



THE CORPORATION OF THE TOWNSHIP OF
LEEDS AND THE THOUSAND ISLANDS

ZONING BY-LAW NO.07-079



Consolidated By-Law
Amended August 8, 2011

"This is an office consolidation. Please refer to the original by-laws enacted by Council if doubt exists as to the content or accuracy of the contents."

November 2007



**THE CORPORATION OF THE
TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS
ZONING BY-LAW NO. 07-079**

A by-law to regulate the use of lands and the character, location and the use of buildings and structures in Township of Leeds and the Thousand Islands.

WHEREAS the *Planning Act, R.S.O., 1990, Chapter P.13*, as amended, provides that the council of a municipal corporation may pass by-laws to regulate the use of land and the character, location, density, size and use of buildings and structures;

NOW THEREFORE, the Council of the Corporation of the Township of Leeds and the Thousand Islands enacts as follows:

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SECTION 1 AUTHORIZATION AND ADMINISTRATION

1.1 Title

This By-law shall be known as the "Zoning By-law" or "By-law No. 07-79" of the Corporation of the Township of Leeds and the Thousand Islands.

1.2 Defined Area

The provisions of this By-law shall apply to all lands within the boundaries of the Corporation of the Township of Leeds and the Thousand Islands, as shown on Schedules A, B, C, D, E, F and G.

1.3 Conformity with By-law

No land shall be used and no buildings or structures shall be erected, altered, enlarged, or used within the Township of Leeds and the Thousand Islands except in conformity with the provisions of this By-law. This By-law shall not reduce or mitigate any restrictions lawfully imposed by an authority having jurisdiction to make such restrictions. No person shall change the purpose for which any land, building or structure is used, or erect any new building or structure or addition to any existing building or structure or sever any lands from an existing parcel if the effect of such action is to cause the original, adjoining or remaining lands, buildings or structures to be in contravention of this By-law.

1.4 Violations and Penalties

Any person convicted of a breach of any of the provisions of this By-law shall be liable to a fine in accordance with the provisions of the Planning Act and every penalty shall be recoverable under the Provincial Offences Act.

1.5 Remedies

Where any building, structure or use is in contravention of any provisions of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation pursuant to the provisions of the Planning Act.

1.6 Existing Uses Continued

Nothing in this By-law shall prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose.

1.7 Effective Date

This By-law shall come into full force and effect as of the date of passing by Council, subject to the provisions of the Planning Act.

1.8 Validity

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

1.9 Administrator

This By-law shall be administered by a person designated by the Council of the Township of Leeds and the Thousand Islands as the "Zoning Administrator."

1.10 Inspection of Premises

- (a) Subject to Section 1.10(b) hereof, as amended, the Zoning Administrator or any other officer or any person acting under his or her instructions may, at all reasonable times and upon producing proper identification, enter and inspect any property for the purpose of carrying out his or her duties under this By-law.
- (b) Except under the authority of a search warrant issued by a provincial judge or a justice of the peace, in accordance with the provisions of Section 49.1 of the Planning Act, an officer or any person acting under his or her instructions shall not enter any room or place actually being used as a dwelling without requesting and obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused and entry made only under the authority of a search warrant.

1.11 Licences and Permits

No municipal permit, certificate, or licence shall be issued for a proposed use of land or a proposed erection, alteration, enlargement or use of any building or structure that is in contravention of any provision of this By-law. In addition, where the approval of another agency or authority is required, such approval shall be obtained and submitted to the Chief Building Official or Zoning Administrator at the time of application for a building permit.

1.12 Certificate of Occupancy

No change shall be made in the type of use of any land, building or structure within any zone, without first obtaining a Certificate of Occupancy from the Corporation, confirming that the proposed use complies with this By-law.

1.13 Applications and Plans

In addition to the requirements of any Building By-law, every application for a building permit shall be accompanied by a plan, in duplicate, drawn to scale and showing the following:

- (a) the true dimensions of the lot to be built upon or otherwise used;
- (b) the proposed location, height and dimensions of any building, structure or use proposed for such lot, including any water supply and sewage disposal facilities;

- (c) the proposed locations and dimensions of yards, landscaped open spaces, parking areas and loading spaces required by this By-law;
- (d) the location of all existing buildings or structures on the lot; and
- (e) a statement signed by the owner, disclosing the exact use proposed for each building, structure or use and giving all information necessary to determine if such proposed or existing building, structure or use conforms to the requirements of this By-law.

1.14 Interpretation

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

In this By-law the word "shall" is mandatory; words in the singular include the plural; words in the plural include the singular; words in the present tense include the future; the masculine includes the feminine.

Where linear distances other than those referring to vertical measurements are specified, such linear distances are measured on a horizontal plane.

1.15 Imperial Measurement

This By-law is in metric units only. Where numbers and Imperial units appear in brackets anywhere in this By-law, such numbers and units do not form part of this By-law. They are to be considered as appendix information only and are so placed only for the convenience of the reader.

1.16 Repeal of Existing By-laws

All existing By-laws of the Township of Leeds and the Thousand Islands, including the former Township of Rear of Leeds and Lansdowne, Township of Front of Leeds and Lansdowne and Township of Front of Escott, enacted pursuant to Section 34 of the Planning Act, as they may affect the lands which are governed by this By-law, are hereby repealed and such repeal shall come into effect upon the date that this By-law comes into force.

The adoption of this By-law, however, shall not prevent any pending or future prosecution of or action to abate any existing violation of the said By-laws if the violation is also a violation of the provisions of this By-law.

Notwithstanding any other provisions of this By-law, any decision of the Committee of Adjustment fully in effect will continue to apply.

1.17 Request for Amendment

Every request for an amendment to this Zoning By-law shall be accompanied by a completed copy of the Corporation's "Application for Amendment to Zoning By-law."

1.18 Conflict

In the event of a conflict between this By-law and amendments thereto and any other general or special By-law of the Municipality, or by other applicable legislation, the most restrictive By-law shall prevail.

1.19 Notes and Illustrations

Where "notes" and/or "illustrations" are included in this By-law, they are provided for explanation purposes and do not form a part of this By-law.

SECTION 2 DEFINITIONS

- 2.1 Abattoir** shall mean a building or structure wherein animals are slaughtered and processed for packaging, distribution and resale.
- 2.2 Accessory** shall mean a use, building or structure customarily incidental and subordinate to the principal use and located on the same lot with such main use, but shall not include a sleeping cabin.
- 2.3 Adult Entertainment-Goods** shall mean any premises or part thereof in which the main use is the provision, in pursuance of a business, of goods designed to appeal to erotic or sexual appetites or inclinations.
- 2.4 Adult Entertainment-Parlour** shall mean any premises or part thereof in which are provided in pursuance of a trade, calling, business or occupation, live entertainment or services appealing to or designed to appeal to erotic or sexual appetites or inclinations, and may include a restaurant as an accessory use.
- 2.5 Agricultural Use** shall mean the use of land, building or structures for:
- (a) the growing of crops, including all related activities such as soil preparation, manure or fertilizer storage and spreading, sludge application to land (which complies with Ministry of the Environment Guidelines), planting, spraying, irrigating, harvesting and also including the storage and sale of crops;
 - (b) the raising, boarding, keeping and sale of all forms of livestock, including all related activities such as breeding, raising, training, feeding and grazing, and including the breeding and raising of poultry, bees or fish. This definition shall not include dogs or exotic animals;
 - (c) the production of animal products such as milk, eggs, wool, fur or honey, including related activities such as the collection, storage and sale of products;
 - (d) accessory greenhouse or nursery garden, including storage and sale of the products;
 - (e) forestry activities including the planting, harvesting and sale of forest products, including a portable sawmill; and
 - (f) the use and accessory maintenance and storage of all forms of equipment or machinery needed to accomplish the foregoing activities.

