Rezoning Part of Lot 2, Concession 15, being Part 1 on Reference Plan 21R-25980, in the Geographic Township of Herschel from the Rural Residential (RR) Zone to the Special Rural Residential – 112 (RR-112) Zone.
2021-094	December 1, 2021	Rezoning Part of Lots 2 and 3, Concession 15, except Part 1 on Plan 21R-25980, in the Geographic Township of Herschel from the Marginal Agriculture (MA) Zone to the Special Marginal Agriculture – 113 (MA-113) Zone.
2022-004	May 4, 2022	Administrative Amendments to conform with the general policies of the Official Plan.
2022-005	May 4, 2023	Administrative Amendment to increase vegetative buffer from 15 metres to 30 metres, to permit exception area in this vegetative buffer. Appealed to the Ontario Land Tribunal (OLT) File No. OLT-22-003939. The OLT orders that appeal is allowed in part to include a definition of the vegetative buffer and provide for the maintenance of the vegetative buffer. In all other respects, the OLT dismissed the appeal.
2022-024	April 6, 2022	Part of Lot 15, Concession 4, being Part 1 on Plan 21R-26077, in the Geographic Township of Herschel, be rezoned from the Marginal Agriculture (MA) Zone to the Rural Residential (RR) Zone.
2022-023	June 1, 2022	Part of Lot 31, Concession 13, being Part 2 on Plan 21R-26152, in the Geographic Township of Monteagle, as shown on Schedule 1 attached hereto, from the Marginal Agriculture (MA) Zone to the Rural Residential (RR) Zone. The lands zoned Environmental Protection (EP) shall remain in the Environmental Protection (EP) Zone.

Bylaw No.	Date	Description
2022-034	June 1, 2022	Part of Lot 20, Concession 9, being Part 1 on Reference Plan 21R-26101, in the Geographic Township of Bangor, from the Marginal Agriculture (MA) Zone to the Special Rural Residential-116 (RR-116) Zone to recognize the reduction in Minimum Distance Separation (MDS) setback from the barn located at 48 Hoares Road to the eastern boundary of Part 1, being 163 metres and to recognize the reduced lot area from the Marginal Agriculture (MA) Zone to the Rural Residential (RR) Zone.
2022-047	July 20, 2022	Lot 23, Concession 13, in the Geographic Township of Monteagle, from the Marginal Agriculture (MA) Zone and Mineral Extractive (MX) Zone to the Special Marginal Agriculture (MA-117-h) – 117 Holding Zone. The Holding provision may be removed when a Development Agreement that recognizes the proximity of the proposal to an active pit and extractive reserve and that Development Agreement has been registered on title. ***Holding Provision removed by Bylaw 2023-063.**
2022-044	September 7, 2022	Part of Lot 11, Concession 4, being Part 1 on Plan 21R-23712, in the Geographic Township of Herschel, from the Marginal Agriculture (MA) Zone to the Limited Service Residential (LSR) Zone. The change of zone category is to recognize access to the property is via an unmaintained road.
2022-056	September 7, 2022	Part of Lot 25, Concession 7, in the Geographic Township of Bangor, from the Rural Residential (RR) Zone to the Community Facility (CF) Zone to recognize the use of this land.
2023-006	January 18, 2023	Part of Lot 26, Concession 7, in the Geographic Township of Bangor, as shown on the Schedule attached hereto be rezoned from the Marginal Agriculture (MA) Zone to the Rural Residential (RR) Zone to correct the zone due to the size of the property.

Bylaw No.	Date	Description
2023-011	February 1, 2023	Administrative Amendment to reduce the setback for accessory buildings from the front lot line and exterior side lot line to 10 metres (32.8 feet) in the Marginal Agriculture (MA), Rural Residential (RR), and Waterfront Residential (WR) Zones.
2023-012	February 1, 2023	Administrative Amendment to increase the maximum building height for accessory buildings to 11 metres (36.1 feet) in the Marginal Agriculture (MA), Rural Residential (RR), and Residential First Density (R1).
2023-017	November 1, 2023	Part of Lot 24, Concession 8, Part 1 on 21R-26097, in the Geographic Township of Bangor rezoned from Marginal Agriculture (MA) Zone to the Special Rural Residential – 121 – Holding (RR-121-h) Zone. The Holding provision may be removed when the requirements contained in Section 5.4 of the Zoning bylaw has been satisfied, and a drainage plan has been submitted to the satisfaction of the Municipality.
2023-018	November 1, 2023	Part of Lot 24, Concession 8, Part 2 on 21R-26097, in the Geographic Township of Bangor rezoned from the Marginal Agriculture (MA) Zone to the Special Rural Residential – 123 – Holding (RR-123-h) Zone. The Holding provision may be removed when the requirements contained in Section 5.4 of the Zoning bylaw has been satisfied; a drainage plan has been submitted to the satisfaction of the Municipality; and a development agreement between the land owner and the Municipality implementing the recommendations of the drainage plan has been registered on title.
2023-043	April 5, 2023	Part of Lot 13, Concession 10, being Parts 1, 2, 3, 5, 6 and 7, Plan 21R-26381, in the Geographic Township of Monteagle rezoned from the Limited Service Residential (LSR) to the Special Limited Service Residential (LSR-118).

Bylaw No.	Date	Description
2023-045	June 28, 2023	Part of Lots 18 and 19, Concession 4, Part 1, on Reference Plan 21R-22081, in the Geographic Township of Herschel rezoned from the Recreational/Resort Commercial (RRC) Zone to the Special Waterfront Residential (WR-119) Zone.
2023-048	May 3, 2023	Part of Lot 11, Concession 14, being Part 1, Plan 21R-26341, in the Geographic Township of Monteagle be rezoned from the Marginal Agriculture (MA) to the Special Marginal Agriculture – 120 (MA-120) Zone
2023-059	June 28, 2023	Part of Lot 12, Concession 11, being Parts 1 to 4, Plan 21R-26141, in the Geographic Township of Herschel from the Marginal Agriculture (MA) Zone to the Rural Residential (RR) Zone
2023-061	June 28, 2023	Part of Lots 22 to 24, Concessions 11 and 12, save and except Parts 2, 3 and 4 on Plan 21R-15406, in the Geographic Township of Monteagle from the Marginal Agriculture (MA) Zone to the Special Marginal Agriculture – 122 (MA-122) Zone
2023-091	December 6, 2023	Part of Lot 10, Concession 16, being Part 3, Plan 21R-26516, in the Geographic Township of Monteagle, now in the Municipality of Hastings Highlands, be rezoned from the Marginal Agriculture (MA) Zone to the Rural Residential (RR) Zone.
2023-092	December 6, 2023	Part of Lot 10, Concession 16, being Part 2, Plan 21R-26516, in the Geographic Township of Monteagle, now in the Municipality of Hastings Highlands, from the Marginal Agriculture (MA) Zone to the Rural Residential (RR) Zone.
2023-106	December 6, 2023	Part of Lot 22, Concession 7, in the Geographic Township of Bangor, now in the Municipality of Hastings Highlands, from the Marginal Agriculture (MA) Zone to the Special Marginal Agriculture – 124 (MA-124) Zone.

Bylaw No.	Date	Description
2023-108	December 6, 2023	Part of Lot 11, Concession 8, being Part 1 on 21R-15298, in the Geographic Township of Monteagle, now in the Municipality of Hastings Highlands, from the Special Rural Industrial (RI-43) Zone to the Special Rural Residential – 125 (RR-125) Zone.
2024-006	January 17, 2024	Part of Lot 29, Concession 16, being Part 1 on Plan 21R-5031, and Part of Lot 29, Concession 16, being Part 1 on Plan 21R-4837, in the Geographic Township of Monteagle, now in the Municipality of Hastings Highlands to the Special Recreational Resort Commercial (RRC-126) Zone.
2024-027	May 1, 2024	Administrative Amendment on mobile food vendors, vendors, and public market
2024-030	May 1, 2024	Part of Lot 14, Concession 9, being Part 1 Plan 21R-10814 and Part 1 Plan 21R-26711, in the Geographic Township of Monteagle from the LSR Zone to the Special LSR-127
2024-047	July 17, 2024	Part of Lot 32, Concession 4, Herschel as in QR54800 from the Special CF-46 to Special RR-130
2024-049	July 17, 2024	Part of Lot 3, Concession 8, being Part 1, Plan 21R-26759, in the Geographic Township of Bangor rezoned from WR Zone to the Special WR-128 Zone
2024-050	July 17, 2024	Part of Lot 3, Concession 8, being Part 2, Plan 21R-26759, in the Geographic Township of Bangor from WR Zone to Special WR-129 Zone
2024-055	September 18, 2024	Part of Lot 7, Concession 8, and North ½ of Lot 8, Concession 8, in the Geographic Township of Bangor from the MA Zone to the Special RRC-133
2024-061	September 18, 2024	Part of Lot 1, Concession 6, being Parts 1 and 5 on 21R-3446, in the Geographic Township of Wicklow, from LSR to LSR-134 Zone.
2024-064	September 18, 2024	Part of Lots 30 and 31, Concession 8, Part of Road Allowance Parts 2 and 3, Plan 21R-22231, Part 1, Plan 21R-22912, in the Geographic Township of Herschel, from WR and EP to WR-135-h and EP-135-h.

Bylaw No.	Date	Description
2024-065	September 18, 2024	Part of Lot 14, Concession 8, being Part 1 on Plan 21R-15382 in the Geographic Township of Herschel, now in the Municipality of Hastings Highlands, from the Waterfront Residential – “Holding” (WR – “h”) Zone to the Waterfront Residential (WR) Zone
2024-071	December 4, 2024	Part of Lots 13 and 14, Concession West Hastings Road; Part 1, Plan 21R-4678, in the Geographic Township of McClure, from the Marginal Agricultural (MA) and Mineral Extractive (MX) Zones to the Marginal Agricultural (MA) Zone
2024-083	December 4, 2024	Part of Lot 15, Concession 4, being Part 1 on Plan 21R-26841, in the Geographic Township of Herschel from MA to Special RR-136
2024-087	December 4, 2024	Part of Lot 9, Concession 11, being Part 46, Plan HSR-134, in the Geographic Township of McClure, from LSR Zone to Special R2-138
2025-006	January 15, 2025	248/252 Ponacka Road, Part of Lots 10, 11, and 12, RCP 2272 and Part of the Road Allowance in front of Lot 30, Concession 5 (Closed by QR582330 and QR578343), in the Geographic Township of Herschel, amending Special LSR-106
2025-007	January 15, 2025	264 Ponacka Road, Part of Lot 12, RCP 2272 and Part of the Shore Road Allowance around Baptiste Lake AKA Long Lake lying in front of Lot 30, Concession 5 (Closed by QR578343), in the Geographic Township of Herschel, amended Special LSR-72
2025-011	February 19, 2025	Part of Lot 6, Concession 10, being Part 1 on 21 R-26875, in the Geographic Township of Monteagle, from the Marginal Agriculture (MA) Zone to the Rural Residential (RR) Zone. The Environmental Protection (EP) Zone shall remain as is.
2025-015	February 19, 2025	Part of Lot 30, Concession 7, Lot 12, Plan M-59, in the Geographic Township of Herschel from the Waterfront Residential (WR) Zone to the site-specific Special Waterfront Residential (WR-139)

Bylaw No.	Date	Description
2025-019	March 19, 2025	Part of Lot 3, Concession 10, Part 2, Plan 21R-19371, in the Geographic Township of Herschel, from the RR Zone to the Special RR-140-Holding Zone. ***The Holding provision was removed by Bylaw 2025-051**
2025-023	April 16, 2025	Part of Lot 11, Concession 11, being Part 1 on 21R-26920, in the Geographic Township of Herschel, from the MA to Special RR-141
2025-024	April 16, 2025	Part of Lot 11, Concession 11, being Part 2 on 21R-26920, in the Geographic Township of Herschel from the Marginal Agriculture (MA) Zone to the Rural Residential (RR) Zone
2025-025	April 16, 2025	Part of Lot 21, Concession 1, in the Geographic Township of Wicklow from the Mineral Extractive (MX) to the Marginal Agriculture (MA) Zone. The remainder of the property zoned Marginal Agriculture (MA) will remain as is. The Environmental Protection (EP) Zone will remain as is.
2025-052	September 24, 2025	Part of Lot 7, Concession 1, being Part 10 on HSR-227, in the Geographic Township of Herschel, from the Waterfront Residential (WR) Zone to the site-specific Special Waterfront Residential (WR-142) Zone
2025-056	September 24, 2025	Administrative Amendment to rezone 37643 Highway 62, 25 Boulter Lake Road, 104 Young Street, and 160/168 South Baptiste Lake Road
2025-066	November 19, 2025	Part of Lot 10, Concession 16, being Part 2 and 3, Plan 21R-26516, in the Geographic Township of Monteagle, now in the Municipality of Hastings Highlands, from the Rural Residential (RR) Zone to the Marginal Agriculture (MA) Zone
2026-013	February 18, 2026	Part of Lot 17, Concession 16, being Parts 1, 2 and 3, Plan 21R-27064, in the Geographic Township of Herschel, now in the Municipality of Hastings Highlands, from the Marginal Agriculture (MA) Zone to the Limited Service Residential (LSR) Zone.

Bylaw No.	Date	Description
2026-014	February 18, 2026	Part of Lot 7, Concession 8, being Parts 1 and 2, Plan 21R-27097, in the Geographic Township of Monteagle, now in the Municipality of Hastings Highlands, from the Marginal Agriculture (MA) Zone to the Rural Residential (RR) Zone
2026-035	September 16, 2026	Part of Lot 21, Concession 8, being Part 1 on Plan 21R-27134, in the Geographic Township of Monteagle, from the Marginal Agriculture (MA) Zone to a site-specific Special Rural Residential (RR-143) Zone-143
2026-039	October 7, 2026	90 Mudcat Road, being Part of Lot 11, Concession 2, being Part 2, 21R-27156, in the Geographic Township of Wicklow, now in the Municipality of Hastings Highlands, from the Marginal Agriculture (MA) Zone to a site-specific Special Rural Residential (RR-145)
2026-040	October 7, 2026	Part of Lot 11, Concession 2, being Part 1, 21R-27156, in the Geographic Township of Wicklow, now in the Municipality of Hastings Highlands, from the Marginal Agriculture (MA) Zone to the Rural Residential (RR)
2026-041	October 7, 2026	20 Mudcat Road, Part of Lot 11, Concession 2, except Parts 1 and 2, 21R-27156, in the Geographic Township of Wicklow, from the Marginal Agriculture (MA) Zone to a site-specific Special Residential Second Density (R2-146)
2026-036	September 16, 2026	Lot 16, Concession 11, in the Geographic Township of Herschel, now in the Municipality of Hastings Highlands, from the Marginal Agriculture (MA) Zone to a site-specific Special Limited Service Residential (LSR-144) Zone
2026-042	October 7, 2026	Part Lot 16, Concession 6, Part 4, 21R-2768, less Part 1, 21R-15097, in the Geographic Township of Herschel, now in the Municipality of Hastings Highlands, from the Rural Residential Zone to a site-specific Special Limited Service Residential (LSR-147) Zone

The Municipality of Hastings Highlands

Comprehensive Zoning By-Law 2004-035

Prepared by:

AINLEY GRAHAM & ASSOCIATES
LIMITED CONSULTING ENGINEERS
AND PLANNERS 45 SOUTH FRONT
STREET
BELLEVILLE,
ONTARIO K8N 2Y5

NOVEMBER 18, 2003
PASSED AUGUST 11, 2004

FILE NO.: 21528-1

THE MUNICIPALITY OF HASTINGS HIGHLANDS
COMPREHENSIVE ZONING BY-LAW 2004-035

T A B L E O F C O N T E N T S

Page

SECTION 1 - PURPOSE 1

SECTION 2 - TITLE 1

SECTION 3 - DEFINITIONS 2

SECTION 4 - ADMINISTRATION 27
- 4.1 ZONING ADMINISTRATION 27
- 4.2 ISSUANCE OF BUILDING PERMITS 27
- 4.3 APPLICATIONS FOR BUILDING PERMITS 27
- 4.4 INSPECTION OF LAND OR BUILDINGS 28
- 4.5 VIOLATIONS AND PENALTIES 28
- 4.6 OCCUPATION OF BUILDINGS 28
- 4.7 CERTIFICATE OF CONVERSION 28
- 4.8 VALIDITY, EFFECTIVE DATE AND EXISTING BY-LAWS 29

SECTION 5 - GENERAL PROVISIONS 29
- 5.1 APPLICATION 29
- 5.2 INTERPRETATION 29
- 5.3 ZONES 30
- 5.4 HOLDING ZONES 31
- 5.5 PROHIBITIONS 32
- 5.6 PLANNED WIDTH OF ROAD 33
- 5.7 ENVIRONMENTAL PROTECTION (EP) AND ENVIRONMENTAL PROTECTION WETLAND (EPW) ZONES 34
- 5.8 ENVIRONMENTALLY SENSITIVE LANDS 35
- 5.9 LANDS ADJACENT TO WATERBODIES, WATERCOURSES, EMBANKMENTS, FLOODPLAINS AND ENVIRONMENTALLY SENSITIVE LAND 35
- 5.10 NON-CONFORMING USES 36
- 5.11 NON-COMPLIANCE OF EXISTING USES 37
- 5.12 REPLACEMENT OF BUILDINGS OR STRUCTURES 37
- 5.13 EXISTING UNDERSIZED LOTS 38
- 5.14 YARD ENCROACHMENTS PERMITTED 38
- 5.15 LANDS SEVERED BY PUBLIC UTILITY LINES 39
- 5.16 TEMPORARY USES 39

5.17 PUBLIC USES AND UTILITIES AND COMMUNITY FACILITIES.....39
5.18 MULTIPLE USES ON ONE LOT..... 40
5.19 DWELLING OR DWELLING UNIT AS AN ACCESSORY USE IN A NON-RESIDENTIAL SETTING.....40
5.20 PROHIBITED USES.....41
5.21 OBNOXIOUS USES.....41
5.22 SPECIAL OCCASION USES.....41
5.23 TRUCK, BUS AND COACH BODIES.....42
5.24 SWIMMING POOLS.....42
5.25 ACCESSORY BUILDINGS.....42
5.26 FRONTAGE ON A STREET.....43
5.27 RESIDENTIAL EXTERIOR SIDE YARDS.....43
5.28 SIGHT TRIANGLES.....43
5.29 HOME OCCUPATIONS..... 43
5.30 HOME INDUSTRY.....44
5.31 OFF STREET PARKING PROVISION.....45
5.32 LOADING SPACE REQUIREMENTS..... 49
5.33 GARDEN SUITES.....50
5.34 AREAS OF INFLUENCE.....51
5.35 AGRICULTURE - MINIMUM DISTANCE SEPARATION..... 51
5.36 SECONDARY FARM OCCUPATION.....51
5.37 WATERTAKING PERMITS.....52
5.38 OPEN STORAGE..... 52
5.39 EXTERNAL DESIGN.....52
5.40 HEIGHT EXCEPTIONS..... 52
5.41 ABANDONED EQUIPMENT.....52
5.42 STORAGE AND PARKING OF MOTOR VEHICLES AND TRACTOR TRAILER TRUCKS..... 53
5.43 INTERIOR SIDE YARD - MARINE FACILITIES AND COMMUNAL DOCKS.....53
5.44 TRAVEL TRAILERS, MOTORIZED MOBILE HOMES/RECREATIONAL VEHICLES, CAMPER TRAILERS, TRUCK CAMPERS..... 53
5.45 MODULAR HOMES.....54
5.46 FENCES.....54
5.47 KENNELS.....54
5.48 LIMITED SERVICE RESIDENTIAL DEVELOPMENT..... 55
5.49 MINIMUM GROSS FLOOR AREA IN A DWELLING UNIT.....55
5.50 SECOND DWELLING UNITS.....56

SECTION 6 - MA - MARGINAL AGRICULTURE ZONE.....57

SECTION 7 - RR - RURAL RESIDENTIAL ZONE.....60

SECTION 8 - LSR - LIMITED SERVICE RESIDENTIAL ZONE 61

SECTION 9 - LSRI - LIMITED SERVICE RESIDENTIAL ISLAND ZONE.....63

SECTION 10 - WR – WATERFRONT RESIDENTIAL ZONE 65

SECTION 11 - MHR - MOBILE HOME RESIDENTIAL ZONE.....66

SECTION 12 - R1 - RESIDENTIAL FIRST DENSITY ZONE 67

SECTION 13 - R2 - RESIDENTIAL SECOND DENSITY ZONE 68

SECTION 14 - MR - MULTIPLE RESIDENTIAL ZONE 71

SECTION 15 - UC - URBAN COMMERCIAL ZONE.....75

SECTION 16 - RC - RURAL COMMERCIAL ZONE.....77

SECTION 17 - RRC - RECREATIONAL/RESORT COMMERCIAL ZONE 80

SECTION 18 - UI - URBAN INDUSTRIAL ZONE.....82

SECTION 19 - RI - RURAL INDUSTRIAL ZONE.....82

SECTION 20 - MX - MINERAL EXTRACTIVE ZONE.....83

SECTION 21 - M - MINING ZONE 85

SECTION 22 - WD - WASTE DISPOSAL ZONE.....85

SECTION 23 - CF - COMMUNITY FACILITY ZONE 87

SECTION 24 - OS - OPEN SPACE ZONE.....88

SECTION 25 - EPW - ENVIRONMENTAL PROTECTION WETLAND ZONE 89

SECTION 26 - EP - ENVIRONMENTAL PROTECTION ZONE 90

SECTION 27 - SPECIAL EXCEPTION ZONES.....91

APPENDIX 1 – MIN. DISTANCE SEPARATION I

APPENDIX 2 - MIN. DISTANCE SEPARATION II

THE CORPORATION OF THE MUNICIPALITY OF HASTINGS HIGHLANDS
ZONING BY-LAW 2004-035

SECTION 1 - PURPOSE

This comprehensive Zoning By-law is intended to prohibit the use of land and the erection or use of buildings or structures for or except for such purposes as set down in this by-law; to prohibit the erection or use of buildings on land which is subject to flooding, or on land by reason of its rocky, marshy or unstable character the cost of construction of satisfactory waterworks, sewage, or drainage facilities is prohibitive; to regulate the height, bulk, location, size, floor area, spacing, character and use of buildings or structures; to regulate the minimum frontage and depth of a parcel of land and the portion of the area thereof that any building or structure may occupy; to require loading and parking facilities for buildings or structures erected or used for certain purposes; to prohibit the making or establishment of pits and quarries within defined areas and to regulate the making or establishment of pits and quarries within defined areas of the Municipality.

SECTION 2 - TITLE

This By-law shall be cited as "Zoning By-law No. 2004-035" and shall apply to all land included within the Municipality of Hastings Highlands as shown on the attached Schedules.

BY-LAW 20-76 OF THE TOWNSHIP OF BANGOR, WICKLOW & MCCLURE AND ALL AMENDMENTS HERETO ARE HEREBY REPEALED.

BY-LAW 310-79 OF THE TOWNSHIP OF HERSCHEL AND ALL AMENDMENTS HERETO ARE HEREBY REPEALED.

BY-LAW 19-76 OF THE TOWNSHIP OF MONTEAGLE AND ALL AMENDMENTS HERETO ARE HEREBY REPEALED.

READ A FIRST TIME THIS 11th DAY OF AUGUST 2003.

READ A SECOND TIME THIS 11th DAY OF AUGUST 2003.

READ A THIRD TIME AND FINALLY PASSED THIS 11th DAY OF AUGUST 2003.

Original Signed by: 'Mayor Donald C. BLOOM'
Original Signed by: 'CAO/Clerk Dawn HALCORW'

I hereby certify that the following is a true copy of By-law No. 2004-035 as enacted by the Council of the Corporation of the Municipality of Hastings Highlands on the 11th day of August 2003.

SECTION 3 - DEFINITIONS

For the purposes of this By-law, the definitions and interpretations in this Section shall govern unless the context indicates otherwise. The word "shall" is mandatory and not directory. Words used in the present tense include the future tense and the reverse. Words used in the plural number include the singular number and the reverse.

3.1 **"ABANDONED"** shall mean the failure to proceed expeditiously with the construction of a work, specifically abeyance of construction for six months.

3.2 **"ABATTOIR"** shall mean a slaughter-house designed for the purpose of killing animals, skinning, dressing and cutting up of carcasses, wrapping for sale for human consumption with cooler and freezer storage and may include indoor confinement of animals while awaiting slaughter but shall not include the manufacturing of meat by-products or any process related to rendering plants such as the manufacture of tallow, grease, glue, fertilizer, or any other inedible product.

3.2.1 *"accessible parking" shall mean a parking space for accessible parking permit holders:

a) Type A shall mean a parking space with signage designating the parking space as "van accessible" designed to provide extra space for persons with larger mobility devices, including but not limited to wheelchairs or scooters, who need more space to enter or exit a vehicle.

b) Type B shall mean a parking space for persons who do not require additional space for larger mobility devices. (added by Bylaw 2022-004)*

3.3 **"ACCESSORY BUILDING"** shall mean a detached building or structure, the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith and includes, but is not limited to, the following: sauna, boathouse, gazebo, pumphouse and deck, detached private garage and detached carport.

3.4 **"ACCESSORY USE"** shall mean a use customarily incidental and subordinate to, and exclusively devoted to the main use of the lot, building or structure and located on the same lot as such main use.

3.5 **"ADJACENT LANDS (WETLAND)"** shall mean those lands within 120 metres (393.7 ft.) of an individual Environmental Protection Wetland Zone.

DRAFT

***3.6** *"agriculture/agricultural use" shall mean the use of land, buildings or structures for the purposes of the growing of field crops, flower gardening, market gardening, berry crops, tree crops, nurseries, aviaries, apiaries or farms for the grazing, breeding, raising, boarding of livestock or any other similar uses carried on in the field of general agriculture, including the sale of such produce, crops or livestock on the same lot, but shall not include the cultivation or production of cannabis. (amended by Bylaw 2022-004)**

3.7 **"AGRICULTURE, INTENSIVE"** shall mean lands which are used for the purposes of accommodating livestock which either exceed 150 livestock units or exceed 50 livestock units with a livestock density of greater than 5 livestock units per tillable hectare.

3.8 **"AGRICULTURAL PRODUCE SALES OUTLET"** shall mean a seasonal use accessory to a farm which consists of the retail sale of agricultural products such as fruit, vegetables, flower or farm produce, the majority of which are produced on the farm where such outlet is located.

***3.8.1** *"agriculture-related use" shall mean those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity, but shall not include cannabis or a cannabis-related use. (added by Bylaw 2022-004)**

***3.8.2** *"air treatment control" shall mean the functional use of industrial grade 2.5 multi-stage carbon filtration system, or similar technology, to reduce and/or treat the emission of pollen, dust, and odours expelled from a facility and sized accordingly in comparison to the facility it serves as designed by a qualified person. (added by Bylaw 2022-004)**

3.9 **"ALTER"** shall mean any alteration in a bearing wall or partition, column, beam, girder or other supporting member of a building or structure or any increase in the area or cubic contents of a building or structure. When used in reference to a lot, the word "alter" means 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 or alienation of any portion of said lot or otherwise. The words "altered" and "alteration" shall have a corresponding meaning.

3.10 **"AMUSEMENT ARCADE"** shall mean a building or place of amusement

DRAFT

containing games of chance and/or skill, including pinball/video games and billiards to be used by the general public for recreational purposes and operated for a profit. This definition does not include an establishment, the primary use of which is not an amusement arcade and in which not more than 3 such games of chance are located.

3.11 **"ARENA"** shall mean a building or structure constructed around an ice rink, including spectator seating, two or more seating areas for visiting teams and provisions made for storage and access of ice cleaning equipment and all other required equipment used for the purpose of organized activities including sports and other group functions.

3.11.1 *"arts and crafts shop" shall mean the use of land, buildings or structures as a workplace of an artist or craftsmen for the creation, finishing, refinishing or similar production of paintings, sculptures or similar uses, and shall include a craft shop. An arts and craft shop may also involve the sale of goods or materials produced or manufactured on the premises. (added by Bylaw 2022-004)*

3.12 **"ASSEMBLY HALL"** shall mean a building, or part of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes and shall include a banquet hall, private club or fraternal organization.

3.13 **"ASSEMBLY OPERATION"** shall mean the assembling of finished parts or materials into a final product but shall not include any large-scale manufacturing operation or any operation discharging large amounts of liquids.

3.14 **"AUCTION OUTLET"** shall mean a building or part of a building where goods, merchandise, substances, articles or things are sold at a public sale to the person who bids or offers a higher price than any other is willing to pay.

DRAFT

3.15 *"AUTOMOBILE" shall mean any vehicle, including a motor vehicle, propelled or driven otherwise by muscular power. (amended by Bylaw 2012-045)*

3.16 "AUTOMOBILE BODY SHOP" shall mean a building where automotive cleaning, polishing, body repair and repainting is conducted but shall not include any other automotive use.

3.17 "AUTOMOBILE SALES AGENCY (New and Used)" shall mean a building and/or lot used for the display and sale of new and used automobiles and may include the servicing, repair and repainting of automobiles, the leasing or renting of utility or boat trailers and automobiles and the sale of automotive accessories and related products, but shall not include any other defined automotive use.

3.18 "AUTOMOBILE SERVICE STATION" shall mean a building or place where gasoline, propane, natural gas, diesel, oil, grease, anti-freeze, tires, tubes, tire accessories, spark plugs, batteries and other related items for automobiles, trucks, motorcycles, and snowmobiles are stored or kept for sale, or where such vehicles may be oiled, greased, washed or have their ignitions or brakes adjusted, tires inflated, batteries charged or more generally where repair or equipping of automobiles is executed or performed. An automobile service station may operate on a self-serve basis.

3.19 "BASEMENT" shall mean that portion of a building or structure which is partly underground and below the first floor and which has at least one half of its clear height above the adjoining ground level.

3.20 "BASEMENT, WALKOUT" shall mean that portion of a building which is partly underground, but which has more than 50% of the floor area not greater than 0 . 5 metres below grade, and which has an entrance and exit at grade level.

3.21 "BED AND BREAKFAST ESTABLISHMENT" shall mean a single detached dwelling containing not more than 4 guest rooms used or maintained for the short-term accommodation of the public, in which the owner or head lessee supplies, for hire or gain, lodgings with or without meals for 4 or more persons but does not include other establishments otherwise defined or classified herein.

3.22 "BOARDING OR ROOMING HOUSE" shall mean a dwelling in which long-term lodging with or without meals is supplied for gain to not more than 4 guest rooms but does not mean or include a motel, hotel, hospital

or similar commercial, community facility or institutional use, an apartment building or a bed and breakfast establishment.

***3.23** **"BOATHOUSE, PRIVATE" shall mean a detached one level accessory building or structure which is designed or used for the sheltering of a boat, watercraft, or other form of water transportation located on a lot with access and frontage on a water body and must include an opening/openings of appropriate size to accommodate boat(s) and have a means of accessing the water, either by direct water access or by mechanical means with a maximum of 55.74 sq. m (600 sq. ft.). A maximum of one (1) boathouse may be permitted on each lot. A boathouse shall be a maximum width of 25% of the shoreline frontage up to a maximum width of 15 m (49.2 ft.). A flat roof boathouse will be allowed with an increased side yard setback of 6 m (19.68 ft.). The height restriction of 4.5 m (14.8 ft.) shall include any guards or railings surrounding the flat roof deck of a boathouse and shall be measured from the top of the floor deck of the boathouse. A boathouse shall not contain any sleeping, cooking facilities, septic or water hook ups. (amended by Bylaw 2016-048)**

***3.23.1** **"BREWERY/MICRO-BREWERY" shall mean premises or part thereof wherein craft beers are produced for retail sale and may include a self-service brewing of beer or the making of wine as the principal or accessory use. Accessory uses may include the sale of bottles and brewing or wine making equipment. (added by Bylaw 2014-083)**

***3.24** **"BUILDING (when used as a noun)" shall mean any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials, or equipment. Any tent, awning, bin, silo, vessel or vehicle used for any of the said purposes, or any dock, shall be deemed a building. (amended by Bylaw 2012-045)**

3.25 **"BUILDING HEIGHT"** shall mean the vertical distance between the established grade and:

i) the highest point of a flat roof;

ii) the deck line of a mansard roof;

iii) the mean height between the eaves and ridges of a gabled or hip roof; but exclusive of:

iv) a roof or penthouse structure accommodating an elevator, staircase,

tank, ventilating fan or other similar equipment; a smokestack; barn; silo; communications tower; drive-in theatre screen; or other utilitarian structure which does not provide habitable living space.

3.26 "BUILDING SUPPLY OUTLET" shall mean an establishment involved in the storage, display and sales of building supplies including lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning and similar items.

3.27 "BUILDING, PRINCIPAL" shall mean a building or structure in which the primary use is conducted.

3.28 "BULK STORAGE YARD" shall mean a place where land is used for the storage in the open of goods and materials, machinery, petroleum products and/or equipment, but does not include the storage of such items as would require approval under the Health Promotion and Protection Act, as amended, nor does it include a salvage yard as defined by this by-law.

3.29 "BUSINESS, ADMINISTRATIVE OR PROFESSIONAL OFFICE" shall mean any building or part of a building in which one or more persons are employed in the management or direction of any agency, business, brokerage, labour or fraternal organization and shall include offices for doctors, dentists, optometrists, chiropractors, drugless practitioners, barristers, solicitors, engineers, architects, land surveyors or accountants and for any purpose incidental thereto the administrative office or offices of a non-profit organization or a business, administrative or professional office or offices.

3.30 "BY-LAW ENFORCEMENT OFFICER" shall mean the officer or employee of the Municipality appointed by the Corporation with the duty of administering and enforcing the provisions of all municipal by-laws.

3.31 *"CABIN, SLEEPING/BUNKIE" shall mean an accessory and subordinate detached building or structure with a maximum of 29.7 sq. m (320 sq. ft.) designed as sleeping accommodation, to permit the better or more convenient enjoyment of the principal seasonal residential dwelling. In no case shall the definition of a sleeping cabin be deemed to include a premise for the temporary accommodation of members of the public for a fee. In the case of a sleeping cabin to be located on a lot which is at least two times the minimum lot frontage and lot area required by this By-law, a maximum of 55.7 sq. m (600 sq. ft.) may be permitted. Shall not be a self-sufficient accommodation. (amended by Bylaw 2010-012)*

3.32 **"CABIN, TOURIST"** shall mean a detached building for the sleeping accommodation of guests in which sanitary facilities may be provided but shall not contain any facilities for the preparation or cooking of food.

3.33 **"CAMP, CHARITABLE"** shall mean a seasonal camp operated by a charitable corporation approved under the Charitable Institutions Act.

3.34** ***"CAMPER TRAILER" shall mean any vehicle in which the assembly can be erected, while stationary, using the trailer body and related components for support and utilized for temporary living, shelter and sleeping accommodation with or without cooking facilities, which is collapsible and compact while being drawn by an automobile. (amended by Bylaw 2011-031)*

3.35 **"CAMPING ESTABLISHMENT"** shall mean a tourist establishment consisting of at least five
(5) camping lots and comprising land used or maintained as grounds for the camping or temporary parking of travel trailers, motorized mobile homes, recreational vehicles, truck campers, camper trailers or tents but does not include parks or camping grounds maintained by any ministry or department of the Government of Ontario or Canada or any Crown corporation, commission or board.

3.35.1** ***"cannabis" shall mean a genus of flowering plants in the family Cannabaceae. Synonyms include but are not limited to marijuana and marihuana. This definition does not include the industrial or agricultural production of hemp where hemp is a source of foodstuffs, fiber, and biofuel. (added by Bylaw 2022-004)*

3.35.2** ***"cannabis production and processing facility" shall mean lands, buildings or structures used for producing, processing, testing, destroying, packaging, and/or shipping of cannabis authorized by an issued license or registration by the federal Minister of Health pursuant to the Cannabis Regulations, the Controlled Drugs and Substances Act, or any applicable legislation or successors thereto. This use does not include the retail sale or dispensing of cannabis. (added by Bylaw 2022-004)*

3.36 **"CARPORT"** shall mean a building or structure of which is used for the parking or storage of private passenger automobiles or commercial vehicles of less than one tonne capacity and wherein neither servicing nor repairing of automobiles is carried on for remuneration.

3.37 **"CAR WASH"** shall mean a building or structure for the operation of automobile washing.

3.38 **"CAR WASH, AUTOMATIC"** shall mean a car wash where the labour is not supplied by the patron.

3.39 **"CAR WASH, COIN OPERATED"** shall mean a car wash where the patron supplies the labour.

3.40 **"CARTAGE OR EXPRESS TRUCK TERMINAL"** 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 warehouse.

3.41 **"CELLAR"** shall mean the portion of a building or structure which is partly underground and below the first floor and which has at least one half of its clear height below the adjoining ground level.

3.42 **"CERTIFICATE OF OCCUPANCY"** shall mean a certificate issued by the Chief Building Official for the occupancy of any land, building or structure, residential, commercial or industrial purposes to the effect that the proposed use or activity complies with this By-law.

3.43 **"CHIEF BUILDING OFFICIAL"** shall mean the officer or employee of the Municipality and appointed by the Corporation with the duty of administering the provisions of the Ontario Building Code, Building By-law and Zoning By-law.

3.44 **"CEMETERY"** shall mean a cemetery or columbarium within the meaning of the Cemetery Act, as amended.

3.45 **"CHURCH"** shall mean a building which may include a church hall, auditorium, Sunday school, convent, monastery or other related uses, dedicated to public worship by a recognized religion that is:

i) charitable according to the laws of Ontario and/or Canada;
ii) organized for the conduct of religious worship; and
iii) permanently established both as to the continuity of its existence and as to its religious beliefs and practices.

3.46 **"CLINIC"** shall mean a building or part thereof used by qualified medical practitioners, dentists, osteopaths, or drugless practitioners, numbering more than two for public or private medical, surgical, physiotherapeutic or other human health purposes, but does not include a private or public

hospital.

3.47 **"CLUB"** see "PRIVATE CLUB" and "COMMERCIAL CLUB".

3.48 **"COMMERCIAL"** shall mean the use of land, buildings or structures for the purpose of buying and selling commodities and supplying services as distinguished from such uses as the manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.

3.49 **"COMMERCIAL CLUB"** shall mean a building or part of a building where a club is operated for gain or profit and may include facilities for physical fitness and recreation.

3.50 **"COMMERCIAL VEHICLE"** shall mean any automobile having permanently attached thereto a truck or delivery body and includes ambulances, hearses, fire apparatus, police patrols, motor busses including school busses and tractor trailers used for hauling purposes on the highway.

3.51 **"CONSERVATION/CONSERVATION USES"** shall mean the preservation, protection, improvement and use of land and/or water for the purpose of planned management of these natural resources.

3.52 **"COMMUNITY CENTRE"** shall mean any tract of land, building or buildings used for community activities whether used for commercial purposes or not, the control of which is operated under the Community Centres Act, as amended from time to time.

3.53 **"CONTRACTOR'S YARD"** shall mean a place where land is used for the storage in the open, of goods and materials, machinery and/or equipment normally utilized by the construction industry and may include the repair of machinery, but does not include the storage of such items as would require approval under the Health Promotion and Protection Act, R.S.O. 1980, Chapter 400, as amended, nor does it include a salvage yard as defined by this by-law nor equipment or materials used for blasting.