Unless allowed under the definition of a rural home-based business, an agricultural use shall not be construed to include commercial or industrial activities related to agriculture such as abattoirs, tanneries, grain drying, sod farming and sale outlets, equipment sale or rental, manufacturing or processing activities involving farm crops or animal products.

2.6 Agriculture-related use shall mean those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation."

2.7 Alter shall mean:

- (a) with reference to a building or part thereof, to change any one or more of the external dimensions or to change the type of construction of the exterior walls or roof, or changes to interior walls in such a way as to result in a change of use;
- (b) with reference to a lot, to change the area, frontage or depth thereof; to change the width, depth or area of any required yard, landscaped open space or parking area; or to change the location of any boundary of such lot with respect to a street, whether such alteration is made by conveyance or alienation of any portion of such lot or otherwise.

Altered and alteration shall have corresponding meanings

2.8 Amenity Area shall mean a space on a lot other than part of a dwelling unit, intended for the passive enjoyment and/or active recreational use of the residents.

- (a) **Private Amenity Area** shall mean an amenity area immediately adjacent to the dwelling unit served and with access controlled by the dwelling unit residents.

2.9 Animal Hospital shall mean a building or part of a building used by a veterinary surgeon where domestic animals and other livestock are treated and where domestic animals and birds are kept for treatment (including surgery), and where veterinary drugs and other related products, including pet food, may be sold. This definition also includes a veterinary establishment and may also include a Kennel as an accessory use.

2.10 Attached shall mean a building or structure otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared with adjacent buildings or structures.

2.11 Attic shall mean that portion of a building immediately below the roof and wholly or partly within the roof framing.

2.12 Automobile Body Shop shall mean an establishment where motor vehicle bodies, exteriors or undercarriages are painted or repaired. Accessory uses may include a towing service and the rental of motor vehicles to customers whose motor vehicles are being repaired. This definition shall not include a salvage yard or wrecking yard as defined herein.

- 2.13 Automobile Service Station** shall mean a building where gasoline, propane, diesel fuel or oil is kept for sale including alternative sources of fuel, where only minor or emergency repairs essential to the actual operation of motor vehicles may also be performed, where grease, anti-freeze, tires, spark plugs and other automobile accessories may be sold incidentally, and where motor vehicles may also be oiled, greased, or washed, but where no other activities of a commercial garage are carried on.
- 2.14 Bake Shop** shall mean a building or portion thereof where baked foods are made for retail sale on the premises.
- 2.15 Bakery** shall mean a building or portion thereof wherein baked foods are produced and processed for packaging, distribution and resale off the premises. A bake shop is a permitted accessory use in a bakery.
- 2.16 Basement** shall mean that portion of a building below the first storey but which has at least one-half of its height (measured from finished floor to finished ceiling) above the average level of ground adjacent to the exterior walls of the building.
- 2.17 Bed and Breakfast** shall mean a single unit dwelling house in which no more than three (3) guest rooms are made available for overnight accommodation of the travelling or vacationing public, and in which the proprietor may offer lodging and breakfast for compensation. A Bed and Breakfast shall not include any other establishment otherwise defined or classified herein.
- 2.18 Boarding House** shall mean a single detached dwelling containing not more than three (3) guest rooms in which lodging with or without meals is provided for compensation. This definition shall include a lodging or rooming house, but does not include any other establishment otherwise defined or classified herein.
- 2.19 Boat House** shall mean an accessory building or structure intended to house, shelter or protect a boat or other form of water transportation, which shall not be capable of being used for human habitation.
- 2.20 Building** shall mean a structure having a roof supported by columns, walls or directly by the foundation and used for the shelter and accommodation of persons, animals or goods.
- (a) **Main Building** shall mean the building serving the principal or primary uses for which the lot was purchased, leased or rented.
- (b) **Temporary Building** shall mean a building or structure intended for removal or demolition within a prescribed time, not exceeding two years, as set out in a building permit.
- 2.21 Building By-law** shall mean any By-law of the Corporation passed pursuant to the Building Code Act.

- 2.22 Building Line** shall mean a line within a lot drawn parallel or concentric to a lot line serving to establish the distance between that lot line and any portion of a building or structure which may be erected as required by the provisions of this By-law.
- 2.23 Building Permit** shall mean a permit required by the Ontario Building Code.
- 2.24 Building Supply Centre** shall mean a building or portion thereof or a place where building supplies such as lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning, home improvement and similar goods are stored, displayed or kept for sale at retail or wholesale.
- 2.25 Bulk Storage Tank** shall mean a tank for the bulk storage of petroleum, petroleum products, chemicals, gases, flammable liquid or fluid, or similar substances. This definition shall not include a fuel storage tank which is accessory to another use on the lot where such tank is located (see Fuel Storage Tank).
- 2.26 Camping Area** shall mean a tent and trailer park owned and operated by the Corporation, the County, any local board of either the Corporation or the County, the Conservation Authority, or any agency of the Governments of Ontario or Canada.
- 2.27 Carport** shall mean a covered parking area which is open on at least two sides.
- 2.28 Car Washing Establishment** shall mean a building or structure or portion thereof containing facilities for washing automobiles, either by production line methods and mechanical devices, or by a self-service operation.
- 2.29 Cellar** shall mean that portion of a building below the first storey which is partly or wholly underground but which has more than one-half of its height (measured from finished floor to finished ceiling) below the average level of ground adjacent to the exterior walls of the building.
- 2.30 Chief Building Official** shall mean the officer or employee of the Corporation charged with the duty of enforcing the provisions of the Building Code Act, together with any regulations made there under, and the provisions of the Building By-law.
- 2.31 Children's Play Area** shall mean an area, at or above ground level, developed with play equipment and suitably surfaced and fenced or otherwise enclosed for play by young children.
- 2.32 Clinic** shall mean a building or portion thereof wherein health services are provided to the public in the form of a medical, paramedical, dental, surgical, physiotherapeutic, or other human health services including associated technical and laboratory facilities, and may also include a pharmaceutical outlet for the sale of prescription and therapeutic drugs, medication, optical equipment and similar drug store products.
- 2.33 Club, Commercial** shall mean a building or premises used as an athletic, recreational or social club operated for gain or profit.

- 2.34 Club, Private** shall mean a building or premises used as a meeting place for members of an organization and may include athletic, recreational or social club not operated for gain or profit. This definition may include a social service club, a lodge, a fraternity or sorority house, a hostel, labour union hall, Royal Canadian Legion or similar use.
- 2.35 Commercial Patio** shall mean an outdoor area in association with a restaurant where food and beverages are served to the public or to members of a private club or other similar organization.
- 2.36 Commercial Wind Turbines** shall mean a wind energy conversion system consisting of one or more wind turbines, tower(s) and associated control or conversion electronics, which has a rated capacity of more than 300 kW, and which is intended to provide electrical power for use on or off-site (either behind the meter or off-grid) and is intended or used to produce for resale.
- 2.37 Communications Facility** shall mean an installation which transmits, receives and/or relays communications such as microwave relay tower, cellular telephone tower, radio or television broadcast tower or similar facility but does not include equipment accessory to a Residential, Commercial or Industrial use of land.
- 2.38 Community Centre** shall mean a building, structure or premises where facilities are provided for the following: athletic, civic, educational, political, recreational, religious, social events, trade shows, conferences or fashion shows. This definition may include an arena, assembly hall, auditorium, gymnasium, hall, stadium, theatre or similar use, operated by a Public Authority.
- 2.39 Conference Centre** shall mean an establishment used for the holding of conventions, seminars, workshops or similar activities, including dining and lodging facilities for the use of participants, as well as compatible accessory facilities.
- 2.40 Conservation Authority** shall mean a Conservation Authority as defined by the Conservation Authorities Act.
- 2.41 Conservation Use** shall mean a use related to the preservation of natural resources or the natural environment.
- 2.42 Contractor's Shop or Yard** shall mean a place of business for persons employed in building trades such as painting, plumbing, electrical work, masonry, metal working and carpentry, sandblasting or for the operation of truck, bulldozer, loader and backhoe. Such place of business may be used for the storage of equipment, materials and vehicles which as used on construction sites and may include such related uses as office space, or maintenance facilities, and may also include a retail business, sales counter or a wholesale business as an accessory use.
- 2.43 Convenience Store** shall mean an establishment where food, tobacco, drugs, periodicals or similar items of household necessity are kept for retail sale.

- 2.44 Corporation** shall mean the Corporation of the Township of Leeds and the Thousand Islands.
- 2.45 Council** shall mean the Council of the Corporation of the Township of Leeds and the Thousand Islands.
- 2.46 County** shall mean the Corporation of the United Counties of Leeds and Grenville.
- 2.47 Custom Workshop** shall mean land and/or a building or portion thereof used by a contractor, builder or tradesman to perform manufacturing, repair or assembly work or for the storage of equipment and materials used for off-site work and includes those operated by a carpenter, well driller, tile drainage installer, a locksmith, blacksmith, tinsmith, gunsmith, welder or persons involved in similar occupations.
- 2.48 Day Nursery/ Day Care Centre** shall mean a place where temporary care of more than five (5) children is provided which must be licensed by the province and operated in accordance with the Day Nurseries Act.
- 2.49 Deck**, including sundecks, shall mean a roofless, unenclosed structure, except for normal partitions and/or railings.
- 2.50 Density** shall mean the ratio of the number of dwellings, mobile homes, campsites, tourist lodging establishment units to the total lot area, excluding public streets.
- 2.51 Development** means the creation of a new lot, a change in land use, or the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure where a building permit is required that has the effect of increasing the size or usability of such buildings or structures, or the laying out and establishment of a commercial parking lot.
- 2.52 Dressmaker/Tailor Shop** shall mean a building or portion thereof, where the business of individual custom tailoring is carried on, including remodeling, hemstitching and buttonhole making, but does not include a shop where clothing manufacture is carried on.
- 2.53 Dry Cleaning or Laundry Outlet** shall mean a building or portion thereof used for the purpose of receiving articles or goods of fabric to be subjected elsewhere to the process of cleaning or dyeing. Such establishment may also be used for pressing and/or distributing any articles or goods which have been received therein.
- 2.54 Dry Cleaning or Laundry Plant** shall mean a building or portion thereof where dry cleaning, dry dyeing, cleaning or pressing of articles or goods of fabric is conducted in which solvents which emit no odours or fumes are, or can be, used, and in which no noise or vibration causes a nuisance or inconvenience within the premises. This definition may include a dry cleaning or laundry outlet.

- 2.55 Dwelling** shall mean a building used or intended to be used for human habitation and in which all usual domestic functions may be carried on. For the purposes of this By-law, dwelling shall not include a mobile home as defined herein.
- (a) **Accessory Dwelling** shall mean a single detached dwelling which is accessory to a permitted non-residential use, located on the same lot therewith and is occupied either by the owner of such non-residential use or by a person employed on the lot where such dwelling is located.
 - (b) **Apartment Dwelling** shall mean a building consisting of more than three independent dwelling units other than a row house dwelling.
 - (c) **Duplex Dwelling** shall mean a dwelling that is divided horizontally into two dwelling units.
 - (d) **Row House Dwelling** shall mean a dwelling that is divided vertically into three or more dwelling units.
 - (i) **Street Row House Dwelling** shall mean a dwelling being a row house dwelling within which each dwelling unit has separate frontage on a public street.
 - (e) **Seasonal Worker Accommodations** shall mean a building or a structure accessory to a fruit and vegetable farm which is located on the same lot as the main building. This building shall serve to accommodate employees working on the farm on a seasonal basis only, for a maximum period of seven months within any given year. A seasonal worker accommodation dwelling may consist of a single detached dwelling or a mobile home lodging not more than four persons. However, the building installation may be permanent in nature. A seasonal worker accommodation dwelling may also be one or more dorm type buildings as long as it contains sanitary facilities, cooking installation and a rest area.
 - (f) **Semi-Detached Dwelling** shall mean a dwelling that is divided vertically into two dwelling units.
 - (g) **Single Detached Dwelling** shall mean a dwelling containing only one dwelling unit.
 - (h) **Triplex** shall mean a dwelling that is divided horizontally into three dwelling units.
 - (i) **Underground Dwelling** shall mean a single dwelling which is specially designed so that all or most of the dwelling is below finished grade for energy conservation purposes.

- (j) **Floating Dwelling** shall mean a dwelling-like structure which is or has been constructed, erected or placed on a flotation system and is located in the Municipality or moved into the Municipality and is intended for human habitation on a seasonal basis, has a maximum height of 6.0 metres (19.69 ft.) and a maximum total area (including decks and roof overhang) of 135.0 sq.m but does not include a vessel as defined herein.
- 2.56 Dwelling Unit** shall mean one or more rooms designed as a housekeeping unit, used or intended to be used as a domicile by one or more persons and in which separate cooking, eating, living, sleeping and sanitary facilities are provided for the exclusive use of the occupants, with a private entrance from outside the building or from a common hallway or stairway inside the building.
- (a) **Accessory Dwelling Unit** shall mean a dwelling unit which is part of and accessory to a permitted non-residential building, other than an automobile service station or commercial garage, and is occupied by the owner of the non-residential building or by a full-time employee on the lot where such dwelling unit is located.
- (b) **Accessory Apartment** shall mean a self-contained dwelling unit created through the conversion of part of or the addition on to an existing single detached dwelling.
- 2.57 Dwelling Unit Area** shall mean the floor area of a dwelling unit measured between the exterior faces of the exterior walls of the dwelling unit.
- 2.58 Erect** shall mean build, construct, reconstruct, remove or relocate and shall include any preliminary physical operations such as cutting, grading, excavating, filling or draining, or any altering of an existing building by an addition, extension or other structural change, or any work which requires a building permit.
- 2.59 Established Building Line, Rural** shall mean the average setback from the street line of existing buildings in either the Agriculture, Rural or Rural Residential Zones when at least five buildings have been erected on any one side of a continuous 200.0 metres (656.17 ft.) of land with frontage on an improved street.
- 2.60 Established Building Line, Urban** shall mean the average setback from the street line of existing buildings on one side of one block where more than one half of the lots on the said side of the block have been built upon.
- 2.61 Existing** shall mean existing as of the date of final passing of this By-law.
- 2.62 Factory Outlet** shall mean a building or portion thereof, accessory to a permitted industrial use, where the products manufactured by that industry are kept for wholesale or retail sale.