3.54 **"CONVERTED DWELLING"** see "DWELLING, CONVERTED".

3.55 **"CORNER LOT"** see "LOT, CORNER".

3.56 **"CORPORATION"** shall mean the Corporation of the Municipality of Hastings Highlands.

3.57 **"COTTAGE, HOUSEKEEPING"** shall mean a temporary dwelling unit in a tourist establishment designed for human habitation and equipped with a

kitchen and having a water supply in common with the other buildings in a group, should the cottage be part of a group of similar cottages.

3.58 **"COUNCIL"** shall mean the Municipal Council of the Municipality of Hastings Highlands.

3.59 **"CRAFT SHOP"** shall mean a building or structure where manufacturing is performed by tradesmen or craftsmen requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a potter's shop, a jeweller's shop, a sculptor's studio or similar uses. A craft shop may also involve the sale of goods or materials manufactured on the premises.

3.60 **"DAY NURSERY"** shall mean a facility operated for pre-school age children within the meaning of The Day Nurseries Act, as amended.

3.61 **"DECK"** shall mean a horizontal surface supported on piers, free of any roof or other covering and which may be surrounded by a railing, the height of which is governed by the Ontario Building Code.

3.62 **"DEER YARD"** shall mean any area where deer concentrate in the winter months.

3.63 **"DERELICT VEHICLE"** shall mean a motor vehicle, whether intact or operable, which:

i) is not currently licensed or is not exempt from licencing for operation on a highway under the provisions of the Highway Traffic Act; and
ii) has not been moved under its own power during any period of 21 consecutive days; and
iii) is not located in an enclosed building or other location so as not to be visible from any adjacent lands which are not occupied by the owner of the vehicle, but shall not include an automobile which is kept for sale or repair upon premises which are lawfully used hereunder for an automobile body shop, automobile service station or an automobile sales agency.

3.64 **"DEVELOPMENT"** shall mean the construction, erection, or placing of a building or structure of any kind or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes such related activities as site grading and the placing or dumping of fill and/or any other operations that disrupt the natural environment in, on, over or under land or water.

3.65 **“DOCK”** shall mean a structure built at or anchored to the shore at which boats or other floating vessels are berthed or secured to and which may provide a foundation for a boathouse.

3.66 **“DOCK, COMMUNAL”** shall mean any dock owned and/or used by more than one interest.

3.67 **"DRY CLEANING SHOP"** see "LAUNDRY AND DRY-CLEANING SHOP".

3.68 **"DRIVE-IN RESTAURANT"** see "RESTAURANT, DRIVE-IN".

3.69 **"DRIVEWAY"** shall mean an area of land which provides vehicular access from the travelled portion of a street to a parking aisle.

3.70 **"DRY INDUSTRY"** shall mean an industry which does not require the excessive use of water or other fluids in an industrial process.

3.71 **"DUPLEX"** see "DWELLING, DUPLEX".

3.72 **"DWELLING"** shall mean a building or structure or part of a building or structure occupied and capable of being occupied for human habitation, and includes a building that would be or could be intended to be used for such purpose except for its state of disrepair and shall include any mobile dwelling unit.

3.73 **"DWELLING, ACCESSORY"** shall mean a single detached dwelling which is accessory to a permitted non-residential use, located on the same lot therein and is occupied by either the owner or the person employed on the lot where such dwelling is located.

3.74 **"DWELLING UNIT"** shall mean a suite of two or more rooms, designed or intended for use by one or more persons, in which sanitary conveniences are provided, in which facilities are provided for cooking, or the installation of cooking equipment, in which a heating system is provided and containing a private entrance from outside the building or from a common hall or stairway inside.

3.75 **"DWELLING UNIT, ACCESSORY"** shall mean a dwelling unit which is part of and accessory to a permitted non-residential building other than an automobile service station or commercial garage. Such dwelling unit shall be occupied by the owner of the non-residential building or by a person employed on the lot where such dwelling unit is located.

3.76 **"DWELLING, CONVERTED"** shall mean a dwelling erected prior to passing of this By-law altered to contain not more than two (2) dwelling units.

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

3.78 **"DWELLING, MULTIPLE"** shall mean a separate building containing three (3) or more dwelling units which are horizontally and/or vertically attached with masonry walls and which have separate private entrances from the exterior of the building or from a common hallway.

3.79 **"DWELLING, SENIOR CITIZEN MULTIPLE"** shall mean any multiple dwelling for senior citizens sponsored and administered by any public agency or any service club, church or non-profit organization, either of which obtains its financing from Federal, Provincial or Municipal governments, or by public subscription or donation, or by any combination thereof, and such multiple dwellings shall include auxiliary uses such as club and lounge facilities, usually associated with senior citizens' development.

3.80 **"DWELLING, SEASONAL"** shall mean a detached building constructed and used as a secondary place of residence for seasonal vacations and recreational purposes and not as the principal residence of the owner or occupant thereof.

3.81 **"DWELLING, SEMI-DETACHED"** shall mean a separate building containing two (2) single dwelling units separated vertically by a common wall, each unit having separate entrance and exit facilities.

3.82 **"DWELLING, SINGLE DETACHED"** shall mean a separate building designed and intended to be occupied as a single housekeeping unit.

3.83 **"DWELLING UNIT, BACHELOR"** shall mean a dwelling unit consisting of one (1) bathroom and not more than two (2) habitable rooms providing therein living, dining, sleeping and kitchen accommodation in appropriate individual or combination room or rooms.

3.84 **"EATING ESTABLISHMENT"** shall mean a building or part of a building where food is prepared and/or cooked for sale to the public, and includes a restaurant, a drive-in restaurant, a take-out restaurant, a snack bar, a dairy bar, coffee shop, dining room, café, ice cream parlour, banquet hall, tea or lunch room or refreshment stand wagon but does not include a boarding or

rooming house or a chip wagon or chip truck.

3.85 **"ELDERLY PERSONS' CENTRE"** shall mean any facility intended primarily for the use of elderly persons for purposes which include social, cultural, athletic or recreational activities, and shall include any centre established under the Elderly Persons Centres Act, as amended.

***3.86** *"ENVIRONMENTAL IMPACT STATEMENT (EIS)" shall mean a study prepared in accordance with established procedures, as outlined in Section 7.8.6 of the County of Hastings Official Plan. (amended by Bylaw 2022-004)**

3.87 **"EQUIPMENT SALES/RENTAL AND REPAIR ESTABLISHMENT"** shall mean a building or part of a building, structure or yard in which articles, machinery and equipment, including heavy machinery are offered for rent and may be serviced or repaired, and may be offered or kept for rent, lease or hire under agreement for compensation.

3.88 **"ERECT"** when used in this By-law includes construction, reconstruction, and relocation of buildings and structures, and without limiting the generality of the work, also includes:

i) any preliminary physical operation such as excavating, filling, regrading or draining;
ii) altering any existing building or structure by adding, enlarging, extending, remodelling, renovating, moving, demolishing, or effecting other structural changes;
iii) any work for the doing of which a building permit is required under the Building By-law of the Corporation; and
iv) erect, erected or erection shall have a corresponding meaning.

3.89 **"ESTABLISHED BUILDING LINE"** shall mean the average setback of the existing buildings. A building line is considered to be established when at least three (3) buildings have been erected on any one side of a continuous 300 metres (984.3 ft.) of land with street frontage.

3.90 **"ESTABLISHED GRADE"** shall mean the average elevation of the ground level or sidewalk adjoining the front wall of the building or structure.

3.91 **"EXISTING"** unless otherwise described, shall mean existing as of the date of the passing of this By-law.

3.92 **"EXTERIOR SIDE LOT LINE"** see "LOT LINE, EXTERIOR SIDE".

3.93 "EXTERIOR SIDE YARD" see "YARD, SIDE".

3.94 "FARM IMPLEMENT AND SUPPLY DEALER" shall mean an establishment for the repair and/or sale of agricultural implements including the sale of fuel, lubricants and related items for agricultural equipment on the same premises.

3.95 "FARM PRODUCE OUTLET" shall mean a use accessory to a permitted farm which consists of the retail sale of agricultural products.

3.96 "FACTORY OUTLET" shall mean a building or part of a building in which the wholesale sale of products to the general public is carried on. The outlet may or may not be in the factory in which the goods were produced nor must the outlet be located on the same property in which the factory is located.

3.97 "FLEA MARKET" shall mean a building or part of a building ***or place*** where second-hand goods, articles and antiques are offered or kept for sale at retail to the general public *. ***(amended by Bylaw 2024-027).***

3.98 *"FLOOD PLAIN" shall mean for river, stream and small island lake systems, the area, usually lowlands, adjoining a watercourse which has been, or may be subject to flooding hazards. (amended by Bylaw 2022-004)*

3.99 "FLOOR AREA, GROSS" shall mean the total floor area of all the storeys of a building and shall include the floor area of any apartment or areas common to the tenants, which floor areas are measured between exterior faces of the exterior walls of the building at each floor level, but excluding car parking areas within the building and any finished or unfinished basement or cellar. For the purpose of this definition, the walls of an inner court are and shall be deemed to be exterior walls.

3.100 "FLOOR, GROUND" shall mean the lowest storey of a building, approximately at or first above the finished grade level.

3.100.1 *"forestry – bio-economy" shall mean a renewable and sustainably sourced biomass resources such as trees, agricultural crops and organic residuals from harvesting and timber processing used to provide a greater range of consumer and industrial products to society. (added by Bylaw 2022-022).*

3.101 "FLOOR AREA, GROUND" shall mean the floor area of the lowest storey

of a building, approximately at or first above the finished grade level, of which the area is measured between the exterior faces of the exterior walls at the floor level of such storey, but excludes car parking areas within the building and any finished or unfinished basement or cellar. For the purpose of this paragraph, the walls of an inner court are and shall be deemed to be exterior walls.

3.102 "FOOD MARKET" shall mean a building or part of a building ***or place*** wherein food and other household items are kept for sale at retail to the general public and which operates on a self-service, cash and carry basis. ***(amended by Bylaw 2024-027).***

3.103 "FORESTRY/FORESTRY USES" shall mean the management, development, cultivation and harvesting 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 and production of water supplies, and preservation of the recreation resource.

3.104 "FOUNDATION" shall mean a system or arrangement of structural members including footings, rafts or piles through which the loads from a building are transferred to supporting soil or rock.

3.105 "FRONT LOT LINE" see "LOT LINE, FRONT".

3.106 "FRONT YARD" see "YARD, FRONT".

3.107 "FUEL STORAGE TANK" shall mean a tank for the bulk storage of petroleum, gasoline, fuel, oil, gas or flammable liquid or fluid but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.

3.108 "FUNERAL HOME" shall mean a building, or a portion of a building, designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.

3.109 "GARAGE, COMMERCIAL" shall mean a building, structure or lot where commercial motor vehicles are stored or where vehicles are repaired or maintained.

3.110 "GARAGE, PRIVATE" shall mean a separate building or a part of the

principal building used for the parking or storage of private passenger motor vehicles or commercial vehicles of less than one tonne capacity and wherein neither servicing nor repairing is carried on for remuneration.

3.111 "GARAGE, PUBLIC" see "AUTOMOBILE SERVICE STATION".

3.112 *"GARDEN SUITE" shall mean an accessory one-unit detached residential structure containing a bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable. Under no circumstances shall a garden suite be defined to include a single wide or double wide mobile home, a motorized mobile home, a travel trailer, tent trailer or trailer otherwise designed. (amended by Bylaw 2022-004)*

3.113 "GAS BAR" shall mean one or more pump islands, each consisting of one (1) or more gasoline pumps and shelter having a floor area of not more than 9.3 sq m. (100 sq ft.), excluding washrooms, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and shall not be used for repairs, oil changes or greasing, but this definition shall not include a kiosk on a pump island.

3.114 "GASOLINE PUMP ISLAND" shall mean a structure which is an accessory use intended to provide gasoline for vehicles.

3.115 "GAZEBO" shall mean a freestanding, roofed accessory structure which is not enclosed, except for screening or glass and which is utilized for the purposes of relaxation in conjunction with a residential dwelling but shall not include any other use or activity otherwise defined or classified in this By-law.

3.116 "GIFT SHOP" shall mean a building or part of a building where crafts, souvenirs, gifts or 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 in this By-law.

3.117 "GOLF COURSE" shall mean a public or private area operated for the purpose of playing golf and includes a par 3 or larger golf course, a miniature golf course and driving range.

3.118 "GREENHOUSE" shall mean a building for the growing of plants, shrubs, trees and similar vegetation which are primarily intended to be transplanted outdoors, but shall not include cannabis or a cannabis-

related use. (amended by Bylaw 2022-004)

3.119 *"GROUP HOME" shall mean a dwelling unit used to provide supervised living accommodation as per the requirements of its residents, licensed or funded under the Province of Ontario or Government of Canada legislation, for a maximum of 10 persons, exclusive of staff, living together in a single housekeeping unit, but excludes correctional facilities and shelters. (amended by Bylaw 2022-004)*

3.120 "HEALTH SPA" shall mean a building or buildings and associated land, facilities and accessory buildings and uses which provide for the physical and emotional treatment of the human body.

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

3.122 "HEREIN" shall mean in this By-law and shall not be limited to any section of this By-law.

3.123 "HIGH WATER MARK" shall mean the mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of 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.

3.124 "HOME INDUSTRY" shall mean an industry which is clearly incidental or secondary to the residential use of a single detached dwelling and is conducted either entirely within a single dwelling or in an accessory building to a single dwelling, by an inhabitant thereof. Such industries shall include a veterinary hospital or clinic, a woodworking shop, a welding shop, a machine or automobile body shop, a small engine repair shop, a blacksmith shop or similar use.

3.125 *"HOME OCCUPATION" shall mean a use which is clearly incidental or secondary to the residential use of a dwelling and is conducted entirely within such a dwelling by an inhabitant thereof and shall not use more than 30% of the gross floor area of the dwelling. Such uses may include, but are not limited to, arts and crafts shop, an outlet or office for a real estate agent, a hairdresser, dressmaker, dentist, doctor, chiropractor, physiotherapist, licensed massage therapist or osteopath or other professional, or a bed and breakfast establishment.

(amended by Bylaw 2022-004)*

3.126 "HOSPITAL, PRIVATE" shall mean a hospital as defined by the Public Hospitals Act, as amended from time to time.

3.127 "HOSPITAL, PUBLIC" shall mean a hospital as defined by the Public Hospitals Act, as amended from time to time.

3.128 "HOTEL" shall mean a building or structure used for the purpose of catering to the needs of the travelling public by supplying sleeping accommodations, and may or may not include food and refreshments and which may include permanent staff accommodation and may or may not be licenced under the Liquor Licence Act.

3.129 "HUNT CAMP" shall mean a base camp for recreational activities such as hunting which provides seasonal or temporary accommodation only, in a remote location where municipal or community services are usually not available and shall not mean a dwelling unit or a commercial facility and shall not be used for habitation on a permanent basis.

3.126.1 *"hydrogeological study" shall mean a study prepared in accordance with Section 7.8.9 of the County of Hastings Official Plan. (added by Bylaw 2022-004)*

3.130 "INTENSIVE AGRICULTURE" see "AGRICULTURE, INTENSIVE"

3.131 "INTERIOR SIDE YARD" see "YARD, SIDE"

3.132 "KENNEL" shall mean a building or structure where dogs, cats or other domestic household pets are kept, boarded and/or bred, but shall not apply to the keeping of animals in a veterinary establishment for the purpose of observation and/or recovery necessary to veterinary treatment and shall contain no more than 12 dogs over the age of four (4) months and in which enclosed outside runs shall be permitted.

3.133 "LANE" shall mean a thoroughfare or way, which affords only a secondary means of access to abutting property.

3.134 "LANDSCAPED" shall mean an area not built upon and not used for any purpose other than as a landscaped area and which shall include at least a hedgerow of hardy shrubs or similar type of vegetation not less than 0.3 metres (1 ft.) in height at the time of planting and which, when fully grown, will reach a height of not less than 2 metres (6.6 ft.), extending the full length

of the landscaped area and be maintained in a healthy growing condition. A landscaped area does not include driveways, parking spaces or parking aisles.

3.135 "LAUNDRY AND DRY CLEANING SHOP" shall mean a building or part of a building used for the purpose of receiving articles or goods of fabric to be subjected to a commercial process of laundering, dry cleaning, dry dyeing or cleaning elsewhere and for the pressing and distribution of any such articles or goods which have been subjected to any such process and shall include self- service laundry and/or self-service dry cleaning establishments.

3.136 "LIVESTOCK" shall mean poultry, turkeys, cattle, hogs, horses, mink, rabbits, sheep, goats, fur bearing animals, or any other domesticated animal used for consumption.

3.137 "LIVESTOCK FACILITY" shall mean a farm unit which includes the raising or keeping of livestock as defined herein.

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

i) is provided for the temporary parking of one (1) commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle, and such parking shall not be for the purpose of sale or display;
ii) is suitable for the temporary parking of one (1) commercial motor vehicle;
iii) is not upon or partly upon any street, lane or alley; and

iv) has adequate access to permit ingress and egress of a commercial motor vehicle from a street by means of driveways, aisles, manoeuvring areas or similar areas, no part of which shall be used for the temporary parking or storage of one or more motor vehicles.

3.139 "LODGE" shall mean an establishment catering to the vacationing public by providing meals and sleeping accommodation to at least five (5) guests in rooms or cabins but shall not include any establishment otherwise defined herein.

3.140 "LOGGING" shall mean the removal or cutting of merchantable timber either by strip or clear or total cutting operations but does not include the

selective harvesting of mature timber nor does it include the clearing of land incidental to putting the land into a condition necessary for the bonafide exercise of a use specifically permitted herein and selective harvesting as used herein means the harvesting of mature timber while causing a minimum of damage to adjacent growth in accordance with good forestry practice.

3.141 "LOT" shall mean a parcel of land, the boundaries of which are defined in the last registered instrument by which legal or equitable title to the said parcel was lawfully and effectively conveyed or which is a whole lot as shown on a Registered Plan of Subdivision subject to the provisions of the Planning Act.

3.142 "LOT AREA" shall mean the total horizontal area within the lot line of a lot, and in the case of a corner lot having street lines rounding at the corner with a radius of 6.0 metres (19.7 ft.) or less, the lot area of such lot is to be calculated as if the lot lines were projected to their point of intersection.

3.143 "LOT, CORNER" shall mean a lot situated at the intersection of two or more streets or private roads, having an angle of intersection of not more than 135 degrees. The front lot line on a corner lot is deemed to be either lot line abutting the street.

3.144 "LOT COVERAGE" shall mean that percentage of the lot area covered by all buildings or structures but excluding any part of a building or structure which is constructed entirely below grade. For the purposes of calculating lot coverage, the lot coverage of each zone shall be deemed to apply only to that portion of such lot that is located within the said zone.

3.145 "LOT DEPTH" shall mean the horizontal distance between the midpoints of the front and rear lot lines, and where there is no rear lot line, lot depth means the length of a line within the lot between the midpoint of the front lot line and the most distant point of the apex(es) of a triangle formed by the side lot lines.

3.146 "LOT FRONTAGE" shall mean the horizontal distance between the side lot lines measured along the front lot line, but where the front lot line is not a straight line or where the side lot lines are not parallel, the lot frontage is to be measured 9.0 metres (29.5 ft.) back from the front lot line and parallel to the chord of the lot frontage. For the purpose of this paragraph the chord of the lot frontage is a straight line joining the two points where the side lot lines intersect the front lot line.

3.147 "LOT, INTERIOR" shall mean a lot other than a corner lot.

3.148 "LOT LINE" shall mean any boundary of a lot.

3.149 "LOT LINE, EXTERIOR SIDE" shall mean the longer of the lot lines of a corner lot which abuts a street.

3.150 "LOT LINE, FRONT" shall mean, in the case of an interior lot, the line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street shall be deemed the front lot line and the longer lot line abutting a street 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. In the case of a lot fronting only on a navigable waterway, the highwater mark of the navigable waterway shall be deemed to be the front lot line. In the case of a lot fronting on a navigable waterway and on a street, the lot line abutting the street shall be deemed the front lot line. In the case of a lot fronting on a private road only, the line abutting the private road shall be deemed to be the front lot line.

3.151 "LOT LINE, REAR" shall mean the lot line farthest from and opposite to the front lot line and where the side lot lines converge at the rear of the lot to form a triangular shaped parcel of land, the rear lot line shall mean the apex of the triangle formed by the side lot lines. Furthermore, where the rear lot line is situated adjacent to a body of water, such lot line shall be the line formed by the highwater mark of a body of water.

3.152 "LOT LINE, SIDE" shall mean any lot line other than the rear or front lot line.

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

3.154 "LUMBER YARD" shall mean an area where finished and unfinished lumber is stored but does not include an establishment or area otherwise defined in this by-law.

3.155 "LUMBER MILL" see "SAW AND/OR PLANING MILL"

3.156 "MANUFACTURING OR PROCESSING PLANT" shall mean a plant in which the process of producing a product suitable for use by hand and/or mechanical power and machinery is carried on systematically with division of labour.

(deleted by Bylaw 2018-062)

3.157 "MARINA, PUBLIC/PRIVATE" shall mean a building or structure with access to a body of water, where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale and where facilities for the sale of marine fuels and lubricants may be provided.

3.158 *"MARINE/SNOWMOBILE DEALER" shall mean any building or structure used for the purpose of supplying, selling and storing boats, snowmobiles and marine products, all-terrain vehicles (A.T.V.'s) and small engine equipment, and may include repair facilities for the purpose of repairing those items either sold by or related to the products supplied by the dealer. (amended by Bylaw 2012-066)*

3.159 "MARINE FACILITY" shall mean an accessory building or structure which is used to take a boat into or out of a waterbody to moor, berth or store a boat and includes a boat launching ramp, boat lift, pumping station, dock or boathouse and a water pumphouse but shall not include any building used for human habitation or any boat service, repair or sales facility and shall comply with the minimum side yard requirements of the respective zone.

3.160 "MARKET GARDEN" shall mean the use of land for the intensive commercial cultivation of vegetables, fruits or flowers.

3.161 "MERCHANDISE SERVICE SHOP" shall mean a building or part of a building, whether connected with a retail shop or not, in which persons are employed in furnishing the repair or servicing of articles, machines, goods or materials as opposed to the manufacture of same. Merchandise service shops include such establishments as small engine repair of such items as lawn mowers, chainsaws and snowmobiles.

3.157.1 *"mineral aggregate resources" shall mean gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act. (added by Bylaw 2022-004)*

3.162 *"MINIMUM DISTANCE SEPARATION" shall mean a separation requirement in accordance with the Minimum Distance Separation (MDS) Formulae and Implementation Guidelines, as amended from

time to time, as defined by the Provincial Policy Statement (PPS) and administered by the Ontario Ministry of Agriculture, Food and Rural Affairs:

i) Minimum Distance Separation I provide minimum distance separation for new or expanding development from existing livestock facilities.

ii) Minimum Distance Separation II provides minimum distance separation for new or expanding livestock facilities from existing or approved development. (amended by Bylaw 2022-004)*

3.162.1 "mobile food vendor" shall mean a vendor operating an outdoor wheeled contrivance not permanently affixed to the ground and capable of being moved, from which food intended for immediate consumption is provided for sale or sold, and includes a motorized, self-propelled vehicle (e.g. a food truck), a vehicle that is not self-propelled, but that can be easily towed (e.g. a food trailer) and a vehicle moved by human exertion (e.g. a food cart). A mobile food vendor includes, but is not limited to, a portable canteen, a chip wagon, food truck, mobile food preparation vehicle, hot dog cart, or refreshment vehicle. (added by Bylaw 2024-027).

3.163 "MODULAR/MOBILE HOME" shall mean a factory built, detached structural unit designed to be and capable of being transported after fabrication, on its own chassis and wheel system, to a lot, and which is suitable for year round occupancy in similar fashion as a dwelling unit, except for minor and incidental unpacking and assembly operations, placement on defined supporting structures and connections to utilities.

3.164 "MOTEL" shall mean an establishment which consists of one or more than one building containing more than one rental unit for the purpose of catering to the travelling public, to whom the automobile is the principal means of transportation, by furnishing sleeping accommodations with or without meals and which may include permanent staff accommodation and may or may not be licenced under the Liquor Licence Act.

3.165 "MOTORIZED ALL TERRAIN VEHICLE (A.T.V.)" shall mean a motorized recreational vehicle used for off road recreational purposes.

3.166 *"MOTORIZED MOBILE HOME/RECREATIONAL VEHICLE" shall mean any motor vehicle so constructed as to be a self-contained, self-propelled unit capable of being utilized for the living, sleeping or eating accommodation of persons. (amended by Bylaw 2011-031)*

3.167 "MOTORIZED SNOW VEHICLE" shall mean a motorized snow vehicle within the meaning of The Motorized Snow Vehicle Act.

3.168 "MULTIPLE DWELLING" see "DWELLING, MULTIPLE".

3.169 "MUNICIPAL/PUBLIC UTILITIES YARD" shall mean a lot which may include a building or structure and also associated storage structures used for the storage, maintenance or repair of equipment, machinery or motor vehicles used in connection with civil works and shall include a public works yard.

3.170 "MUNICIPALITY" shall mean the Corporation of the Municipality of Hastings Highlands.

3.171 "NON-COMPLYING USE" shall mean a permitted land use, building or structure existing at the date of the passing of this By-law which does not fulfil the requirements of the zone provisions (e.g. yard setbacks) for the zone within which it is located, but which may continue to be used or exist, provided there is no change in that use (e.g. enlargement of the structure).

3.172 "NON-CONFORMING USE" shall mean a lawful and specific use, building, structure or land existing at the date of the passing of this By-law which does not fulfil the requirements of the use provisions for the zone in which it is located, but which may continue to be used for such purposes or activities, provided there is no change in that use.

3.173 "NUISANCE" shall mean any condition existing that is or may become injurious or dangerous to health or that prevents or hinders or may prevent or hinder in any manner the suppression of a disease.

3.174 *"NURSERY/GARDEN CENTRE/GREENHOUSE" shall mean, excluding cannabis or a cannabis-related use:

i) a place where young trees or other plants are grown for transplanting or for sale and may also include the sale of related accessory supplies.

ii) land used for the growing of sod, flowers, bushes, trees or other

gardening, landscaping or orchard stock for wholesale or retail sale.

iii) a building or structure, and lands associated therewith, for the growing of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation together with gardening tools and implements which are sold at retail from such building or lot to the general public. (amended by Bylaw 2022-004)*

3.175 "NURSERY SCHOOL" shall mean a day nursery within the meaning of the Day Nurseries Act, as amended from time to time, and shall include a day care centre.

3.176 "NURSING HOME" shall mean:

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

ii) any premises in which persons are cared for, lodged, either by a charitable institution within the meaning of the appropriate statute or for hire, where, in addition to sleeping accommodation and meals, personal care, nursing services or medical care and treatment are provided or made available, but shall not include a Maternity boarding house. For the purpose of this definition, 'personal care' means personal services such as the provision of aid to residents in walking or climbing or descending stairs, in getting in or out of bed, in feeding, dressing, bathing or in other matters of personal hygiene, and includes the preparation of special diets, the provision of tray service for meals, the supervision of medication and other similar types of personal assistance and 'resident' means a person who is cared for or lodged for hire in such premises.

3.177 "OPEN SPACE/OPEN SPACE USES" shall mean the open, unobstructed space on a lot, including the open, unobstructed space accessible to all occupants of any residential or commercial building or structure, which is suitable and used for the growth of grass, flowers, bushes and other vegetation and may include any surface pedestrian walk, patio, pool, or similar area, but does not include any driveway, ramp or parking spaces, parking aisles, loading spaces, vehicular manoeuvring areas or similar areas.

3.178 "OPEN STORAGE" see "OUTDOOR STORAGE"

3.179 "ORNAMENTAL STRUCTURE" shall mean any ornamental fountain, statue, monument, cenotaph or other memorial or decorative structure not being part of or accessory to any other structure.

3.180 "OUTDOOR FURNACE" shall mean a building or structure that is used to provide heat or heated water to the main building on a lot but is separate from the main building on the lot.

3.181 "OUTSIDE STORAGE" shall mean an accessory storage area outside of the principal or main building on the lot.

3.182 "PARK, PRIVATE" shall mean a park other than a public park.

3.183 "PARK, PUBLIC" shall mean a recreational area owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario or Government of Canada.

3.184 "PARKING AISLE" shall mean an area of land which abuts and provides direct vehicular access to one or more parking spaces.

3.185 "PARKING ANGLE" shall mean the angle, 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.

3.186 "PARKING AREA" shall mean an area of land which is provided and maintained upon the same lot or lots upon which the principal use is located or upon a privately owned lot situated within 60 metres (196.9 ft.) of the said lot and which areas comprise all parking spaces of at least the minimum number required according to the provisions of this By-law, and all driveways, aisles, vehicular manoeuvring areas, entrances, exits and similar areas used for the purpose of gaining access to or egress from the said parking spaces.

3.187 "PARKING LOT" shall mean any parking area other than a parking area accessory to a permitted use.

3.188 "PARKING SPACE" shall mean an area of land having a width of not less than 2.7 metres (8.9 ft.) and a length of not less than 6 metres (19.69 ft.), exclusive of aisles or any other land used for access or vehicular

manoeuvring, for the temporary parking of one motor vehicle. A parking space may be located in the open or within a private garage, carport, building or other covered area and shall have adequate access to permit ingress and egress of a motor vehicle from a street by means of driveways, aisles or similar areas.

3.189 "PERSON(S)" shall mean any human being, association, firm, partnership, private club, 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.

3.190 "PERSONAL SERVICE SHOP" shall mean a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons. Personal service shops include such establishments as barber shops, hairdressing salons, shoe repair and shoeshine shops and depots for collecting dry-cleaning and laundry.

3.191 "PIT" shall mean land or land under water from which unconsolidated aggregate is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site or in relation to which an order has been made under the Aggregate Resources Act.

3.192 "PLANTING SCREEN" shall mean a continuous hedgerow of evergreen trees or shrubs, not less than 1.6 metres in height, immediately adjacent to the lot line or portion thereof along which such planting screen is required herein.

3.187.1 *"portable asphalt plant" shall mean a facility:

i) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and

ii) which is not of permanent construction, but which is to be dismantled at the completion of the construction project. (added by Bylaw 2022-004)*

3.188.1 *"portable concrete plant" shall mean a building or structure:

i) with equipment designed to mix cementing materials, aggregate, water

and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and

ii) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project. (added by Bylaw 2022-004)*

3.193 "PORTABLE CANTEEN" shall mean a vehicular and mobile facility where light meals and drink are prepared and served to the public and which does not necessarily provide for consumption thereof on the premises and shall include a chip truck or chip wagon.

3.194 "PRINTING/PUBLISHING ESTABLISHMENT" shall mean a building or part of a building in which the business of producing books, newspapers or periodicals by mechanical means and reproducing techniques such as photo copying is carried on and may include the sale of newspapers, books, magazines, periodicals or the like to the general public.

3.195 "PRIVATE CLUB" shall mean a building or part of a building used as a meeting place for members sharing a common interest and includes a fraternal lodge or organization and a labour union hall. Such private clubs shall not be operated for profit.

3.196 "PRIVATE GARAGE" see "GARAGE, PRIVATE".

3.197 "PRIVATE PARK" see "PARK, PRIVATE".

3.198 "PRIVATE ROAD" shall mean a street other than a "Street" as defined in this By-law.

3.199 *"PROVINCIALLY SIGNIFICANT WETLANDS" shall any wetland that is subsequently evaluated and determined by the Ontario Ministry of Natural Resources and Forestry in accordance with the Provincial Policy Statement (PPS), as amended from time to time. (amended by Bylaw 2022-004)*

3.200 "PUBLIC USE" shall mean the Corporation of the Municipality and any Boards or Commissions thereof: any telecommunications company, any company supplying natural gas to the Municipality, the electric authority, the County of Hastings and any Department of the Government of Ontario and Canada, or other similarly recognized agencies.

3.201 "PUBLIC GARAGE" see "GARAGE, PUBLIC".

"3.201.1 "public market" shall mean a building or place where a group of persons, merchants, vendors, or participants gather to offer handcrafts, produce and vegetables, food, new and used goods, wares or merchandise for sale. A public market includes a food market and flea market." (added by Bylaw 2024-027).

3.202 "PUBLIC PARK" see "PARK, PUBLIC".

3.203 "QUARRY" shall mean land or land under water from which consolidated aggregate is being or has been excavated and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site or in relation to which an order has been made under the Aggregate Resources Act.

3.204 "RACEWAY" shall mean a track, viewing areas and accessory buildings for the running of automobiles, recreational vehicles, snowmobiles, motorcycles and similar motorized vehicles.

3.205 "REAR LOT LINE" see "LOT LINE, REAR".

3.206 "REAR YARD" see "YARD, REAR".

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

3.208 "RECREATIONAL USE, ACTIVE OUTDOOR" shall mean uses such as golf courses, lawn bowling greens, tennis courts, outdoor skating rinks and

swimming pools, together with necessary and accessory buildings and structures.

3.209 "RECREATIONAL USE, PASSIVE OUTDOOR" shall mean such uses as hiking and ski trails, nature observation locations and open space as opposed to (for example) tennis courts, golf courses and baseball diamonds.

3.210 "RECREATIONAL ESTABLISHMENT, COMMERCIAL" shall mean a building used or intended to be used for a theatre, bowling alley, curling rink, swimming pool, billiard parlour, health club, athletic club or similar uses.

3.211 "RELIGIOUS INSTITUTION" shall mean buildings used as dwellings by religious orders for their own members, such as a convent or monastery.

3.212 "RESEARCH FACILITY" shall mean a building or part of a building or an area of open space in which investigation or inquiry for the purpose of producing new information or products is carried on and shall be conducted in accordance with the provisions of Sections 5.20 and 5.21 of this By-law.

3.213 "RESIDENTIAL" shall mean the use of land, buildings, or structures for human habitation.

3.214 "RESTAURANT" shall mean a building or part of a building where food is prepared and/or cooked and offered for sale or sold to the public and where dining tables and table service are provided.

3.215 "RESTAURANT, DRIVE-IN" shall mean premises consisting of a building or structure, together with a parking lot, where food is prepared and/or cooked and offered for sale or sold to the public for consumption either in a motor vehicle parked on the parking lot or for consumption on the premises and where dining tables may be provided but table service is not provided.

3.216 "RESTAURANT, TAKE-OUT" shall mean a building or part of a building where food is prepared and/or cooked and offered for sale or sold to the public and where neither dining tables nor table service are provided.

3.217 "RETAIL STORE" shall mean a building or part of a building where goods, merchandise, substances, articles or things are offered for retail sale directly to the general public and includes storage on the store premises of such goods, merchandise, substances, articles or things sufficient only to service such store.

3.218 "RETAIL STORE, CONVENIENCE" shall mean a retail store serving the daily or occasional needs of the residents in the immediate area with a variety of goods such as groceries, meats, beverages, dairy products, patent medicines, sundries, tobacco, stationery, hardware, magazines and newspapers.

3.219 "SALVAGE YARD" shall mean a fenced lot and/or land for the storage and/or handling of scrap material, which without limiting the generality of the foregoing, may include vehicles, tires, metal, used bicycles, waste paper and/or other scrap material and salvage.

3.220 "SANITARY SEWER" shall mean a system of underground conduits, operated either by the Corporation or by the Ministry of the Environment, which carries sewage to a place of treatment which meets with the approval of the Ministry of the Environment.

3.221 "SAUNA" shall mean an enclosed structure which does not exceed 10 sq. metres (107.6 sq. ft.) in an area with an approved heating device to produce steam.

3.222 "SAW AND/OR PLANING MILL" shall mean a building, structure or area where timber is cut, sawed or planed, either to finished lumber or as an intermediary step and may include facilities for the kiln drying and storage of lumber and may or may not include the distribution of such products on a wholesale or retail basis.

3.223 "SCHOOL" shall mean a public, separate, or high school under the jurisdiction of the Board of Education or the Roman Catholic Separate School Board, a private school, a continuation school, a technical school, a vocational school, a college, a university or other educational institution, but not a commercial school.

3.224 "SEASONAL RESIDENCE" see "DWELLING, SEASONAL".

3.225 "SEASONAL FARM WORKER" shall mean one (1) or more persons employed as a farm worker for a period of less than 12 months in any one (1) calendar year.

3.226 "SECONDARY FARM OCCUPATION" shall mean an operation conducted by individuals residing on a farm property that is clearly secondary and incidental to the principal use of farming on the subject property and is intended to provide active farmers with a secondary or supplementary means of income. The types
of uses permitted as secondary farm occupations shall be limited to those involved in the manufacture or fabrication of goods (i.e. farm gates, hay bale elevators, animal feeders), uses considered to be trade occupations (i.e. electrician, plumber, carpenter, welder, mechanic), and those occupations which are primarily and directly related to agriculture and farming.

3.227 "SELECTIVE CUTTING" shall mean the harvesting of mature timber without causing undue damage to adjacent standing growth.

3.228 "SELF STORAGE BUILDING" shall mean a building (or part thereof)

containing individual doorways each accessing a fully enclosed room that is used for storage of inactive and stable dry goods only.

3.229 "SEMI-DETACHED DWELLING" see "DWELLING, SEMI-DETACHED".

3.230 "SENIOR CITIZEN HOUSING" shall mean housing owned and operated by the government to provide residential accommodation for senior citizens.

3.231 "SETBACK" shall mean the least horizontal dimension between the centreline of a street allowance, measured at right angles to such centreline, and the nearest part of any building, structure or excavation on the lot, or the nearest open storage use on the lot.

3.232 "SHOPPING CENTRE" shall mean a group of commercial uses which has been designed and developed as a unit by a single owner or group of owners, as distinguished from a business area consisting of unrelated individual commercial uses.

3.232.1 "site alteration" shall mean any change in land including, but not limited to:

a) The placing or dumping of fill;
b) The removal of topsoil;
c) Placing, dumping, removal or blasting of rock;
d) Any other action that alters the grade of land including the altering in any way of a natural drainage course on a site; or
e) Any combination of the above activities (added by Bylaw 2022-005).

3.233 "SHORELINE" shall mean any lot line or portion thereof that abuts a waterbody.

3.233.1 "steep and/or unstable slope" shall mean any change in elevation resulting in a slope greater than 3:1 (horizontal:vertical) or greater than 18 degrees. (added by Bylaw 2022-005).

3.234 "SIDE LOT LINE" see "LOT LINE, SIDE".

3.235 "SIDE YARD" see "YARD, SIDE".

3.236 "SINGLE DETACHED DWELLING" see "DWELLING, SINGLE DETACHED".

3.237 "SIGHT TRIANGLE" shall mean an area free of buildings or structures, which area is determined by measuring from the point of intersection of

street lines on a corner lot or where a corner is rounded from the point at which the extended street lines meet, the distance required by this By-law along each such street line and joining such points with a straight line thereby creating a triangular-shaped parcel of land. This triangular-shaped parcel of land located between the intersecting street lines and the straight line joining the points located the required distance along the street lines is the sight triangle.