- 2.63 Farm Supply and Service Facility** shall mean a commercial establishment which offers for sale, and maintains and repairs machinery normally used in farming and/or operates as a feed supply outlet, produce grading station or storage facility.
- 2.64 Farm Produce Outlet** shall mean a use accessory to a permitted farm which consists of the retail sale of agricultural products produced on the farm where such outlet is located.
- 2.65 Farmers' Market** shall mean an establishment or premises where the farm products of a local farming community are sold at retail by the grower from unenclosed or open air areas designated for individual retailers.
- 2.66 Financial Institution** shall mean an establishment operated by a chartered trust bank, trust company, mortgage broker, accountant, financial adviser or similar such establishment.
- 2.67 Finished Grade** shall mean:
- (a) when used with reference to a building, the greatest elevation of the finished surface of the ground where it meets the exterior of such building;
 - (b) when used with reference to a structure, the greatest elevation of the finished surface of the ground immediately surrounding such structure;
 - (c) when used with reference to a street, road or highway, the elevation of the street, road or highway established by the Township or other designated authority.
- 2.68 Flea Market** shall mean an occasional or periodic market held in a building or in an open area where persons offer secondhand goods, new articles or antiques for sale at retail but shall not include any other establishment defined herein.
- 2.69 Floodline** shall mean the line showing the limit of the 1:100 year flood level as established by flood plain mapping of the relevant Conservation Authority.
- 2.70 Flood Plain** shall mean the area below the 1:100 year flood line.
- 2.71 Flood Proof** shall mean the combination of measures incorporated into the basic design and/or construction of buildings, structures or properties to reduce or eliminate flood damage.
- 2.72 Floor Area** shall mean:
- (a) for a dwelling or dwelling unit, the total area of the storeys contained within the outside walls of the dwelling or dwelling unit exclusive of any garage, carport, porch, veranda, attic, basement or cellar;

- (b) for a building other than a dwelling or dwelling unit, the total area of all the floors contained within the outside walls of the building.
- 2.73 Forestry Use** shall mean the planting, management and harvesting of timber resources in accordance with good forestry practices. This definition may include the establishment and occasional use of an accessory portable sawmill but shall not include the establishment of a permanent sawmill.
- 2.74 Fuel Storage Tank** shall mean a tank which is an accessory to a permitted use for the bulk storage of petroleum, gasoline, fuel oil, gas or flammable liquid or fluid.
- 2.75 Funeral Parlour** shall mean a building or portion thereof designed for the purpose of furnishing funeral services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.
- 2.76 Garage, Private** shall mean an accessory building or a portion of a residential building which is fully enclosed and used for the storage of motor vehicles and household equipment incidental to the residential occupancy.
- 2.77 Garden Centre** shall mean land, building, structure or portion thereof or an outdoor area primarily used for the retail sale of gardening equipment, landscaping products and planting materials.
- 2.78 Garden Suite** shall mean a portable one-dwelling unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing single detached dwelling.
- 2.79 Gasoline Retail Facility** shall mean an establishment or a lot where the retail sale of gasoline or other petroleum products for motor vehicles constitutes either the sole use, such as a gas bar, or an accessory use such as a self-serve facility in combination with a retail store. This definition shall not include an automobile service station or commercial garage.
- 2.80 Golf Course** shall mean a public or private area operated for the purpose of playing golf and includes a clubhouse and directly related facilities such as a driving range, a miniature golf course, or similar use.
- 2.81 Greenhouse/ Nursery, Commercial** shall mean a building used for the growing of flowers, vegetables, shrubs, trees and similar vegetation for wholesale or retail sale, and the accessory sale of gardening implements, fertilizer, and similar articles. This definition shall not include any premises used for growing of mushrooms.
- 2.82 Group Home** shall mean a single housekeeping unit in a single detached dwelling in which up to ten unrelated residents, excluding supervisory staff or the receiving family, live as a family under responsible supervision consistent with the requirements of its residents. The home must be licensed and/or approved under provincial statutes, in compliance with municipal By-laws.

- 2.83 Group Home, Correctional** shall mean a group home which is primarily intended to house persons convicted under the Criminal Code or the Young Offenders Act, such as Halfway Houses for Ex-offenders (Charitable Institutions Act), Community Resource Centres (Ministry of Correctional Services Act) or Group Homes for Young Offenders (Young Offenders Act).
- 2.84 Guest Room** shall mean a room or suite of rooms used or maintained for the accommodation of the public.
- 2.85 Habitable Room** shall mean a room commonly used for living purposes, including a bedroom, bathroom and a kitchen but not including any space in a dwelling used as a lobby, hallway, closet, or any room having floor space of less than 4.65 square metres (50.05 sq.ft.).
- 2.86 Hauled Sewage** shall mean material removed from a holding tank (Class 5 system) or from a septic tank (Class 4 system).
- 2.87 Height** shall mean, when used in reference to a building, the vertical distance measured between the lowest finished grade and the highest point of the roof surface.
- 2.88 High Water Mark** shall mean the mark made by the action of water under natural conditions on the shore or bank of a waterbody 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.
- 2.89 Highway** shall mean a public thoroughfare intended for vehicular use by the general public.
- 2.90 Home Industry** shall mean a use which is clearly incidental or secondary to the residential use of a single detached dwelling house and is conducted either entirely within a single detached dwelling house or in an accessory building to a single detached dwelling house, by an inhabitant thereof. Such use may include a carpentry shop, a craft shop, an electrical shop, a small engine repair shop, a welding shop, a blacksmith shop, or other similar use.
- 2.91 Home-Based Business** shall mean an occupation, trade, business, profession or craft carried on as an accessory use to the use of a dwelling and shall include the following:
- (a) instruction in or businesses involving music, academic subjects, religion, dancing, babysitting, arts and crafts such as pottery, weaving, painting or sculpting, sewing, hairdressing or similar uses;
 - (b) businesses involving work conducted primarily in other locations, such as those operated by electricians, plumbers, carpenters, caterers or operators of

commercial vehicles, provided that the storage of commercial vehicles, equipment or materials does not take place at the residence except in accordance with the provisions of the By-law;

- (c) businesses involving the repair of small appliances, radios, televisions and similar items, skate or knife sharpening or similar uses;
 - (d) an office used by a physician, dentist or other medical practitioner, an insurance agent, accountant, engineer, sales person, travel agent, or a person engaged in a similar occupation;
 - (e) a tourist lodging establishment such as a bed and breakfast, which provides a maximum of three bedrooms for commercial public use, but which does not contain individual cooking facilities.
- 2.92 Home-Based Business, Rural** shall mean an occupation, business, trade or craft which is accessory to a farming operation. This definition may include the servicing or repair of merchandise or equipment, the grading of produce, a retail outlet for farm supplies and machinery, a farm produce outlet or similar activities.
- 2.93 Hospital** shall mean a Public or Private Institution as defined under the Public Hospitals Act and amendments thereto or under the Private Hospitals Act and amendments thereto.
- 2.94 Hotel** - see Tourist Lodging Establishment.
- 2.95 Industrial Use** shall mean the use of land, buildings or structures designed for the purpose of manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, or storage or adapting for sale of any goods, substances, article or thing, or any part thereof and the storage of building and construction equipment and materials, as distinguished from the buying and selling of commodities and the supplying of personal services.
- 2.96 Intensive Livestock Operation** shall mean an agricultural operation as defined in the Nutrient Management Act.
- 2.97 Kennel** shall mean a building or structure or portion thereof where animals are bred, boarded, groomed or trained, given medical treatment or housed for similar purposes for which compensation is paid and shall include a Humane Society shelter or pound.
- 2.98 Landscaped Open Space** shall mean open space at grade on a lot comprised of shrubs, flowers, trees, grass, bushes and other landscaping materials and may include space occupied by paths, walks, courts, patios and pools, but shall not include parking areas, traffic aisles, driveways or ramps for vehicles, or any open space beneath or within a building or structure.