3.238 "SOLAR COLLECTOR" shall mean any structure subordinate to a principal structure designed specifically for the collection of solar energy for experimental or ornamental purposes or for the purposes of converting such energy for heating, lighting, water production or any other domestic or commercial use that may be obtained from such source. For the purposes of this By-law, a solar collector shall be considered an accessory structure.

3.239 "STORMWATER MANAGEMENT" shall mean long-term and short-term management of stormwater runoff quality and quantity which may require the construction and installation of permanent stormwater facilities.

3.240 "STORMWATER MANAGEMENT FACILITIES" shall mean a designated area or structural device that would control the quantity or quality or velocity of stormwater runoff leaving a property to achieve specific objectives such as reduce flooding and erosion, remove pollutants and provide other amenities.

3.241 "STREET" shall mean a public highway as defined under the Highway Traffic Act, as amended, from which access may be taken to an abutting lot and which is dedicated, assumed and maintained by a Municipality, a county, or the Province of Ontario. A street does not include an unopened road allowance, a lane or an unassumed road on a Registered Plan which has been deemed not to be a Registered Plan under the Planning Act.

3.242 "STREET LINE" shall mean the limit of the street allowance and is the dividing line between a lot and a street.

3.243 *"STRUCTURE" shall mean anything constructed or erected, the use of which requires location on the ground, and shall include a fence and a dock. (amended by Bylaw 2012-045)*

3.244 "TAKE-OUT RESTAURANT" see "RESTAURANT, TAKE-OUT".

3.245 "TAVERN" shall mean "a tavern" as defined by the Liquor Licence Act, as amended from time to time.

3.246 "TEA ROOM" shall mean a public room accommodating no more than 20 persons, where tea and light refreshments, but not complete meals, are served for immediate consumption within the building. A tearoom does not include premises licensed under the Liquor Licence Board of Ontario or any other form of eating establishment as defined herein.

3.247 "TENT" shall mean every kind of temporary shelter for sleeping that is not permanently affixed to the site and that is capable of being easily moved.

3.248 "THROUGH LOT" see "LOT, THROUGH".

3.249 "TOP OF BANK" (Slope) shall mean a point or line which is the beginning of a significant change in the land surface, then from which the land surface slopes downward. When two (2) or more slopes are located together, the slope that is highest and farthest away from the top of the slope shall be the slope considered for the top of bank.

3.250 "TOURIST ESTABLISHMENT" shall mean any premises operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities and includes the services and facilities in connection with which sleeping accommodation is provided, and without limiting the generality of the term, also includes a tourist cabin and a housekeeping cottage as well as docks, eating establishments and convenience stores but does not include:

i) a camp operated by a charitable corporation approved under the Charitable Institutions Act;
ii) a summer camp within the meanings of the regulations under The Health Promotion and Protection Act; or
iii) a club owned by its members and operated without profit or gain.

3.251 "TRACTOR TRAILER TRUCK" shall mean a self-propelled motor vehicle designed for the haulage of goods in an attached trailer but not for the carriage of any load when operating independently.

3.252 *"TRAVEL TRAILER" shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, notwithstanding that such vehicle is jacked-up or that its running gear is removed, but not including any vehicle unless it is used or intended for the temporary living, sleeping or eating accommodation of persons therein, and shall be deemed to include a tent, truck camper or camper trailer, and may

not be placed on a foundation. (amended by Bylaw 2011-031)*

3.253 "TRAVEL TRAILER PARK" shall mean a parcel of land maintained for the temporary parking of tents or travel trailers on individual sites and shall be subject to the provisions of this By-law.

3.254 "TRAVEL TRAILER SITE" shall mean an area of land within a travel trailer park that is or is intended to be occupied by one tent or one trailer or similar vehicle within the meaning of a trailer as defined above with adequate access to a driveway or public street.

3.255 *"TRUCK CAMPER" shall mean any unit so constructed that it may be attached upon a motor vehicle, as a separate unit, and capable of being utilized for the temporary living, sleeping or eating accommodation of persons. (amended by Bylaw 2011-031)*

3.256 "USE" shall mean the purpose for which any land, building or structure is arranged, designed, or intended to be used, occupied or maintained.

3.257 "USE, ACCESSORY" shall mean a use customarily incidental and subordinate to the principal use or building located on the same lot.

3.258 "UTILITIES" shall mean any agency, which under public franchise or ownership, or under certificate of convenience and necessity provides the public with electricity, gas, heat, steam, communication, rail transportation, water sewage, collection or other similar service or any regulated private enterprise with an exclusive franchise for providing a public service.

3.258.1 "vegetative buffer" shall mean a natural area, adjacent to a shoreline, maintained or re-established to its natural vegetated state. (added by Order of Ontario Land Tribunal File No. OLT-22-003939 to Bylaw 2022-005).

3.258.2 "vendor" shall mean any person who sets up a temporary business to sell handicrafts, produce and vegetables, food, new and used goods, wares or merchandise for sale. (added by Bylaw 2024-027).

3.259 "VETERINARY CLINIC" shall mean a building or part of a building in which facilities are provided for the prevention, cure and alleviation of disease and injury to animals and in conjunction with which there may be facilities provided for the sheltering of animals during the treatment period.

3.260 "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 truck terminal.

3.261 "WASTE DISPOSAL SITE" shall mean any land or land covered by water (such as in the case of a sewage lagoon) upon, into, in or through which a building or structure in which waste, exclusive of liquid industrial waste, is deposited or processed and any machinery or equipment or operation required for the treatment or disposal of waste and shall include a sewage treatment plant or sewage lagoon.

3.262 "WASTE MANAGEMENT SYSTEM" shall mean all facilities, equipment and operations for the complete management of waste including the collection, handling, transportation, storage, processing and disposal thereof and may include one or more waste disposal sites.

3.263 "WATER FRONTAGE" shall mean all property abutting a water body measured along the highwater mark.

3.264 "WATERBODY" shall mean any bay, lake, wetland, canal or natural watercourse but excludes a drainage or irrigation channel.

3.265 "WATERBODY, NARROW" shall mean an area where the minimum average distance from shoreline to shoreline is 150 m (492.1 ft.) for a lake and 50 m (164.0 ft.) for a river.

3.266 "WATERCOURSE" shall mean any surface stream or river and includes a natural channel for an intermittent stream and a municipal drain as defined by "The Drainage Act", as amended.

3.267 "WAYSIDE PIT" shall mean:

i) a temporary sand or gravel pit opened and used by a governmental authority or authorized contractor for the purpose of a particular public project such as road construction, or

ii) a minor sand and gravel pit on a farm unit required only for the use of that farm unit.

3.268 "WAYSIDE QUARRY" shall mean a temporary quarry opened and used by a governmental authority or authorized contractor for the purpose of a specific public project such as road construction.

3.269 "WETLANDS" shall mean lands that are seasonally or permanently

covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

3.270 *"WIND TURBINE" A machine or device for converting the kinetic energy in wind into electrical energy that is suitable for use. A wind turbine includes a tower, housing, blades and related appurtenances, greater than 3 kw or 16.6 m. in height. (Bylaw 2007-050)*

3.271 *"WIND TURBINE HEIGHT" The vertical distance between the average finished grade and the highest point of the structure measured as the aggregate total of the base, tower and the furthest reach of the blade, when the blade is in a vertical position. (Bylaw 2007-050)*

3.272 "WOODLOT" shall mean a wooded area in which the majority of trees are at least 10.2 centimetres (4.0 inches) in diameter.

3.273 "WORKSHOP" shall mean a building or structure where manufacturing is performed by tradespeople requiring manual or mechanical skills and may include a carpenter's shop, a woodworker's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, an upholsterer's shop, a welder's shop or similar uses.

3.274 "YARD" shall mean the space appurtenant to a building or structure on the same lot, which is open, uncovered, and unoccupied except for such accessory buildings, structures, or uses which are specifically permitted by this By-law. In determining yard measurements, the minimum horizontal distance from the respective lot lines shall be used.

3.275 "YARD, FRONT" shall mean the yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any buildings or structures on the lot. The "minimum" front yard shall mean the distance between the front lot line and the nearest wall of any principal or accessory building on the lot, according to the context in which the term is used.

3.276 "YARD, REAR" shall mean the yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any principal building or structure on the lot. Where a rear yard is required for an accessory building in this By-law then this definition shall apply except that the words "accessory building" shall be substituted for "principal building". The "minimum" rear yard shall mean the minimum distance between the rear lot line and the nearest wall of any principal building or accessory

building on the lot, according to the context in which the term is used.

3.277 "YARD, SIDE" shall mean the yard extending from the front yard to the rear yard between the side lot line and the nearest part of any building or structure on the lot.

3.278 "YARD, INTERIOR SIDE" shall mean the side yard extending from the front yard to the rear yard between the side lot line and the nearest part of any building or structure on any lot and excluding any exterior side yard. The "minimum" interior side yard shall mean the minimum distance between an interior side lot line and the nearest wall of any principal or accessory building on the lot, according to the context in which the term is used.

3.279 "YARD, EXTERIOR SIDE" shall mean the side yard of a corner lot in which the side yard extends from the front yard to the rear yard between the side street line and the nearest part of any building or structure on the corner lot. The "minimum" exterior side yard shall mean the distance between the exterior side lot line and the nearest wall of any principal or accessory building on the lot, according to the context in which the term is used.

3.280 "ZONE" shall mean a designated area of land use shown on the Schedules of this by-law.

SECTION 4 - ADMINISTRATION

4.1 ZONING ADMINISTRATION

This By-law shall be administered by a person appointed by the Council of the Municipality as the Chief Building Official.

4.2 ISSUANCE OF BUILDING PERMITS

Where land is proposed to be used or a building or structure is proposed to be erected or used in violation of this By-law, no permit or licence required under any by-law of the Corporation for the use of the land or for the erection or the use of the building or structure shall be issued.

4.3 APPLICATIONS FOR BUILDING PERMITS

In addition to the requirements of the Ontario Building Code, the Corporation's Building By-law or any other by-law of the Corporation, every application for a building permit shall be accompanied by plans (which depending upon the nature and location of the work to be undertaken may be required, by the Corporation, to be based upon an actual survey prepared by an Ontario Land Surveyor) drawn to an appropriate scale and showing the following:

i) the true shape and dimensions of the lot to be used or upon which it is proposed to erect any building or structure;
ii) the proposed location, height and dimensions of the building, structure or work in respect of which the permit is being applied for;
iii) the location of every building or structure already erected or partly erected on such lot;
iv) the proposed locations and dimensions of yards, landscaped open spaces, parking areas, and loading spaces required by this By-law;
v) proposed grading or change in elevation or contour of the land and the proposed method for the disposal of storm and surface water from the land and from any building or structures thereon;
vi) a statement signed by the owner or his agent duly authorized thereinto in writing, filed with the Chief Building Official, which statement shall set forth in detail the intended use of each building and structure or part thereof and giving all information necessary to determine whether or not every such building or structure conforms with the regulations of this By-law.
vii) In addition to the above requirements, every application which involves the installation, enlargement or reconstruction of a well or a sewage disposal system shall be accompanied by:

a) in the case of a well, a well driller's report demonstrating a water pumping capacity satisfactory to the Chief Building Official;
b) in the case of a well, a bacteriological analysis demonstrating a potable water supply; and
c) in the case of a well and/or sewage disposal system, approval in writing from the appropriate responsible authority for the proposed well or method of sewage disposal.

viii) In addition to the above, where lands lie within established fill or flood lines, any building permit application in respect of such land shall be accompanied by the written approval and technical recommendations of the Conservation Authority or other authority having jurisdiction.

4.4 INSPECTION OF LAND OR BUILDINGS

Where the Chief Building Official has reason to believe that any person has used land or used a building or structure contrary to this By-law, he/she, or an employee of the Municipality authorized by him/her, may at any reasonable hour, enter and inspect the land, building or structure.

4.5 VIOLATIONS AND PENALTIES

Any person who contravenes any provisions of the By-law is guilty of an offence, and for the purposes of this By-law, each day that a breach of this By-law continues shall constitute a separate offence and on summary, the offender shall be liable to be fined under the provisions of the Provincial Offences Act or other monetary penalty system.

The conviction of an offender upon the breach of any of the provisions of this By-law shall not operate as a bar to a prosecution against the same offender upon any continued or subsequent breach of any such provision and any court of competent jurisdiction may convict any offender repeatedly for repeated breaches of the By-law.

4.6 OCCUPATION OF BUILDINGS

Occupation of all new buildings and converted dwellings may require a Certificate of Occupancy from the municipal Building Department in accordance with the Ontario Building Code and any other municipal by- laws.

4.7 CERTIFICATE OF CONVERSION

Where a Certificate is for the conversion of a seasonal dwelling to a permanent dwelling, the following additional regulations apply:

i) a rezoning to a zone category deemed appropriate by the Municipality shall be required;
ii) the applicant shall prepare a site plan showing the location and size of all existing and proposed buildings and structures and the location of the existing or proposed sanitary sewage disposal system, as well;
iii) the applicant shall comply with the regulations of the approving agency with respect to sewage disposal for year-round occupancy;
iv) the applicant has been issued a building permit in accordance with the Ontario Building Code in effect at the time of the zone change;
v) the applicant has satisfied the Municipality that the electrical system has been inspected and approved by the appropriate authority;
vi) the applicant shall submit a letter of compliance from a heating contractor that the heating system is adequate for permanent year-round occupancy; and
vii) that the applicant has entered into an agreement with the Municipality indicating that the Municipality will not be held responsible for road maintenance, waste collection, insulation value or structural deficiencies.

4.8 VALIDITY, EFFECTIVE DATE AND EXISTING BY-LAWS

4.8.1 Validity

If any section, clause or provision of this By-law, including anything contained on the Schedules attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof other than the section, clause, or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-law shall remain in full force and take effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

4.8.2 Effective Date

This By-law shall come into force and take effect upon being passed by the

Council of the Municipality.

4.8.3 Existing By-laws

All by-laws in force within the Corporation regulating the use of lands and the character, location, bulk, height and use of buildings and structures are amended insofar only as it is necessary to give effect to the provisions of this By-law and the provisions of this By-law shall govern unless otherwise specified.

4.8.4 Repeal of Existing Zoning By-law

By-law No. 20-76 as amended of the Township of Bangor; Wicklow & McClure is hereby repealed.

By-law 310-79 as amended of the Township of Herschel is

hereby repealed.

By- law 19-76 of the Township of Monteagle is hereby

repealed.

SECTION 5 - GENERAL PROVISIONS

5.1 APPLICATION

This By-law shall apply to all lands within the Municipality and shall take effect on the day it is enacted.

5.2 INTERPRETATION

Nothing in this By-law shall be construed to exempt any person from complying with the requirement of any by-law of the Municipality or the Corporation of the County of Hastings or from any law of the Province of Ontario or Canada, or any regulations under the provisions of the Conservation Authorities Act of a Conservation Authority having jurisdiction or from any other law in force from time to time.

5.2.1 In this By-law, the word "shall" is mandatory.

5.3 ZONES

5.3.1

5.3.2 For the purpose of this By-law, the Municipality is divided into zones, the boundaries of which are shown on the attached Schedules.

5.3.3 The attached Schedules are detailed maps for portions of the Municipality.

5.3.4 The zones are referred to by the following names or symbols and are identified on the attached Schedules by the following symbols:

ZONE	SYMBOL	PAGE NO.
MARGINAL AGRICULTURE ZONE	MA	59
RURAL RESIDENTIAL ZONE	RR	62
LIMITED SERVICE RESIDENTIAL ZONE	LSR	64
LTD SERVICE RESIDENTIAL ISLAND ZONE	LSRI	67
WATERFRONT RESIDENTIAL ZONE	WR	69
MOBILE HOME RESIDENTIAL ZONE	MHR	71
RESIDENTIAL FIRST DENSITY ZONE	R1	72
RESIDENTIAL SECOND DENSITY ZONE	R2	74
MULTIPLE RESIDENTIAL ZONE	MR	77
URBAN COMMERCIAL ZONE	UC	79
RURAL COMMERCIAL ZONE	RC	84
REC/RESORT COMMERCIAL ZONE	RRC	89
URBAN INDUSTRIAL ZONE	UI	94
RURAL INDUSTRIAL ZONE	RI	98
MINERAL EXTRACTIVE ZONE	MX	104
MINING ZONE	M	106
WASTE DISPOSAL ZONE	WD	107
COMMUNITY FACILITY ZONE	CF	110
OPEN SPACE ZONE	OS	112
ENVIRON PROTECTION WETLAND ZONE	EPW	114
ENVIRONMENTAL PROTECTION ZONE	EP	115

5.3.5 Where the boundary of any zone is uncertain, and the boundary is shown following a street, lane, railway right-of-way, electric transmission line, right-of-way or watercourse, then the centre line of the street, lane, railway right-of-way, electric transmission line, right-of-way or watercourse is the zone boundary.

5.3.6 Where the boundary line of a zone does not correspond to a property line, to the centre line of a street, highway line, right-of-way or watercourse, the location of said boundary line shall be scaled from the scale shown on the attached Schedules.

5.3.7 Where the boundary of any zone is uncertain and notwithstanding the provisions of this subsection, the dimensions contained in any amending by-law shall apply.

5.3.8 Where the regulations of a zone include a requirement that the minimum yard of a lot or parcel of land shall be a specific number of metres, such minimum yard shall be determined by measuring at right angles from either the street line of the public street or the lot line abutting such yard in the direction of such lot or parcel of land a distance equal to the said specific number of metres in the relevant regulation of such zone.

5.3.9 Subject to the provisions of Section 5.13, the minimum lot area shall be as contained in the appropriate section of this By-law for the zone in which the lot is located or such larger area as may be required by the appropriate authority pursuant to the provisions of the Health Promotion and Protection Act.

5.3.10 Zones cited using a generic term (and lowercase letter) refer to the following:

i) a rural zone: includes Marginal Agriculture;

ii) a residential zone: includes Rural Residential, Limited Service Residential, Limited Service Residential Island, Waterfront Residential, Mobile Home Residential, Residential First Density, Residential Second Density, Multiple Residential;

iii) a commercial zone includes: Urban Commercial, Rural Commercial, Recreational/Resort Commercial; or

iv) an industrial zone includes: Urban Industrial, Rural Industrial.

5.4 HOLDING ZONES

Where any zone symbol as shown on the attached Schedules is followed by the symbol "h", this signifies that no person shall use any land, erect, alter, enlarge, use or maintain any building or structure until such time as the holding symbol has been removed by the Municipality in accordance with the provisions of the Planning Act. Upon removal of the holding symbol the permitted use of the subject property and the erection of any buildings or structures thereon shall be undertaken in accordance with the provisions of the underlying zoning category.

5.4.1 Zone Regulations

Uses existing prior to the passing of this By-law and accessory uses thereto may be enlarged, reconstructed, renovated or replaced in accordance with the relevant zone regulations where such use is normally permitted.

5.4.2 General Provisions

All special provisions of this Section 5 "General Provisions" shall apply, where applicable to any land, lot, building, structure or use within zones subject to the aforementioned "Holding" criteria.

5.5 PROHIBITIONS

5.5.1 No person shall use any land or erect any building or structure within a zone except for a permitted use established or erected in accordance with the regulations provided by this By-law for the zone in which it is located.

5.5.2 No person, except a public authority engaged in the implementation of public works or services shall reduce in area or frontage any lot already built upon, either by conveyance or alteration, so that the lot coverage of the building exceeds the maximum permitted by this By-law, or so that the area or frontage of the lot will be less than the minimum permitted by this By-law for the zone in which the lot is located.

5.5.3 Except in a commercial or industrial zone, not more than one permitted use shall be allowed on a lot unless specifically permitted in this By-law. This section shall not prohibit the establishment of a home occupation or home industry in conjunction with a dwelling where such use is permitted.

5.5.4 The purpose for which any land or building is used shall not be changed, no new building or addition to any existing building shall be erected and no land shall be severed from a lot, if such change, erection or severance creates a situation that contravenes any of the provisions of this By-law applicable to each individual remaining building, accessory building or lot.

5.5.5 Except as otherwise provided in this By-law, no building or structure shall be erected, altered, extended or enlarged except upon a lot nor shall any land be used for any permitted use unless it comprises a lot as defined herein; but this provision shall not prevent the use of any parcel or tract of land for agricultural purposes excluding the erection or enlargement of any building or structure except a fence.

5.5.6 *(deleted by Bylaw 2022-004)*

5.5.7 *Notwithstanding anything contained in this By-law, no person shall use or occupy any building for residential purposes:

i) unless such building has been substantially completed and finished in all respects in accordance with the plans and specifications filed upon application for the building permit, and

ii) unless such building is serviced with electricity, a pressure well water supply system, and an appropriate sanitary sewage disposal system, except for a hunt camp. (amended by Bylaw 2022-004)*

5.5.8 i) Notwithstanding anything contained in the By-law, no person shall use any building, structure or land for any purpose that would have a negative impact on groundwater resources in the Municipality. As part of the building permit, severance or rezoning process, the applicant may be required to obtain Ministry of Environment approval for any use.

ii) No building permit shall be issued for any building or structure which requires a septic tank unless the building permit application is accompanied by approval in writing from the appropriate responsible authority for the proposed method of sewage disposal.

5.6 PLANNED WIDTH OF ROAD

5.6.1 Notwithstanding any other provision contained in this By-law, no building or

structure shall be hereafter erected in any zone closer than the sum of the front yard or exterior side yard requirement for such zone and the following where applicable:

i) 15.25 metres (50.0 ft.) from the centre line of County Roads unless the provisions of the applicable County By-law require a larger setback in which case the provisions of that By-law shall apply; and

ii) 10 metres (32.8 ft.) from the centre of the right-of-way of all other public roads in the Municipality.

5.6.2 Notwithstanding the provisions of this By-law to the contrary, where a building, structure or accessory use thereto is to be erected in a built-up area where there is an established building line, such dwelling or accessory use is not to be erected closer to the street line or to the centre line of the road or street, as the case may be, than the established building line on the date of passing of this By-law.

5.7 ENVIRONMENTAL PROTECTION (EP) AND ENVIRONMENTAL PROTECTION WETLAND (EPW) ZONES

5.7.1. Lands Zoned Environmental Protection

i) Waterbodies and permanent watercourses have been zoned Environmental Protection (EP).

ii) Lands that may pose a threat to life and property because of inherent physiographic characteristics such as floodplains, erosion hazards, poor drainage, organic soil, steep slopes or other similar physical limitations have been zoned Environmental Protection (EP).

iii) Notwithstanding any other provisions of this By-law to the contrary, all lands within the Environmental Protection Zone may continue to be used for those uses existing as of the date of passage of this By-law.

iv) *The erection of new buildings or structures or the removal or placing of fill within the Environmental Protection (EP) Zone shall not be permitted without the prior approval of the appropriate authority. Prior to issuing a building permit for any building or structure within the Environmental Protection Zone, the Municipality should be satisfied that no physical hazard

exists which would cause harm to life or property. The Municipality may require technical reports to be submitted in support of any development (i.e. drainage reports, slope stability reports, environmental reports). (amended by Bylaw 2022-004)*

v) Lands zoned as Environmental Protection may be used in calculating minimum lot area and minimum lot frontage requirements.

vi) Lands owned by the Municipality as EP or EPW shall not be sold.

5.7.2 Lands Zoned Environmental Protection Wetland (EPW)

i) Provincially Significant Wetlands within the Municipality have been zoned Environmental Protection Wetland (EPW).

ii) Notwithstanding any other provisions of this By-law to the contrary, all lands within the Environmental Protection Wetland Zone may continue to be used for those uses existing as of the date of passage of this by-law.

iii) *Development and/or site alteration shall not be permitted in lands zoned Environmental Protection Wetland (EPW), except buildings, structures or works associated with public education, flood or erosion control, watercourse protection or bank stabilization permitted by the local Conservation Authority and/or the Ministry of Natural Resources and Forestry. (amended by Bylaw 2022-004)*

iv) Lands zoned as Environmental Protection Wetland may be used in calculating minimum lot area and minimum lot frontage requirements.

5.8 ENVIRONMENTALLY SENSITIVE LANDS

Environmentally Sensitive Lands are those lands identified as natural heritage areas and systems having significant biological, geological, zoological or other unique natural features such as wildlife habitat, areas of natural and scientific interest, habitat of threatened or endangered species, woodlands and valley lands.

Environmentally Sensitive Lands are shown on Schedule OP-B 'Natural

Heritage Features and Areas' of the Official Plan, as amended from time to time. (amended by Bylaw 2022-004)*

Development within a deer concentration area (deer yard) shall be permitted within 100 metres (328 ft.) of a public road. Development within these areas beyond 100 metres of a public road may be permitted where the landowner has entered into an agreement with the Municipality in consultation with the Ministry of ****Northern Development, Mines, Natural Resources and Forestry. (amended by Bylaw 2022-004)****

5.9 LANDS ADJACENT TO WATERBODIES, WATERCOURSES, EMBANKMENTS, FLOODPLAINS AND ENVIRONMENTALLY SENSITIVE LANDS

Notwithstanding anything in this By-law, no permit shall be issued for any building to be constructed within those areas outlined in subsections 5.9.1, 5.9.2 and 5.9.3 herein without the prior written approval of the Conservation Authority, the Ministry of Natural Resources and/or the Canadian Parks Service having jurisdiction.

5.9.1 No building or structure, including a municipal drain (except where a municipal drain forms part of a road allowance) shall be located within the flood plain of a watercourse, notwithstanding that such watercourse is not shown on any Schedule forming part of this By-law.

5.9.2 *Notwithstanding anything in this By-law, no development, site alteration or septic tank installation including the weeping tile field shall be located or occur:

i) within 30 metres (98.4 ft.) of the high water mark of a waterbody or watercourse, notwithstanding that such waterbody or watercourse is not shown on any Schedule forming part of this By-law; and

ii) within 30 metres (98.4 ft.) of the toe or top of shoreline or non-shoreline cliff, bluff, or bank that is a steep and/or unstable slope; and

iii) within 30 metres (98.4 ft.) of an Environmental Protection Wetland Zone. (amended by Bylaw 2022-005).*

5.9.3 *Shoreline Activity and Waterfront Use

i) The provisions in subsections 5.9.1 and 5.9.2 shall not apply to buildings, structures and services requiring direct access to the water as an operational necessity such as a marina, marine facility, or other similar structure.

ii) Notwithstanding subsection 5.9.1 and 5.9.2, the following shoreline uses will be permitted within 30 metres (98.4 ft.) of the high water mark or floodplain subject to all applicable provisions of this Bylaw:

- ***a) Dock;***
- ***b) Boathouse; and***
- ***c) Boat launch.***

iii) It is prohibited to alter or remove the natural vegetation within the 30 metre (98.4 ft.) vegetative buffer to any shoreline of a waterbody or watercourse, except:

- ***a) 25% of the shoreline frontage or up to 23 metres (75 feet), whichever is the lesser, for linear shoreline residential development;***
- ***b) 35% of the shoreline frontage for tourist commercial and institutional accommodation, waterfront contracting operations and waterfront landings;***
- ***c) 50% of the shoreline frontage for marinas; and***
- ***d) Where b) and c) are present on a lot adjacent to a waterbody or watercourse, the aggregate percentage of the shoreline devoted to those uses shall be a maximum of 50% of the shoreline frontage. (amended by Bylaw 2022-005)****
- ***e) *for pruning necessary to maintain the health of vegetation and trees, the removal of diseased or dangerous trees, and removal of noxious weeds or invasive plants which have been identified and deemed as such by the Province of Ontario. (amended by Order of the Ontario Land Tribunal in File No. OLT-22-003939 to Bylaw 2022-005).****

5.9.4 *Development that is proposed on lands adjacent to Environmentally Sensitive Lands shall be permitted provided that a satisfactorily completed Environmental Impact Statement, prepared in accordance with Section 7.8.6 of the Official Plan is submitted and approved by the Municipality in consultation with the Ministry of Northern Development, Mines, Natural Resources and Forestry, the Ministry of Environment, Conservation and Parks, the Conservation Authority and/or other appropriate authority. The following measures of adjacency shall be

used:

Habitat of endangered and threatened species	***120 metres (393.7 ft.)***
Significant wetlands and significant coastal wetlands	***120 metres (393.7 ft.)***
Significant woodlands	***120 metres (393.7 ft.)***
Significant valleylands	***120 metres (393.7 ft.)***
Significant wildlife habitat	***120 metres (393.7 ft.)***
Significant areas of natural and scientific interest – life science	***120 metres (393.7 ft.)***
Significant areas of natural and scientific interest – earth science	***50 metres (164.0 ft.)***
Inland Lake Trout Lakes (at capacity) on the Canadian Shield	***300 metres (984.2 ft.)***
Fish Habitat	***120 metres (393.7 ft.)***

(amended by Bylaw 2022-004)*

5.9.5 *Development that is proposed on lands adjacent to Provincially Significant Wetlands (and beyond the minimum 30 metre (98.4 ft.) 'no development' area outlined in Section 5.9.2 iii) but within 120 metres (393.7 ft.) of the wetland) shall be permitted, provided that it has been demonstrated through an approved Environmental Impact Statement (EIS) that there will be no negative impacts on the wetland feature or its associated ecological function. (amended by Bylaw 2022-004)*

5.9.6 *Development proposals for Official Plan Amendments, Zoning Bylaw Amendments, Plans of Subdivision and/or consents to sever lands lying within 300 metres of the following "at-capacity" cold water lake trout lakes should be accompanied by a cold water Lake Capacity Study prepared in accordance with Section 7.8.7 of the Official Plan and should be reviewed by the appropriate authority prior to approval. The following are "at-capacity" cold water lake trout lakes within the Municipality of Hastings Highlands:

i) Baptiste Lake (west basin – west of Lot 16)

ii) Big Mink Lake
iii) Buck Lake
iv) Diamond Lake
v) Kamaniskeg Lake (north of Ski Island)
vi) Lake St. Peter
vii) Purdy Lake (amended by Bylaw 2022-004)*

5.9.7 In accordance with the Provincial Policy Statement, new buildings, structures or uses or additions, alterations or replacement of existing buildings or structures associated with established agricultural activities shall be permitted without the need for an Environmental Impact Study on lands adjacent to a Provincially Significant Wetland.

5.10 NON-CONFORMING USES

5.10.1 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 day of passing of this By-law, so long as it continues to be used for that purpose.

5.10.2 Building Permit Issued

The provisions of this By-law shall not apply to prevent the erection or use for a purpose prohibited by this By-law of any building or structure, the plans for which have prior to the passing of this By-law been approved and a permit issued by the Municipality's Chief Building Official so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided that the erection of such a building or structure is commenced within one year after the day of the passing of this By-law and the building or structure is completed within a reasonable time after the erection thereof is commenced.

5.10.3 Restoration to a Safe Condition

The provisions of this By-law shall not apply to prevent the strengthening to a safe condition of any non-conforming building or structure or part thereof provided such strengthening generally does not increase the height, size or volume, of such building or structure.

5.10.4 Rebuilding or Repair or Strengthen to Safe Condition Permitted on Lands Zoned as Environmental Protection and Environmental Protection Wetland

Nothing in this By-law shall prevent the rebuilding or repair of any legal non-conforming building or structure that is damaged or destroyed, or the strengthening to a safe condition of any building or structure which does not conform to the provisions of this By-law, subsequent to the passage of this by-law, provided that the dimensions of the original building or structure are not increased and the use of the building or structure not altered.

5.11 NON-COMPLIANCE OF EXISTING USES

5.11.1 Building on Existing Lots

Where a building has been lawfully erected prior to the date of the passing of this By-law on a lot having less than the minimum frontage and/or area, or having less than the minimum front yard, side yard, rear yard or usable open space required by this By-law, the said building may be enlarged, reconstructed, repaired or renovated provided said enlargement, reconstruction, repair or renovation does not serve to further reduce a required yard or required usable open space and provided all other provisions of this By-law are complied with.

5.12 REPLACEMENT OF BUILDINGS OR STRUCTURES

A building or structure, including a legal non-conforming and/or legal non-complying building or structure, may be replaced with a new building or structure in the case of partial or complete destruction caused by fire, lightning, explosion, tempest, flood or act of God, or demolition by order of the Municipality, the local Health Unit, or other authority for safety, health or sanitation requirements, providing such building or structure is serviced by a well and sewage disposal system approved by the appropriate responsible authority. The provisions of Section 5.11 shall apply in the case of the reconstruction of a legal non-complying building or structure.

5.13 EXISTING UNDERSIZED LOTS

Where a lot having a lesser lot area and/or lot frontage than that required herein is 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 on the date of passing of this By-law, or where such a lot is created as a result of an expropriation, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot, provided that the parcel has a minimum frontage of fifty percent (50%) or more of the minimum frontage required by the zone in which the parcel is situated, provided that an adequate supply of potable water is available to service the proposed use, provided such erection, alteration or use does not contravene any other provisions of this by-law and provided that all relevant requirements of the appropriate authority are complied with.

5.14 YARD ENCROACHMENTS PERMITTED

5.14.1 Except as otherwise provided in this By-law, every part of any required yard shall be open and unobstructed by any building or structure from the ground to the sky, except for:

i) sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters or other ornamental features, provided however that the same shall not project more than 0.6 metres (2 ft.) into any required yard;

ii) drop awnings, clothes poles, garden trellises, TV or radio antennae including satellite dish antennae, or similar accessories;

iii) fences, solar collectors, parking lots, retaining walls, gatehouses in industrial zones, driveways, patios and other such uses as specifically permitted in this Bylaw;

iv) a) signs, provided however that the same shall be erected in accordance with the provisions of any Sign By-law of the Municipality, County or the Ministry of Transportation;

b) in lieu of a municipal sign by-law:

- in a residential zone, there shall be no display other than a sign of a maximum size of 0.55 square metres (6.0 sq. ft.) to indicate that any part of a dwelling is being used for a purpose other than residential. Furthermore, such a sign shall be set back a minimum of 3 metres (9.8 ft.) from any lot line;

- in an industrial, rural or rural commercial zone, one temporary, portable roadside sign per lot frontage may be located with the written approval of the property owner and Council. The temporary

portable sign shall be located on private property and shall not interfere with parking or traffic circulation on the site or adjoining roadway;

v) light standards, fuel pump islands and fuel pumps of automobile service stations, provided however that the same shall be erected in accordance with the applicable provisions of this By-law;

vi) fire escapes, provided however that the same shall project into any required side or rear yard not more than 1.5 metres (4.9 ft.); and

vii) accessory buildings provided however that the same shall be erected in accordance with the applicable provisions of this By-law.

5.14.2 Notwithstanding the yard provisions of this By-law to the contrary, canopies, steps and unenclosed and uncovered decks and porches may project into any required front or rear yard a maximum distance of 1.5 metres (4.9 ft.). This, however, does not permit a balcony and/or porch to extend into a required yard if in fact the balcony and/or porch is an addition to the house intended to circumvent the intent of this section. For the purpose of this section, a "deck" shall mean a horizontal surface supported on piers, free of any roof or other covering, and which may be surrounded by a railing, the height of which is governed by the Ontario Building Code.

5.14.3 Notwithstanding any other provisions of this By-law, a railway spur shall be permitted in an industrial zone within a required yard. Where such yard abuts a residential zone, the railway spur shall conform to the yard and setback requirements of the zone in which it is located.

5.15 LANDS SEVERED BY PUBLIC UTILITY LINES

Where lands are acquired for the purpose of a public utility line and such acquisition deprives a parcel of land of street frontage, the part of such parcel so deprived of street frontage shall be deemed for the purpose of this By-law to have frontage on such street providing the land has a permanent right of access to such street.

5.16 TEMPORARY USES

Nothing in this By-law shall prevent the use of any land, or the erection or use of any building or structure for a construction camp, work camp, tool shed, scaffold, or other building or structure including a temporary sales or

rental office, which is incidental to and necessary for construction work of the premises, but only for so long as such use, building or structure is necessary for such construction work which has not been finished or abandoned. "Abandoned" in this Section shall mean the failure to proceed expeditiously with the construction of a work, specifically abeyance of construction for six months.

5.17 PUBLIC USES AND UTILITIES AND COMMUNITY FACILITIES

5.17.1 Notwithstanding anything contained in this By-law, the Municipality or any local board thereof, any telephone or telecommunications company, any transportation system owned, operated, or authorized by or for the Municipality, any Department of the Federal or Provincial Government or any Conservation Authority established by the Government of Ontario, may, for purposes of public service, use any land or erect or use any building or structure in any zone except Environmental Protection or Environmental Protection Wetland provided:

i) that such use, building or structure, shall be in compliance with the height, coverage, landscaped open space and yard regulations prescribed for such a zone;
ii) that there shall be no open storage of goods, materials, or equipment in the yards of any residential zone; and
iii) that any building or structure erected or used in any residential zone shall be of a character and shall be maintained in general harmony with the buildings of the type permitted in the said zone.

5.17.2 Nothing in this By-law shall prevent the use of any land as a public park, a public street or for the location of a properly authorized traffic sign or signal, or any sign or notice of any Municipal, Provincial or Federal government department or authority.

5.17.3 Where in a zone in this by-law under the heading of “Permitted Uses” a public use is specifically permitted within a zone, then such use shall only be permitted within that zone.

5.17.4 Where in this by-law a public use is not specifically referred to in any zone, then such public use shall be permitted in any zone.

5.17.5 The minimum distances of buildings or structures owned or operated by any utilities from any lot line shall be 2.5 metres (8.2 ft.) and from the centreline of any road shall be 10 metres (32.8 ft.).

5.18 MULTIPLE USES ON ONE LOT

Notwithstanding anything contained in this By-law, where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be complied with, provided that no dwelling shall be located closer than three (3) metres (9.8 ft.) to any other building on the lot except a building accessory to such dwelling. A dwelling or dwelling unit as an accessory use will be allowed where permitted by this By-law in accordance with Section 5.19 below.

5.19 DWELLING OR DWELLING UNIT AS AN ACCESSORY USE IN A NON- RESIDENTIAL SETTING

No person shall use any lot or erect, alter or use any building or structure for the purpose of a dwelling or dwelling unit where the zoning is not residential except in accordance with the following regulations:

i) A single detached dwelling may be permitted with a private water supply and sewage disposal system having the approval of the appropriate authority.

ii) A dwelling as a separate structure shall have a minimum gross floor area of 89 square metres (958.0 sq. ft.) and where there is more than one floor, a minimum ground floor area of 44.5 square metres (479.0 sq. ft.). A dwelling unit as an apartment within a non- residential building shall have a minimum gross floor area of 55 square metres (592.0 sq. ft.).

iii) A dwelling unit shall have separate bathroom and kitchen facilities from those of the non- residential use.

iv) Each dwelling unit shall have separate parking spaces as required by the parking requirements hereto.

v) The dwelling unit shall have a separate building entrance to that provided for the non- residential use.

vi) Separate storage facilities containing a minimum of 2.8 sq. metres (30 sq. ft.) shall be provided for each dwelling unit.

vii) In a Commercial zone, one dwelling unit shall be permitted in a non-residential building provided it is located on the second storey of such building, or at the rear of such building if on the main floor.

viii) Notwithstanding the provisions of clause 5.19(ii) of this subsection, the gross floor area of the residential portion of a non-residential building in a Commercial zone shall not exceed one hundred (100) percent of the non-residential floor area.

ix) A single detached dwelling as a separate structure shall be permitted if occupied by the owner, caretaker, watchman or similar person, provided that such person is employed on the lot on which such dwelling house is located.

x) A dwelling unit shall be permitted in a portion of a non-residential building, except in the case of an automobile service station or automobile sales agency, motor vehicle dealership or motor vehicle repair garage where such dwelling unit shall not be permitted.

5.20 PROHIBITED USES

5.20.1 Except as otherwise specifically permitted in this By-law, the following uses are prohibited in any zone;

i) refining coal oil or petroleum products;
ii) tanning hides or skins;
iii) manufacturing gas;
iv) manufacturing glue;
v) a track for the racing of motor vehicles, motorcycles, go-carts or snowmobiles; and
vi) locating or storing on any land for any purpose whatsoever, any disused railroad car, truck, bus or coach body, whether the same is situated on a foundation.

5.20.2 In addition to the uses prohibited in Clause 5.20.1 of this subsection, any use is prohibited which by its nature or the materials used therein is declared under the Health Promotion and Protection Act to be a health hazard.

5.20.3 In addition to the uses prohibited in Clause 5.20.1 of this subsection, all uses of land and the erection or use of any building or structure for a purpose not permitted under the "Permitted Use" subsection of one or more zones established by this By-law are and shall be deemed to be prohibited in each such zone, except for those uses of land and the erection or use of any building or structure for a purpose expressly permitted under the applicable provisions of this By-law.

5.21 OBNOXIOUS USES

Notwithstanding anything contained herein, no land shall be used and no building or structure shall be erected, altered or used for any purpose which is obnoxious, and without limiting the generality of this subsection, for any purpose that creates or is likely to become a nuisance or offensive,

or both;

i) by the creation of noise or vibration in excess of the limits of the Environmental Protection Act;
ii) by reason of the emission of gas, fumes, smoke, dust or objectionable odour in excess of the limits of the Environmental Protection Act, except in the case of agricultural uses operating in compliance with reasonable agricultural practices;
iii) by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, motor vehicles, trailers, or parts of vehicles or trailers, machinery or other such material; or
iv) by any combination of those things described in Clauses 5.21(i), 5.21(ii) and 5.21(iii) of this subsection.

5.22 SPECIAL OCCASION USES

5.22.1 Nothing in this by-law shall prevent the use of land in any zone where a residential use is permitted for the purpose of a garage sale or yard sale but such use shall not be conducted more than twice in one calendar year and for not more than 48 consecutive hours.

5.22.2 Nothing in this by-law shall prevent the use of land in any zone for the purpose of special occasion events such as a concert, a fundraising event, fair or other similar use provided such use is not operated more than once in one calendar year and for not more than 72 continuous hours. The Municipality may issue a special occasion permit in accordance with the Municipal by-laws.

5.23 TRUCK, BUS AND COACH BODIES

Except as otherwise specifically permitted in this by-law, no truck, van, bus, coach body or structure of any kind, other than a dwelling unit erected and used in accordance with this by-law and all other by-laws of the Municipality shall be used for human habitation or storage of goods and materials within any area affected by this by-law, whether or not the same is mounted on wheels or other form of mounting or foundation. (amended by Bylaw 2011-031)

5.24 SWIMMING POOLS

Notwithstanding any other provisions of this By-law a swimming pool is permitted as an accessory use in any residential, agricultural, commercial,

community facility or open space zone provided that:

i) no part of such pool shall be located closer to any lot line or street line than the minimum distance required for an accessory building located on such lot;
ii) except in the case of an above ground pool, the maximum height of such pool shall be 2.5 metres (8.2 ft.) above the established grade;
iii) any building or structure required for changing clothing or for pumping or filtering facilities, or other similar accessory uses shall meet all of the accessory building requirements of the zone in which the pool is located;
iv) except in the case of an above ground pool, every swimming pool shall be enclosed by a fence of at least 1.52 metres (5.0 ft.) in height that is located at not more than
4.5 metres (14.8 ft.) from the pool or by the walls of a dwelling in conjunction with a fence located as described above. An above ground swimming pool shall be enclosed by a fence included as part of the swimming pool's standard equipment and where such fencing is not provided by a fence erected in accordance with the criteria set out above.

5.25 ACCESSORY BUILDINGS

5.25.1 The total lot coverage of accessory buildings and structures including detached private garages shall not exceed ten (10) percent of the lot area except where a swimming pool or tennis court is provided, in which case the total lot coverage for accessory uses shall not exceed thirty (30) percent. In no case shall the lot coverage of all buildings on a lot exceed the maximum lot coverage of the principal use set out in the applicable provisions of this By-law.

a) *Notwithstanding the provisions of section 5.25.1 to the contrary for lands zoned the LIMITED SERVICE RESIDENTIAL (LSR) ZONE, WATERFRONT RESIDENTIAL (WR) ZONE AND LIMITED SERVICE RESIDENTIAL ISLAND (LSRI) ZONE, the total square footage of the footprints of all accessory buildings on a lot shall not exceed five (5) percent of the total lot area. (amended by Bylaw 2016-013)*

5.25.2 Where an accessory building is attached to the main building, the front yard, side yard, rear yard and area requirements of this By-law shall be complied with as if the accessory building was part of the main building.

5.25.3 No person shall use an accessory building for human habitation except where a dwelling is permitted as an accessory building.

5.25.4 An accessory building shall not be built closer to any lot line than the minimum distance required by this By-law except that common semi-detached garages may be erected on a mutual side lot line.

5.25.5 The minimum distance of an accessory building from a principal building shall be 3.0 metres (9.8 ft.).

5.26 FRONTAGE ON A STREET

No person shall erect any building or structure in any zone, except in a Limited Service Residential (LSR) Zone or a Limited Service Residential Island (LSRI) Zone, unless the lot upon which such building or structure is to be erected fronts upon a public street. For the purposes of this By-law a street does not include an unopened road allowance, a lane, or an unassumed road on a Registered Plan which has been deemed not to be a Registered Plan under the Planning Act. The above provisions shall not apply to prohibit the erection of any building on a lot on a registered plan of subdivision where a subdivision agreement has been entered into but in which the streets will not be assumed until the end of the maintenance period.

5.27 RESIDENTIAL EXTERIOR SIDE YARDS

Notwithstanding any provisions of this By-law to the contrary, the minimum required exterior side yard may be reduced to a minimum of three (3) metres (9.8 ft.) provided that for every one (1) metre or part thereof, the exterior side yard is reduced below the minimum requirement, the minimum front yard shall be correspondingly increased by the same distance.

5.28 SIGHT TRIANGLES

Unless otherwise specified in this By-law, on a corner lot, within the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each point being measured nine (9) metres (29.5 ft.) along the street lines from the point of intersection of the street lines, no building or structure which would obstruct the vision of drivers of motor vehicles shall be erected and no trees, shrubs, hedges, fences or walls shall be planted, erected or maintained of greater height than one (1) metre (3.3 ft.) above the

centre line of the adjacent road at the lowest point. 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 tangents to the street lines.

5.29 HOME OCCUPATIONS

Home occupations are categorized as Type 'A' and Type 'B' home occupations. Home occupations Type 'A' and Type 'B' are permitted in the zones as indicated in this By-law in accordance with the following:

i) there is no display, other than a sign of a maximum size of 0.55 square metres (6.0 sq. ft.) to indicate to persons outside that any part of the dwelling is being used for a purpose other than residential. Furthermore, such a sign shall be setback a minimum of 3 metres (9.8 ft.) from any lot line;

ii) such home occupation is clearly secondary to the main residential use and does not change the residential character of the dwelling nor create or become a public nuisance; in particular, in regard to noise, obnoxious odours, emission of smoke, traffic or parking;

iii) such home occupation does not interfere with television or radio reception;

iv) not more than 30 percent of the gross floor area of the dwelling is used for the purposes of home occupation uses except in the case of a bed and breakfast establishment in which situation the provisions of subsection 5.29.3 shall apply.

5.29.1 Additional Provisions for Type 'A' Home Occupations

Type 'A' home occupations may be conducted entirely within the principal residence or in an accessory structure and shall be limited to administrative office type uses only.

5.29.2 Additional Provisions for Type 'B' Home Occupations

Type 'B' home occupations may be conducted entirely within the principal residence or in an accessory structure and shall be limited to personal service and medical occupations such as arts and crafts shop, hairdressers, day nurseries limited to six (6) children or less, doctors and

dentists' offices. (amended by Bylaw 2022-004)*

5.29.3 Additional Provisions for Bed and Breakfast as a Home Occupation

Where a bed and breakfast establishment is established as a home occupation,

- ***i) no more than three(3) guest rooms shall be maintained for the accommodation of the public;***
- ***ii) the minimum parking requirement of one (1) parking space per guest room and dwelling unit; and***
- ***iii) verification by a qualified person and applicable approval authority of adequate supply of water and septic capacity. (amended by Bylaw 2022-004)****

5.30 HOME INDUSTRY

Home industries are categorized as Type 'A' and Type 'B' home industries. Home industries Type 'A' and Type 'B' are permitted in the zones as indicated in this By-law in accordance with the following:

i) there is no open storage of goods or materials;
ii) there is no display, other than a sign of a maximum size of 0.55 square metres (6.0 sq. ft.) to indicate to persons outside, that any part of the dwelling or accessory building is being used for a purpose other than residential. Furthermore, such a sign shall be set back a minimum of 3 metres (9.8 ft.) from any lot line;
iii) the home industry is clearly secondary to the main residential use and does not change the residential character of the dwelling nor create or become a public nuisance; in particular in regard to noise, noxious odours, emission of smoke, traffic or parking;
iv) where an interior side yard and/or rear yard abuts a residential zone, then such interior side yard and/or rear yard shall be a minimum of 15 metres (49.2 ft.). This 15 metre (49.2 ft.) area shall be maintained in an open space condition and the open storage of goods or materials shall not be permitted within a 15 metre (49.2 ft.) area;
v) the home industry does not interfere with television or radio reception;
vi) there are no goods, wares or merchandise, publicly offered or exposed for sale on the premises outside of any buildings; and
vii) on site parking is provided in accordance with Section 5.31.
viii) *home industries are prohibited on waterfront lots. (added by Bylaw 2022-004)*

5.30.1 Additional Provisions for Type 'A' Home Industries

Type 'A' home industries shall include craft shops, woodworking, repair and service shops and similar type uses and associated retail sales in accordance with the following:

i) any accessory structure used for a Type 'A' home industry shall not exceed 75 square metres (807.3 sq. ft.).

5.30.2 Additional Provisions for Type 'B' Home Industries

Type 'B' home industries shall include craft shops, woodworking, light manufacturing, repair and service shops and other similar type uses and associated retail sales in accordance with the following:

i) any accessory structure used for a Type 'B' home industry shall not exceed 100 square metres (1,076.4 sq. ft.);
ii) the minimum lot size for a Type 'B' home industry shall be 2 hectares (4.94 acres); and
iii) two (2) commercial vehicles associated with the home industry are permitted.

5.31 OFF-STREET PARKING PROVISION

For every building or structure to be erected for, altered for, or its use converted to any of the uses specified in the following table, off-street parking facilities shall be provided and maintained either on the same lot on which the principal use is located or, where this is not possible, on a lot within 60 metres (196.9 ft.) of the lot on which the principal use is located and in accordance with the following table and other provisions contained in this subsection unless otherwise specifically provided.

5.31.1 Minimum Parking Space Requirements

a) **Residential -** Two (2) spaces for every dwelling unit.

b) **Marina -** One (1) space for every two (2) docking berths.

c) Senior Citizen Multiple Dwelling:

(i) Up to 30 dwelling units, parking spaces shall equal 50 percent of the number of dwelling units.
(ii) Between 30 and 60 units, parking spaces shall equal 40

percent of the number of dwelling units.

d) **Private or Public Hospital or Nursing Home** - One (1) space for every two (2) beds.

e) **Private or Commercial Club or Recreational Establishment** - One (1) space for every three (3) persons to be accommodated in the design capacity of the building.

f) **Funeral Home -** One (1) space for every three (3) chapel seating spaces for fraction thereof with a minimum of ten (10) spaces.

g) **Church or Place of Worship, Community Hall, Arena -** One (1) space for every three (3) persons to be accommodated according to maximum permitted capacity.

h) **Schools** - One (1) space per classroom, and one space for each ten (10) people of maximum design capacity of the assembly hall or auditorium.

i) **Government or Public Utility Building -** One (1) space for every 23 square metres (247.6 sq. ft.) of gross floor area.

j) **Business or Professional Office -** One (1) space for every 23 square metres (247.6 sq. ft.) of gross floor area or where such use conflicts with the office of a doctor or dentist, there shall be a minimum of three (3) parking spaces provided on the same lot.

k) **Hotel/Motel/Resort -** One (1) space for every guest room and one (1) space for every 8 square metres (86.1 sq. ft) of gross floor area devoted to public use.

l) **Boarding or Rooming House, Bed and Breakfast or Tourist Home** - One (1) space for each bedroom.

m) **Place of Assembly such as Halls, Fraternal Organizations, Labour Union Halls, Dance Halls, Community Centres, Theatres -** One (1) space for every three (3) persons of maximum design capacity.

n) **Bowling Lanes and Billiard Establishments -** One (1) space for every two (2) persons of design capacity. Design capacity shall mean six (6) persons per bowling lane and two (2) persons per billiard table.

o) **Drive-In Restaurant or Take-Out Restaurant -** One (1) space for very 2 square metres (21.5 sq. ft.) of gross floor area.

p) **Restaurant, Tavern, Banquet Hall, Lounge or Meeting Areas, excluding a Drive-In or Take-Out Restaurant -** One (1) space for every 4.5 square metres (48.4 sq. ft.) of public floor area or one (1) space for every four (4) persons of design capacity, whichever is the greater with a minimum of ten (10) spaces.

q) **Retail, Wholesale Sales, Merchandise Service Shop or Studio -** One (1) space for every 28 square metres (391.4 sq. ft.) of gross floor area.

r) **Retail Lumber and Building Supply Outlet -** One (1) space for every 28 square metres (391.4 sq. ft.) of retail floor space with a minimum of six (6) spaces.

s) **Automotive Sales Establishment, (New and Used) -** A minimum of ten (10) spaces plus one (1) space for every employee working on the premises during the peak business period.

t) **Industrial Establishment -** One (1) space for every 37 square metres (398.3 sq. ft.) of gross floor area.

u) **Warehouse or Bulk Storage Yard -** One (1) space for employee working on the premises during the peak business period.

v) **Post Offices, Museums and Libraries –** One (1) space for every 46 square metres (495.2 sq. ft.) or fraction thereof of public floor area.

w) **Home Occupation or Home Industry -** One (1) space for every 18 square metres (193.8 sq.ft.) of floor area devoted to the use.

x) **Uses Permitted by this By-law (other than those listed above but excluding accessory use to single detached dwellings) -** One (1) space for every 28 square metres (301.4 sq. ft.) of gross floor area.

y) ****Cannabis Production and Processing – One (1) space for every thirty-seven (37) square metres (398.3 sq. ft.) of gross floor area. (added by Bylaw 2022-004)****

z) ****Mobile Food Vendor and Vendor – Three (3) spaces for every mobile food vendor or vendor.* (added by Bylaw 2024-027).***

aa) ****Public Market – Five (5) spaces for every public market.* (added by Bylaw 2024-027).***

5.31.2 Parking Requirements

i) Each parking space must be readily accessible at all times and

arranged in such a manner to provide access and manoeuvring space for the parking and removal of a motor vehicle without the necessity of moving any other motor vehicle, except that this shall not apply in the case of a single detached dwelling.

ii) Ingress and egress to and from the parking aisles prescribed by this section shall be provided by a sufficient number of adequate, unobstructed driveways having a minimum width of 6 metres (19.7 ft.), except that in the case of a single detached dwelling, the width may be reduced to 3.5 metres (11.5 ft.).

iii) All off-street parking spaces, driveways and aisles required herein shall be constructed and maintained with a stable surface.

iv) Where a ramp to parking aisles provides access from a street, such a ramp shall not be located closer than 7.5 metres (24.6 ft.) from the street line and a level stopping space shall be provided between the ramp and the street grade so as to provide adequate vision to the street in both directions.

v) Where a lot, building or structure accommodates more than one type of use, the parking requirement for the whole building shall be the sum of the requirements for the separate parts of the lot, building or structure occupied by the separate types of uses.

vi) The parking requirements referred to herein shall not apply to any building in existence at the date of enactment of this By-law so long as the gross floor area as it existed at that date is not increased or the use changed. If an addition is made or the use is changed, then additional parking spaces shall be provided up to the number required for such addition.

vii) Where the application of ratios results in a fraction of a parking space, the required number of spaces shall be increased to the next whole number.

viii) In the case of a parking structure completely or partly below finished grade, it shall not be necessary to comply with the setback requirements of the particular zone, except that the minimum distance between such a structure and the street line shall be 7.5 metres (24.6 ft.).

ix) Where parking requirements are related to seating capacity and seating is by open benches, each 0.6 metres (2.0 ft.) of open bench shall be counted as one (1) seat.

x) The lights used for illumination of parking spaces, aisles and driveways shall be so arranged as to divert the light away from adjacent lots and streets.

xi) A structure not more than 4.5 metres (14.8 ft.) in height and not more than 4.5 square metres (48.4 sq. ft.) in area may be erected in the parking area for the use of parking attendants.

xii) No sign shall be erected in any parking area other than a directional sign, signs necessarily incidental to the efficient operation of a commercial parking lot, and a sign which gives the name of the owner. The maximum size of any such sign shall be 1.0 square metre (10.8 sq. ft.).

xiii) No gasoline pump or other service station equipment shall be located or maintained on any parking space or aisle.

xiv) In a residential zone or in an urban residential zone, not more than 50 percent of the aggregate area of the side yards and rear yard shall be occupied by parking spaces, aisles or driveways.

xv) Entrances and exits to parking spaces shall not pass through zones other than the zones requiring the parking spaces.

xvi) Where off-street parking abuts a residential zone or urban residential zone, a wooden fence at least 1.5 metres (4.9 ft.) in height shall be erected and maintained and the land within three 3 metres (9.8 ft.) of the residential zone or urban residential zone shall be maintained in an open space condition.

xvii) *No parking or loading facility or part thereof shall be located and no land shall be used for the parking or storage of any vehicle within 1.0 metre (amended by Bylaw 2012-045)*

xviii) (3.3 ft.) of any lot line or street line, or within 3 metres (9.8 ft.) of the boundary of any residential zone or urban residential zone.

xix) Notwithstanding Section 5.31.1 of this By-law to the contrary, where

any building, structure, use or activity is permitted or is legally in existence at the date of passing of this By-law and is subsequently changed in use or enlarged or extended in floor area, number of employees, number of dwelling units, seating capacity or otherwise which results in the reduction of the minimum required parking facilities and/or number of parking spaces and such number of parking spaces or part thereof cannot be provided in accordance with the minimum requirements, then such required parking spaces or part thereof shall be subject to a cash-in-lieu contribution towards municipal parking facilities, the cost of which shall be established by the Council of the Municipality from time to time for the determined deficiency.

5.31.3 *Accessible Parking

i) ***In any zone, the required number of parking spaces shall include the provision of accessible parking spaces in the minimum quantity specified below:***

   a) ***Residential: Accessible parking spaces are provided at a rate of 4% of the required parking spaces; Accessible parking is not required for single detached, semi-detached, duplexes, triplexes and row houses (townhouses) that do not have a shared parking arrangement;***

   b) ***Commercial: Accessible parking spaces are provided at a rate of 4% of the required parking spaces;***

   c) ***Industrial: Accessible parking spaces are provided at a rate of 4% for the first 200 required parking spaces and 3% for the additional required parking spaces, including a minimum of one Type A (Van accessible) required accessible space, rounded up to the nearest whole number. Equal numbers of Type A (Van accessible) and Type B are required. If an odd number is required, the additional space may be either type;***

   d) ***Institutional: Accessible parking spaces are provided at a rate of 10% of the required parking spaces;***

   e) ***All other uses: Accessible parking spaces are provided at a rate of 4% of the required parking spaces;***

   f) ***When determining the required number of parking spaces in accordance with the above provisions, any fraction derived from the calculation shall be rounded up to the nearest whole number;***

   g) ***Where an even number of parking spaces for the use of persons***

with disabilities are provided in accordance with the requirements of the zoning bylaw, an equal number of parking spaces that meet the requirements of Type A Parking space and Type B parking space must be provided; and

h) ***Where an odd number of parking spaces for the use of persons with disabilities are provided in accordance with the zoning bylaw, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd numbered space, may be a Type B parking space.***

ii) ***The following regulations shall apply to accessible parking spaces:***

a) ***Type A (Van accessible) spaces shall have minimum rectangular dimensions of 3.4 metres width by 6.0 metres length and must have signage specifying that they are van-accessible;***

b) ***Type B spaces shall have minimum rectangular dimensions of 2.4 metres width by 6.0 metres length;***

c) ***An access aisle with a minimum rectangular dimensions of 1.5 metres in width and 6.0 metres in length and marked with a high tonal contrast diagonal lines is required adjacent to Type A and Type B accessible parking spaces. The access aisle may be shared between spaces;***

d) ***All accessible parking spaces shall be marked by an identifying marker on the pavement consisting of the international symbol of access as a 1.5 metre by 1.5 metre white border and a symbol with a blue background field colour centred on the parking stall;***

e) ***All accessible parking spaces shall be appropriately signed in accordance with provincial regulation;***

f) ***A minimum vertical clearance of 2.1 metres shall be provided at accessible parking spaces, passenger loading zones and along routes to accessible parking spaces;***

g) ***Maximum gradient for a barrier free vehicle parking space shall be five (5) percent;***

h) ***Accessible parking spaces shall be located and distributed in a manner that provides substantially equivalent or greater accessibility in terms of distance from an entrance or user convenience; and***

i) ***Curb ramps, where required shall be provided to permit access from the parking area to a sidewalk. (amended by Bylaw 2022-***

004)*

5.32 LOADING SPACE REQUIREMENTS

i) No person shall erect or use any building or structure in any zone for any commercial or industrial purpose involving the movement of goods unless loading spaces are provided and maintained in accordance with the following provisions:

a) 280 square metres (3,014 sq. ft.) - 930 square metres (10,010.8 sq. ft.) – One (1) space.

b) exceeding 930 square metres (10,010.8 sq. ft.) – Two (2) loading spaces plus a minimum of one (1) additional loading space for each 1400 square metres (15,070.0 sq. ft.) or fraction thereof in excess of 930 square metres (10,010.8 sq. ft.).

ii) Each loading space shall be at least 9 metres (29.5 ft.) long, 3.5 metres (11.5 ft.) wide and have a vertical clearance of at least 4 metres (13.1 ft.).

iii) The required loading spaces shall be provided on the lot occupied by the building or structure for which the said loading spaces are required and shall not form a part of any street or lane.

iv) For any commercial or industrial use, no loading space or part thereof shall be located and no land shall be used for loading purposes within 1.5 metres (4.9 ft.) of any lot line, or within 3 metres (9.8 ft.) of any street line or boundary of any residential zone or urban residential zone, or within 3 metres (9.8 ft.) of the lot line of a residential use.

v) Access to loading spaces shall be by means of a driveway at least 6 metres (19.7 ft.) wide contained within the lot on which the spaces are located and leading to a street or lane located within or adjoining the zone in which the use is located.

vi) The driveways and loading spaces shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

vii) The loading requirements referred to herein shall not apply to any building in existence at the date of enactment of this By-law so long as the gross floor area as it existed at the date is not increased. If an addition is made, then additional loading spaces shall be provided up to the number required for such addition.

5.33 GARDEN SUITES

Garden suites shall be permitted subject to the following requirements;

i) a garden suite, as defined in this By-law, may be permitted by Council under Section 39 of the Planning Act, subject to passage of a temporary use By-law to establish the period of time for which the use is to be permitted and to define the area to which the by-law applies;

ii) the gross floor area of living space in such dwelling shall consist of a minimum of 49 square metres (527.4 sq. ft.) and a maximum of 65 square metres (699.7 sq. ft.);

iii) the dwelling unit shall be self contained and shall have a private entrance and separate culinary, sanitary, dining and sleeping area;

iv) the sanitary sewage disposal, water supply and electrical services for the dwelling unit shall be derived from and connected to the services of the single detached dwelling upon which lot the garden suite is situated, subject to the approval of the authorities responsible for the various services;

v) all the provisions of the respective zones in which the garden suite is situated shall be complied with in addition to the following special criteria:

a) Rear Yard (Minimum) - 4.5 metres (14.8 ft.)
b) Building Height (Maximum) - 4.5 metres (14.8 ft.)
c) Separation Distance from the Principal Dwelling (Maximum) - 7.62 metres (25 ft.)

vi) *the owner/occupant of the detached dwelling and occupant of the garden suite upon which lot the garden suite is situated enter into an agreement with the Municipality pursuant to the Municipal Act stating the occupant of the garden suite, that no other individual(s) will occupy the garden suite, and that the garden

suite will be removed when it is no longer needed; (amended by Bylaw 2022-004)*

vii) ***Garden suites shall only be permitted on lands which have direct access from a year-round maintained publicly-owned road, or private road within an approved plan of condominium. Access from a public road to a garden suite shall be obtained by the driveway serving the principal dwelling on the lot; (amended by Bylaw 2022-004)****

viii) the placement of a garden suite on a lot shall be subject to site plan control pursuant to the Planning Act to ensure all servicing, buffering, parking and other issues are addressed;

ix) a temporary use zoning by-law is passed by Council in accordance with the provisions of the Planning Act. The By-law shall be in place for a period not exceeding ten (10) years, subject to extension by Council's approval.

5.34 ****Areas of Influence***

i) No person shall erect any residential structure in any zone within 500 metres (1,640.4 ft.) of lands zoned MX - Mineral Extractive (quarry) and 300 metres (984.25 ft.) of lands zoned MX - Mineral Extractive (pit) without the consultation of the Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNRF), the Ministry of Conservation and Parks (MECP), and the County of Hastings, as may be required; upon successful application for a minor variance; and provided the residential use is a permitted use on the adjacent lands within the area of influence.

ii) No person shall erect any residential structure within the area outlined on Schedule OP-C "Aggregate and Mineral Reserves" of the County of Hastings Official Plan as being an Area of Extractive Reserve without the consultation of the Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNRF), the Ministry of Conservation and Parks (MECP), and the County of Hastings, as may be required; upon successful application for a minor variance; and provided the residential use is a permitted use on the adjacent lands within the area of influence.

iii) No person shall erect a residential structure in any zone within 500 metres (1,640.4 ft.) of lands zoned WD - Waste Disposal without the consultation of the Ministry of the Environment, Conservation and Parks (MECP); upon successful application for a minor variance; and provided the residential use is a permitted use on the adjacent lands within the area of influence. (amended by Bylaw 2022-004)*

5.35 *<u>Agriculture – Minimum Distance Separation (MDS)</u>

5.35.1 <u>MDS I and MDS II</u>

i) Unless otherwise specified and notwithstanding any other yard or setback provisions of this Bylaw to the contrary, no residential, institutional, commercial, industrial, or recreation use located on a separate lot and otherwise permitted by this Bylaw, shall be established and no building or structure for such use shall be erected or altered unless it complies with the Minimum Distance Separation (MDS I) requirements applied in accordance with the MDS I Implementation Guidelines;

ii) Notwithstanding any other yard or setback provisions of this Bylaw, to the contrary, no livestock facility or manure storage facility shall be erected or expanded unless it complies with the Minimum Distance Separation (MDS II) requirements applied in accordance with the MDS II Implementation Guidelines; and

iii) Notwithstanding the above noted provisions, where an existing use that was in compliance with the MDS provisions is changed, the new use shall also be subject to MDS I or MDS II provisions, whichever is applicable. For the purposes of this subsection, a change in the type of livestock use housed is considered to be a change of use.

5.35.2 <u>MDS I and MDS II Exceptions</u>

i) Notwithstanding any provisions of this Bylaw to the contrary where an existing building is destroyed in full or in part by a catastrophe and is being reconstructed in the same location and same dimensions, then the building or structure is exempt from MDS I or MDS II, whichever would be applicable;

ii) Notwithstanding any provisions of this Bylaw to the contrary an empty livestock facility can be excluded from MDS II calculations for expanding livestock facilities if a building

permit is required for altering the facilities so they are no longer capable of housing livestock or manure;

iii) Existing lots of record with a lot area less than 1 hectare in area are exempt from MDS 1; and

iv) Lots within the Urban and Hamlet areas as defined in the Hastings County Official Plan are exempt from MDS I. (amended by Bylaw 2022-004)*

5.36 SECONDARY FARM OCCUPATION

Secondary Farm Occupations, as defined herein, are permitted within the MA zone subject to the following provisions:

i) The secondary farm occupation is clearly secondary and incidental to the principal use of farming on the subject property;

ii) Not more than one (1) secondary farm occupation use shall be permitted on a farm property;

iii) The secondary farm occupation operation does not result in the loss of productive farmland;

iv) The secondary farm occupation shall only be conducted by an individual residing on the farm property and who is physically involved in conducting the farm operation on a day-to-day basis; one (1) full-time equivalent employee shall be permitted in conjunction with the secondary farm occupation;

v) The types of uses permitted as secondary farm occupations shall be limited to those involved in the manufacture or fabrication of goods, uses considered to be trade occupations, and other occupations which are primarily and directly related to agriculture and farming;

vi) All secondary farm occupations shall be conducted inside of buildings and/or structures;

vii) A secondary farm operation shall be operated as part of the farm unit and shall cease if the farm use is discontinued;

viii) The secondary farm occupation shall not be operated in a manner that will impede or interfere with the ability of the farmer to conduct the farming operation on the subject property;

ix) A secondary farm occupation shall be conducted wholly within an accessory building or structure or structures the combined floor area of which shall not exceed 186 square metres (2,002.2 sq. ft.). Buildings and structures must be designed in such a manner that they can be converted/reverted to a farming use and must be located in proximity to the principal farm building;

x) The minimum setback for such building(s) from the rear and side property lines shall be 15.2 metres (50 ft.);

xi) A separate access driveway serving the secondary farm occupation use shall not be permitted;

xii) Secondary farm occupations shall not be located in any front yard and shall not be closer to any public road than the principal building on the lot.

5.37 WATERTAKING PERMITS

All lands that are the subject of an application to the Ministry of the Environment for a Permit to Take Water under the Ontario Water Resources Act RSO 1990, Chapter 0.40 and the Environmental Bill of Rights, Statutes of Ontario, 1993, Chapter 28, shall be subject to an amendment to this By-law and shall be zoned to a special Open Space Zone. The Municipality shall be notified in each case.

5.38 OPEN STORAGE

Open storage of goods or materials shall be permitted in those zones where permitted only if the goods are accessory to a use permitted in the zones and in accordance with other provisions of this By-law.

5.39 EXTERNAL DESIGN

The following building materials shall not be used for more than five (5) percent of the exterior vertical facing of any wall of any residential building within the Municipality:

i) building paper;
ii) asphalt roll-type siding;
iii) insulbrick.

5.40 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 principal use is a use permitted within the zone in which it is located: a church spire, barn, silo, belfry, flag pole, light standard, clock tower, chimney, water tank, windmill, radio or television antenna, air conditioner duct, incidental equipment required for processing and external equipment associated with internal building equipment.

5.41 ABANDONED EQUIPMENT

Unused and/or discarded motor vehicles, farm implements, and similar abandoned equipment shall not be located or stored in any zone in a location where they will be visible from a street or road or from adjacent lots.

5.42 STORAGE AND PARKING OF MOTOR VEHICLES AND TRACTOR TRAILER TRUCKS

5.42.1 No land in the Municipality shall be used for the storage or parking of a derelict vehicle.

5.42.2 No land in the Municipality shall be used for the parking of a motor vehicle which is undergoing repairs unless:

i) such repairs are affected within an enclosed building; or
ii) such repairs are completely affected within a period of not more than 72 consecutive hours and while the vehicle is parked upon a driveway or rear yard as herein provided; or
iii) such repairs are affected while the vehicle is parked in a location such that it is not visible from any adjacent lands which are not occupied by the owner of the vehicle.

5.42.3 No land in the Municipality shall be used for the outdoor storage of motor vehicle parts unless such motor vehicle parts are stored in a location such that they are not visible from any adjacent lands which are not occupied by the owner of such parts.

5.42.4 No tractor trailer truck shall be parked overnight on a single occasion or continuous basis within any urban residential zone (R1, R2, MR) as

established in this By-law.

5.43 SIDE YARD - MARINE FACILITIES, PRIVATE AND COMMUNAL DOCKS

5.43.1 *No Person shall cause marine facilities and private dock(s) to be located closer than 3 metres (9.8 ft.) to any side lot line or extension of said lot line into water.

5.43.2 No person shall cause a communal dock(s) to be located closer than 60 metres (196.6 ft.) to any interior side lot line adjacent to a residential zone.

5.43.3 Docks greater than ten (10) square metres shall require a Municipal building permit. Docks greater than 15 square metres may also require permission from the Ministry of Natural Resources.

5.43.4 For the purpose of this section, the extension of the lot line towards and into the water shall be calculated as follows:

- ***a. Establish a chord drawn from the mid-point of the front lot line to the mid-point of the rear lot line;***
- ***b. At a distance of nine (9) metres (30 ft.) from the waterfront lot line, interior to the lot, draw a chord perpendicular to the first chord above;***
- ***c. Project a line toward the water body from the waterfront lot corner at 90 degrees to the line drawn in b. above. (amended by Bylaw 2012-045)****

5.44 TRAVEL TRAILERS, MOTORIZED MOBILE HOMES/RECREATIONAL VEHICLES, CAMPER TRAILERS, TRUCK CAMPERS

5.44.1 *No person shall use a travel trailer, motorized mobile home/recreational vehicle, truck camper and camper trailer in any zone except for a Recreational/Resort Commercial Zone.

5.44.2 A maximum of one (1) motorized mobile home/recreational vehicle, truck camper, travel trailer or camper trailer shall be permitted to be parked or stored on a lot in a residential zone, owned by the owner of the vehicle being parked or stored.

5.44.3 The use of any of the above mentioned or similar vehicles shall not be used for human habitation, except in a Recreational/Resort Commercial Zone.

5.44.4 The above-named vehicles shall not be used in any zone for carrying on business.

5.44.5 Exception to subsection 5.44.1 of this By-law may be permissible upon successful application and acceptance of both a septic permit and a complete application to build. Installation of the septic system must be within three months of the date of approval and there must be reasonable progression (70 percent) of the construction of the proposed dwelling within the year.

The allowable time limit will be one (1) year from the date of septic approval. However, if this is not sufficient time to complete the project, then a written request to the Chief Building Official is required subject to approval. (amended by Bylaw 2011-031)*

5.45 MODULAR HOMES

5.45.1 A modular home shall be permitted in any residential zone, subject to the following:

i) a building permit is required to erect a modular home;

ii) modular homes may be permitted but are required to be placed on a permanent foundation;

iii) servicing for modular homes must be approved by the Chief Building Official.

5.46 FENCES

No fence exceeding a maximum height of 1.8 metres (5.9 ft.) shall be erected in any residential zone. Notwithstanding the above, a fence in excess of 1.8 metres (5.9 ft.) in height may be erected for a public use or where municipal/provincial/federal regulations require a fence to be erected in excess of 1.8 metres (5.9 ft.) notwithstanding Section 5.24.

5.47 KENNELS

5.47.1 Kennels shall be separated from a residential use by a minimum of 200 metres (656.2 ft.).

5.47.2 No more than 12 dogs over the age of four (4) months shall be kept in the kennels.

5.47.3 No kennel shall be erected within 45 metres (147.6 ft.) of the lot line of adjacent lands which are held in separate and distinct ownership.

5.47.4 Enclosed exercise areas or runs shall be provided.

5.47.5 A minimum of 9.3 square metres (100 sq. ft.) shall be provided for each animal.

5.47.6 Where a kennel existed as of the date of passing of this By-law which does not comply with the foregoing setback or yard requirements, such kennel 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.

5.48 LIMITED SERVICE RESIDENTIAL DEVELOPMENT

Development that is proposed on a lot located on a private road or with water access only shall be rezoned to a Limited Service Residential Zone before a building permit may be issued by the Municipality.

Legal access to the lot shall be proven, to the satisfaction of the Municipality, before a building permit may be issued.

A limited service agreement shall be entered into with the Municipality before a building permit may be issued. This shall ensure that the Municipality does not maintain and will not be expected to maintain the private road leading to the property or perform any other services normally associated with public highways in the Municipality.

5.49 MINIMUM GROSS FLOOR AREA IN A DWELLING UNIT

i) *Single detached dwelling, including triplex, fourplex, townhouse, row house and low-rise apartment complex in the RESIDENTIAL FIRST DENSITY (RI) ZONE and in the RESIDENTIAL SECOND DENSITY (R2) ZONE shall be a minimum gross floor area of 60.38 square metres (650 sq. ft.).

ii) Single detached dwelling, including triplex, fourplex, townhouse, row house and low-rise apartment complex in the MARGINAL AGRICULTURAL (MA) ZONE, in the RURAL RESIDENTIAL (RR) ZONE, LIMITED SERVICE RESIDENTIAL (LSR) ZONE where the land is not adjacent to waterbody or watercourse and in the LIMITED SERVICE RESIDENTIAL ISLAND

(LSRI) ZONE shall be a minimum gross floor area of 35.67 square metres (384 sq. ft.).

iii) Seasonal dwelling shall be a minimum gross floor area of 58.99 square metres (635 sq. ft.).

iv) Converted dwelling shall be a minimum gross floor area of 42 square metres (452.1 sq. ft.). (amended by Bylaw 2019-076)*

v) *An additional dwelling unit shall have a minimum gross floor area allowed pursuant to the Ontario Building Code. (added by Bylaw 2019-076; amended by Bylaw 2022-004)*

5.50 Additional Dwelling Units

5.50.1 *An additional dwelling unit shall only be permitted:

i) In the Marginal Agriculture (MA), Rural Residential (RR), Residential First Density (R1), Residential Second Density (R2), and Multiple Residential (MR) Zones;

ii) Within a single detached dwelling, semi-detached dwelling, or rowhouse dwelling where such use is listed as a permitted use within the Zone; or

iii) Within a building or structure accessory to a single detached dwelling, semi-detached dwelling, or rowhouse dwelling where such use is listed as a permitted use within the Zone and located on the same lot.

iv) For clarity, where an additional dwelling unit is permitted, the additional dwelling unit may exist within the principal structure, within an accessory structure, or both.

5.50.2 An additional dwelling unit shall not be located on a lot abutting any lake identified as "at-capacity" cold water lake trout lake as identified by Section 4.2.5 of the Official Plan.