- 2.99 Laundry Shop** shall mean a building or portion thereof in which the business of a laundry is carried on by means of washing and drying, ironing, finishing and incidental equipment. This definition includes a business where only washing and/or ironing is done, a self-service laundry and a dry cleaning laundry outlet.
- 2.100 Loading Space** shall mean a space or bay located on a lot which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise or materials used in connection with the use of the lot or any building thereon.
- 2.101 Lot** shall mean a parcel or tract of land which is capable of being legally conveyed in accordance with the provisions of the Planning Act.
- (a) **Waterfront Lot** shall mean a lot which abuts a waterbody regardless of whether it has access to a street or private right-of-way.
 - (b) **Through Waterfront Lot** shall mean a lot which abuts more than one waterbody.
 - (c) **Interior Lot** shall mean a lot situated between adjacent lots and having frontage on only one street or private right-of-way.
 - (d) **Corner Lot** shall mean a lot situated at the intersection of two streets or private right-of-way at any point in the same street having an angle of intersection of not more than 135 degrees.
 - (e) **Through Lot** shall mean a lot having frontage on two parallel or approximately parallel streets or private right-of-way.
- 2.102 Lot Area** shall mean the total horizontal area within the lot lines, excluding the horizontal area of any flood plain or wetland located on such a lot.
- 2.103 Lot Coverage** shall mean the percentage of the lot area covered by all buildings and structures, including accessory buildings, and covered decks, and shall not include uncovered decks or patios, swimming pools, or minor projections such as canopies, balconies, overhanging eaves or bay windows.
- 2.104 Lot Depth** shall mean the horizontal distance between the front and rear lot lines. Where these lines are not parallel, it shall be the length of a line joining the mid-points of the front and rear lot lines; for lots with curved front lot lines, the measurement shall be taken from a line drawn parallel to the chord of the arc of the curve constituting the front lot line and lying midway between said chord and a line drawn parallel to said chord and tangent to said arc.
- If there is no rear lot line, lot depth shall mean the length of a straight line joining the middle of the front lot line with the apex of a triangle formed by the side lot lines.

- 2.105 Lot Frontage** shall mean the width of a lot measured between the intersection of the side lot lines with a line back 6.0 metres (19.69 ft.) from and parallel or concentric to the front lot line.
- 2.106 Lot Line** shall mean any boundary of a lot or the vertical projection thereof.
- (a) **Front Lot Line** shall mean, in the case of a waterfront lot, the shoreline shall be deemed to be the front lot line. In the case of a through waterfront lot, the shortest shoreline shall be deemed to be the front lot line. In the case of an interior lot, the shortest lot line dividing the lot from the street, or a private right-of-way. In the case of a corner lot or through lot, the shorter lot line abutting one street or a private right-of-way shall be deemed to be the front lot line. In the case of a corner lot or a through lot where the lot lines abutting the streets or a private right-of-way are the same length, the lot line where the principal vehicular access to the lot is provided shall be deemed to be the front lot line. In the case of a corner lot where the street lines are joined by an arc, the shortest straight street line shall be deemed to be the front lot line. In the case of a corner lot where the street lines do not intersect at one single point, the shorter of the two street lines shall be deemed to be the front lot line.
 - (b) **Rear Lot Line** shall mean, in the case of a lot having four or more lot lines, the lot line furthest from and opposite to the front lot line. If a lot has less than four lot lines, there shall be deemed to be no rear lot line.
 - (c) **Side Lot Line** shall mean a lot line other than a front or rear lot line.
 - (d) **Exterior Side Lot Line** shall mean any lot line, other than a front lot line, which is also a street line.
- 2.107 Machinery and Equipment Sales and Service Outlet** shall mean an establishment which offers for sale, and maintains and repairs machinery and commodities normally used in farming and a contractor's shop or yard. This definition shall not include any manufacturing operation.
- 2.108 Manufacturing Industry** shall mean an establishment primarily engaged in the processing, finishing, refinishing, or assembly or similar production of various articles and commodities as well as related storage and sales facilities. This definition includes custom workshops, factories, mills, industrial shops, and similar production facilities.
- 2.109 Marina** shall mean a building, structure or place with or without docking facilities where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where the facilities for the sale of marine fuels and lubricants may be provided. Accessory uses may include the sale of refreshments and an eating establishment. A Marina may also be used for the sale and servicing of snowmobiles, or all terrain vehicles, and accessories, and for the placement of one or more floating dwellings.

- 2.110 Marine Contracting Establishment** shall mean a building without docking facilities where boat and boat accessories are serviced, repaired or kept for sale and where the facilities for the sale of marine fuels and lubricants may be provided. A marine contracting establishment may also be used for the sale and servicing of snowmobiles, or all terrain vehicles and accessories.
- 2.111 Marine Facility** shall mean a non-commercial accessory building or structure located on, over, under or immediately adjacent to a waterbody which is used to moor, berth or store a boat. This definition includes a launching ramp, boat lift, dock, boathouse, marine railway or similar structure but shall not include any building used for human habitation or used only for winter boat storage nor any boat service, repair or sales facility. A marine facility shall also include a water intake, pump house, flood or erosion control structure approved by the Cataraqui Region Conservation Authority, or similar use.
- 2.112 Medical Practitioner** shall mean a doctor, dentist, chiropractor, chiropodist, optometrist, oculist but shall not include a veterinarian.
- 2.113 Mini Warehouse and Storage** shall mean a building or portion thereof wherein general merchandise, vehicles, furniture and household goods are stored in separately occupied, secured storage areas or lockers which are generally accessible by means of individual loading doors. Employees associated with such a use shall be limited to a facility manager and/or security personnel.
- 2.114 Mobile Home** shall mean a residence that is designed and manufactured to be transported on its own chassis, is equipped for year-round occupancy and complies with the Ontario Building Code. This definition shall not include a park model trailer or recreational vehicle as defined herein.
- 2.115 Mobile Home Park** shall mean two or more occupied mobile homes on the same lot, but does not include a campground or mobile homes permitted to locate on the same lot in an Agricultural Zone.
- 2.116 Mobile Home Site** shall mean an area of land within a mobile home park that is designed to accommodate one mobile home.
- 2.117 Motel** - see Tourist Lodging Establishment.
- 2.118 Municipality** shall mean the Corporation of the Township of Leeds and the Thousand Islands.
- 2.119 Net Leasable Floor Area** shall mean the total floor area of a building designed for tenant occupancy and exclusive use, including basements, mezzanines, upper floors and other floors, as measured from the centreline of shared partitions and from the interior face of the exterior walls of the building. Excluded are common mall areas and other common areas not designed or occupied by tenants or sales areas.

- 2.120 Non-Complying when applied to a use, building or structure**, shall mean a use, building or structure which, on the date of the passing of this By-law, is listed as a permitted use in the zone where it is located but which contravenes one or more of the provisions of the zone in which such use, building or structure is located.
- 2.121 Non-Conforming** shall mean a use, building or structure which, on the date of the final passing of this By-law, was not a permitted use in the zone where such use, building or structure is located, but which was lawfully used for such purpose as of the date of passing of this By-law.
- 2.122 Nursing Home** shall mean a building used in accordance with the definitions in the Nursing Homes Act and amendments thereto.
- 2.123 Nutrient Management Plan** shall mean a report that evaluates the relationship between the land-based application of nutrients, management techniques, and agricultural land use.
- 2.124 Office, Business or Professional** shall mean a building or portion thereof, designed, intended or used for the practice of a profession, the carrying on of a business and/or the conduct of public administration, and where one or more individuals and/or professionally qualified persons provide services to clients. This definition includes such uses as travel agency, insurance agency, newspapers office, communications office, laboratory and research facility, lawyer's office, architect's office, planner's office, engineer's office, or similar use, but shall not include a medical/dental office or any other use otherwise defined or classified in this By-law.
- 2.125 Open Space** shall mean an area of land that remains unoccupied by buildings and is used for purposes such as hiking trails, nature trails, parks, wildlife sanctuaries and similar uses.
- 2.126 Open Storage** shall mean the storage of goods, merchandise or equipment outside of a building or structure on a lot or portion thereof, including such uses as automobile and trailer sales lots, building materials supply yards, but does not include the outdoor display of a limited number of samples of the goods, merchandise or equipment for the purpose of sales and advertisement or soft drink coolers or ice freezers occupying an area not greater than 4.0 square metres (43.06 sq.ft.). This definition shall not include the open storage of goods or equipment which are incidental to the residential occupancy of a lot.
- 2.127 Outdoor Recreational Facility** shall mean an establishment which provides recreational activities primarily located outside of a building such as a golf driving range, miniature golf, lawn bowling, tennis courts, or similar activities. This definition does not include a go-cart track.