5.50.3 The following provisions shall apply to regulate and govern the use of an additional dwelling unit:

i) An additional dwelling unit shall not be permitted upon an existing undersized lot or upon a lot with deficient frontage or upon a lot in the Waterfront Residential (WR) Zone;

ii) An additional dwelling unit shall only be permitted on a lot

benefitting from frontage upon a "Public Road".

iii) An additional dwelling unit shall not be permitted within the regulated floodplain area;

iv) Where an additional dwelling unit is situated in an accessory structure, said structure shall comply with the requirements of a principal structure in the applicable zone;

v) Notwithstanding subsection iv), above, where an additional dwelling unit is situated in an accessory structure, the "Maximum Lot Coverage" of all "Accessory Building(s)" upon the lot shall be ten (10) percent;

vi) An additional dwelling unit shall not be permitted where three (3) or more "Dwelling Units" exist upon a lot;

vii) Three (3) dwelling units shall not be permitted within one (1) structure;

viii) A minimum of one (1) parking space shall be provided for the exclusive use of the occupier(s) of each additional dwelling unit;

ix) All other provisions of this By-law shall apply. (added by Bylaw 2019-002; amended by Bylaw 2022-004)*

5.51 *<u>Cannabis</u>*

5.51.1 Cannabis Production and Processing Facility

i) ***No lands, building, structure or portion thereof used for Cannabis Production and Processing purposes that is equipped with air treatment control situated in the Urban Industrial (UI) Zone or the Rural Industrial (RI) Zone shall be located closer than 70 metres to any Zone permitting a residential use, Institutional Zone, or Open Space Zone;***

ii) ***No lands, building, structure, or portion thereof used for Cannabis Production and Processing purposes that is equipped with air treatment control situated in the Urban Industrial (UI) Zone or the Rural Industrial (RI) Zone shall be located closer than 70 metres to any dwelling, public school, private school, place of worship, or day care nursery;***

iii) ***A Cannabis Production and Processing Facility shall only be located wholly within an enclosed building or structure;***

iv) ***An accessory building or structure used for security purposes for Cannabis Production and Processing Facility may be located in the required yard and does not have to comply with the required minimum setbacks;***

v) ***Outdoor storage of goods, materials and matters composed of cannabis or cannabis by-product is prohibited on the property in which the Cannabis Production and Processing Facility is located and adjacent lands;***

vi) ***That appropriate private water and septic systems are in place, before a site-specific zoning bylaw amendment, in accordance with approved hydrogeological or water quality assessments. A County of Hastings peer review of the hydrogeological study will be conducted.***

vii) ***Cannabis Production and Processing Facility shall only be permitted within the zones as explicitly indicated in a site-specific zoning bylaw amendment; and***

viii) ***All development in relation to the establishment of or expansion of Cannabis Production and Processing Facility shall be subject to Site Plan Control. (added by Bylaw 2022-004)****

5.52 ****Group Home***

Notwithstanding any provision to the contrary a group home is permitted in all zones that permit a single detached dwelling accessed and serviced by a year round publicly maintained road. (added by Bylaw 2022-004)*

5.53 ****Abandoned Mines***

i) ***Where the location and extent of an abandoned mine site can be confirmed in consultation with the Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNRF), such lands may be denoted within an appropriate hazard zoning to prohibit development and be maintained on such lands until rehabilitation of such lands is approved by the Ministry of Northern Development;***

ii) ***Development on, abutting or adjacent to lands affected by mine hazards or former mineral mining operations shall be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are underway or have been completed to the satisfaction of the Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNRF). (added by Bylaw 2022-004)****

5.54 *<u>*Mobile Food Vendor, Vendor, and Public Market*</u>*

5.54.1 Notwithstanding anything in this Bylaw, mobile food vendors and vendors are permitted to operate in the Urban Commercial (UC), Rural Commercial (RC), Recreational/Resort Commercial (RRC), Urban Industrial (UI), and Rural Industrial (RI) Zones, subject to the following:

*i) **Any person operating a mobile food vendor and vendor shall adhere with any applicable business licensing bylaw or other regulation of the Municipality;***

*ii) **A mobile food vendor and vendor shall maintain a minimum setback of 3 metres (9.8 ft.) from all lot lines;***

*iii) **A mobile food vendor shall maintain a minimum setback of 3 metres (9.8 ft.) from any structure; and***

*iv) **All other provisions of this Bylaw shall apply."***

5.54.2 Notwithstanding Section 5.54.1 and Section 23, the following uses are permitted at the following municipal lands:

*a) **A mobile food vendor is permitted on Part of Lot 11, Concession 10, being Part 2 on HSR-153, in the Geographic Township of McClure (being the outdoor space at the Lake St. Peter Community Centre locally known as 5 Boulter Lake Road);***

*b) **A mobile food vendor or vendor is permitted on Part of Lot 2, Concession 3, being Part 1 on 21R-3646, in the Geographic Township of Herschel and Part of Lots 1 and 2, Concession 3, being Parts 2 and 3 on 21R-3646, in the Geographic Township of Herschel (being the outdoor space at the Birds Creek Community Centre locally known as 160 South Baptiste Lake Road); and***

*c) **A mobile food vendor, vendor, or public market on Lot 59, Plan 522 in the Geographic Township of Monteagle (being the outdoor space at the former Maynooth Community Centre locally known as 33090 Highway 62). (added by Bylaw 2024-027).***

SECTION 6 - MA - MARGINAL AGRICULTURE ZONE

6.1 Within a MA - Marginal Agriculture Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

6.2 PERMITTED USES

i) agricultural uses, including a livestock facility;

ii) conservation uses, including forestry, reforestation and other activities connected with the conservation of soil or wildlife;

iii) wood lots;

iv) wayside pits and quarries;

v) open space uses;

vi) a kennel;

vii) an apiary;

viii) a fur farm;

ix) a riding club or boarding stable;

x) a greenhouse, nursery, garden centre;

xi) a golf course;

xii) passive recreational outdoor uses;

xiii) a warehouse;

xiv) a grain drying facility;

xv) a livestock assembly area or a livestock exchange;

xvi) a hunt camp;

xvii) a single detached dwelling;

xviii) a bed and breakfast establishment;

xix) a research facility;

xx) an agricultural produce sales outlet;

xxi) an accessory building or use to the above uses, including a single

detached dwelling as an accessory use to agriculture;

xxii) a Type 'A' and Type 'B' home occupation, in accordance with the provisions of Section 5.29 of this By-law;

xxiii) a Type 'A' and Type 'B' home industry, in accordance with the provisions of Section 5.30 of this By-law;

xxiv) a secondary farm occupation in accordance with the provisions of Section 5.37 of this By- law;

xxv) logging;

xxvi) outdoor recreational uses such as hiking and cross-country ski trails; and

xxvii) *agricultural-related uses. (added by Bylaw 2022-004)*

6.3 ZONE REGULATIONS

a) For the Principal Building

i)	Lot Area (Minimum) -	4 hectares (9.88 acres).
ii)	Lot Frontage (Minimum) -	45.7 metres (150 ft.).
iii)	Building Height (Maximum)	
	a) Agricultural Uses -	45 metres (147.6 ft.).
	b) All other uses -	25 metres (82.0 ft.).
iv)	Front Yard and Exterior Side Yard Minimum) (65.6 ft.)	20 metres
v)	Interior Side Yard (Minimum) - (16.4 ft.).	5 metres
vi)	Rear Yard (Minimum) - (65.6 ft.).	20 metres

vii) No building or structure used for the housing, training or care of animals in conjunction with a kennel as defined in this By-law, shall be located less than 150 metres (492.1 ft.) from a residential zone or existing residential use.

viii) *deleted by Bylaw 2023-011.*

ix) *deleted by Bylaw 2023-012.*

x) Off-street parking shall be provided in accordance with section 5.31.

xi) Livestock facilities shall be located in accordance with Section 5.35.

b) <u>For Accessory Buildings Not Attached to the Principal Building</u>

i)	Rear Yard (Minimum)	3.0 metres (9.8 ft.)
ii)	Interior Side Yard (Minimum)	3.0 metres (9.8 ft.)
iii)	****Exterior Side Yard (Minimum) (amended by Bylaw 2023-011)****	***10 metres (32.8 feet)***
iv)	****Building Height (Maximum) (added by Bylaw 2023-012)****	***11 metres (36.1 feet).***
v)	****Front Yard (Minimum) (amended by Bylaw 2023-011)****	***10 metres (32.8 feet)***

c) <u>For Hunt Camps</u>

Notwithstanding other provisions of this By-law, hunt camps shall be subject to the following special provisions in addition to all other applicable provisions of this By-law:

i) *Lot area (Minimum) – 20 hectares (50 acres). (amended by Bylaw 2022-004)*

ii) The minimum distance of buildings or structures from a residential zone shall be 200 metres (656.2 ft.).

iii) A building permit shall be required for any buildings or structures on the site.

iv) The Chief Building Official shall decide if buildings or structures on the site are fit for human occupancy. Cottage Standards as outlined in the Ontario Building Code may be applied.

d) <u>For Logging Operations</u>

Notwithstanding other provisions of this By-law, no clear-cut logging operation shall be permitted within:

i) 600 metres (1,968.5 ft.) of settlement areas or urban areas;

ii) 120 metres (393.7 ft.) of an area zoned Open Space;

iii) 120 metres (393.7 ft.) from the highwater mark of any lake, river or stream, except an intermittent stream;

iv) 60 metres (196.8 ft.) from the boundary of a Provincial Highway;

v) 23 metres (75.5 ft.) from the boundary of a Township Road; and

vi) 30 metres (98.4 ft.) from a residence on an adjacent property.

Nothing in this By-law shall prevent the selective cutting, as defined in this By-law, of mature timber within such distances.

e) <u>*For Wind Turbines</u>

A wind turbine is permitted anywhere in the zoned area subject to the following provisions:

i) Minimum water setback – 66 feet

ii) Minimum lot line setback (front) – 1.25 times times the wind turbine height

iii) Minimum lot line setback (exterior side) – 1.25 times the wind turbine height;

iv) Minimum lot line setback (interior side) – 1.25 times the wind turbine height;

v) Minimum lot line setback (rear) – 1.25 times the wind turbine height;

vi) Maximum wind turbines per lot – 1 up to 5 acres;

vii) Maximum wind turbine height – 38 metres; and

viii) The wind turbine should be in compliance with any setbacks/regulations hydro one has enforced. (Bylaw 2007-

050)*

f) *For Agriculture-Related Uses

Notwithstanding other provisions of this Bylaw, agriculture-related uses shall be subject to the following special provisions in addition to all other applicable provisions of this Bylaw:

i) An approved agricultural impact assessment that summarizes all potential impacts to surrounding agricultural operations and appropriate mitigation measures is prepared, if required;

ii) The completion and review of a hydrogeological or water quality assessment, if required, to determine the impact of the proposed use on ground and surface water, including the disposal of any related wastes;

iii) A stormwater management report detailing the drainage requirements of the area, if required;

iv) Site plan approval and a site plan agreement, if required. On-site parking, outside storage of goods or materials, lighting, signage and the buffering and landscaping of the site should be provided to minimize the impact of such uses from the adjacent road and properties;

v) Where possible these uses should be located on areas exhibiting poorer quality soils and conditions for farm purposes. (added by Bylaw 2007-050)

6.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the MA - Marginal Agriculture Zone.

SECTION 7 - RR - RURAL RESIDENTIAL ZONE

7.1 Within a RR - Rural Residential Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

7.2 PERMITTED USES

i) a single detached dwelling;

ii) accessory buildings or use;

iii) a Type 'A' or Type 'B' Home Occupation in accordance with the provisions of Section 5.29 of this By-law;

iv) a Type 'A' Home Industry in accordance with the provisions of Section 5.30 of this By- law;

v) a bed and breakfast establishment; and

vi) a garden suite (see Section 5.33).

7.3 ZONE REGULATIONS

a) For Single Detached Dwellings

i)	Lot Area (Minimum)	4000 sq. metres (43,057.1 sq. ft.)
ii)	Lot Frontage (Minimum)	45.7 metres (150.1 ft.)
iii)	Front Yard (Minimum)	20 metres (65.6 ft.)
iv)	Rear Yard (Minimum)	10 metres (32.8 ft.)
v)	Interior Side Yard (Minimum)	3 metres (9.8 ft.)
vi)	Exterior Side Yard (Minimum)	20 metres (65.6 ft.)

vii)	Gross Floor Area (Minimum)	35.67 sq. metres (384 sq. ft.)
viii)	Lot Coverage (Maximum)	30 percent
ix)	Building Height (Maximum)	11 metres (36.1 ft.)
x)	Off-street parking shall be provided in accordance with Section 5.31.	

b) <u>For Accessory Buildings Not Attached To The Principal Building</u>

i)	Rear Yard (Minimum)	3 metres (9.8 ft.)
ii)	Interior Side Yard (Minimum)	3 metres (9.8 ft.)
iii)	****Exterior Side Yard (Minimum) (amended by Bylaw 2023-011)****	***10 metres (32.8 feet)***
iv)	****Building Height (Maximum) (amended by Bylaw 2023-012)****	***11 metres (36.1 feet)***
v)	****Front Yard (Minimum) (added by Bylaw 2023-011)****	***10 metres (32.8 feet)***

7.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the RR - Rural Residential Zone.

SECTION 8 - LSR - LIMITED SERVICE RESIDENTIAL ZONE

8.1 Within a LSR - Limited Service Residential Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

In a Limited Service Residential Zone, there is no commitment or requirement by the Municipality to assume responsibility for ownership or maintenance of any private road, or for garbage collection. Due to road conditions of privately maintained roads, there is no commitment or requirement by the Municipality to ensure that emergency vehicles can access privately owned roads. The intent of the Limited Service Residential Zone is to recognize residential development on private roads or lanes.

8.2 PERMITTED USES

i) a seasonal dwelling;

ii) a single detached dwelling;

iii) an accessory building or use, ***including a cabin, sleeping/Bunkie (amended by Bylaw 2010-012)***;

iv) a Type 'A' home occupation, in accordance with the provisions of Section 5.29 of this By-law.

8.3 ZONE REGULATIONS

a) For the Principal Building

i) *Lot Area (Minimum) - 0.8 hectare (2 acres) for waterfront properties and 0.4 hectare (1 acre) for properties not on a waterfront. (amended by Bylaw 2022-004)*

ii) Lot Frontage on a Private Road and/or a Navigable Waterway (Minimum) - 46 metres (150.1 ft.)

iii) Front Yard (Minimum) - 10 metres (32.8 ft.)

iv) Rear Yard (Minimum) - 10 metres (32.8 ft.)

v) Interior Side Yard (Minimum) - 3 metres (9.8 ft.)

vi) Exterior Side Yard (Minimum) - 3 metres (9.8 ft.)

vii) Gross Floor Area (Minimum), excluding for lands adjacent to waterbodies and watercourses - 35.67 sq. metres (384 sq. ft.)

viii) Gross Floor Area (Minimum) lands adjacent to waterbodies and/or watercourses - 74.3 sq. metres (800 sq. ft.)

ix) Lot Coverage (Maximum) - 30 percent

x) Building Height (Maximum) - 11 metres (36.1 ft.)

xi) Off-street parking shall be provided in accordance with Section 5.31

b) <u>For Accessory Buildings Not Attached To The Principal Building</u>

i) Rear Yard (Minimum) - 3 metres (9.8 ft.)

ii) Interior Side Yard (Minimum) - 3 metres (9.8 ft.)

iii) Exterior Side Yard (Minimum) - 3 metres (9.8 ft.)

iv) Building Height (Maximum) - 4.5 metres (14.8 ft.)

v) *(deleted by Bylaw 2010-012)*

c) <u>Vegetative Buffer Adjacent To The Shoreline</u>

i) ****a natural vegetative buffer strip 30 metres (98.4 ft.) in width shall be maintained. (amended by Bylaw 2022-005)****

d) <u>For Lots on a Narrow Water Body</u>

W here a lot (with or without road frontage) fronts on a narrow water body as defined in this by-law, the required water frontage shall be 100 metres (328.1 ft.).

8.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the LSR - Limited Service Residential Zone.

SECTION 9 - LSRI - LIMITED SERVICE RESIDENTIAL ISLAND ZONE

9.1 Within a LSRI - Limited Service Residential Island Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

In a Limited Service Residential Island Zone, there is no commitment or requirement by the Municipality to assume responsibility for ownership or maintenance of any private road, parking area, to provide access between an island and the mainland, or to provide garbage collection. Due to road conditions of privately maintained roads, there is no commitment or requirement by the Municipality to ensure that emergency vehicles are able to access privately owned roads. The intent of the Limited Service Residential Island Zone is to recognize residential development on private roads or lanes and on islands which are accessible by water only.

9.2 PERMITTED USES

i) a seasonal dwelling;

ii) an accessory building or use, ****including a cabin, sleeping/bunkie (amended by Bylaw 2010-012)****;

iii) a Type 'A' and Type 'B' home occupation, in accordance with the provisions of Section 5.29 of this By-law.

9.3 ZONE REGULATIONS

a) For the Principal Building

i)	Lot Area (Minimum) -	2.0 hectares (4.9 acres)
ii)	Lot Water Frontage (Minimum) -	60 metres (196.9 ft.)
iii)	Lot Width at Rear Lot Line (Minimum)	45 metres (147.6 ft.)
iv)	Front Yard (Minimum) -	10 metres (32.8 ft.)
v)	Rear Yard (Minimum) -	10 metres (32.8 ft.)
vi)	Interior Side Yard (Minimum) -	3 metres (9.8 ft.)

vii) Exterior Side Yard (Minimum) - 3 metres (9.8 ft.)

viii) Gross Floor Area (Minimum) - 35.67 sq. metres (384 sq. ft.)

ix) Lot Coverage (Maximum) - 30 percent

x) Building Height (Maximum) - 11 metres (36.1 ft.)

xi) Off-street parking shall be provided in accordance with Section 5.31 of this By-law, on the mainland, and to the satisfaction of the Municipality that enough land and mooring facilities are available.

xii) Where communal docking facilities are proposed, such facilities shall be located a minimum of 60 metres (196.9 ft.) from the nearest residential use, residential land use designation or residential zone.

b) <u>For Accessory Buildings Not Attached To The Principal Building</u>

i) Rear Yard (Minimum) - 3 metres (9.8 ft.)

ii) Interior Side Yard (Minimum) - 3 metres (9.8 ft.)

iii) Exterior Side Yard (Minimum) - 3 metres (9.8 ft.)

iv) Building Height (Maximum) - 4.5 metres (14.8 ft.)

v) Setback from highwater mark or flood line of a body of water, whichever is the greater than 30 metres (98.4 ft.)

vi) In the case of boathouses and docks, where a rear yard or interior side yard abuts a body of water, then such rear yard and/or interior side yard may be reduced to zero (0) metres.

c) <u>Vegetative Buffer Adjacent To The Shoreline</u>

i) ****a natural vegetative buffer strip 30 metres (98.4 ft.) in width shall be maintained. (amended by Bylaw 2022-005)****

d) <u>For Lots on a Narrow Water Body</u>

Where a lot (with or without road frontage) fronts on a narrow water body as defined in this By-law, the required water frontage shall be 100 metres (328.1 ft.)

9.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the LSRI - Limited Service Residential Island Zone.

SECTION 10 - WR - WATERFRONT RESIDENTIAL ZONE

10.1 Within a WR - Waterfront Residential Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

10.2 PERMITTED USES

i) a single detached dwelling (may have a garden suite);
ii) a seasonal dwelling ****, including a cabin, sleeping/Bunkie (amended by Bylaw 2010-012)**** ;
iii) an accessory building or use;
iv) a Type 'A' and Type 'B' home occupation, in accordance with the provisions of Section 5.29 of this By-law;
v) (deleted by Bylaw 2022-004)

10.3 ZONE REGULATIONS

a) For the Principal Building

i)	Lot Area (Minimum) -	4,000 sq. metres (43,057.1 sq. ft.)
ii)	Road Frontage (Minimum) -	46 metres (150.1 ft.)
iii)	Water Frontage (Minimum) -	46 metres (150.1 ft.)
iv)	Front Yard (Minimum) -	20 metres (65.6 ft.)
v)	Rear Yard (Minimum) -	30 metres (98.4 ft.)
vi)	Interior Side Yard (Minimum) -	3 metres (9.8 ft.)
vii)	Exterior Side Yard (Minimum) -	20 metres (65.6 ft.)
viii)	Gross Floor Area (Minimum) -	74.3 sq. metres (800 sq. ft.)
ix)	Lot Coverage (Maximum) -	30 percent
x)	Building Height (Maximum) -	11 metres (36.1 ft.)
xi)	Off-street parking shall be provided in accordance with Section 5.31.	

b) For Accessory Buildings Not Attached To The Principal Building

i)	Rear Yard (Minimum) -	3 metres (9.8 ft.)
ii)	Interior Side Yard (Minimum) -	3 metres (9.8 ft.)

iii)	****Exterior Side Yard (Minimum) (amended by Bylaw 2023-011)****	***10 metres (32.8 feet)***
iv)	Building Height (Maximum) -	4.5 metres (14.8 ft.)
v)	****Front Yard (Minimum) (added by Bylaw 2023-011)****	***10 metres (32.8 feet)***

c) <u>Vegetative Buffer Adjacent To The Shoreline</u>

i) *a natural vegetative buffer strip 30 metres (98.4 ft.) in width shall be maintained. (amended by Bylaw 2022-005)*

d) <u>For Lots on a Narrow Water Body</u>

Where a lot (with or without road frontage) fronts on a narrow water body as defined in this By-law, the required water frontage shall be 100 metres (328.1 ft.).

10.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the WR - Waterfront Residential Zone.

SECTION 11 - MHR - MOBILE HOME RESIDENTIAL ZONE

11.1 Within a MHR - Mobile Home Residential Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also no person shall within any MHR zone use any lot or install, place, erect, alter or use any building or structure unless such lot is served by a communal water system and a sanitary sewer systems and except in accordance with the regulations contained or referred to in this section.

11.2 PERMITTED USES

i) mobile home,
ii) an accessory dwelling,
iii) mobile home park,
iv) mobile home park management office,
v) a public use,
vi) a recreational use accessory to a mobile home park.

11.3 ZONE REGULATIONS

a) For an individual mobile home, the standards shall be the same as in Section 7.3 - RR Rural Residential, subsections a) and b), except for the following:

i) Building Height (Maximum) - 5 metres (16.4 ft.)

b) For Mobile Home Parks

i)	Lot Area (Minimum) -	3 hectares (7.4 acres)
ii)	Lot Frontage (Minimum) -	60 metres (196.9 ft.)
iii)	Interior Side Yard (Minimum) -	7.6 metres (24.9 ft.)
iv)	Exterior Side Yard (Minimum) -	13.5 metres (44.3 ft.)
v)	Rear Yard (Minimum) -	7.6 metres (24.9 ft.)
vi)	Dwelling Unit area for accessory - (796.6 sq. ft.) dwelling house	74 sq. metres
vii)	Landscaped Area (Minimum) -	30 percent
viii)	Accessory Dwellings per lot	1 (Maximum)

11.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the MHR - Mobile Home Residential Zone.

SECTION 12 - R1 - RESIDENTIAL FIRST DENSITY ZONE

12.1 Within a R1 - Residential First Density Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

12.2 PERMITTED USES

i) a single detached dwelling;
ii) a public park;
iii) an accessory building or use to the above uses;
iv) a Type 'A' and Type 'B' home occupation, according to the provisions of Section 5.29 of this By-law;
v) a Type 'A' home industry, according to the provisions of Section 5.30 of this By-law.

12.3 ZONE REGULATIONS

a) For a Single Detached Dwelling

i) Lot Area (Minimum)
- public water and sanitary sewers - 550 sq. metres (5,920.3 sq. ft.)
- public water and private sewage disposal system - 1,110 sq. metres (11,840.7 sq. ft.)
- private water and private sewage disposal system - 4,000 sq. metres (43,057.1 sq. ft.)

ii) Lot Frontage (Minimum)
- public water and sanitary sewers - 18 metres (59.1 ft.) (except in the case of a corner lot for which the minimum lot frontage shall be 21 metres)
- public water and private sewage disposal system- 24 metres (78.7 ft.)
- private water and private sewage disposal system - 45 metres (147.6 ft.)

iii) Lot Coverage (Maximum) (all buildings) - 25 percent
iv) Building Height (Maximum) - 11 metres (36.1 ft.)
v) Landscaped Open Space (Minimum) - 30 percent
vi) Number of Dwelling Houses per Lot (Maximum) - 1
vii) Number of Dwelling Units per Lot (Maximum) - 1
viii) Minimum Yard Provisions:
- Front or Rear Yard Depth - 7.5 metres

- Interior Side Yard Width - 2 metres
- Exterior Side Yard Width - 4.5 metres

ix) Off-street parking shall be provided in accordance with Section 5.31.

x) Gross Floor Area (Minimum) – 60.38 sq. metres (650 sq. ft.).

b) <u>For accessory Buildings not Attached to the Principal Building</u>

i)	****Rear Yard (Minimum)***	***2.5 metres (8.2 ft.)***
ii)	***Interior Side Yard (Minimum)***	***2.5 metres (8.2 ft.)***
iii)	***Exterior Side Yard (Minimum) (amended by Bylaw 2004-062)****	***7.5 metres (24.6 ft.)***
iv)	****Building Height (Maximum) (amended by Bylaw 2023-012)****	***11 metres (36.1 ft.)***

12.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the R1 - Residential First Density Zone.

Where a dwelling which existed at the time of the passing of this By-law is located on a lot in the R1 Zone, such dwelling and lot shall be deemed to comply with all the requirements of the R1 Zone.

Where a dwelling which existed at the time of the passing of this By-law is located on a lot in the R1 Zone, such dwelling may be extended, enlarged or improved provided the yards existing at the time of the passing of this By-law are not reduced in depth and, where any such yards are greater in depth than the minimum required by this By-law, such yards may be reduced to the minimum yards required by this By-law and provided also that such dwelling continues to be used in the same manner and for the same purpose it was used on the date of passing of this by-law.

SECTION 13 - R2 - RESIDENTIAL SECOND DENSITY ZONE

13.1 Within a R2 - Residential Second Density Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

13.2 PERMITTED USES

i) a single detached dwelling;
ii) a semi-detached dwelling;
iii) a duplex dwelling;
iv) a converted dwelling;
v) a boarding or rooming house;
vi) a public park;
vii) an accessory building or use to the above uses;
viii) a Type 'A' and Type 'B' home occupation, according to the provisions of Section 5.29 of this By-law;
ix) a Type 'A' home industry, according to the provisions of Section 5.30 of this By-law.

13.3 ZONE REGULATIONS

a) For a Single Detached Dwelling and Accessory Buildings Not Attached to the Principal Building

According to the provisions of the R1 Zone of this By-law.

b) For a Semi-Detached Dwelling, A Duplex Dwelling, A Boarding or Rooming House and a Converted Dwelling

i) Lot Area (Minimum)
- public water and sanitary sewers - 800 sq. metres (8,611.4 sq. ft.)
- public water and private sewage disposal - 1,600 sq. metres (17,222.8 sq. ft.)
- private water and sewage disposal - 6,000 sq. metres (64,585.6 sq. ft.)

ii) Lot Frontage (Minimum)
- public water and sanitary sewers - 21 metres (68.9 ft.)
- public water and private sewage disposal - 45 metres (147.6 ft.)

- private water and sewage disposal - 60 metres (196.8 ft.)

iii) Front Yard (Minimum) - 10 metres (32.8 ft.)
iv) Rear Yard (Minimum) - 10 metres (32.8 ft.)
v) Interior Side Yard (Minimum) - 3 metres (9.8 ft.)
vi) Exterior Side Yard (Minimum) - 10 metres (32.8 ft.)
vii) Gross Floor Area (Minimum) - 120.76 sq. metres (1,300 sq. ft.)
viii) Lot Coverage (Maximum) - 30 percent
ix) Building Height (Maximum) - 11 metres (36.1 ft.)
x) Off-street parking shall be provided in accordance with Section 5.31.

c) <u>For a Converted Dwelling and a Boarding or Rooming House</u>

i) The minimum gross floor area of a one-bedroom dwelling unit shall be 42 sq. metres (452.1 sq. ft.) plus an additional 13 sq. metres (139.9 sq. ft.) for each additional bedroom.
ii) The minimum lot area per dwelling unit shall be 1400 sq. metres (15,070.0 sq. ft.) (for a converted dwelling).
iii) No addition or enlargement shall be made to the external walls or roof of the dwelling.
iv) No external stairway other than an open fire escape shall be provided.
v) Such dwelling shall be certified by the Chief Building Official to be structurally suitable for such conversion.
vi) The 3 metre (9.8 ft.) strip immediately adjacent to any lot line shall be landscaped.
vii) Off-street parking shall be provided in accordance with Section 5.31.
viii) The sewage disposal system shall be inspected and approved by the appropriate authority.

d) <u>For Accessory Buildings Not Attached To The Principal Building</u>

i)	Rear Yard (Minimum) -	2.5 metres (8.2 ft.)
ii)	Interior Side Yard (Minimum) -	2.5 metres (8.2 ft.)
iii)	Exterior Side Yard (Minimum) -	7.5 metres (24.6 ft.)
iv)	Building Height (Maximum) -	4.5 metres (14.8 ft.)

13.4 <u>GENERAL PROVISIONS</u>

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the R2 - Residential Second Density Zone.

SECTION 14 - MR - MULTIPLE RESIDENTIAL ZONE

14.1 Within an MR - Multiple Residential Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

14.2 PERMITTED USES

i) multiple dwelling including triplex, fourplex, townhouse and low-rise apartment complex,
ii) a senior citizen multiple dwelling,
iii) a converted dwelling,
iv) a Type 'A' home occupation in accordance with Section 5.29,
v) a public park,
vi) an accessory building or use to the above uses.

14.3 ZONE REGULATIONS

a) For the Principal Building (Multiple Residential Development will be permitted only on full public services)

i)	Lot Area (whichever is greater)	
	a) Minimum - (86,114.1 sq. ft.)	8000 sq. metres
	b) Min. Per Dwelling Unit - sq. ft.)	800 sq. metres (8,611.4
ii)	Lot Frontage (Minimum) -	60 metres (196.9 ft.)
iii)	Front Yard (Minimum) -	10 metres (32.8 ft.)
iv)	Rear Yard (Minimum) -	10 metres (32.8 ft.)
v)	Interior Side Yard (Minimum):	
	a) to a wall of a building containing windows to habitable rooms -	8 metres (26.2 ft.)
	b) to a wall of a building containing no windows to habitable rooms -	3 metres (9.8 ft.)
vi)	Interior Side Yard (Minimum) (between dwelling units) - nil	
vii)	Exterior Side Yard (Minimum) -	10 metres (32.8 ft.)
viii)	Building Height (Maximum) -	11 metres (36.1 ft.)
ix)	Lot Coverage (Maximum) -	30 percent
x)	Gross Floor Area in multiple dwelling (Min.)	35.67 sq. metres (384 sq. ft.)
xi)	Guest Room Area in Senior Citizen M ultiple Dwelling	

(Minimum) - 23 sq. metres (247.6 sq. ft.) for each room

xii) Minimum number of dwelling units in one principal building - 3

xiii) Off-street parking shall be provided in accordance with Section 5.31.

b) For Accessory Buildings Not Attached To The Principal Building

i) Rear Yard (Minimum) - 2.5 metres (8.2 ft.)

ii) Interior Side Yard (Minimum) - 2.5 metres (8.2 ft.)

iii) Exterior Side Yard (Minimum) - 10 metres (32.8 ft.)

iv) Building Height (Maximum) - 4.5 metres (14.8 ft.)

c) For a Converted Dwelling

i) The minimum gross floor area of a one-bedroom dwelling unit shall be 40 sq. metres (430.6 sq. ft.) plus an additional 10 sq. metres (107.6 sq. ft.) for each additional bedroom.

ii) The minimum lot area per dwelling unit shall be 1,400 sq. metres (15,070.0 sq. ft.).

iii) No external stairway other than an open fire escape shall be provided.

iv) Such dwelling shall be certified by the Chief Building Official to be structurally suitable for such conversion.

v) The 3 metre (9.8 ft.) strip immediately adjacent to any lot line shall be landscaped.

vi) Off-street parking shall be provided in accordance with Section 5.31.

vii) The sewage disposal system has been inspected and approved by the appropriate authority.

14.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the MR - Multiple Residential Zone.

SECTION 15 - UC - URBAN COMMERCIAL ZONE

15.1 Within UC - Urban Commercial Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

15.2 PERMITTED USES

i) a retail store, including a gift shop, craft shop and antique shop and convenience retail store,
ii) a service shop including a personal and merchandise service shop,
iii) a lawn, garden and farm equipment and supplies sales outlet,
iv) a laundry and/or dry-cleaning shop including coin operated establishments,
v) an eating establishment including a banquet hall, tearoom, take-out restaurant and drive-in restaurant,
vi) **** a public market, including**** a food market including a butcher shop, ***(amended by Bylaw 2024-027)***
vii) a tavern,
viii) a Liquor Control Board or Brewer's Retail Outlet,
ix) a hotel/motel,
x) a bank and/or trust company,
xi) a printing or publishing establishment,
xii) a business, administrative and/or professional office,
xiii) a theatre, cinema or other place of entertainment,
xiv) a taxi depot,
xv) a commercial recreational establishment such as a bowling or billiard establishment or other similar use,
xvi) a funeral home,
xvii) a medical or dental clinic,
xviii) a bake shop,
xix) a private or commercial club,
xx) a bottle return depot,
xxi) a nursery school,
xxii) a veterinary clinic,
xxiii) a public or private parking area, including parking facilities associated with the principal use(s) permitted under this section,
xxiv) an automobile service station or sales agency,
xxv) dwelling units in the form of apartments as an accessory use in buildings in which commercial uses are permitted, except automobile service stations or other uses involving the sale of gasoline or other

similar petroleum products, in accordance with the provisions of Sections 5.19 and 5.20,

xxvi) ***a marine/snowmobile dealer (added by Bylaw 2012-066)***,

xxvii) an accessory building or use to the above uses.

15.3 ZONE REGULATIONS

a) For All Uses Except An Automobile Service Station, Hotel and Motel

i)	Lot Area (Minimum) -	4000 sq. metres (43,057.1 sq. ft.)
ii)	Lot Frontage (Minimum) -	45 metres (147.6 ft.)
iii)	Front Yard (Minimum) -	6 metres (19.7 ft.)
iv)	Rear Yard (Minimum) -	6 metres (19.7 ft.)
v)	Interior Side Yard (Minimum) -	3 metres (9.8 ft.)
vi)	Exterior Side Yard (Minimum) -	8 metres (26.2 ft.)
vii)	Lot Coverage (Maximum) -	40 percent
viii)	Building Height (Maximum) -	11 metres (36.1 ft.)

ix) Off-street parking and off-street loading facilities shall be provided in accordance with Sections 5.31 and 5.32.

x) Access to an accessory dwelling unit shall be separate from access to a commercial use.

b) For An Automobile Service Station

i)	Lot Frontage (Minimum) -	45 metres (147.6 ft.)
ii)	Lot Depth (Minimum) -	45 metres (147.6 ft.)
iii)	Front Yard (Minimum) -	15 metres (49.2 ft.)
iv)	Rear Yard (Minimum) -	7.5 metres (24.6 ft.)

(except where the rear yard abuts a residential zone, the rear yard shall be a minimum of 15 metres (49.2 ft.) of which the 4.5 metres (14.8 ft.) adjacent to the lot line shall be retained in an open space condition).

v) Side Yard (Minimum) - 7.5 metres (24.6 ft.)
(except where one or both side yards abut a residential zone, the side yard shall be a minimum of 15 metres (49.2 ft.) of which the 4.5 metres (14.8 ft.) adjacent to the lot line shall be retained in an open space condition).

vi) A sight triangle of 15 metres (49.2 ft.) minimum shall be provided on a corner lot.

vii) Light stands and signs may be located in any required minimum yard at a minimum distance of 2.5 metres

(8.2 ft.) from any street line.

viii) Fuel pump islands and fuel pumps may be located in any required minimum yard at a minimum distance of 6 metres (19.7 ft.) from any street line. A sight triangle is not to be construed to be part of the required minimum yard for the purposes of this paragraph. Where a lot is a corner lot, no portion of any pump island or gasoline pump shall be located closer than 3 metres to a straight line between a point in the front lot line and a point in the exterior side lot line, each point being distant 15 metres from the intersection of such lot lines.

ix) The distance between means of access or ramps shall be 12 metres (39.4 ft.) and on a corner lot, no ramp may be located within 15 metres (49.2 ft.) of the intersection of the street lines.

x) Each ramp shall have a width of 7.5 metres (24.6 ft.) and the interior angle formed between the lot line and the centre line of the ramp shall be between seventy (70) and ninety (90) degrees.

xi) No ramp shall be located within 4.5 metres (14.8 ft.) of a side lot line.

xii) Off-street parking and off-street loading facilities shall be provided in accordance with Sections 5.31 and 5.32.

c) <u>For Hotels</u>

i) Gross Guest Room Area (Minimum) - 23 sq. metres (247.6 sq. ft.)

ii) Lot Frontage (Minimum):

Notwithstanding any other provision of this By-law to the contrary, the minimum lot frontage for a hotel in the UC Zone shall be:

a) public water and sanitary sewers - 38 metres (124.7 ft.)

b) public water and private sewage disposal system - 45 metres (147.6 ft.)

c) private water supply and private sewage disposal system - 54 metres (177.2 ft.)

d) <u>For Motels</u>

i) Gross Guest Room Area (Minimum) - 23 sq. metres (247.6 sq. ft.)

ii) Lot Area (Minimum):

a) public water and sanitary sewers - 930 sq. metres (10,010.8 sq. ft.)

b) public water and private sewage disposal system

- 2,780 sq. metres (29,924.7 sq. ft.) or where a dwelling unit is located in a portion of a non-residential building, an additional 370 sq. metres (3,982.8 sq. ft.) of lot area shall be provided.

e) private water and private sewage disposal system

- 3,700 sq. metres (39,827.8 sq. ft.) or where a dwelling unit is located in a portion of a non-residential building, an additional 370 sq. metres (3,982.8 sq. ft.) of lot area shall be provided.

ii) Lot Frontage (Minimum)

a) public water and sanitary sewers - 38 metres (124.7 ft.)

b) public water and private waste disposal system - 45 metres (147.6 ft.)

c) private water and private sewage disposal system - 53 metres (173.9 ft.)

iii) Front Yard Depth (Minimum) - 12 metres (39.4 ft.)

iv) Exterior Side Yard Width (Minimum) - 12 metres (39.4 ft.)

v) Interior Side Yard Width (Minimum):

a) 6 metres (19.7 ft.) or where the interior side lot line abuts a Residential zone, the minimum interior side yard width shall be 9 metres (29.5 ft.).

vi) Rear Yard Depth (Minimum):

a) 7.5 metres (24.6 ft.) or where the rear lot line abuts a

Residential zone, the minimum rear yard depth shall be 9 metres (29.7 ft.)

vii) Lot Coverage (All Buildings) (Maximum) - 25 percent

viii) Setback from Street Centreline (Minimum):

a) Provincial Highway - 32 metres (104.98 ft.)

b) Urban Street - 13 metres (42.7 ft.)

ix) Landscaped Open Space (Minimum) - 20 percent

x) Height of Buildings (Maximum) - 11 metres (36.1 ft.)

xi) Distance Between Buildings:

a) Where two or more buildings are erected on the same lot, the minimum distance between buildings shall not be less than the minimum distance which would be required if each building were on a separate lot and subject to the minimum yard requirements stated of this section.

f) <u>For Accessory Buildings Not Attached To The Principal Building</u>

i) Rear Yard (Minimum) - 2 metres (6.5 ft.)
ii) Interior Side Yard (Minimum) - 2 metres (6.5 ft.)
iii) Exterior Side Yard (Minimum) - 3 metres (9.8 ft.)
iv) Building Height (Maximum) - 4.5 metres (14.8 ft.)
v) Minimum distance from any other building on the lot shall be 3 metres (9.8 ft.) provided that in no case shall any overhang, eaves or gutter project into this required minimum area which shall be clear of any obstruction from the ground to the sky.

g) <u>For Lands Abutting A Residential Zone</u>

Notwithstanding the above provisions, where an interior side yard and/or rear yard abuts a residential zone then such interior side yard shall be a minimum of 5 metres (16.4 ft.) and such rear yard shall be a minimum of 9 metres (29.5 ft.). The 1 metre (3.3 ft.) strip immediately adjacent to the rear and\or interior side lot line shall be landscaped.

h) <u>For Public Markets</u>

Notwithstanding anything in this Bylaw, a public market shall

maintain a minimum setback of 3 metres (9.8 ft.) to all property lot lines and to any other structure.* (added by Bylaw 2024-027).