- 2.128 Park** shall mean an area of land consisting mainly of open space which may include a recreational area, recreation structures, playground, playfield or similar use and conservation lands.
- (a) **Public Park** shall mean a park owned and maintained by the Municipality or other public authority.
 - (b) **Private Park** shall mean a park other than a public park.
- 2.129 Park Model Trailer** shall mean a manufactured building used or intended to be used as a seasonal recreational building of residential occupancy. It is deemed to comply with the Ontario Building Code if it is designed and constructed in conformance with the appropriate and relevant standards.
- 2.130 Parking Area** shall mean an area or structure other than a street used or intended to be used for the temporary storage of motor vehicles and includes a private garage or carport, aisles and parking spaces.
- (a) **Parking Aisle** shall mean a portion of a parking area or a commercial parking lot which abuts a parking space on one or more sides and which provides access from the parking space to a street, and which is not used for vehicular parking.
- 2.131 Parking Garage** shall mean an enclosed structure used for the temporary parking for more than four vehicles and available for public use either free, for compensation or as an accommodation to customers.
- 2.132 Parking Lot** shall mean any parking area other than a parking garage or parking area accessory to a permitted use on the same lot, used for the temporary storage of parking of motor vehicles for hire and gain but does not include the sale of new or used vehicles or the storing of impounded or wrecked vehicles.
- 2.133 Parking Space** shall mean a portion of a parking area, exclusive of any aisles or ingress and egress lanes, used for the temporary parking of a motor vehicle.
- (a) **Parking Space, Barrier Free** shall mean a parking space and reserved for the exclusive use of vehicles displaying a valid physically disabled permit.
- 2.134 Passive Outdoor Recreation** shall mean a trail system, nature appreciation or educational activity and includes minor structures such as boardwalks, interpretative signage, open-sided shelters and picnic area which are small-scale and open-concept in nature.
- 2.135 Patio** shall mean a surfaced, open space at grade or with the finished floor less than 0.3 metres (0.98 ft.) above finished grade.

- 2.136 Person** shall include an individual, an association, a chartered organization, a firm, a partnership, a corporation, an agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.
- 2.137 Personal Service Establishment/Shop** shall mean a business which is associated with the grooming of persons or the maintenance or repair of personal wardrobe articles and accessories. This definition includes a barber shop, beauty parlour, shoe repair shop, self-service laundry or dry cleaning distribution station or similar uses.
- 2.138 Pit** shall mean land or land under water licensed by the Ministry of Natural Resources from which unconsolidated aggregate (gravel, sand, stone, earth, clay, fill or such other material) is being or has been excavated and that has not been rehabilitated but shall not include an excavation incidental to the erection of a building or structure or an excavation incidental to the construction of any public work. This definition includes all activities which are normally associated with the operation of a pit such as crushing, stockpiles, screening, processing, washing, weighing scales, offices and open and enclosed storage, and also includes a wayside pit as defined herein.
- 2.139 Place of Worship** shall mean a building or portion thereof or an open area dedicated to religious worship and may include accessory uses such as a church hall, auditorium, daycare, parish hall, Sunday school or other non-profit organizational uses.
- 2.140 Portable Asphalt Plant** shall mean a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material. This definition includes stockpiling and storage of bulk materials used in the process and which is not of permanent construction, but which is to be dismantled at the completion of the construction project.
- 2.141 Printing Shop** shall mean an establishment used for printing, typesetting, blueprinting, engraving, stereotyping, duplicating and offset printing, and shall include such uses as newspaper publishing.
- 2.142 Private Right-of-Way** shall mean an access route from a lot over one or more private properties which provides access to a public street.
- 2.143 Public Authority** shall mean the Township of Leeds and the Thousand Islands, the United Counties of Leeds and Grenville, a Conservation Authority, the St. Lawrence Parks Commission, and any department of the Governments of Ontario or Canada, including Ontario Power Generation, Hydro One, Eastern Ontario Power and any Boards or Commissions thereof. It shall also include any telephone or telegraph corporation, any natural gas distribution system operated by the Corporation or on its behalf providing services to the residents of the Corporation and possessing all the necessary powers, rights, licenses and franchise, any cable company or any other utility.

- 2.144 Public Use** shall mean a building, structure or lot used by a public authority.
- 2.145 Quarry** shall mean land or land under water from which consolidated aggregate (rock excluding minerals) is being or has been excavated and that has not been rehabilitated but shall not include an excavation incidental to the erection of a building or structure or an excavation incidental to the construction of any public works. This definition includes all activities which are normally associated with the operation of a quarry such as crushing, stockpiles, screening, washing, offices and open and enclosed storage and also includes a wayside quarry as defined herein.
- 2.146 Reconstruction** means the removal of all of or a part of a building or structure from a lot and the construction of new buildings or structures or the renovation of an existing building or structure on said lot.
- 2.147 Recreational Establishment** 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.
- 2.148 Recreational Facility** shall mean any building or structure or specific area planned for, used for or related to intensive recreational activities; and shall include camping areas, picnic areas, beaches, change rooms, outdoor shelters, playground areas and equipment, hiking trails, sports fields and similar uses.
- 2.149 Recreational Vehicle** shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or is self propelled, and is capable of being used on a short term recreational basis for living, sleeping or eating accommodation of persons, notwithstanding that its running gear is or may be removed. This definition includes motor homes, travel trailers, tent trailers, campers, and park model trailers as defined herein, but shall not include a mobile home.
- 2.150 Rental Establishment** shall mean a building or portion thereof wherein the primary use is the rental of machinery, equipment, furniture and fixtures.
- 2.151 Residential Wind Turbine** shall mean a small-scale wind energy system generating power for the sole use of a dwelling situated on the same lot. Tower height to range up to 37.0 metres (121.39 ft.) with a maximum blade diameter of 10.0 metres (32.8 ft.).
- 2.152 Restaurant** shall mean a building or structure or portion thereof where food is prepared and offered for sale to the public for consumption within the premises or off the premises. This definition includes uses such as taverns, sports bars, chip wagons and similar establishments.
- 2.153 Retail Store** shall mean a building or portion thereof in which goods, wares, merchandise, substances or articles are stored and offered for sale to the general public and may include the storage of such goods, wares, merchandise, substances or articles. This definition does not include any establishment otherwise defined or classified in this By-law.

- 2.154 Retirement Home** shall mean premises where lodging is provided primarily for retired persons and may include common facilities for eating, recreation and other such activities and may also include limited medical care.
- 2.155 Retreat Area** shall mean an establishment used by religious groups for study, relaxation, meditation and similar activities, including dining, lodging and other compatible accessory facilities.
- 2.156 Riding Stable** shall mean lands and buildings or structures used for the housing of horses and may include a riding school, boarding stables, tack shop and other related uses.
- 2.157 Salvage Yard** shall mean an establishment where goods, wares, merchandise, articles or things are kept, repaired or processed wholly or partly in the open, for further use and offered for sale. This definition may include a junk yard or a scrap metal yard and automobile wrecking yard.
- 2.158 School** shall mean a school under the jurisdiction of a Board as defined in the Education Act.
- 2.159 School, Commercial** shall mean a school conducted for hire or gain, and includes the studio of a dancing teacher, a music teacher, an art school, school of calisthenics, business or trade school and any other such specialized school conducted for hire or gain. This definition does not include a private academic, religious or philanthropic school.
- 2.160 Seasonal Camp** shall mean a commercial or non-commercial establishment which provides eating, sleeping, recreational and related facilities for use by groups and includes children's camps, church camp, boy scout camps, YM/YMCA camps and similar uses.
- 2.161 Sensitive Land Use** means any building or structure where people sleep or an institutional use or certain recreational uses and may include, but is not limited to, residence, motel, hotel, retirement home, hospital, school, place of worship, day care or any lands used for camp ground, mobile home park, or picnic areas.
- 2.162 Septic Disposal System** shall mean a privy, a greywater system, a cesspool, a leaching bed system, a holding tank or any other privately-owned individual or communal system for the on-site holding and/or treatment of sanitary sewage.
- 2.163 Service or Repair Shop** shall mean a building or portion thereof where, whether in conjunction with a retail store or not, articles or goods such as appliances, furniture or similar items may be repaired or serviced. This definition shall not include any manufacturing operation or establishment used for the service or repair of vehicles.