15.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the UC - Urban Commercial Zone.

SECTION 16 - RC - RURAL COMMERCIAL ZONE

16.1 Within a RC - Rural Commercial Zone, no person shall use any land, erect, alter, enlarge or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

16.2 PERMITTED USES

i) a farm implement dealer, including the sale and service of agricultural equipment and lawn and garden equipment,
ii) an auction outlet,
iii) **** a public market, including**** a food market including a butcher shop and retail meat establishment, ***(amended by Bylaw 2024-027)***
iv) a fertilizer mixing and sales establishment,
v) a greenhouse, nursery or garden centre,
vi) a merchandise service shop,
vii) self-storage buildings,
viii) a flea market,
ix) a kennel,
x) a personal service shop,
xi) a diesel, propane and/or natural gas outlet,
xii) an automobile, a mobile home or travel trailer sales agency and service station,
xiii) an automatic or coin operated car wash, with the sale of petroleum products incidental thereto,
xiv) a hotel/motel,
xv) a veterinary clinic,
xvi) an eating establishment, including a banquet hall, tearoom, take-out restaurant and drive- in restaurant,
xvii) a tavern,
xviii) an establishment for the sale, service, storage or repair of small internal combustion engines such as snowmobiles, outboard motors, lawnmowers and motorcycles, including the sale of parts and petroleum products incidental thereto,
xix) a retail and/or wholesale outlet for the storage, display and sale of lumber, building supplies and other similar new goods or materials,
xx) a retail store, including a gift shop, craft shop, antique shop and convenience retail store,
xxi) an agricultural produce sales outlet,
xxii) a laundry and/or dry-cleaning shop including coin operated establishments,

xxiii) a printing or publishing establishment,
xxiv) a business, administrative and/or professional office,
xxv) a commercial recreational establishment such as a bowling or billiard establishment or other similar use,
xxvi) a medical or dental clinic,
xxvii) a bake shop,
xxviii) a nursery school,
xxix) an accessory building or use to the above uses,
xxx) *a marine/snowmobile dealer (added by Bylaw 2012-066)*,
xxxi) one dwelling or dwelling unit as an accessory use for the owner or operator of a principal use to any of the foregoing except automobile service stations or other uses involving the sale of gasoline or other similar petroleum products, in accordance with the provisions of Section 5.19.

16.3 ZONE REGULATIONS

a) For The Principal Building

i)	Lot Area (Minimum) -	4,000 sq. metres (43,057.1 sq. ft.)
ii)	Lot Frontage (Minimum) -	45 metres (147.6 ft.)
iii)	Front Yard (Minimum) -	8 metres (26.2 ft.)
iv)	Rear Yard (Minimum) -	8 metres (26.2 ft.)
v)	Interior Side Yard (Minimum) -	3 metres (9.8 ft.)
vi)	Exterior Side Yard (Minimum) -	8 metres (26.2 ft.)
vii)	Building Height (Maximum) -	11 metres (36.1 ft.)
viii)	Lot Coverage (Maximum) -	40 percent

ix) Access to an accessory dwelling unit shall be separate from access to a rural commercial use;

x) Off-street parking and off-street loading facilities shall be provided in accordance with Sections 5.31 and 5.32.

b) For An Automobile Service Station

As in the Urban Commercial (UC) Zone.

c) For Accessory Buildings Not Attached To The Principal Building

i)	Rear Yard (Minimum) -	1.5 metres (4.9 ft.)
ii)	Interior Side Yard (Minimum) -	1.5 metres (4.9 ft.)

iii) Exterior Side Yard (Minimum) - 8 metres (26.2 ft.)
iv) Building Height (Maximum) - 4.5 metres (14.8 ft.)

d) For Land Abutting A Residential Zone or Residential Use

Notwithstanding the provisions of subsection 17.3, where an interior side yard and/or a rear yard abuts a residential zone or any existing residential use, then such interior side yard shall be a minimum of 5 metres (16.4 ft.) and such rear yard shall be a minimum of 10 metres (32.8 ft.). The 1 metre (3.3 ft.) strip immediately adjacent to the rear and/or interior side lot lines shall be landscaped.

e) For Public Markets

Notwithstanding anything in this Bylaw, a public market shall maintain a minimum setback of 3 metres (9.8 ft.) to all property lot lines and to any other structure.* (added by Bylaw 2024-027).

16.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the RC - Rural Commercial Zone.

SECTION 17 - RRC - RECREATIONAL/RESORT COMMERCIAL ZONE

17.1 Within a RRC Recreational/Resort Commercial Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

17.2 PERMITTED USES

i) a marina, including a boat sales and service establishment and the sale of parts and petroleum products incidental thereto,
ii) a tent and/or travel trailer park,
iii) a tourist establishment including hotels, lodges, housekeeping cottages and tourist cabins,
iv) a marine/snowmobile dealer,
v) a gift shop,
vi) a Type 'A' and Type 'B' home occupation, in accordance with the provisions of Section 5.29 of this By-law,
vii) an eating establishment including a tea room and take-out restaurant,
viii) a bed and breakfast establishment,
ix) a convenience retail store,
x) a miniature golf course, driving range or other similar recreationally oriented use,
xi) a public or private park,
xii) one dwelling or dwelling unit as an accessory use for the owner or operator of a principal use, in accordance with the provisions of Section 5.19,
xiii) an accessory building or use to the above uses.

17.3 ZONE REGULATIONS

a) For All Principal Buildings or Uses

i)	Lot Area (Minimum) -	4000 sq. metres (43,057.1 sq. ft.)
ii)	Lot Frontage (Minimum) -	45 metres (147.6 ft.)
iii)	Front Yard (Minimum) -	8 metres (26.2 ft.)
iv)	Rear Yard (Minimum)-	8 metres (26.2 ft.)
v)	Interior Side Yard (Minimum) -	3 metres (9.8 ft.)
vi)	Exterior Side Yard (Minimum) -	8 metres (26.2 ft.)

vii) Lot Coverage (maximum) - 40 percent
viii) Building Height (Maximum) - 11 metres (36.1 ft.)
ix) Off-street parking and off-street loading facilities shall be provided in accordance with Sections 5.31 and 5.32.
x) Access to an accessory dwelling unit shall be separate from access to a commercial use. See also Section 5.19.
xi) All means of ingress and egress shall have a minimum width of 6 metres (19.7 ft.) and in the case of a corner lot, no means of ingress or egress shall be located within 15 metres (49.2 ft.) of the intersection of the street lines, or, where a corner is rounded, the points at which the extended street lines meet.

b) <u>For Accessory Buildings Not Attached To The Principal Building</u>

i) Rear Yard (Minimum) - 2 metres (6.5 ft.)

ii) Interior Side Yard (Minimum) - 2 metres (6.5 ft.)

iii) Exterior Side Yard (Minimum) - 8 metres (26.2 ft.)

iv) Building Height (Maximum) - 4.5 metres (14.8 ft.)

c) <u>For Lands Abutting a Residential Zone or Residential Use</u>

i) Notwithstanding the above provisions, where a rear yard and/or an interior side yard abuts a residential zone or any existing residential use, then such interior side yard shall be a minimum of 5 metres (16.4 ft.) and such rear yard shall be a minimum of 10 metres (32.8 ft.). The 3 metre (9.8 ft.) strip immediately adjacent to the rear and/or interior side lot lines shall be landscaped.

ii) Water oriented commercial uses such as marinas or docks shall be located a minimum of 60 metres (196.9 ft.) from the nearest residential zone or use.

d) <u>Additional Zone Regulations for A Marina</u>

Notwithstanding the above provisions, a marina use shall be subject to the following special provisions in addition to all other applicable provisions of this By-law:

i) Where a rear yard and/or interior side yard abuts a navigable

body of water, then such rear yard and/or interior side yard may be reduced to zero (0) metres.

ii) No entrance channel, turning basin, communal dock or boat mooring area shall be located closer than 60 metres (196.9 ft.) to a residential zone, a residential use or a street line.

iii) Facilities for the refuelling of marine craft shall be provided at a separate pier or dock area from boat mooring facilities.

iv) Catwalks shall have a minimum width of 0.6 metres (2 ft.) and boat mooring docks shall have a minimum width of 1.2 metres (3.9 ft.).

v) A minimum of one (1) parking space shall be provided for every two (2) boat slip.

e) <u>Additional Zone Regulations For A Tent and/or Travel Trailer Park</u>

Notwithstanding the above provisions, a tent and/or travel trailer park use shall be subject to the following special provisions in addition to all other applicable provisions of this By- law:

i) Lot Area (Minimum) - 4.0 hectares (9.9 acres)

ii) The minimum distance of buildings or structures or a tent or travel trailer site from any lot line shall be 15 metres (49.2 ft.).

iii) The minimum distance of buildings or structures or a tent or travel trailer site from the centre of road allowance shall be 25 metres (82.0 ft.).

iv) Travel Trailer Park Density (Maximum) - 30 trailers per gross hectare to a maximum of 50 sites

v) Travel Trailer Site Area (Minimum) - 200 sq. metres (2,142.8 sq. ft.)

vi) Travel Trailer Site Frontage (Minimum) - 6 metres (19.7 ft.)

vii) Building Height (Maximum) - 4.5 metres (14.8 ft.)

viii) Maximum Number of Travel Trailers on a Travel Trailer Site – One Travel Trailer

ix) Travel Trailer Park Usable Waterfront (Minimum) - 2 metres/site (6.68 ft./site)

x) Lot Coverage (Maximum) - 25 percent

xi) *No campsite, building, structure, septic tank or tile field, except a marine facility for launching and/or servicing of boats or a water pump house, shall be permitted within 30 metres (98.4 ft.) of the high water mark of any waterbody or watercourse, with the exception of "at capacity" lake trout lakes where Section 5.9 applies. All docking and boat launching structures/facilities shall require the approval of the appropriate federal, provincial or public agencies. (amended by Bylaw 2022-005)*

xii) The creation of a new tent and trailer park or the expansion of an existing park shall require an amendment to this by-law.

xiii) *Travel Trailer Park Usable Waterfront (Maximum) – 35% of the water frontage where the remaining 65% of the shoreline shall be maintained in an undisturbed natural state. (added by Bylaw 2022-005)*

f) <u>Additional Zone Regulations For Hotels, Lodges, Housekeeping cottages and Tourist Cabins</u>

Notwithstanding the above provisions, hotels, housekeeping cottages and tourist cabins shall be subject to the following special provisions in addition to all other applicable provisions of this By-law:

i) Lot Area (Minimum) - 2.0 hectares (4.9 acres)

ii) Maximum Density - 1 unit/4000 sq. metres (43,057.1 sq. ft.) to a maximum of 50 units

iii) *No campsite, building, structure, septic tank or tile field, except a marine facility for launching and/or servicing of boats or a water pump house shall be permitted within 30 metres (98.4 ft.) of the high water mark of any waterbody or

watercourse, with the exception of "at capacity" lake trout lakes where Section 5.9 applies. (amended by Bylaw 2022-005)*

17.4 GENERAL PROVISIONS

All other special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the RRC - Recreational/Resort Commercial Zone.

SECTION 18 - UI - URBAN INDUSTRIAL ZONE

18.1 Within an UI - Urban Industrial Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

18.2 PERMITTED USES

i) a manufacturing, processing, or warehousing undertaking including storage and self-storage warehousing,
ii) an automobile body shop or repair garage,
iii) a yard for the open or concealed storage of goods or materials,
iv) a machine or welding shop,
v) an automobile service station,
vi) a research facility,
vii) a merchandise service shop,
viii) a transport terminal or yard,
ix) any business, administrative or professional offices accessory to a permitted industrial use, including a union hall,
x) a building supply outlet, including a lumber yard,
xi) an accessory dwelling unit for a caretaker or security guard, in accordance with the provisions of Section 5.19,
xii) an accessory building or use to the above uses including a retail outlet for the purpose of selling goods manufactured, stored and/or assembled on the premises, provided such outlet is part of the principal building, and occupies not more than five (5) percent of the gross floor area of the principal building.

18.3 ZONE REGULATIONS

a) For All Principal Buildings or Uses

i)	Lot Area (Minimum) -	4000 sq. metres (43,057.1 sq. ft.)
ii)	Lot Frontage (Minimum) -	45 metres (147.6 ft.)
iii)	Front Yard (Minimum) -	8 metres (26.2 ft.)
iv)	Rear Yard (Minimum) -	8 metres (26.2 ft.)
v)	Interior Side Yard (Minimum) -	3 metres (9.8 ft.)
vi)	Exterior Side Yard (Minimum) -	8 metres (26.2 ft.)
vii)	Lot Coverage (Maximum) -	40 percent
viii)	Building Height (Maximum) -	15 metres (49.2 ft.)

ix) Off-street parking shall be provided in accordance with Section 5.31.

x) Off-street loading facilities shall be provided in accordance with Section 5.32.
xi) A sight triangle of 15 metres (49.2 ft.) minimum shall be provided on a corner lot.

b) <u>For Accessory Buildings Not Attached To The Principal Building</u>

i)	Rear Yard (Minimum) -	2 metres (6.5 ft.)
ii)	Interior Side Yard (Minimum) -	2 metres (6.5 ft.)
iii)	Exterior Side Yard (Minimum) -	8 metres (26.2 ft.)
iv)	Building Height (Maximum) -	4.5 metres (14.8 ft.)

c) <u>For Lands Abutting A Residential Zone or Residential Use</u>

Notwithstanding the provisions of this section, where an interior side yard and/or rear yard abuts a residential zone then such interior side yard and/or rear yard shall be a minimum of 22 metres (72.2 ft.). This 22-metre (72.2 ft.) area shall be maintained in an open space condition and the open storage of goods or materials shall not be permitted within this 22-metre (72.2 ft.) area.

d) <u>For Lands Abutting a Public or Private Road Allowance or Opposite a Residential Zone</u>

Where any lot line in an UI Zone abuts a public road allowance or a private road allowance or where the lot on the opposite side of a street or a public or private road allowance is in a residential zone, a buffer planting strip adjoining such abutting lot line shall be provided on the UI Zone lot.

<u>Contents</u>

The buffer/planting strip shall consist of an earth berm and/or a continuous unpierced hedgerow of tree, evergreens or shrubs, not less than 2.0 metres (6.6 ft.) high and 3 metres (9.8 ft.) wide immediately adjoining the lot line or portion thereof along which such planting strip is required. The earth berm shall not be greater than a 3:1 slope.

<u>Maintenance</u>

A buffer/planting strip shall be planted, nurtured and maintained by the owner or owners of the lot on which the strip is located.

<u>Landscaped Open Space</u>

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

Interruption for Driveways or Pedestrian Walks

In all cases where ingress and egress driveways or walks extend through a buffer/planting strip, it shall be permissible to interrupt the strip within 3 metres (9.8 ft.) of the edge of such driveway or within 1.5 metres (4.9 ft.) of the edge of such walk.

18.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the UI - Urban Industrial Zone.

SECTION 19 - RI - RURAL INDUSTRIAL ZONE

19.1 Within a RI - Rural Industrial Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

19.2 PERMITTED USES

i) a cartage or express truck terminal,
ii) a cheese factory,
iii) a yard for the open or concealed storage of goods or materials,
iv) a fuel storage tank depot, including bulk fuel sales,
v) an agricultural equipment supply and repair outlet,
vi) a woodworking shop/showroom,
vii) a contractor's yard, including maintenance yard/public works yard,
viii) a canning factory,
ix) a bulk storage yard,
x) an automobile service station, including an automobile body shop,
xi) a lumber mill, sawmill and a planing mill, dry kiln, chipper, repair depot,
xii) a feed and seed mill,
xiii) a merchandise service shop,
xiv) a machine or welding shop,
xv) an assembly operation,
xvi) a building supply outlet,
xvii) a factory outlet,
xviii) an accessory dwelling or dwelling unit for a caretaker or security guard, in accordance with the provisions of Section 5.19,
xix) an accessory building or use to the above uses including a bank, a cafeteria and a retail outlet for the purpose of selling goods manufactured, stored and/or assembled on the premises, provided such outlet is part of the principal building, and occupies not more than five (5) percent of the gross floor area of the principal building.

19.3 ZONE REGULATIONS

a) For All Principal Buildings or Uses

i)	Lot Area (Minimum) -	4000 sq. metres (43,057.1 sq. ft.)
ii)	Lot Frontage (Minimum) -	45 metres (147.6 ft.)
iii)	Front Yard (Minimum) -	8 metres (26.2 ft.)

iv) Rear Yard (Minimum) - 8 metres (26.2 ft.)
v) Interior Side Yard (Minimum) - 3 metres (9.8 ft.)
vi) Exterior Side Yard (Minimum) - 8 metres (26.2 ft.)
vii) Lot Coverage (Maximum) - 40 percent
viii) Building Height (Maximum) - 15 metres (49.2 ft.)
ix) Off-street parking shall be provided in accordance with Section 5.31.
x) Off-street loading facilities shall be provided in accordance with Section 5.32.
xi) A sight triangle of 15 metres (49.2 ft.) minimum shall be provided on a corner lot.
xii) Open Storage uses shall be set back in accordance with the minimum yard provisions set out in this subsection and where accessory to a principal Rural Industrial use, no open storage use shall be permitted in any front or exterior side yard.

b) For Lands Abutting A Residential Zone or A Residential Use

As in the Urban Industrial (UI) Zone.

c) For Lands Abutting A Public or Private Road Allowance or Opposite a Residential Zone

As in the Urban Industrial (UI) Zone.

19.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the RI - Rural Industrial Zone.

SECTION 20 - MX - MINERAL EXTRACTIVE ZONE

20.1 Within a MX - Mineral Extractive Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

20.2 PERMITTED USES

i) a pit or quarry, including drilling and blasting,

ii) *open space, conservation, forestry and agricultural uses, excluding any building or structure, (amended by Bylaw 2022-004)*

iii) the processing of mineral aggregates, including aggregate crushing, screening and washing,

iv) asphalt plants, ready-mix concrete plants and aggregate transfer stations,

v) a single detached dwelling accessory to an extractive use,

vi) accessory buildings or uses to the above uses,

vii) a wayside pit or quarry.

viii) *Accessory aggregate recycling facilities (added by Bylaw 2022-004)*

20.3 ZONE REGULATIONS

a) For Excavation Area and Storage Uses

i) Setback from rear and interior side lot lines (Minimum) - 15 metres (49.2 ft.)

ii) Setback from front and exterior side lot lines (Minimum) - 30 metres (98.4 ft.)

iii) Setback from residential, commercial, community facility or industrial zone or use (Minimum) - 30 metres (98.4 ft.)

iv) Setback from any road right-of-way (Minimum) - 30 metres (98.4 ft

v) Setback from natural water course - 30 metres (98.4 ft.)

b) For Open and Enclosed Pit or Quarry Processing Operations

i) Setback from rear and interior side lot lines (Minimum) - 30 metres (98.4 ft.)

ii) Setback from front and exterior side lot lines (Minimum) - 30 metres (98.4 ft.)

iii) Setback from residential, commercial, community facility or industrial zone or use (Minimum) - 90 metres (295.3 ft.)

iv) Setback from any road right-of-way (Minimum) - 30 metres (98.4 ft.)

v) Setback from natural watercourse - 30 metres (98.4 ft.)

c) For Accessory Buildings to Pit or Quarry Operations

i) All yards (Minimum) - 30 metres (98.4 ft.)

ii) Setback from residential, commercial, community facility or industrial zone or use (Minimum) - 90 metres (295.3 ft.)

iii) Setback from any road right-of-way (Minimum) - 30 metres (98.4 ft.)

d) For Conservation, Forestry and Agricultural Uses

i) The zone regulations contained in the Rural Zone of this By-law shall apply.

e) For Open Space Uses

i) The zone regulations contained in the Open Space Zone of this By-law shall apply.

f) Landscaping

i) A strip of land not less than 15 metres (49.2 ft.) in width shall be reserved for landscaping purposes between any MX zone and any adjacent commercial, community facility or industrial zone

or use and along any adjacent street line or lot line. Where an MX zone abuts a residential zone, or a roadway is the only separation between two such areas, then no aggregate extraction use shall be made of any kind within 30 metres (98.4 ft.) of the abutting lot line and no parking use shall be made of any land within 7.5 metres (24.6 ft.) of the abutting lot line. The intervening land shall be kept in an open space condition with grass, trees and shrubs and retained as part of the normal operation of the extraction activity.

20.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply where applicable to any land, lot, building, structure, or use within the MX - Mineral Extractive Zone.

SECTION 21 - M - MINING ZONE

21.1 Within a M - Mining Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure of any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

21.2 PERMITTED USES

i) a mine that is approved and operated in accordance with the Mining Act.

21.3 ZONE REGULATIONS

The zone regulations for a mine will be determined through a site specific zoning by-law amendment process and will address, among other things, setbacks from water, access, buffering, conservation of natural environment and setbacks from neighbouring land uses.

21.4 GENERAL PROVISIONS

All special provisions of Section 5 “General Provisions” shall apply where applicable, to any land, lot, building, structure or use within the M - Mining Zone.

SECTION 22 - WD - WASTE DISPOSAL ZONE

22.1 Within a WD - Waste Disposal Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure of any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

22.2 PERMITTED USES

i) a sanitary landfill site,
ii) a sewage treatment plant,
iii) a sewage lagoon,
iv) a waste transfer station,
v) a waste processing facility including the recycling and reprocessing of waste materials into new products,
vi) a salvage yard,
vii) agricultural, open space, conservation and forestry uses, excluding dwellings,
viii) accessory buildings or uses to the above uses.

22.3 ZONE REGULATIONS

a) For Agricultural, Conservation and Forestry Uses

i) The zone regulations of the Marginal Agriculture Zone of this By-law shall apply.

b) For Open Space Uses

i) The zone regulations of the Open Space Zone of this By-law shall apply.

c) For a Salvage Yard

i) Lot Area (Minimum) - 2 ha (4.9 acres)
ii) Lot Frontage (Minimum) - 60 metres (196.6 ft.)
iii) Yard Requirements:

a) All yards (Minimum) - 15 metres (49.2 ft.)

iv) A strip of land not less than 15 metres (49.2 ft.) in width shall be reserved for landscaping purposes between any salvage yard site and any adjacent community facility, commercial or

industrial zone or use, and along any adjacent street line or adjoining lot line. Where a salvage yard site abuts a residential zone or use or a roadway is the only separation between two such areas, then no salvage yard use of any kind shall be made within 30 metres (98.4 ft.) of the adjacent lot line. The land reserved for landscaping purposes shall be kept in an open space condition with grass, trees and shrubs and maintained as part of the normal operation of the salvage yard activity.

v) No land shall be used for the storage or mechanized processing of goods, wares, merchandise, articles or things within 300 metres (984.3 ft.) of any residential or commercial zone or use, nor closer than 100 metres (328.1 ft.) to a lot line or a street line. Without limiting the generality of this subsection, mechanized processing includes the use of machinery or equipment to crush, compact, separate, refine, incinerate or similarly treat goods, wares, merchandise, articles or things.

vi) The salvage yard site shall be sufficiently screened by a fence, a berm or a combination of the two so that waste materials being stored or processed on the site are not visible from adjacent roads. The screening shall extend a minimum of 3 metres (9.8 ft.) above grade or to a height equal to that of the goods, wares, merchandise, articles or things being stored or processed within the salvage yard site, whichever is the greater. All fences shall be constructed of an opaque material and shall be painted or otherwise preserved and kept painted from time to time, so as to maintain the fences in good condition.

vii) An accessory weighing scale and recording office shall be permitted no closer than 30 metres (98.4 ft.) to a street line.

viii) A salvage yard site shall not be located on land covered by water or subject to flooding and shall be so located that no direct drainage leads to a watercourse.

ix) No unsupervised open burning shall be permitted.

x) No permanent storage of tires shall be permitted.

xi) Prior to the storage or processing of any goods, wares, merchandise, articles or things all fluids shall be drained and disposed of in a manner approved by the Ministry of the Environment if they are not stored for the purposes of resale.

d) For All Other Waste Disposal Uses

i) No person, including the Municipality, shall establish, alter, enlarge or extend a sanitary landfill site, a sewage treatment plant, a sewage lagoon, a transfer station, or a waste processing facility unless a Provincial Certificate of Approval has been issued by the Ministry of the Environment.

ii) All waste disposal sites shall be established and operated in accordance with the requirements of the Environmental Protection Act and the Environmental Assessment Act.

iii) A strip of land not less than 15 metres (49.2 ft.) in width shall be reserved for landscaping purposes between any sanitary landfill site, sewage treatment plant, sewage lagoon, transfer station or waste processing facility and any adjacent commercial, community facility or industrial zone or use and along any adjacent street line or adjoining lot line. Where such uses abut a residential zone or an existing residential use or a roadway is the only separation between two such areas, then no waste disposal use shall be made of any kind within 30 metres (98.4 ft.) of the abutting lot line. The land reserved for landscaping purposes shall be kept in an open space condition with grass, trees, and shrubs and maintained as part of the normal operation of the waste disposal activity.

22.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the WD - Waste Disposal Zone.

SECTION 23 - CF - COMMUNITY FACILITY ZONE

23.1 Within an CF - Community Facility Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

23.2 PERMITTED USES

i) any undertaking established or maintained by a governmental board, authority, agency or commission,
ii) a place of worship, with accessory uses including a cemetery and a dwelling unit,
iii) a cemetery,
iv) any undertaking of a utility company, such as a natural gas company or telephone company,
v) a school,
vi) a commercial or private club or fraternal organization,
vii) a public or private hospital,
viii) a community centre,
ix) a nursing home,
x) a nursery school,
xi) a library,
xii) an elderly person's centre,
xiii) a public park,
xiv) any other institutional or community facility use,
xv) charitable camp,
xvi) museum or art gallery,
xvii) an arena,
xviii) an accessory building or use to the above uses.

23.3 ZONE REGULATIONS

a) For All Principal Buildings

i)	Lot Area (Minimum) -	4000 sq. metres (43,057.1 sq. ft.)
ii)	Lot Frontage (Minimum) -	45 metres (147.6 ft.)
iii)	Front Yard (Minimum) -	10 metres (32.8 ft.)
iv)	Rear Yard (Minimum) -	10 metres (32.8 ft.)
v)	Interior Side Yard (Minimum) -	7.5 metres (24.6 ft.)
vi)	Exterior Side Yard (Minimum) -	10 metres (32.8 ft.)

vii) Lot Coverage (Maximum) - 40 percent
viii) Building Height (Maximum) - 15 metres (49.2 ft.)
ix) Off-street parking shall be provided in accordance with Section 5.31.

b) For Accessory Buildings Not Attached To The Principal Building

i) Rear Yard (Minimum) 2 metres (6.5 ft.)
ii) Interior Side Yard (Minimum) 2 metres (6.5 ft.)
iii) Exterior Side Yard (Minimum) 10 metres (32.8 ft.)
iv) Building Height (Maximum) 7 metres (23 ft.)

c) For Lands Abutting A Residential Zone or Residential Use

Notwithstanding the above provisions, where a rear yard and/or interior side yard abuts a residential zone or existing residential use then such interior side yard shall be a minimum of 10 metres (32.8 ft.) and such rear yard shall be a minimum of 15 metres (49.2 ft.). The 1 metre (3.3 ft.) strip immediately adjacent to the rear yard and/or interior side yard shall be landscaped.

23.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the CF - Community Facility Zone.

SECTION 24 - OS - OPEN SPACE ZONE

24.1 Within an OS - Open Space Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

24.2 PERMITTED USES

i) open space and conservation uses, including forestry, reforestation and other activities connected with the conservation of soil and wildlife,
ii) agricultural uses but not intensive agricultural uses,
iii) a fairground,
iv) a woodlot,
v) a public or private park, conservation area, playground, roadside park, public boat launch or swimming or picnicking area, playing field, recreational trail, swimming pool, wading pool, beach, picnic area, bandstand, skating rink, tennis court, bowling green, golf course or other similar outdoor recreational uses, both passive and active,
vi) an accessory dwelling or dwelling unit for a caretaker or security guard, in accordance with the provisions of Section 5.19 of this By-law,
vii) an accessory building or use to the above uses, including an accessory retail building or use to serve an open space use.

24.3 ZONE REGULATIONS

a) For All Uses

i) The minimum distance of buildings or structure from any lot line shall be 10 metres (32.8 ft.).
ii) The minimum distance of buildings or structures from the centre line of any road shall be 30 metres (98.4 ft.).
iii) Building Height (Maximum) - 6 metres (19.7 ft.)
iv) Lot coverage (Maximum) - 50 percent

24.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the OS - Open Space Zone.

SECTION 25 - EPW - ENVIRONMENTAL PROTECTION WETLAND ZONE

25.1 Within an EPW - Environmental Protection Wetland Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

25.2 PERMITTED USES

i) a conservation use excluding any buildings;
ii) a use that was in existence on or before the date of passage of the Official Plan,
iii) a building or structure required by a public authority for flood or erosion control or for conservation or wildlife management purposes,
iv) an accessory use to the above uses, excluding any buildings,
v) hunting, but not hunt camps,
vi) fishing.

25.3 ZONE REGULATIONS (See also Sections 5.7 and 5.9)

i) The minimum setback from wetland shall be 30 metres (98.4 ft.).
ii) Additional zone regulations shall be established by the Municipality at the time of application in consultation with the Conservation Authority and the Ministry of Natural Resources.
iii) All applications for development adjacent to EPW lands (and beyond the minimum 30 metre (98.4 ft.) setback but within 120 metres (393.7 ft.) of the wetland) shall be dealt with on a site-by-site basis, at the time of application (see Sections 5.9.2 and 5.9.5).

25.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the EPW - Environmental Protection Wetland Zone.

SECTION 26 - EP - ENVIRONMENTAL PROTECTION ZONE

26.1 Within an EP - Environmental Protection Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

26.2 PERMITTED USES

i) conservation uses, including forestry, reforestation and other activities connected with the conservation of soil and wildlife, ***excluding any buildings or structures (amended by Bylaw 2022-004)***;

ii) ***existing*** agricultural uses ***(amended by Bylaw 2022-004)***,

iii) a conservation area, ***excluding any buildings or structures (amended by Bylaw 2022-004)***;

iv) a use that was in existence on or before the date of passage of this By-law;~~,~~

v) a building or structure required by a public authority for flood or erosion control***, watercourse protection, bank stabilization*** or for conservation or wildlife management purposes ***(amended by Bylaw 2022-004)***;

vi) passive outdoor recreational uses;

vii) public and private parks, excluding any buildings ***or structures (amended by Bylaw 2022-004);***

viii) an accessory use to the above uses, excluding any buildings ***or structures***, subject to the approval of Council in consultation with the Conservation Authority, the Ministry of ***Northern Development, Mines, Natural Resources and Forestry, and any other appropriate authority. (amended by Bylaw 2022-004)***

26.3 ZONE REGULATIONS

i) The minimum setback of buildings or structure from any lot line shall be 10 metres (32.8 ft.).

ii) The minimum setback of buildings or structures for the centreline of any road shall be 20 metres (65.6 ft.).

iii) The minimum setback from the highwater mark of any lake, river, creek or stream shall be 30 metres (98.4 ft.).

iv) The minimum setback of buildings from other Environmental Protection lands (not in iii) shall be 15 metres (49.2 ft.).

v) Building Height (Maximum) - 6 metres (19.7 ft.)

26.4 GENERAL PROVISIONS

All special provisions of Section 5 General Provisions shall apply, where applicable, to any land, lot, building, structure or use within the EP - Environmental Protection Zone.

SECTION 27 – SPECIAL EXCEPTION ZONES

27.1 MA-1 (Pt Lot 30, Concession 5, Monteagle Ward, 6.5.1, Bylaw 2010-012)
Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on lands zoned MA-1, the following special provisions shall apply:

i) A provision to allow a boat storage.

All other provisions of this By-law shall apply.

27.2.1 RRh-2 (Pt Lot 3, Concession 10 Herschel Ward, 7.5.1, Bylaw 2010-012 and Herschel Bylaw 680-2000)
Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on lands zoned RRh-2, the following special provisions shall apply:

i) A single detached dwelling shall be permitted use, despite the existence of a waste disposal site within 90 metres (295.3ft.) of the RR-2 zone.

All other provisions of this By-law shall apply.

27.2.2 LSR-2 (Pt Lot 31, Concession 5, Herschel Bylaw, 2009-054)
Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on lands zoned LSR-2, the following special provisions shall apply:

i) Shall establish that the minimum lot frontage on the lake is 330 feet (100 metres).

All other provisions of this By-law shall apply.

27.3 RRh-3 (Pt Lot 20, Concession 14, Monteagle Ward, 7.5.2, Bylaw 2010-012 and Monteagle Bylaw 4-1995)
Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on lands zoned RR-3, the following special provisions shall apply:

i) Holding zone;

ii) Removal of Holding Zone.

The holding zone provision shall be removed once the Municipality in consultation with the Ministry of Environment is satisfied that there is a sufficient on-site source of potable water which meets the Ontario Drinking Water Standards.

All other provisions of this By-law shall apply.

~~**27.4 RR-4 (Pt Lot 10, Concession 10, Lot 2 & 8 of Reg. Plan 2216 & Part 1 of Plan 21R-20918 McClure Ward, Bylaw 2010-012 and McClure Bylaw 2004-12)**~~
~~Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on lands zoned RR-4, the following special provisions shall apply:~~

~~i) To recognize a frontage on a right-of-way.~~

~~All other provisions of this By-law shall apply.~~

Repealed by Bylaw 2017-078 rezoned to Limited Service Residential (LSR) Zone.

27.5 RI-5 (Pt Lot 24 & 25, Concession 16, Monteagle Ward, Bylaw 2010-012 and Monteagle Bylaw 2006-27 – also see Monteagle Bylaw 18-1988 Roll file 12-90-374-070-07700)
Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on lands zoned RR-5, the following special provisions shall apply:

i) The special zone is to permit a single-family dwelling for the use of the owner, manager, caretaker or other similar person and their family, provided further that such person is employed on the lot on which such dwelling is located.

All other provisions of this By-law shall apply.

27.5.1 LSR-5 (Parts Lot 32, Concession 8, Bangor Ward, Bylaw 2004-20)
Notwithstanding any provision of this Bylaw, as amended, to the contrary, on lands zoned LSR-5, the following special provisions shall apply:

i) Recognize frontage on a private right-of-way.

All other provisions of this By-law shall apply.

27.6 RR-6 (Pt Lot 29 & 30, Concession 3, Pt Lot 21R-21029 Monteagle Ward, Bylaw 2004- 31)
Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on lands zoned RR-6, the following special provisions shall apply:

ii) All provisions of the Rural Residential Zone will apply except access. Access is a right-of-way over the Hastings Heritage Trail that deemed it to comply with the Zoning By-law 19-76 of Monteagle.

All other provisions of this By-law shall apply.

27.7 LSRh-7 (Lot 6, Concession 3, Herschel Ward, 8.5.1, Herschel Bylaw 500-1990)

Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on lands zoned LSRh-7, the following special provisions shall apply:

i) Development in lands zoned LSRh-7 is permitted where permanent legal access is available from a registered right-of-way a minimum of 6 metres (20 feet) in width and where an agreement has been entered into between the owner and the municipality pursuant to which the owner shall assume all responsibility now and in the future for the maintenance of the said right-of-way.

ii) No habitable development is permitted except that which existed on Lots “A”, “D”, “E” and “F” on Schedule A to Bylaw 500-90 on the date of passing of Bylaw No. 310-79 where Lot “A” on Schedule A to Bylaw No. 500-90 legally described as Lot 6, Concession 3, Herschel, and Parts 2 and 3 of Reference Plan 21R-11965 and Part 1 of Reference Plan 21R-12930; Lot “D” is legally described herein as Lot 6, Concession 3, Herschel, and Parts 8 and 9 of Reference Plan 21R-11965, and Part 4 of Reference Plan 21R-12930; Lot “E” is legally described herein as Lot 6, Concession 3, Herschel, and Parts 10 and 11 of Reference Plan 21R-11965 and Part 5 of Reference Plan 21R-12930; and Lot “F” is legally described herein as Lot 6, Concession 3, Herschel, and Parts 12 and 13 of Reference Plan 21R-11965 and Part 6 of Reference Plan 21R-12930;;

iii) Any reconstruction on Lots “D”, “E” and “F” on Schedule A to Bylaw No. 500-90 must be located 30 metres (100 ft.) from the shoreline high water mark where Lot “D” is legally described herein as Lot 6, Concession 3, Herschel, and Parts 8 and 9 of Reference Plan 21R-11965, and Part 4 of Reference Plan 21R-12930; Lot “E” is legally described herein as Lot 6, Concession 3, Herschel, and Parts 10 and 11 of Reference Plan 21R-11965 and Part 5 of Reference Plan 21R-12930; and Lot “F” is legally described herein as Lot 6, Concession 3, Herschel, and Parts 12 and 13 of Reference Plan 21R-11965 and Part 6 of Reference Plan 21R-12930; and

iv) No reconstruction is permitted on Lot “A” on Schedule A to Bylaw No. 500-90 legally described as Lot 6, Concession 3, Herschel, and Parts 2 and 3 of Reference Plan 21R-11965 and Part 1 of Reference Plan 21R-12930.

Removal of Holding (‘h’) Symbol

The holding (‘h’) symbol may be removed upon amendment to this by-law, once Council is satisfied that provisions have been made to ensure that no building opening to habitable residential buildings shall be below 330.31 metre GSC

datum, subject to NHA floodproofing criteria, where appropriate, and that all other flood drainage reduction measures required by Council are satisfactorily addressed, and where permanent legal access is available from a registered right-of-way, a minimum of 6 metres (20 ft.) in width and where an agreement has been entered into pursuant to which the owner shall assume all responsibility for the maintenance of the said right-of-way.

All other provisions of this By-law shall apply.

27.8 LSRh-8 (Part Lot 31, Concession 6, Herschel Ward, 8.5.2, Herschel Bylaw 439-1987 and 448-1988)

Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on lands zoned LSRh-8, the following special provisions shall apply:

i) Development in the LSRh zone is permitted where permanent legal access is available from a registered right-of-way 20 metres (66 feet) in width and where an agreement has been entered into between the owner and the municipality pursuant to which the owner shall assume all responsibility now and in the future for the maintenance of said right-of-way.

Removal of Holding ('h') Symbol

The holding ('h') provision shall be removed once Council is satisfied that floodproofing to the 353.1 metre GSC datum as required by Council is satisfactorily incorporated into construction plans.

All other provisions of this By-law shall apply.

27.9 WR-9 (Lot 30, Concession 7, Herschel Ward, 10.5.1, Bylaw 2010-012 and Herschel Bylaw 529-1992)

Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on lands zoned WR-9, the following special provisions shall apply:

i) To ensure that the setback for all buildings and structures excluding traditional shoreline structures such as docks and boathouses is increased to 120 feet.

All other provisions of this By-law shall apply.

27.10 R2-10 (Pt Lot 12, Concession East Hastings Road, Monteagle Ward, 13.5.1, Bylaw 2010-012 and Monteagle Bylaw 4-1992)

Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on lands zoned R2-10, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

i) Two apartments.

ii) A storage workshop structure.

All other provisions of this By-law shall apply.

27.11 R2-11 (Part Lot 15, Concession 3, Monteagle Ward, 13.5.2, Bylaw 2010-012 and Monteagle Bylaw 7-1999)

Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on lands zoned R2-11, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

i) A seniors lodging home with a maximum of 5 guest rooms, in addition to accommodation for the host family.

All other provisions of this By-law shall apply.

27.12 R2h-12 (Part Lot 20, Concession 4, Herschel Ward, 13.5.3, Bylaw 2010-012 and Herschel Bylaw 584-1994)

Notwithstanding any provision of this By-law to the contrary, on lands zoned R2h-12, the following special provisions shall apply:

i) Development shall only proceed when the “h” symbol has been removed.

Removal of Holding (‘h’) Symbol

The holding (‘h’) symbol may be removed when Council is satisfied that there is sufficient on-site supply of potable water that meets the Ontario Drinking Water Standards.

All other provisions of this By-law shall apply.

27.13 UC-13 (Part Lots 6 and 7, Birds Creek, West Hastings Road, Herschel Ward, 15.5.1, Bylaw 2010-012 and Herschel Bylaw 683-2000)

Notwithstanding any provision of this By-law to the contrary, on lands zoned UC-13, the following special provisions shall apply:

Permitted Uses

The following shall be permitted in addition to the uses permitted in the Urban Commercial (UC) Zone:

i) A place of worship and assembly hall.

All other provisions of this By-law shall apply.

27.14 UC-14 (Part Lots 17 and 18, Concession East Hastings Road, Monteagle Ward, 15.5.2, Bylaw 2010-012 and Monteagle Bylaw 2-1992)
Notwithstanding any provision of this By-law to the contrary, on lands zoned UC-14, the following special provisions shall apply:

Permitted Uses

The following shall be permitted in addition to the uses permitted in the Urban Commercial (UC) Zone:

i) Meat cutting and wholesale business.

All other provisions of this By-law shall apply.

~~**27.15 UC-15 (Lots 13 and 14, Concession East Hastings Road, Monteagle Ward, 15.5.3)**~~
~~Notwithstanding any provision of this By-law to the contrary, on lands zoned UC-15, the following special provisions shall apply:~~

~~**Permitted Uses**~~

~~The following shall be the only permitted use:~~

~~i) Miniature golf course.~~

~~ii) One building.~~

~~All other provisions of this By-law shall apply.~~

Repealed by Bylaw 2020-015 and amended to the Residential First Density (R1) Zone.

27.16 RC-16 (Lot 6, Concession 8, McClure Ward, 16.5.1, Bylaw 2010-012)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RC-16, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) Retail outlet, specifically a convenience store.

All other provisions of this By-law shall apply.

27.17 RC-17 (Lot 17, Concession 6, Bangor Ward, 16.5.2, Bylaw 2010-012)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RC-17, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) An automobile service station and retail store (general store).

All other provisions of this By-law shall apply.

27.18 RC-18 (Lot 24, Concession 7, Bangor Ward, 16.5.3, Bylaw 2010-012)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RC-18, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) Retail outlet (gift shop).

All other provisions of this By-law shall apply.

27.19 RC-19 (Part Lot 5, Concession 3, Herschel Ward, 16.5.4, Bylaw 2010-012 and Herschel Bylaw 684-2000)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RC-19, the following special provisions shall apply:

i) To allow four (4) Self Storage Buildings. Shall mean a single storey building containing individual doorways each accessing a fully enclosed room that is used for storage of inactive and stable dry goods, only.

All other provisions of this By-law shall apply.

27.20 RC-20 (Lot 9, Concession 3, Monteagle Ward, 16.5.5, Bylaw 2010-012)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RC-20, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) Automobile repair.

All other provisions of this By-law shall apply.

27.21 RC-21 (Lot 26, Concession 16, Monteagle Ward, 16.5.6, Bylaw 2010-012)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RC-21, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) Snowmobile repair.

All other provisions of this By-law shall apply.

27.22 RC-22 (Lot 10, Concession 11, McClure Ward, 16.5.7, Bylaw 2010-012 and Bangor, Wicklow, McClure Bylaw 7-1989)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RC-22, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) Retail establishment including a gas bar.

All other provisions of this By-law shall apply.

27.23 RRC-23 (Lots 23 and 24, Concession 5, Herschel Ward, 17.5.1)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RRC-23, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) A tourist establishment.

Zone Provisions

i) Number of persons to be accommodated (maximum) 48.

All other provisions of this By-law shall apply.

27.24 RRC-24 (Lot 20, Concession 4, Herschel Ward, 17.5.2)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RRC-24, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) A marina;

ii) Automobile parking.

Zone Provisions

i) Parking spaces (minimum) 29 (for the exclusive use of the RRC-25 zone).

All other provisions of this By-law shall apply.

27.25 RRC-25 (Part Lots 12, 13 and 14, Concession West Hastings Road, Herschel Ward, 17.5.3, Bylaw 2010-012 and Herschel Bylaw 585-1994)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RRC-25, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

i) A tourist establishment (tent and trailer park); and

ii) A garden centre.

All other provisions of this By-law shall apply.

27.26 RRC-26 (Part Lots 18 and 19, Concession 4, Herschel Ward, 17.5.4, Bylaw 2010-012 and Herschel Bylaw 586-1995)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RRC-26, the following special provisions shall apply:

Permitted Uses

i) The primary permitted use shall be a tourist establishment consisting of four (4) tourist cottages;

ii) One accessory building shall be permitted and such accessory building shall not be used for commercial or industrial purposes.

Zone Provisions

i) Number of cabins (maximum) 4;

ii) Setbacks from front yard: 6.096 metres (20 feet)

iii) Minimum setback from street centreline: 9.14 metres.

All other provisions of this By-law shall apply.

27.27 ~~RRC-27 (Part Lot 34, Concession 6, Herschel Ward, 17.5.5)~~
~~Notwithstanding any provision of this By-law to the contrary, on lands zoned RRC-27, the following special provisions shall apply:~~

~~**Permitted Uses**~~

~~The following shall be the only permitted use:~~

~~i) A tourist establishment consisting of a tent and trailer park.~~

~~All other provisions of this By-law shall apply.~~

Repealed by Bylaw 63-2005 as zoning amended to the Marginal Agricultural (MA) Zone.

27.28 RRC-28 (Lot 31, Concession 8, as Part 1 of Reference Plan 21R-3849, Herschel Ward 17.5.6 Bylaw 2010-012 and Herschel, Bylaw 328-1980)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RRC-28, the following special provisions shall apply:

Permitted Uses
The following shall be permitted in addition to the uses permitted in the Recreational/Resort Commercial (RRC) Zone:

i) A tent and trailer park.

Zone Provisions

i) front yard (minimum) - 12 metres (39.4 ft.)

ii) exterior side yard (minimum) - 12 metres (39.4 ft.)

iii) interior side yard (minimum) - 6 metres (19.7 ft.), except where the interior side lot line abuts a residential zone, the minimum interior side yard width shall be 9 metres.

iv) rear yard (minimum) - 7.5 metres (24.6 ft.)

All other provisions of this By-law shall apply.

27.29 RRC-29 (Lot 13, Concession 9, Herschel Ward, 17.5.7, Bylaw 2004-005)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RRC-29, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

i) To accommodate a second septic system on the property

Zone Provisions

i) Number of tourist cabins (maximum) 1

ii) Number of dwelling units (homes) (maximum) 1.

All other provisions of this By-law shall apply.

27.30 UI-30 (Lot 3, Concession 1, Herschel Ward, 18.5.1, Bylaw 2010-012 and Herschel Bylaw 635-1997)
Notwithstanding any provision of this By-law to the contrary, on lands zoned UI-30, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

i) Bark storage and processing;

ii) Accessory garage/repair shop for equipment associated with principal use.

All other provisions of this By-law shall apply.

27.31 UI-31 (Lot 3, Concession 1, Herschel Ward, 18.5.2, Bylaw 2010-012 and Herschel Bylaw 653-98)

Notwithstanding any provision of this By-law to the contrary, on lands zoned UI-31, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

i) A garage/workshop;

ii) Tub grinder.

Zone Provisions

i) Area of garage/workshop (maximum) 297.78 sq. m (3200 sq. ft.)

All other provisions of this By-law shall apply.

27.32 UI-32 (Lot 16, Concession 2, Monteagle Ward, 18.5.3, Bylaw 2010-012)

Notwithstanding any provision of this By-law to the contrary, on lands zoned UI-32, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) A machine shop.

All other provisions of this By-law shall apply.

27.33 UI-33 (Lot 18, Concession East Hastings Road, Monteagle Ward, 18.5.4, Bylaw 2010-012 and Monteagle Bylaw 10-1992)

Notwithstanding any provision of this By-law to the contrary, on lands zoned UI-33, the following special provisions shall apply:

Permitted Uses

The following shall be permitted in addition to the uses permitted in the Urban Industrial (UI) Zone:

i) A machine shop.

All other provisions of this By-law shall apply.

27.34 RI-34 (Lot 11, Concession East Hastings Road, Wicklow Ward, 19.5.1, Bylaw 2010-012 and Bangor, Wicklow, McClure Bylaw 34-1986)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RI-34, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) A welding shop.

All other provisions of this By-law shall apply.

27.35 RI-35 (Lot 25, Concession 16, Monteagle Ward, Bylaw 2010-012 and amended by Bylaw 2013-068 to RI-70)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RI-35, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

a) A sawmill, lumberyard, planing mill, dry kin, chipper and repair depot.

Zone Provisions

i) No portion of the subject premises shall be used other than to accommodate the sawmill and lumberyard and other uses usual and ancillary to a sawmill and lumberyard, including, without limiting the generality thereof, a planing mill, dry kin, chipper and a repair depot for the equipment of the property owner used in the operation of the aforesaid undertakings;

ii) No portion of the subject premises shall be used for burning of sawdust or other waste;

iii) Except for a single entrance not more than 9.1 m (30 ft.) in width under permit from the Ministry of Transportation and located in the westerly half of the northerly boundary of Lot 25, Concession 16, no portion of the subject premises shall be used to provide direct access to Highway 62. Any further entrance required is to be made to the Moxam side road;

iv) No portion of the subject premises lying within 518.2 m (1,700 ft.) of the south limit of Highway 62 shall be used for the open storage of sawdust, bark or any other waste;

v) No portion of the subject premises lying within 91.4 m (300 ft.) of the south or the west limits of Lot 25, Concession 16 shall be used for the storage of sawdust, bark or other waste;

vi) No portion of the subject premises presently occupied by bush and located between a refuse disposal site thereon and the west limit of Lot 25 shall be cleared of such growth;

vii) No portion of the subject premises lying within 91.4 m (300 ft.) of its perimeter shall be used as a roadway, unless such roadway has been constructed or treated so as to eliminate dust from passing vehicles.

and

b) A landscape materials transfer yard and landscape materials depot.

Zone Provisions

i) An 18 metre (60 foot) entrance on Highway 62;

ii) Landscaping and aggregate materials transfer yard;

iii) Wholesale and retail landscaping and aggregate materials depot;

iv) Landscaping

All other provisions of this By-law shall apply.

27.36 RI-36 (Lot 32, Concession 6, Bangor Ward, 19.5.3, Bylaw 2010-012)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RI-36, the following special provisions shall apply:

Permitted Uses

The following shall be permitted in addition to other permitted uses in the Rural Industrial (RI) Zone:

i) Sale of new and used automobiles.

All other provisions of this By-law shall apply.

27.37 RI-37 (Lot 25, Concession 7, Bangor Ward, 19.5.4, Bylaw 2010-012)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RI-37, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) A sawmill.

All other provisions of this By-law shall apply.

27.38 RI-38 (Lot 18, Concession 4, Herschel Ward, 19.5.5, Bylaw 2010-012)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RI-38, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) Telecommunications facilities and equipment.

All other provisions of this By-law shall apply.

27.39 RI-39 (Lot 34, Concession 4, Herschel Ward, 19.5.6, Bylaw 2010-012)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RI-39, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) Telecommunications facilities and equipment.

All other provisions of this By-law shall apply.

27.40 RI-40 (Lot 20, Concession 1, Herschel Ward 19.5.7 Bylaw 2010-012 and Herschel, Bylaw 602-1995)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RI-40, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) Communications tower and accessory buildings.

All other provisions of this By-law shall apply.

27.41 RI-41 (Lot 21, Concession 1, Herschel Ward 19.5.8 Bylaw 2010-012 and Herschel, Bylaw 432-1986)

Notwithstanding any provision of this By-law to the contrary, on lands zoned RI-41, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) Telecommunications facilities and accessory buildings.

All other provisions of this By-law shall apply.

27.42 RI-42 (Lot 30, Concession 7, Monteagle Ward 19.5.10 Bylaw 2010-012 and Monteagle, Bylaw 10-1995)

Notwithstanding any provision of this By-law to the contrary, on lands zoned RI-42, the following special provisions shall apply:

Permitted Uses

The following shall be permitted in addition to other permitted uses in the Rural Industrial (RI) Zone:

i) Repair workshop and office.

All other provisions of this By-law shall apply.

27.43 RI-43 (Lot 11, Concession 8, Monteagle Ward 19.5.11 Bylaw 2010-012 and Monteagle, Bylaw 3-1999)

Notwithstanding any provision of this By-law to the contrary, on lands zoned RI-43, the following special provisions shall apply:

Permitted Uses

The following shall be permitted in addition to other permitted uses in the Rural Industrial (RI) Zone:

i) Manufacturing use.

All other provisions of this By-law shall apply.

27.44 RI-44 (Lot 62, Concession East Hastings Road, Monteagle Ward 19.5.12 Bylaw 2010-012 and Monteagle, Bylaw 12-1989)
Notwithstanding any provision of this By-law to the contrary, on lands zoned RI-44, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) Communications tower.

All other provisions of this By-law shall apply.

27.45 WD-45 (Lot 14, Concession 1, Wicklow Ward and Lot 11, Concession 7, Monteagle Ward 22.5.1 Bylaw 2010-012 and Bangor, Wicklow, McClure Bylaw, 24-1999)
Notwithstanding any provision of this By-law to the contrary, on lands zoned WD-45, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) Salvage yard for the purpose of wrecking or dismantling automobiles for the purpose of sale of part or other disposal.

All other provisions of this By-law shall apply.

~~27.46 CF-46 (Part Lots 31 and 32, Concession 4, Herschel Ward, 23.5.1)~~
~~Notwithstanding any provision of this By-law to the contrary, on lands zoned CF-46, the following special provisions shall apply:~~

~~Permitted Uses~~

~~The following shall be the only permitted use:~~

~~i) A recreational complex for seniors.~~

~~Zone Provisions~~

~~i) Number of persons to be accommodated (maximum) 10.~~

~~All other provisions of this By-law shall apply.~~ **(repealed and replaced by Bylaw 2024-047)**

27.47 OS-47 (Lot 12, Concession 11, McClure Ward 24.5.1, Bylaw 2010-012)
Notwithstanding any provision of this By-law to the contrary, on lands zoned OS-47, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) Private open space.

All other provisions of this By-law shall apply.

27.48 OS-48 (Lot 17 and 18, Concession 6, Bangor Ward 24.5.2, Bylaw 2010-012)
Notwithstanding any provision of this By-law to the contrary, on lands zoned OS-48, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) There shall be no development permitted on Block A Lots 17 and 18, Concession 6.

All other provisions of this By-law shall apply.

27.49 OS-49 (Part Lot 17, Concession 5, Herschel Ward 24.5.3, Bylaw 2010-012)
Notwithstanding any provision of this By-law to the contrary, on lands zoned OS-49, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) No buildings or structures shall be permitted.

ii) A woodlot shall be the only permitted use.

All other provisions of this Bylaw shall apply.

27.50 OS-50 (Lots 7, 8 and 9, Concession 5 and Lot 9, Concession 6, Herschel Ward 24.5.4, Bylaw 2010-012)

Notwithstanding any provision of this Bylaw to the contrary, on lands zoned OS-50, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) Passive recreational uses.

ii) No development shall be permitted.

All other provisions of this Bylaw shall apply.

27.51 cancelled

27.52 RRC-52 (Lots 10, Concession 10, McClure Ward Bylaw 2010-012 and Bangor, Wicklow McClure, Bylaw 12-2004)

Notwithstanding any provision of this Bylaw to the contrary, on lands zoned RRC-52, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

i) Recognize frontage on a private right-of-way.

All other provisions of this Bylaw shall apply.

~~**27.53 RR-53 (Lots 16, Concession 4, Herschel Ward Bylaw 2010-012 and Herschel, Bylaw 41-2004)**~~

~~Notwithstanding any provision of this By-law to the contrary, on lands zoned RR-53, the following special provisions shall apply:~~

~~**Permitted Uses**~~

~~i) Reduced lot area on both the severed (.62 acres + or -) and retained lot (.08 acres + or-);~~

~~ii) Side yard setbacks less than standard (gazebo);~~

~~iii) Front yard setbacks less than standard (dwelling units);~~

~~iv) Less frontage than required on a fully maintained municipal road on the severed lot. (51.88 ft.).~~

~~All other provisions of this By-law shall apply.~~
Repealed by Bylaw 2018-034 – rezoned to Special Limited Service Residential (LSR-97) – 97.

27.54 RI-54 (Lots 24 and 25, Concession 16, Monteagle Ward, Bylaw 2010-012 and Monteagle, Bylaw 27-2006)

Notwithstanding any provision of this Bylaw to the contrary, on lands zoned RI-54, the following special provisions shall apply:

Permitted Uses

The following shall be a permitted use:

i) Permit a single-family dwelling for the use of the owner, manager, caretaker or other similar person and their family, provided further that such person is employed on the lot on which such dwelling is located.

All other provisions of this Bylaw should apply.

27.55 RR-55 (Lots 15, Concession 3, Herschel Ward, Bylaw 2010-012 and Bylaw 58-2009)

Notwithstanding any provision of this Bylaw to the contrary, on lands zoned RR-55, the following special provisions shall apply:

i) Shall acknowledge the close proximity of the pit to the new lot.

All other provisions of this By-law shall apply.

27.56 MA-56 & EP-56 (Lots 14, Concession 3, Herschel Ward, Bylaw 2010-012 and Bylaw 75-2009)

Notwithstanding any provision of this Bylaw to the contrary, on lands zoned MA-56 & EP-56, the following special provisions shall apply:

i) Shall acknowledge the close proximity of the pit to the new lot being within an area of influence within 500 m.

All other provisions of this By-law shall apply.

27.57 WR-57 & EP-57 (Lots 14, Concession 3, Herschel Ward, Bylaw 2010-012 and Bylaw 75-2009)

Notwithstanding any provision of this Bylaw to the contrary, on lands zoned WR-57 & EP-57, the following special provisions shall apply:

i) Shall acknowledge the close proximity of the pit to the retained lot being within an area of influence within 500 m.

All other provisions of this Bylaw shall apply.

27.58 LSR-58 (Part Lot 24, Concession 11, Monteagle Ward, Bylaw 2014-062)
Notwithstanding any provision of this Bylaw to the contrary, on lands zoned LSR-58, the following provisions shall apply:

i) Lot Area (Minimum) – 21.8 ha (54 acres)

ii) Setback from the high water mark of Graphite Lake – 300 metres (984.2 ft).

iii) The provisions of the LSR Zone (Section 8.1) of Bylaw No. 2004-035, as amended, shall apply to the lands zoned LSR-58.

All other provisions of the LSR Zone and this Bylaw, as amended, shall apply to the lands zoned LSR-58.

27.59 cancelled.

27.60 RRC-60 (Pt Lot 32, Concessions 5 and 6, Herschel, Bylaw 2010-010)
Notwithstanding any provision of this Bylaw to the contrary, on the lands zoned RRC-60, the following special provisions shall apply:

Zoning Provisions:

i) Number of sleeping accommodation units, including accessory dwelling units, within the tourist establishment (maximum): 14;

ii) Total gross floor area of all development after March 24, 2010 of sleeping accommodation buildings or accessory buildings that include plumbing, net of the gross floor area of any existing sleeping accommodation buildings removed, demolished, or destroyed (maximum): 135 square metres (1,453.1 sq. ft.). “Existing buildings” refers to those existing on March 24, 2010, as shown in Schedule 1(a) to Bylaw 2010-010;

iii) Notwithstanding Section 5.17.2 of this Bylaw, a building, structure, or sewage disposal system existing on March 24, 2010 may be reconstructed or expanded within 30 metres (98.4 ft.) of the high water mark of Baptiste Lake, provided the least distance between it and the high water mark is not reduced;

iv) Notwithstanding Section 5.17.2 (ii) of this Bylaw, no new sewage disposal system shall be located within 30 metres (98.4 ft.) of the high water mark of Baptiste Lake.

All other provisions of this Bylaw shall apply.

27.61 MA-61 (Pt Lot 27, Concession 5, Monteagle, Bylaw 2010-010)
Notwithstanding any provision of this Bylaw to the contrary, on the lands zoned MA-61, the following special provisions shall apply:

i) Shall acknowledge the reduced setback (150 metres) of the existing dwelling to the existing aggregate pit.

All other provisions of this Bylaw shall apply.

27.62 cancelled.

27.63 cancelled.

27.64 EP-64 (Pt Lot 8, Concession 2, Part 3, Plan 21R-23546 Herschel, Bylaw 2011-054)
Notwithstanding any provision of this Bylaw to the contrary, on the lands zoned EP-64, the following special provisions shall apply:

i) The EP-64 zone shall reflect the lands identified as the Flood Fringe limit on the map attached to Bylaw 2011-054 as Schedule “A”; and

ii) No development except a dock or a boathouse shall be located within the Environmental Protection – 64 (EP-64) Zone (Flood Fringe Limit).

All other provisions of this Bylaw shall apply.

27.65 LSR-65 (Pt Lot 26, Concession 6 Herschel Bylaw 2011-063)
Notwithstanding any provision of this Bylaw to the contrary, on the lands zoned LSR-65, the following special provisions shall apply:

i) Shall allow a third cottage, maximum 1,200 square feet and connected to the existing septic system, to be built on the property 70 feet from the high water mark of Baptiste Lake, the vegetation between the lake and the proposed cottage is not to be disturbed.

All other provisions of this Bylaw shall apply.

27.66 WR-66 (Summer Resort Lots 4 and 4A, Plan 1284 and Part 3, 21R-13241 Wicklow, Bylaw 2011-068)

Notwithstanding any provision of this Bylaw to the contrary, on the lands zoned WR-66, the following special provisions shall apply:

i) Shall allow a second cottage to be built on the property 64 feet from the high water mark of Papineau Lake.

All other provisions of this Bylaw shall apply.

27.67 UC-67 (Pt Lots 7 and 8, West Hastings Road, Herschel, Bylaw 2011-066)

Notwithstanding any provision of this Bylaw to the contrary, on the lands zoned UC-67, the following special provisions shall apply:

Provisions for Urban Commercial Special – 67 (UC-67)

General

Within the UC-67 zone, no person shall use any land or use, erect, locate, occupy, or alter any building or structure except as permitted by and in compliance with the requirements of the Urban Commercial (UC) Zone and the provisions of this Bylaw.

Permitted Uses:

The following are the only purposes for which a person may use land and use, erect, locate, occupy, or alter buildings and structures within the Urban Commercial – Special – 67 (UC-67) Zone:

Principal Uses

i) Single family residence in the existing building on the property.

ii) Retail commercial establishment.

Secondary and Ancillary Uses within Existing Structure

i) Service Shop

ii) Sale of snack foods.

Special Provisions

Notwithstanding the provision of Bylaw 35-2004 to the contrary, the following special provisions shall apply:

i) Minimum Front Yard Setback – existing setback

ii) Minimum Lot area – 0.08 hectares (.25 acres) (existing lot area)

iii) Minimum Lot Frontage – 25.1 metres (existing lot frontage)

iv) Minimum Side Yard Depths – 0.45 metres one side (existing south side yard) and 7.5 metres the other side

v) Minimum Front Yard Dept – existing depth.

General Provisions

i) The minimum screening on the lot zoned UC-67 shall be a cedar hedge having a minimum height of 1.5 metres. Such screening hedge shall be located along the common property line separating the parking area and the lands in the Residential Second Density (R2) Zone to the south.

ii) Parking areas shall locate no closer than 1 metre to the boundary of a Residential Second Density (R2) Zone.

All other provisions of this Bylaw shall apply.

27.68 MA-68 (Pt Lots 9 and 10, Concession 4, Monteagle, Bylaw 2012-048)
Notwithstanding any provision of this Bylaw to the contrary, on the lands zoned MA-68, the following special provisions shall apply:

i) To prohibit the keeping and raising of livestock in the existing building on the lands.

All other provisions of this Bylaw shall apply.

27.69 MA-69 (Pt Lots 8 and 9, Concession 9 and Pt Lots 6, 7 and 8, Concession 10, McClure, Bylaw 2012-053)
Notwithstanding any provision of this Bylaw to the contrary, on the lands zoned MA-69, the following special provisions shall apply:

i) Shall establish a minimum of a 300-metre setback of septic systems from the shoreline of Lake St. Peter and require that any possible future zoning bylaw amendment or minor variance application intended to reduce the 300-metre setback will require the completion of a site-specific soils investigation completed to the satisfaction of the Ministry of the Environment.

All other provisions of this Bylaw shall apply.

27.70 RI-35 (Lot 25, Concession 16, Monteagle, Bylaw 2013-068 amending RI-35)
That Bylaw 2004-035, as amended, is further amended by amending Section 27.35 Rural Industrial -35 (RI-35) by adding or amending the following:

Permitted uses:

The following shall be the only permitted uses:
*Replace "i)" with "a." to indicate sub-paragraph "a." immediately before "***a sawmill, lumberyard, planning mill, dry kiln, chipper and repair depot.***"*

Zone Provisions *i) through vii) under this section shall remain unchanged*

*Add the word "***and"** *together with sub-paragraph* **"b"** *as follows:*
b. a landscape materials transfer yard and landscape materials depot.

Zone Provisions

i) An 18 m (60 ft.) entrance on Highway 62;

ii) Landscaping and aggregate materials transfer yard;

iii) Wholesale and retail landscaping and aggregate materials depot;

iv) Landscaping materials shall include, but not be limited to, bark mulch.

All other provisions of this Bylaw shall apply.

27.71 ~~LSR-71 (Lot 11, Pt Lot 12, Plan 2272 and Part 1, Plan 21R-23504, Herschel, Bylaw 2014-002)~~
~~Notwithstanding any provision of this Bylaw to the contrary, on the lands zoned LSR-71, the following special provisions shall apply:~~

~~i) Shall recognize the lot frontage of 84.2 metres and lot area of .25 hectare and to require a minimum 15 metre setback from the high-water mark of any water body/watercourse.~~

~~All other provisions of this Bylaw shall apply.~~ **(replaced and repealed by Bylaw 2021-025)**

27.72 LSR-72 (264 Ponacka Road, Part of Lot 12, RCP 2272 and Part of the Shore Road Allowance around Baptiste Lake AKA Long Lake lying in front of Lot 30, Concession 5 (Closed by QR578343), in the Geographic Township of Herschel, Bylaw 2014-003, amended by Bylaw 2025-007)

Notwithstanding any provision of this Bylaw to the contrary, on the lands zoned LSR-72, the following special provisions shall apply:

Zone Provisions

i) Lot area: +/- 0.172 hectares (0.43 acres)
ii) Lot frontage (abutting water): +/- 34.5 m
iii) Front Yard:
    a. Shed: 5.68 m
iv) Rear Yard:
    a. Dwelling: +/- 12.1 m
    b. Attached deck: +/- 8.1 m
v) Setback from high water mark of Baptiste Lake: 15 m, with the following exceptions:
    a. Dwelling: +/- 12.1 m
    b. Attached deck: +/- 8.1 m
    c. Tool shed: +/- 22 m
    d. Septic: +/- 21.1 m
vi) Setback from seasonal intermittent creek: 15 m, with the following exceptions:
    a. Dwelling: +/- 13.2 m
    b. Attached deck: +/- 13.2 m
    c. Tool shed: +/- 9 m

All other provisions of this Bylaw shall apply.

27.73 MA-73 (Pt Lot 32, Concession 1, save and except Parts 1, 2, 3 and 4 of Reference Plan 21R-24124, Bangor, Bylaw 2014-013)

Notwithstanding any provisions of this Bylaw to the contrary, on the lands zoned MA-73, the following special provisions shall apply:

i) Shall recognize the existing accessory building without a principal use building on the retained lot.

All other provisions of this Bylaw shall apply.

27.74 RR-74 (Pt Lot 32, Concession 1, being Part 3 of Reference Plan 21R-24124 Bangor, Bylaw 2014-012)

Notwithstanding any provision of this Bylaw to the contrary, on the lands zoned RR-74, the following special provisions shall apply:

i) Shall recognize the reduced size of the severed lot at 1.09 hectares (2.69 acres) and the reduced front yard setback of 4.4 metres or 14.8 feet of the severed lot being Part 3 on Reference Plan 21R-24124.

All other provisions of this Bylaw shall apply.

27.75 MA-75 (Pt Lot 1, Concession 3, being 43 Bird Lake Road, Birds Creek, Herschel, Bylaw 2014-029)

Notwithstanding any provisions of this Bylaw to the contrary, on the lands zoned MA-75, the following special provisions shall apply:

i) Shall recognize the resulting lot area and lot frontage as the minimum required.

All other provisions of this Bylaw shall apply.

27.75 WR-75 (Pt. Lot 12, Concession 11, McClure, Bylaw 2014-043)

Notwithstanding any provisions of this Bylaw to the contrary, on the lands zoned WR-75, the following special provisions shall apply:

i) Shall recognize the resulting lesser lot frontage of the severed and benefitting lands of Severance B89/13 being the newly created lot.

All other provisions of this Bylaw shall apply.

27.76 RRC-76 (Pt Lot 25, Concessions 7 and 8, Wicklow, Bylaw 2014-068)

Notwithstanding any provision of this Bylaw to the contrary, on the lands zoned RRC-76, the following special provisions shall apply:

i) Permitted Uses

The following shall be the only permitted uses:

a. Camping Establishment

i. Travel Trailer Sites for tents only (maximum) - 30 sites

ii. Travel Trailer Sites for trailers only (maximum) - 2 sites

iii. Tourist Cabins (maximum) - 5 cabins

1. Gross area maximum of - 9.6 sq.m (103 sq.ft)

iv. Section 17.3 e) vi) does not apply to Travel Trailer sites used only for tents.

v. Section 17.3 e) ix) does not apply.

b. One Dwelling unit for owner/operator of the travel trailer park.

c. Storage Building

I. Number of Storage buildings (maximum) -1

II. Gross Floor Area (maximum) - 215.6 sq.m. (2,320 sq.ft)

d. Gazebo

i. Number of Gazebos (maximum) -1

ii. Gross Floor Area (maximum) - 177 sq.m. (1,905 sq. ft.)

e. Kitchen Facility

i. Number of Kitchen Facilities (maximum) - 1

ii. Gross Floor Area (maximum) - 70 sq.m (753 sq.ft)

f. Recreational Buildings

i. Number of recreational buildings (maximum) - 2

ii. Gross Floor Area **all recreational buildings** - (maximum) 272 sq. m (2,927 sq.ft)

g. Shower Facilities

i. Number of shower facilities (maximum) - 2

ii. Gross Floor Area (maximum) - 35 sq. m (376 sq.ft.)

h. Privies (outhouses)

i. Number of privies (maximum) - 12

i. Greenhouses

i. Number of Greenhouses (maximum) - 1

ii. Gross Floor Area (maximum) - 72 sq.m.(775 sq. ft.)

j. Garden Shed

i. Number of Garden sheds (maximum) - 1

ii. Gross Floor Area (maximum) - 9 sq. m (96.8 sq.ft.)

ii) Notwithstanding Section 5.31 of Bylaw 2004-035 to the contrary the minimum required parking spaces for land zoned the RRC-76 Zone shall be 44.

All other provisions of this Bylaw shall apply.

27.77 RRC-77 (Part Lot 8, Concession 2, being Part 2 of Reference Plan 21R-23546, Herschel, Bylaw 2015-015)

Notwithstanding any provisions of this Bylaw, as amended to the contrary, on the lands zoned Recreational/Resort Commercial – 77 (RRC-77), the following special provisions shall apply:

i) Permitted Uses

The following shall be the only permitted uses:

a) Tourist Establishment

i. Housekeeping Cottages (maximum) – 4

ii. Gross area including exterior decks and porches -(maximum) – 41.8 sq.m (450 sq.ft)

b) One Dwelling unit for owner/operator of the establishment.

c) Garage

i. Garage (maximum) – 1

ii. Gross Floor Area (maximum) – 159.8 sq.m. (1720 sq.ft)

d) Storage Building

i. Storage Building (maximum) – 1

ii. Gross Floor Area (maximum) – 194 sq.m. (2088 sq. ft.)

e) Shower Facility

i. Shower Facilities (maximum) – 1

ii. Gross Floor Area (maximum) – 8.9 sq.m (96sq.ft)

f) Privies (outhouses)

i. Number of privies (maximum) – 2

g) Horse stable

i. Number of horse stables – 1

ii. Number of horse stalls (maximum) – 5

iii. Number of horses (maximum) – 5

iv. Gross Floor Area (minimum) – 116 sq.m (1250 sq. ft)

h) A landscaped planting strip shall be provided along the western property line between the housekeeping cottages and the property line.

All other provisions of this Bylaw shall apply.

27.78 Cancelled

27.79 Repealed (see 27.85)

27.80 RC-80 (Pt Lot 7, Concession 2, Herschel, Bylaw 2015-065)
Notwithstanding any provisions of this Bylaw, as amended to the contrary, on the lands zoned Special Rural Commercial – 80 (RC-80), the following special provisions shall apply:

i) Permitted Uses

The following shall be the only permitted uses:
a. Logging Service Shop

ii. For the purpose of the lands zoned the Special Rural Commercial – 80 (RC-80), a "**Logging Service Shop** shall mean a building used for the purposes of storing, maintaining and repairing of logging vehicles and equipment".

All other provisions of this Bylaw shall apply.

27.81 LSR-81 (Part Lot 14, Concession 9, Monteagle, Bylaw 2015-075)
Notwithstanding any provisions of this Bylaw, as amended to the contrary, on the

lands zoned Special Limited Services Residential – 81 (LSR-81), the following special provisions shall apply:

Permitted Uses

i) Lot Area (minimum) – 0.7 ha (1.73 ac)

ii) Lot Frontage on a private road/right-of-way (minimum) – 55 m (180 ft)

All other provisions of this Bylaw shall apply.

27.82 LSR-82 (Part Lot 14, Concession 9, Monteagle, Bylaw 2015-075)

Notwithstanding any provisions of this Bylaw, as amended to the contrary, on the lands zoned Special Limited Services Residential – 82 (LSR-82), the following special provisions shall apply:

Permitted Uses

i) Lot Area (minimum) – 0.7 ha (1.73 ac)

ii) Lot Frontage on a private road/right-of-way (minimum) – 25 m (82 ft)

All other provisions of this Bylaw shall apply.

27.83 LSR-83 (Part Lot 14, Concession 9, Monteagle, Bylaw 2015-075)

Notwithstanding any provisions of this Bylaw, as amended to the contrary, on the lands zoned Special Limited Services Residential – 83 (LSR-83), the following special provisions shall apply:

Permitted Uses

i) Lot Area (minimum) - 0.7 ha (1.73 ac)

ii) Lot Frontage on a private road/right-of-way (minimum) - 25 m (82 ft)

All other provisions of this Bylaw shall apply.

27.84 LSR-84 (Part Lot 14, Concession 9, Monteagle, Bylaw 2015-075)

Notwithstanding any provisions of this Bylaw, as amended to the contrary, on the lands zoned Special Limited Services Residential – 84 (LSR-84), the following special provisions shall apply:

Permitted Uses

i) Lot Area (minimum) – 0.95 ha (2.35 ac)

ii) Lot Frontage on a private road/right-of-way (minimum) – 35 m (115 ft)

All other provisions of this Bylaw shall apply.

27.85 RI-85 (Pt Lot 4, Concession 2, being Part 1, Plan 21R-24554, Herschel, Bylaw 2016-006)

Notwithstanding any provisions of this Bylaw, as amended to the contrary, on the lands zoned Special Rural Industrial – 85 (RI-85) Zone the following special provisions shall apply:

Permitted Uses

i) Shall allow a 6,000 square foot garage/storage building for a transportation/trucking business and construction business storage/workshop including associate office space.

All other provisions of this Bylaw shall apply.

27.86 MA-86 (Part of Lot 10, Concession 7, Monteagle, Bylaw 2016-019)

Notwithstanding any provisions of this Bylaw, as amended to the contrary, on the lands zoned Special Marginal Agricultural – 79 (MA-86), the following special provisions shall apply:

Permitted Uses

i) Shall recognize the “granny flat”/second dwelling unit located on the retained lands.

All other provisions of this Bylaw shall apply.

27.87 RR-87 (Part Lot 10, Concession 7, Part 1 on Reference Plan 21R-5237 and Part 3 on Reference Plan 21R-24637, Monteagle, Bylaw 2016-020)

Notwithstanding any provisions of this Bylaw, as amended to the contrary, on the lands zoned Special Rural Residential – 87 (RR-87), the following special provisions shall apply:

Permitted Uses

i) Shall recognize an accessory use (existing garage) prior to a principal use (residential dwelling) on the property.

All other provisions of this Bylaw shall apply.

27.88 UC-88 (Part Lot 2, Concession 1, Herschel, Bylaw 2016-049)

Notwithstanding any provisions of this Bylaw, as amended to the contrary, on the lands zoned Special Urban Commercial (UC-88), the following special provisions shall apply:

The following shall be the only Permitted Uses

i) Parking facilities associated with an existing automobile sales agency.

All other provisions of this Bylaw shall apply.

27.89 MA-89 (Part of Lots 14 and 15, Concession 8, Monteagle, Bylaw 2016-072)
Notwithstanding any provisions this Bylaw, as amended to the contrary, on the lands zoned Special Marginal Agriculture – 89 (MA-89), the following special provisions shall apply:

Permitted Uses

i) To recognize access via a right-of-way.

All other provisions of this Bylaw shall apply.

27.90 MX-90 (Part of Lot 28, Lots 29 and 30, Concession 15, Monteagle, Bylaw 2017-002)
Notwithstanding any provisions this Bylaw, as amended to the contrary, on the lands zoned Special Mineral Extractive – 90 (MX-90) Zone, the following special provisions shall apply:

Permitted Uses

a) Shall recognize the existing extractive use on the subject lands.

All other provisions of this Bylaw shall apply.