2.164 Setback shall mean:

- (a) with reference to a street, the distance between the centreline of the street allowance and the nearest building line;
- (b) with reference to a waterbody or watercourse, shall mean the distance between the high water mark and the nearest part of any main building or structure on the lot.

2.165 Sewage Disposal Site shall mean a site which is licensed or approved by the Ministry of the Environment and/or its agents for use as a disposal site for sewage and includes a sewage treatment plant or sewage lagoon.

2.166 Sight Triangle shall mean the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 6.0 metres (19.69 ft.) from the point of intersection of the street lines (measured along the street lines). Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

2.167 Sign shall mean a sign as defined in the Sign By-law of the Township of Leeds and the Thousand Islands.

2.168 Sleeping Cabin shall mean a single storey building having a maximum floor area of 30.0 square metres and a maximum height of 5.0 metres (16.40 ft.) and which is used only for sleeping accommodation, which may contain washroom facilities but which does not contain kitchen facilities.

2.169 Sludge shall mean stabilized organic soil conditioning material produced by a sewage treatment plant.

2.170 Storage Compound shall mean a lot or portion thereof which is used for the temporary storage of automobiles and other vehicles but shall not include a salvage yard.

2.171 Storey shall mean that portion of a building other than an attic, basement or cellar, between the surface of any floor and the surface of the floor, ceiling or roof next above it.

- (a) **First Storey** shall mean the lowest storey of a building, wherein the entire floor is at or above grade elevation.

2.172 Street shall mean a public thoroughfare under the jurisdiction of either the Corporation, the County or the Province of Ontario. This definition shall not include a private right-of-way.

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- (a) **Street Allowance** shall have a corresponding meaning.
- (b) **Improved Street** shall mean a Municipal Road which has been assumed by the Corporation and is maintained on a regular year-round basis, or a Provincial Highway, or a County Road.
- (c) **Unimproved Street** shall mean a road allowance under the jurisdiction of the municipality but which has not been brought up to Municipal standards or assumed by By-law.
- (d) **Private road** shall mean a street which is privately owned that serves two or more lots.
- 2.173 Street Line** shall mean the boundary of the right-of-way of the street.
- 2.174 Structure** shall mean anything constructed or erected, either permanent or temporary, the use of which requires location on the ground or attachment to something having location on the ground and, without limiting the generality of the foregoing, includes a mobile home, and permanent floating docks, boathouse or other structures which are fixed or anchored to the high water mark or water's edge. This definition shall not include temporary structures which do not require a building permit.
- 2.175 Tavern** shall mean "tavern" as defined by the Liquor License Act.
- 2.176 Temporary Construction Facilities** shall include a shed, garage, scaffold, sales office.
- 2.177 Tent and Trailer Park** shall mean a privately owned parcel of land which is used to provide temporary accommodation for the public or members of an organization in tents, trailers or recreational vehicles whether or not a fee is charged or paid for such accommodation, including park model trailers but excluding mobile homes, which are not used as a principal place of residence, in which the water supply and sewage collection and disposal services are not designed to function during the winter months and which are closed for the period of November 1 to May 1 of the following year.
- 2.178 Tent and Trailer Site** shall mean a parcel of land within a tent and trailer park occupied by a tent or recreational vehicle.
- 2.179 Tourist Lodging Establishment** shall mean premises or buildings to be used for the purpose of sleeping accommodation on a temporary basis by tourists or vacationers and shall include hotels, motels, motor inns, cabins or similar uses:
- (a) **Hotel** shall mean a building designed or used for the accommodation of the traveling or vacationing public, containing therein more than three guest

rooms served by a common building entrance. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar uses.

- (b) **Motel** shall mean a building or buildings designed or used for the accommodation of the traveling or vacationing public, containing therein more than three guest rooms, each guest room having a separate entrance directly from outside the building. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar uses.
- (c) **Cabin** shall mean a building or structure designed and built for temporary accommodation of the traveling or vacationing public, equipped with heating and sanitary facilities, and limited cooking facilities.

2.180 Trailer shall mean any vehicle designed to be towed by a motor vehicle.

2.181 Trail System shall mean an area used for hiking, horseback riding, cross-country skiing or other similar forms of non-motorized recreational travel.

2.182 Transportation Depot shall mean an establishment where commercial vehicles are stored, repaired, washed, or maintained, including all administrative functions relating thereto, and may also mean an establishment for the distribution of goods or people in transit.

2.183 Transportation Terminal shall mean land, or a building or structure where trucks, tractor trailers and/or buses are kept for hire, rental and/or lease, stored, parked, and from which trucks, tractor trailers and/or buses are dispatched for hire as common carriers. This definition may include buildings or structures used for the storage and/or distribution of goods, wares and merchandise.

2.184 Use shall mean the purpose for which any land, building, structure or any combination thereof is designed, arranged, occupied or maintained.

2.185 Utility shall mean a Public Utility as defined by the Public Utilities Corporation Act.

2.186 Utility, Private shall mean a power generation utility not owned and operated by a Public Authority as defined herein.

2.187 Vehicle shall mean an automobile, boat, commercial motor vehicle, farm implement, motorcycle, recreational vehicle, mobile home, vessel, snowmobile or trailer.

2.188 Vessel shall mean a vehicle which is intended, as its primary function, to facilitate transportation on water, and which possesses all of the following attributes:

- (a) a seaworthy hull design that meets Coast Guard standards for flotation, safety equipment, fuel, electrical, sanitation and ventilations systems;

- (b) designed, built and capable of functioning as a means of water transportation and capable of travel in open waters under its own integral, on-board permanently installed propulsion system;
 - (c) permanent equipment for its transportation function including on-board, permanently installed propulsion and steering systems and navigational equipment; and
 - (d) registered, if required, with applicable agencies.
- 2.189 Vehicle Sales or Rental Establishment** shall mean an establishment having as its main use the storage of vehicles for sale or the storage of automobiles for rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.
- 2.190 Veterinary Establishment** shall mean a building or portion thereof used for a veterinary practice where domestic animals, or other livestock are kept for treatment, including surgery and where veterinary drugs and other related products including pet food and supplies may be dispensed or sold and where all functions take place within the building but shall not include a kennel or research facility.
- 2.191 Warehouse** shall mean a building used or intended to be used for the bulk storage of goods, commodities, wares, merchandise or materials but not including hazardous or noxious chemicals or similar substances.
- 2.192 Waste Management Facility** shall mean a place where ashes, garbage, refuse, domestic waste, industrial waste or municipal refuse is stored, processed, recycled, transferred, composted or disposed of. This definition shall not include a sewage treatment plant or lagoon.
- 2.193 Waterbody** shall mean any bay, lake, natural watercourse, canal, municipal or other drain but does not include an irrigation channel.
- 2.194 Watercourse** shall mean a natural drainage channel that contains water either permanently or intermittently, including creeks and streams.
- 2.195 Wayside Pit or Wayside Quarry** shall mean a temporary pit or a temporary quarry established by or on behalf of a public road authority on short notice solely for the purpose of a particular project or contract of road construction or road maintenance and not located on the road right-of-way.
- 2.196 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 (soils in which there is an abundance of moisture) and has favoured the dominance of either hydrophytic or water tolerant plants. The four major categories of wetlands are swamps, marshes, bogs and fens.