27.91 RI-91 (Part of Lot 4, Concession 2, Part 2 on Reference Plan 21R-24772 Herschel, Bylaw 2017-045)
Notwithstanding any provisions of this Bylaw, as amended to the contrary, on the lands zoned Special Rural Industrial – 91 (RI-91) Zone, the following special provisions shall apply:

Permitted Uses

a) is to allow the permitted uses in the Rural Industrial (R I) Zone plus the following:

i. A manufacturing, processing, or warehousing undertaking for the production of prefabricated kit homes;

ii. A building supply outlet including equipment rentals;

iii. Service, storage or repair of equipment and small internal combustion engines incidental to a contractor's business, including the sale of parts and petroleum products incidental thereto;

iv. Any business, administrative and/or professional office accessory to the permitted industrial uses;

v. Self-storage – mini storage buildings (maximum of 100 units); and

vi. Ability to store shipping containers (maximum of 5) incidental to a contractor's business, to be stored in the rear 25% of the property and visually screened from the street, exterior side yard and rear yard.

Any accessory buildings not attached to the Principal Building(s) will be subject to the same setback requirements of the Principal Building(s).

All other provisions of this Bylaw shall apply.

27.92 RI-92 (Part of Lot 4, Concession 2, being Part 1 on Reference Plan 21R-24772 Herschel, Bylaw 2017-046)

Notwithstanding any provisions of this Bylaw, as amended to the contrary, on the lands zoned Special Rural Industrial – 92 (RI-92) Zone, the following special provisions shall apply:

Permitted Uses

i) To allow the permitted uses in the Rural Industrial (R I) Zone plus the following:

   a. A manufacturing, processing, or warehousing undertaking for the production of modular homes, shed, decks and small buildings.

Any accessory buildings not attached to the Principal Building(s) will be subject to the same setback requirements of the Principal Building(s).

All other provisions of this Bylaw shall apply.

27.93 MA-93 (Part of Lot 5, Concession 10, being Part 1 on Reference Plan 21R-14695, Monteagle, Bylaw 2017-073)

Notwithstanding any provisions of this Bylaw, as amended to the contrary, on the lands zoned Special Marginal Agriculture – 93 (MA-93) Zone, the following special provisions shall apply:

Permitted Uses

i) Shall recognize the reduced lot area of 9.19 acres.

All other provisions of this Bylaw shall apply.

27.94 Cancelled.

27.95 MA-95 (Part of Lots 24 and 25, Concession 13, Part of Lot 25, Concession 14, Monteagle, Bylaw 2018-022)

Notwithstanding any provisions of this Bylaw, as amended to the contrary, on the lands zoned Special Marginal Agriculture – 95 (MA-95) Zone, the following special provisions shall apply:

Permitted Uses

i) Shall require new development of the property be set back a minimum of 300 metres from the high water mark of Graphite Lake.

All other provisions of this Bylaw shall apply.

27.96 LSR-96 (Part of Lot 16, Concession 4, being Part 1 on Reference Plan 21R-25127, Herschel, Bylaw 2018-035)

Notwithstanding any provisions of this Bylaw, as amended to the contrary, on the lands zoned Special Limited Services Residential – 96 (LSR-96) Zone, the following special provisions shall apply:

Permitted Uses

i) Shall recognize the resulting lot area of the retained lands.

All other provisions of this Bylaw shall apply.

27.97 LSR-97 (Part of Lot 16, Concession 4, being Part 3 on Reference Plan 21R-21134, being Part 2 on Reference Plan 21R-25127, Herschel, Bylaw 2018-034)

Notwithstanding any provisions of this Bylaw, as amended to the contrary, on the lands zoned Special Limited Services Residential – 97 (LSR-97) Zone, the

following special provisions shall apply:

Permitted Uses

i) Shall recognize the setbacks of the existing buildings on the lands.

All other provisions of this Bylaw shall apply.

27.98 RR-98 (Lots 3 & 4, Concession 2, being Parts 1, 2, 3 and 4 on Reference Plan 21R-25317, Herschel, Bylaw 2019-033)

Notwithstanding any provision of this Bylaw to the contrary, on lands zoned Special Rural Residential (RR-98) – 98, the following special provisions shall apply:

The following shall be the only Permitted Uses

i) Uses permitted in the Rural Residential (RR) Zone; and,

ii) Uses permitted in the Residential Second Density (R2) Zone

Zone Provisions

i) Within the RR-98 zone, Section 5.50.3 vi) of Bylaw 2004-035 shall not apply whereby the zoning provision for Section 5.50.3 vi) is as follows: “A second ‘Dwelling Unit’ shall not be permitted where two (2) or more ‘Dwelling Unit(s)’ exist upon a lot.”

All other provisions of this Bylaw shall apply.

27.99 RR-99 (Part of Lot 10, Concession 4, being Part 4 on Reference Plan 21R-21572, Herschel, Bylaw 2019-061)

Notwithstanding any provision of this Bylaw to the contrary, on lands zoned Special Rural Residential – 99 (RR-99) Zone, the following special provisions shall apply:

Permitted Uses

i) Shall reduce the front yard minimum from 20 metres (65.6 feet) to 12.192 metres (40 feet) and the rear yard (minimum) from 10 metres (32.8 feet) to 6.096 metres (20 feet) and to recognize reduced setback requirements and allow all other permitted uses in the Rural Residential (RR) Zone.

All other provisions of this Bylaw shall apply.

27.100 MA-100 (Part of Lot 14, and 15, Concession 8, Herschel, Bylaw 2020-005)

Notwithstanding any provision of this Bylaw to the contrary, on lands zoned Special Marginal Agriculture – 100 (MA-100) Zone, the following special provisions shall apply:

Permitted Uses

i) Shall implement site specific maximum setback requirements from North Baptiste Lake Road to mitigate negative impacts to the deer wintering habitat in the Special Marginal Agriculture – 100 (MA-100) Zone.

No part of a single detached dwelling will be permitted more than 90 metres from the front property line.

All other provisions of this Bylaw shall apply.

27.101 Cancelled.

27.102 MA-102 (**Part of Lot 16 Concessions 3 and 4, save and except Part 1 on Reference Plan 21R-25537, Bangor, Bylaw 2020-046)**

Notwithstanding any provision of this Bylaw to the contrary, on lands zoned Special Marginal Agriculture -102 (MA-102) Zone, the following special provisions shall apply:

Permitted Uses

i) Shall recognize the reduced setbacks and to clarify that no housing of livestock shall be permitted in any of the buildings on the retained lands noted as “C” Shed, “D” Old Horse Barn and “E” Old Hay Barn. The change of zone category is to allow the permitted uses in the Marginal Agriculture (MA) Zone and to recognize the buildings are 2.2 metres from the boundary of the severed parcel which does not meet the criteria of the zoning bylaw and does not meet the minimum distance separation for livestock near a residential zone.

All other provisions of this Bylaw shall apply.

27.103 RR-103 (Part of Lot 11, Concession 5, being Part 1 on Reference Plan 21R-25698, Bangor, Bylaw 2020-072)

Notwithstanding any provision of this Bylaw to the contrary, on lands zoned Special Rural Residential – 103 (RR-103) Zone, the following special provisions shall apply:

Permitted Uses

i) To allow the permitted uses in the Rural Residential (RR) Zone and shall recognize the reduced front yard setback of 9.95 metres.

All other provisions of this Bylaw shall apply.

27.104 RR-104 (Part of Lot 22, Concession 15, Part 1, Plan 21R-25676, Monteagle, Bylaw 2020-078)

Notwithstanding any provision of this Bylaw to the contrary, on lands zoned Special Rural Residential – 104 (RR-104) Zone, the following special provisions shall apply:

Permitted Uses

i) To allow the permitted uses in the Rural Residential (RR) Zone and shall recognize the reduced setbacks of 7.63 metres to the 1 ½ story frame studio and 9.77 metres to the pole barn (driveshed).

All other provisions of this Bylaw shall apply.

27.106 LSR-106 (Lot 11 and Part of Lot 12, Registrars Compiled Plan 2272, being Parts 3 and 4 on Plan 21R-24177 and Part 2 on draft Reference Plan by P. A. Miller Surveying Ltd. dated January 14, 2021, in the Geographic Township of Herschel, Bylaw 2021-025, amended by Bylaw 2025-006)

Notwithstanding any provision of this Bylaw to the contrary, on lands zoned Special Limited Service Residential – 106 (LSR-106) Zone, the following special provisions shall apply:

Permitted Uses

i) One (1) 2,810 sq. ft. one-storey dwelling (herein described as No. 252);
ii) One (1) 690 sq. ft. one-storey dwelling (herein described as No. 248);
iii) Two (2) septic systems;
iv) Accessory uses.

Zone Provisions

vii) Lot area: +/- 0.416 hectares (1.03 acres)
viii) Front Yard:
    a. Privy: 6.96 m
    b. Garage: 7.79 m
    c. Septic (No. 252): +/- 2 m
ix) Rear Yard:
    a. Dwelling (No. 248): +/- 7.3 m
    b. Deck (No. 248): +/- 4.0 m
    c. Screen Porch (No. 252): +/- 5.9 m
x) Southern Side Yard:
    a. Steps on side (No. 248): +/- 2 m
    b. Septic (No. 248): +/- 2 m

xi) Setback from high water mark:
   a. Dwelling (No. 252): +/- 17 m
   b. Deck (No. 252): +/- 12.2 m
   c. Garage and deck: +/- 27 m
   d. Dwelling (No. 248): +/- 7.3 m
   e. Deck (No. 248): +/- 4.0 m
   f. Screen Porch (No. 252): +/- 5.9 m
   g. Septic (No. 248): +/- 25.4 m

xii) One (1) one-level Boathouse: maximum gross floor area: 800 sq. ft.

All other provisions of this Bylaw shall apply.

27.107 LSR-107 (Part of Lot 9, Registrar's Compiled Plan 2272, Part 1 Plan 21R-13462, Part 6, Plan 21R-18537 and Part of Lot 10, Registrar's Compiled Plan 2272 being Part 3 on draft Reference Plan dated January 14, 2021, in the Geographic Township of Herschel, Bylaw 2021-026)

Notwithstanding any provision of this Bylaw to the contrary, on lands zoned Special Limited Service Residential – 107 (LSR-107) Zone, the following special provisions shall apply:

Zoning Provisions

Front Yard (Minimum) 10 m
Privy 6.17 m
Frame Garage 7.79 m
Septic Field Area 1 m more or less +/-

30 m High Water Mark
One and one-half Storey Log Cottage (No. 242) 14 m from High Water Mark
Deck on 1 ½ storey log Cottage 11.8 m from High Water Mark.

All other provisions of this Bylaw shall apply.

27.108 LSR-108-h (Part of Lots 6 and 7, Concession 10, as in QR631502, except the Easement therein; subject to Easement in Gross as in HT63262, together with Easement over Parts 1 and 2, Plan 21R-22863 as in HT63360, together with Easement over Part 3, Plan 21R-22863 as in HT63361, except for Parts 1, 2, 3, 5, 6, 7, 8 and 9, on Plan 21R-22863, in the Geographic Township of McClure, Bylaw 2021-050)

Notwithstanding any provision of this Bylaw to the contrary, on lands zoned Special Limited Service Residential – 107 (LSR-107) Zone, the following special provisions shall apply:

Zoning Provisions

The change of zone category is to address the minimum lot area, the minimum water frontage and a

30 metre vegetative buffer.

The Environmental Protection (EP) Zone will remain in the Environmental Protection (EP) Zone.

Removal of Holding 'H' Zone
The Holding provision may be removed when a Development Agreement and appropriate servicing plan has been designed and approved by the necessary approval authority(ies).

All other provisions of this Bylaw shall apply.

27.109 RR-109 (Part of Lots 17 and 18, Concession 9, being Part 1 on Plan 21R-_____ in the Geographic Township of Monteagle, Bylaw 2021-058)
Notwithstanding any provision of this Bylaw to the contrary, on lands zoned Special Rural Residential – 109 (RR-109) Zone, the following special provisions shall apply:

i) Required Yards

Front Yard (minimum):	91 metres
North Interior Side Yard (minimum):	113 metres
South Interior Side Yard (minimum):	300 metres
Rear Yard (minimum):	68 metres

ii) That the required front yard, interior side yards, and rear yard setbacks be maintained in an undisturbed natural state.

iii) Notwithstanding ii) above, That one (1) driveway access corridor be permitted to access the building envelope from the road.

The Environmental Protection (EP) Zone is to remain the same.
All other provisions of this Bylaw shall apply.

27.110 MA-110 (Part of Lot 4, Concession 10, in the Geographic Township of Herschel, Bylaw 2021-059)
Notwithstanding any provision of this Bylaw to the contrary, on lands zoned Special Limited Service Residential – 107 (LSR-107) Zone, the following special provisions shall apply:

The change of zone category is to allow the permitted uses in the Marginal Agriculture (MA) Zone, to recognize that this property has never been used as a Waste Disposal Site, it has been used as a residence since the 1890's and to recognize the property is within 500 metres of a Waste Disposal Site located at 353 North Baptiste Lake Road.

All other provisions of this Bylaw shall apply.

27.112 RR-112 (Part of Lot 2, Concession 15, being Part 1 on Reference Plan 21R-_____, in the Geographic Township of Herschel, Bylaw 2021-090)

Notwithstanding any provision of this Bylaw to the contrary, on lands zoned Special Rural Residential – 112 (RR-112) Zone, the following special provisions shall apply:

The change of zone category is to recognize the reduction in Minimum Distance Separation (MDS) setback from the existing barn to the west boundary of Part 1 being 118 metres, the reduction in Minimum Distance Separation (MDS) setback to the dwelling on Part 1 and to recognize the reduced setbacks of structures to the property boundaries as follows:

Carport 10.88 metres from front property line
One and one-half storey dwelling 12.62 metres to front property line

All other provisions of this Bylaw shall apply.

27.113 MA-113 (Part of Lots 2 and 3, Concession 15, except Part 1 on Plan 21R-25980, in the Geographic Township of Herschel, Bylaw 2021-094)

Notwithstanding any provision of this Bylaw to the contrary, on lands zoned Special Marginal Agriculture – 113 (MA-113) Zone, the following special provisions shall apply:

The change of zone category is to recognize the reduced setbacks of structures to the property boundaries as follows::

One storey dwelling 15.49 metres to front property line
Quonset building 9.51 metres to front property line

The Environmental Protection (EP) Zone shall remain as is.

All other provisions of this Bylaw shall apply.

27.114 Part of Lots 17 and 18, Concession 9, save and except Part 1 on Plan 21R-26032 in the Geographic Township of Monteagle from the Marginal Agriculture (MA) Zone to the Special Rural Residential - 114 (RR-114) Zone (Bylaw 2021-058).

Notwithstanding any provision of this Bylaw to the contrary, on lands zoned Special Rural Residential -114 (RR-114) Zone, the following special provisions shall apply:

i) Required Yards

North Interior Side Yard (minimum):	260 metres
South Interior Side Yard (minimum):	94 metres
Rear Yard (minimum):	520 metres

ii) That the required interior side yards and rear yard setbacks be maintained in an undisturbed natural state.

The Environmental Protection (EP) Zone is to remain the same.

All other provisions of this Bylaw shall apply.

27.115 cancelled (179 Shields Road to rezone to Special RR)

27.116 Part of Lot 20, Concession 9, being Part 1 on Reference Plan 21R-26101, in the Geographic Township of Bangor (Bylaw 2022-034) from the Marginal Agriculture (MA) Zone to the Special Rural Residential-116 (RR-116) Zone to recognize the reduction in Minimum Distance Separation (MDS) setback from the barn located at 48 Hoares Road to the eastern boundary of Part 1, being 163 metres and to recognize the reduced lot area from the Marginal Agriculture (MA) Zone to the Rural Residential (RR) Zone.

All other provisions of this Bylaw shall apply.

27.117 Lot 23, Concession 13, in the Geographic Township of Monteagle, from the Marginal Agriculture (MA) Zone and Mineral Extractive (MX) Zone to the Special Marginal Agriculture (MA-117-h) – 117 Holding Zone (Bylaw 2022-047).
The change of zone category is to remove the Mineral Extractive (MX) Zone and to address proximity of a dwelling to an active licensed pit area, an abandoned mine, and extractive reserves.

The Holding provision may be removed when a Development Agreement that recognizes the proximity of the proposal to an active pit and extractive reserve and that Development Agreement has been registered on title. ***The Holding provision was removed by Bylaw 2023-063.**

The lands zoned Environmental Protection (EP) shall remain in the Environmental Protection (EP) Zone.

All other provisions of this Bylaw shall apply.

27.118 Part of Lot 13, Concession 10, being Parts 1, 2, 3, 5, 6 and 7, Plan 21R-26381, in the Geographic Township of Monteagle, now in the Municipality of Hastings Highlands (Bylaw 2023-043) be rezoned from the Limited Service Residential to the Special Limited Service – 118 (LSR-118) Zone to recognize the deficient lot area of the property and deficient setbacks for existing structures.

Notwithstanding any provision of Bylaw No. 2004-035 to the contrary, on the lands zoned Special Limited Service – 118 (LSR-118), the following special provisions shall apply:

i) Lot area – 0.3 hectares

ii) Setback from high water mark of Salmon Trout Lake
96 sq. metre 1-storey dwelling – 14.4 metres
51 sq. metre attached deck – 11.4 metres
2.4 sq. metre shed – 24.7 metres
Septic system – 28.7 metres

iii) Development and site alteration shall not be permitted within 30 metres of the high water mark of Salmon Trout Lake, with an exemption to clear up to 15.4 metres along the shoreline of Salmon Trout Lake for shoreline activity and waterfront accessory uses.

All other provisions of this Bylaw shall apply.

27.119 Part of Lots 18 and 19, Concession 4, Part 1, on Reference Plan 21R-22081, in the Geographic Township of Herschel, now in the Municipality of Hastings Highlands, from the Recreational/Resort Commercial (RRC) Zone to the Special Waterfront Residential (WR-119) – 119 Zone (Bylaw 2023-045).

Notwithstanding any provision of this Bylaw to the contrary, on lands zoned Special Waterfront Residential (WR-119) – 119 Zone, the following special provisions shall apply:

i)	Lot Area:	0.17 hectare (0.43 acres)
ii)	Lot Frontage (abutting road):	34.1 metres
iii)	Lot Frontage (abutting water):	32.3 metres
iv)	Setback from rear lot line for dwelling:	15.2 metres (50.9 ft.)
v)	Setback from high water mark of Baptiste Lake:	
	a) Dwelling:	15.2 metres (50.9 ft.)
	b) Detached shed:	10.1 metres (33.0 ft.)
	c) Septic system # 1:	22.0 metres
	d) Septic system # 2:	29.0 metres

All other provisions of this Bylaw shall apply.

27.120 Part of Lot 11, Concession 14, being Part 1, Plan 21R-26341, in the Geographic Township of Monteagle, now in the Municipality of Hastings Highlands be rezoned from the Marginal Agriculture (MA) to the Special Marginal Agriculture – 120 (MA-120) Zone (Bylaw 2023-048) to permit development of the lot in within 300 metres of extractive sand or gravel resources in accordance with the permitted uses and zoning provisions of the Marginal Agriculture (MA) Zone.

All other provisions of this Bylaw shall apply.

27.121 Lot 24, Concession 8, Part 1, Plan 21R-26097, Bangor Township (Bylaw 2023-017)

Notwithstanding any provision of this bylaw to the contrary, on lands zoned RR-121-h and shown on the attached schedules, the following provisions shall apply:

a) Parking area front yard (Minimum) 15 metres (49.2 ft)

b) The -h may be removed in accordance with Section 36 of the Planning Act when:

i) The holding provision requirements contained in Section 5.4 of the Zoning bylaw have been satisfied, and
ii) A drainage plan has been submitted to the satisfaction of the Municipality

All other provisions of the Rural Residential (RR) Zone apply.

27.122 Part of Lots 22 to 24, Concessions 11 and 12, save and except Parts 2, 3 and 4 on Plan 21R-15406, in the Geographic Township of Monteagle, now in the Municipality of Hastings Highlands (Bylaw 2023-061), from the Marginal Agriculture (MA) Zone to the Special Marginal Agriculture – 122 (MA-122) Zone to permit a second dwelling within 300 metres of a Mineral Extractive (MX) Zone and 300 metres of Extractive Reserves and a licensed pit area. The Mineral Extractive (MX) and Environmental Protection (EP) Zones will remain as is.

All other provisions of the Rural Residential (RR) Zone apply.

27.123 Part of Lot 24, Concession 8, Part 2, Plan 21R-26097, Bangor (Bylaw 2023-018)

Notwithstanding any provision of this bylaw to the contrary, on lands zoned RR-123-h and shown on the attached schedules, the following provisions shall apply:

a) Front yard (Minimum) 126 metres (413.4 ft)

b) Parking area front yard (Minimum) 3 metres (9.8 ft)

c) The -h may be removed in accordance with Section 36 of the *Planning Act* when:

iii) The holding provision requirements contained in Section 5.4 of the Zoning bylaw have been satisfied, and
iv) A drainage plan has been submitted to the satisfaction of the Municipality
v) A development agreement between the land owner and the Municipality implementing the recommendations of the drainage plan has been registered on title

All other provisions of the Rural Residential (RR) Zone apply.

27.124 Part of Lot 24, Concession 8, Part 2, Plan 21R-26097, Bangor (Bylaw 2023-018)

Part of Lot 22, Concession 7, in the Geographic Township of Bangor, now in the Municipality of Hastings Highlands, from the Marginal Agriculture (MA) Zone to the Special Marginal Agriculture – 124 (MA-124) Zone to permit the uses of the Marginal Agriculture (MA) Zone beyond 100 metres from the public road within a Deer Yard Stratum 1 (*County of Hastings Official Plan Schedule OP-B for Northern Member Municipalities – Natural Heritage Features & Areas*), excluding Section 6.2 xvi "a hunt camp".

All other provisions of the Rural Residential (RR) Zone apply.

27.125 Part of Lot 11, Concession 8, being Part 1 on 21R-15298, in the Geographic Township of Monteagle, now in the Municipality of Hastings Highlands, from the Special Rural Industrial (RI-43) Zone to the Special Rural Residential – 125 (RR-125) Zone (Bylaw 2023-108)

Notwithstanding anything in this Bylaw to the contrary, on lands zoned RR-125, the following special provisions shall apply:

i) Lot frontage (abutting road) 24 metres (78.70 ft.)

<u>For Single Detached Dwelling:</u>

i) Front Yard (Minimum) 2.261 metres (7.42 ft.)
ii) Exterior Side Yard (Minimum) 13.411 metres (44 ft.)
iii) Setback from watercourse (Minimum) +/- 14 metres
iv) Setback from Environmental Protection (EP) Zone +/- 12 metres

The Environmental Protection (EP) Zone shall remain as is.

All other provisions of this Bylaw shall apply.

27.126 Part of Lot 29, Concession 16, being Part 1 on Plan 21R-5031, and Part of Lot 29, Concession 16, being Part 1 on Plan 21R-4837, in the Geographic Township of Monteagle, now in the Municipality of Hastings Highlands (Bylaw 2024-006)

Notwithstanding any other provisions of this Bylaw to the contrary, on lands zoned RRC-126, the following special provisions shall apply:

<u>Permitted Uses</u>

i) a tourist establishment use, consisting of two (2) yurts;
ii) a dwelling; and
iii) accessory uses.

For the purposes of this subsection, a yurt means a circular domed structure that is portable and self-sufficient, usually consisting of a wooden or metal frame covered by felt, canvas or PVC. Geodesic Dome shall have a corresponding meaning.

Zone Provisions
i) Lot area – 1.12 hectare (2.76 acres)
ii) Gross Floor Area for dwelling – 85 sq. metres (900 sq. ft.)
iii) Front Yard Setback for dwelling – 5 metres

All other provisions of this Bylaw shall apply.

27.127 Part of Lot 14, Concession 9, being Part 1 Plan 21R-10814 and Part 1 Plan 21R-26711, in the Geographic Township of Monteagle, now in the Municipality of Hastings Highlands (Bylaw 2024-030)

Notwithstanding any provisions of this Bylaw to the contrary, on lands zoned LSR-127, the following special provisions shall apply:

Zone Provisions
xiii) Lot Area – 0.4 hectares
xiv) Lot frontage (abutting water) – 110 ft.
xv) Setback of the existing dwelling from the high water mark – 25.7 metres
xvi) Setback of the existing log bunkie from the southern side lot line – 0 metres
xvii) Setback of the existing wood shed from the western side lot line – 0.1 metres

All other provisions of this Bylaw shall apply.

27.128 Part of Lot 3, Concession 8, being Part 1, Plan 21R-26759, in the Geographic Township of Bangor, now in the Municipality of Hastings Highlands (Bylaw 2024-049)

Notwithstanding any provisions of this Bylaw to the contrary, on lands zoned WR-128, the following special provisions shall apply:

Zone Provisions
xviii) Lot Area: 0.36 hectares
xix) Lot frontage (abutting water): +/- 38.9 metres
xx) Lot frontage (abutting road): 35.59 metres

xxi) One (1) one-storey +/- 88 sq. metre single detached dwelling: +/- 8.8 metres to the high water mark and rear lot line
xxii) One (1) deck attached to the dwelling: +/- 7 metres from the high water mark and rear lot line
xxiii) One (1) log bunkie: +/- 10 metres to the high water mark and 1.50 metres to the northern side lot line
xxiv) One (1) pump house: +/- 23 metres to the high water mark and 1.97 metres to the southern side lot line
xxv) One (1) dock: 0 metres from the northern side lot line
xxvi) Permit the existing structures within 30 metres of a steep and/or unstable slope.

All other provisions of this Bylaw shall apply.

27.129 Part of Lot 3, Concession 8, being Part 2, Plan 21R-26759, in the Geographic Township of Bangor, now in the Municipality of Hastings Highlands (Bylaw 2024-050)

Notwithstanding any provisions of this Bylaw to the contrary, on lands zoned WR-129, the following special provisions shall apply:

Zone Provisions
xxvii) One (1) one-storey +/- 98.2 sq. metre single detached dwelling: +/- 9.7 metres to the high water mark and rear lot line
xxviii) One (1) wrap-around deck to the dwelling: +/- 7 metres to the high water mark and rear lot line
xxix) One (1) frame shed: +/- 20 metres to the high water mark
xxx) One (1) detached deck and stairs: +/- 20 metres to the high water mark and 2.0 metres to the northern side lot line
xxxi) One (1) stone patio: +/- 13 metres to the high water mark
xxxii) One (1) dock: 0 metres from the northern side lot line
xxxiii) One (1) septic system: +/- 28 metres to the high water mark
xxxiv) An existing +/- 185 sq. metre shoreline stone walkway and patio, plus a stone wall: 100% of the shoreline frontage and the closest point being +/- 1 metres from the high water mark. The existing shoreline stone walkway and patio shall not expand beyond its current area.
xxxv) Permit the existing structures within 30 metres of a steep and/or unstable slope.

All other provisions of this Bylaw shall apply.

27.130 Part of Lot 32, Concession 4, Herschel as in QR54800 (Firstly), Hastings Highlands (Bylaw 2024-047)

Notwithstanding any provisions of this Bylaw to the contrary, on lands zoned RR-130, the following special provisions shall apply:

Zone Provisions

Maximum number of dwellings permitted: 1
For greater clarity, additional dwelling units shall not be permitted.

Maximum number of septic systems permitted: 1
The septic system shall be a tertiary treatment system.

All other provisions of this Bylaw shall apply.

27.131 cancelled

27.132 cancelled

27.133 Part of Lot 7, Concession 8, and North ½ of Lot 8, Concession 8, in the Geographic Township of Bangor, now in the Municipality of Hastings Highlands (Bylaw 2024-055)

Notwithstanding any provisions of this Bylaw to the contrary, on lands zoned RRC-133, the following special provisions shall apply:

Permitted Uses

v) A tourist establishment, consisting of four (4) tourist cabins and one (1) main cabin;
vi) A hunt camp;
vii) One (1) 2-storey dwelling and accessory structures to this residential use, including five (5) storage buildings;
viii) Agricultural uses, including three (3) agricultural buildings.

For the purposes of this subsection, a main cabin has full washroom and full kitchen facilities with shared common areas. Each tourist cabin may contain a washroom and a kitchenette.

Zone Provisions

i) Lot area: +/- 63.34 hectares (156.5 acres).
ii) Accessory Buildings (accessory to a single detached dwelling):
    a. Front Yard (Minimum): 10 metres (32.8 feet)
    b. Rear Yard (Minimum): 3 metres (9.8 ft.)
    c. Interior Side Yard (Minimum): 3 metres (9.8 ft.)
    d. Building Height (Maximum): 11 metres (36.1 ft.)
iii) Agricultural Buildings
    a. Front Yard (Minimum): 20 metres (65.6 ft.)
    b. Rear Yard (Minimum): 20 metres (65.6 ft.)
    c. Interior Side Yard (Minimum): 5 metres (16.4 ft.)
    d. Building Height (Maximum): 45 metres (147.6 ft.)

All other provisions of this Bylaw shall apply.

27.134 Part of Lot 1, Concession 6, being Parts 1 and 5 on 21R-3446, in the Geographic Township of Wicklow, now in the Municipality of Hastings Highlands (Bylaw 2024-061)

Notwithstanding any provisions of this Bylaw to the contrary, on lands zoned LSR-134, the following special provisions shall apply:

Zone Provisions

i) Lot area: +/- 0.81 acres
ii) Lot frontage (road frontage): +/- 58 ft.

All other provisions of this Bylaw shall apply.

27.135 Part of Lots 30 and 31, Concession 8, Part of Road Allowance Parts 2 and 3, Plan 21R-22231, Part 1, Plan 21R-22912, in the Geographic Township of Herschel, now in the Municipality of Hastings Highlands (Bylaw 2024-064)

Notwithstanding any provisions of this Bylaw to the contrary, on lands zoned WR-135-h, the following special provisions shall apply:

Permitted Uses

i) One (1) 431.11 square metre (4,640.sq. ft.) two-storey dwelling with attached garage;
ii) One (1) septic system.

Zone Provisions

i) Lot area: +/- 1.4 hectares (3.6 acres) (14,452.81 square metres).
ii) Dwelling:
    a. Front Yard (Minimum): 31.85 metres (104.5 ft.)
    b. Rear Yard (Minimum): 75.61 metres (248 ft. ½ inch)
    c. Interior Side Yard (Minimum): 15.36 metres 50 ft. 4 ¾ inch)
    d. Building Height (Maximum): 11 metres (36.1 ft.)
iii) Septic filter bed:
    a. Setback from high water mark of Baptiste Lake: +/- 94 metres (3131 ft.)
    b. Setback from edge of Environmental Protection (EP-135) Zone: +/- 30 metres (98.4 ft.)

Notwithstanding any provisions of this Bylaw to the contrary, on lands zoned EP-135-h, the following special provisions shall apply:

Permitted Uses

(i) One (1) boardwalk pathway up to 3 metres (9.8 ft) wide from the driveway to the high water mark of Baptiste Lake;
(ii) One (1) dock.
(iii) A driveway turnaround with a width of no more than 3.05 metres (10.0 ft.).

The Holding provision ('h') may be removed when:

(i) A Development Agreement shall be entered into with the Municipality and this Agreement shall be registered on title. The Agreement will implement the recommendations from the Environmental Impact Statement dated July 28, 2020 and revised August 30, 2022 as conducted by Michalski Neilson Associates Inc.; implement the County of Hastings' Water Quality Impact Assessment (WQIA) Guidelines; and ensure a 30 metre natural vegetative buffer along the shoreline be maintained and restored on the property, as much as possible, while allowing one (1) water access boardwalk pathway for shoreline activity and one (1) dock, and leaving the remainder of the property generally in its natural state using native species. A Building Permit will not be issued until such time as the Development Agreement has been registered on title

(ii) Any costs associated with the preparation, drafting and review of the Development Agreement by the Municipal solicitor(s) shall be paid by the landowner (if any).

All other provisions of this Bylaw shall apply.

27.136 Part of Lot 15, Concession 4, being Part 1 on Plan 21R-26841, in the Geographic Township of Herschel, now in the Municipality of Hastings Highlands (Bylaw 2024-083)

Notwithstanding any provisions of this Bylaw to the contrary, on lands zoned RR-136, the following special provisions shall apply:

Permitted Uses

The permitted uses within the Rural Residential (RR) Zone shall be permitted within 500 metres of the Mineral Extractive (MX) Zone located at Part of Lot 14, Concession 4, in the Geographic Township of Herschel.

Zone Provisions

i) Minimum lot area: 0.732 hectares

All other provisions of this Bylaw shall apply.

27.137 cancelled

27.138 Part of Lot 9, Concession 11, being Part 46, Plan HSR-134, in the Geographic Township of McClure, now in the Municipality of Hastings Highlands (Bylaw 2024-087)

Notwithstanding any provisions of this Bylaw to the contrary, on lands zoned R2-138, the following special provisions shall apply:

Permitted Uses
The permitted uses within the Residential (R2) Zone shall be permitted within 500 metres of the Mineral Extractive (MX) Zone located at Part of Lot 9, Concession 12, in the Geographic Township of McClure; within 500 metres of the Waste Disposal (WD) Zone located at Parts of Lots 8 and 9, Concession 12, in the Geographic Township of McClure; and within 300 metres of the Extractive Reserve (sand or gravel resources) as shown on the County of Hastings Official Plan Schedule OP-C.

Zone Provisions

i) Front yard (minimum): 25 metres

All other provisions of this Bylaw shall apply.

27.139 115 Rangers Road, Part of Lot 30, Concession 7, Lot 12, Plan M-59, in the Geographic Township of Herschel (Bylaw 2025-015)

Notwithstanding any provisions of this Bylaw to the contrary, on lands zoned Special Waterfront Residential (WR-139), the following special provisions shall apply:

Zone Provisions
i) Lot area: 0.72 acres
ii) Lot frontage (abutting road): 21 metres

All other provisions of this Bylaw shall apply.

27.140 Part of Lot 3, Concession 10, Part 2, Plan 21R-19371, in the Geographic Township of Herschel, now in the Municipality of Hastings Highlands (Bylaw 2025-019)

Notwithstanding any provisions of this Bylaw to the contrary, on lands zoned RR-140-h, the following special provisions shall apply:

Permitted Uses
Within 500 metres of the Waste Management site zoned Waste Disposal (WD) located at Part of Lots 2 and 3, Concession 10, being Parts 3 and 4, 21R-19371, in the Geographic Township of Herschel (municipally known as 353 North Baptiste Lake Road), the following uses are permitted on Part of Lot 3, Concession 10, being Part 2, 21R-19371, in the Geographic Township of Herschel (municipally known as 377 North Baptiste Lake Road):
i) One (1) dwelling
ii) Accessory uses

The Holding provision (‘h’) may be removed when:

(i) An Agreement shall be entered into with the Municipality and this Agreement shall be registered on title. The Agreement will implement the recommendations from the Phase One Environmental Site Assessment – 377 North Baptiste Lake Road, Maynooth, Ontario, dated January 21, 2025, conducted by Cambium Inc. and to note that the residential development is occurring next to an active waste management site and to protect the Municipality from any possible indemnity or liability in the future. A Building Permit will not be issued until such time as the Agreement has been registered on title.

(ii) Any costs associated with the preparation, drafting and review of the Development Agreement by the Municipal solicitor(s) shall be paid by the landowner (if any).

***Holding provision removed by Bylaw 2025-051**

All other provisions of this Bylaw shall apply.

27.141 190 McGarry Road, Part of Lot 11, Concession 11, being Part 1 on 21R-26920, in the Geographic Township of Herschel (Bylaw 2025-023)

Notwithstanding any provisions of this Bylaw to the contrary, on lands zoned Special Rural Residential (RR-141), the following special provisions shall apply:

Zone Provisions

i) Front yard (minimum) for one (1) shed: 1.89 metres
ii) Side yard (minimum) for one (1) shed: 1.24 metres

All other provisions of this Bylaw shall apply.

27.142 Part of Lot 7, Concession 1, being Part 10 on HSR-227, in the Geographic Township of Herschel (Bylaw 2025-052)

Notwithstanding any provisions of this Bylaw to the contrary, on lands zoned Special Waterfront Residential (WR-142), the following special provisions shall apply:

Zone Provisions

iii) Lot area: 0.4 acres
iv) Lot frontage (abutting road): 107 ft.
v) Water Frontage: +/- 20 ft.

The lands zoned the Environmental Protection (EP) shall remain as is.

All other provisions of this Bylaw shall apply.

27.143 Part of Lot 21, Concession 8, being Part 1 on Plan 21R-27134, in the Geographic Township of Monteagle, now in the Municipality of Hastings Highlands, from the Marginal Agriculture (MA) Zone (Bylaw 2026-035) to a site-specific Special Rural Residential (RR-143) Zone-143 to recognize the

reduced setback from lands zoned Mineral Extractive (MX) and the lot area as a result of the new severed lot created in Provisional Consent File No. B101/24 from the County of Hastings.

All other provisions of this Bylaw shall apply.

27.144 Lot 16, Concession 11, in the Geographic Township of Herschel, now in the Municipality of Hastings Highlands, from the Marginal Agriculture (MA) Zone to a site-specific Special Limited Service Residential (LSR-144) Zone 144 (Bylaw 2026-036) to permit a Hunt Camp and accessory use on property that is not accessed by a publicly-maintained road.

All lands zoned Environmental Protection (EP) to remain the same.

All other provisions of this Bylaw shall apply.

27.145 90 Mudcat Road, being Part of Lot 11, Concession 2, being Part 2, 21R-27156, in the Geographic Township of Wicklow, now in the Municipality of Hastings Highlands, from the Marginal Agriculture (MA) Zone to a site-specific Special Rural Residential (RR-145) as a condition of Provisional Consent File No. B-2024-091 for "Lot A". (Bylaw 2026-039)

Notwithstanding anything in this Bylaw to the contrary, on lands zoned RR-145, the following special provisions shall apply:

Zoning Provisions:

i) To recognize the existing dwelling is 2.85 Metres from the rear lot line.

All other provisions of this Bylaw shall apply.

27.146 20 Mudcat Road, Part of Lot 11, Concession 2, except Parts 1 and 2, 21R-27156, in the Geographic Township of Wicklow, now in the Municipality of Hastings Highlands, from the Marginal Agriculture (MA) Zone to a site-specific Special Residential Second Density (R2-146) Zone 146, as a condition of Provisional Consent File No. B-2024-091 and B-2024-092 for "Retained Land". (Bylaw 2026-041)

Notwithstanding anything in this Bylaw to the contrary, on lands zoned R2-146, the following special provisions shall apply:

Zoning Provisions:

i) To recognize the existing dwelling is 6.88 Metres from the front lot line.

All other provisions of this Bylaw shall apply.

27.147 Part Lot 16, Concession 6, Part 4, 21R-2768, less Part 1, 21R-15097, in the Geographic Township of Herschel, now in the Municipality of Hastings Highlands, from the Rural Residential Zone to a site-specific Special Limited Service Residential (LSR-147) Zone 147. (Bylaw 2026-042)

Notwithstanding anything in this Bylaw to the contrary, on lands zoned LSR-147, the following special provisions shall apply:

Zoning Provisions:

i) To permit one (1) horse barn with up to two (2) horses.
ii) To permit one (1) manure storage as accessory to the aforementioned horses.

All other provisions of this Bylaw shall apply.

MUNICIPALITY OF HASTINGS

HIGHLANDS

ZONING BY-LAW 2004-035