2.197 Wholesale Establishment shall mean a building used or intended to be used for the bulk storage and sale of quantities of goods, commodities, wares, merchandise, or materials for resale or business use.

2.198 Wrecking Yard shall mean an establishment or premises where derelict, discarded, abandoned or inoperable motor vehicles or other equipment are stored wholly or partly in the open and may include a salvage yard, junk yard, automobile wrecking yard but shall not include any waste disposal site, any establishment or operation incidental and subordinate to the running, repair or sale in useable or operable conditions of any goods, wares, merchandise, articles or things, or any other use that is separately defined in this By-law. A wrecking yard may also include an area for recycling of tires.

2.199 Yard shall mean an open and unobstructed space from the ground to the sky appurtenant to a building or structure located on the same lot as the said building or structure.

(a) **Front Yard** shall mean the space extending across the full width of a lot between the front lot line and the nearest part of any main building or structure on the lot.

(b) **Rear Yard** shall mean a space extending across the full width of a lot between the rear lot line and the nearest part of any main building or structure on the lot.

(c) **Side Yard** shall mean a yard extending from the front yard to the rear yard between the side lot line and the nearest part of any main building or structure on the lot in the absence of a rear yard.

(i) **Exterior Side Yard** shall mean a side yard immediately adjacent to a street.

(ii) **Interior Side Yard** shall mean a side yard immediately adjacent to an interior side lot line.

2.200 Zone shall mean:

(a) a land use category as defined and regulated in this By-law; or

(b) a designated area of land use shown on the Schedule of this By-law.

2.201 Zoning Administrator shall mean an officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law or his or her delegate.

SECTION 3 GENERAL PROVISIONS

3.1 Accessory Uses

- (a) In a Residential Zone or on a lot in another zone having a residential use, the following provisions will apply for buildings and structures which are accessory to the residential use:
 - (i) Accessory buildings or structures shall not be located within any minimum front yard or minimum exterior side yard, except as specifically permitted in this By-law. This provision shall not apply to a marine facility on a waterfront lot;
 - (ii) Accessory buildings or structures shall not be located closer than 1.0 metre (3.28 ft.) to any interior side or rear lot line, shall not be located closer than 3.5 metres (11.48 ft.) to any exterior side lot line, except that common garages may be centred on the mutual lot line provided an access to the rear of the house a minimum width of 2.0 metres (6.56 ft.) remains available;
 - (iii) Accessory buildings or structures other than residential wind turbines shall not exceed 7 metres.
 - (iv) Accessory buildings or structures shall not occupy more than 4% of the total lot area. Such accessory buildings or structures shall be included as part of the total lot coverage permitted in the zone requirements;
 - (v) Any building or structure which is attached to the main building will not be considered accessory for the purposes of this By-law. Accessory buildings or structures shall not be located within 2.0 metres (6.56 ft.) of a main building;
 - (vi) The use of an accessory building for human habitation is not permitted;
 - (ii) Where accessory apartments are permitted in this By-law, the dwelling unit area of the said accessory apartment shall not exceed 25% of the total floor area of the building;
- (b) For marinas, there shall be no minimum yard required for the yard adjacent to the water but a minimum yard of 4.6 metres shall be required from a side lot line and from the straight line projection of a side lot into the adjacent waterbody.
- (c) In all other zones, accessory buildings and structures shall conform to the requirements of the particular zone.

- (d) Accessory residential wind turbines shall not be located within any minimum front yard or minimum exterior side yard except as specifically permitted in this By-law and shall not be located closer to any lot line than a distance equal to the height of the structure, inclusive of the blades.

3.2 Adult Entertainment - Goods and Parlours - General Development Standards

Where Adult Entertainment-Goods and Adult Entertainment-Parlours are permitted in this By-law and notwithstanding any other provision of this By-law to the contrary, the following provisions shall apply:

An adult entertainment-goods or adult entertainment-parlour will be prohibited within 500.0 metres (1640.42 ft) of the following locations:

- (a) any dwelling or dwelling unit other than an accessory dwelling unit;
- (b) any land zoned Residential;
- (c) any land zoned Institutional;
- (d) any meeting hall;
- (e) any private or public park;
- (f) any private club;
- (g) any public use.

An adult entertainment-parlour must be located within a freestanding building, and shall not be permitted to locate in a multi-tenant building.

3.3 Buildings to be Moved

No building or structure shall be moved within the limits of the Municipality or shall be moved from outside the Municipality into the Municipality unless the building or structure is a permitted use and satisfies all the requirements of the zone in which it is to be located and then only after a building permit has been obtained from the Chief Building Official.

3.4 Bulk and Fuel Storage Tanks

No bulk or fuel storage tank shall be permitted unless it complies with the Technical Standards and Safety Act and the Ontario Fire Code.

3.5 Commercial Patios

- (a) No commercial patio shall be located closer than 0.50 metres (1.64 ft.) to any street line;
- (b) No commercial patio shall be permitted to encroach upon any required parking space, loading zone or driving aisle;
- (c) No commercial patio shall be established in a yard which abuts a zone other than commercial or industrial;
- (d) No part of a commercial patio shall be permitted on a sight triangle as defined in this By-law.

3.6 Corner Lot Sight Triangles

Notwithstanding any provisions of this By-law to the contrary, within any area defined as a sight triangle, the following uses shall be prohibited:

- (a) a building, structure, or use which would obstruct the vision of drivers of motor vehicles, excluding a chain link or wire fence;
- (b) a tree, hedge, bush or other vegetation, other than agricultural crops, the top of which exceeds 0.75 metres (2.46 ft.) in height above the elevation of the centreline of abutting streets;
- (c) a parking area and/or a loading space;
- (d) a finished grade which exceeds the elevation of the centreline of abutting streets by more than 0.75 metres (2.46 ft.).

3.7 Established Building Line in Built-Up Area

Notwithstanding the yard and setback provisions of this By-law to the contrary, where a permitted building is to be erected on a lot in a built-up area where there is an established building line, such permitted building may be erected closer to the street line or the centreline of the street than required by this By-law, provided such permitted building is not erected closer to the street line or centreline of the street than the established building line on the date of passing of this By-law.

3.8 Frontage on an Improved Street

No building or structure shall be erected in any zone, except an Island Residential (RI) Zone, for any purpose other than a non-residential building or structure accessory to a permitted agricultural, forestry or conservation use unless:

- (a) the lot on which such building or structure is located has frontage on and direct access to an improved street;
- (b) The lot on which such building or structure is to be located was in existence on the date of passing of this By-law or was created under Section 53 of the Planning Act and has access to an improved street by a private right-of-way;
- (c) On a lot in existence on the date of passing of this by-law and which is a landlocked parcel not having access to an improved street or private right-of-way, but does have access to a navigable waterway, this lot may be used for a single detached dwelling and accessory uses in accordance with the zone provisions in which it is located.

This provision shall not apply to a lot on a registered plan of subdivision where an agreement between the owner and the Corporation which includes provisions for the construction and maintenance of the streets is registered in the Registry Office or Land Titles Offices, or a lot subject to a Condominium Agreement or a Common Elements Agreement, approved by Council.

3.9 Group Homes

Group homes shall be permitted in any zone that allows a single detached dwelling provided it conforms to the following provisions:

- (a) Group homes will only be permitted in a building which conforms to the zone requirements for a single detached dwelling;
- (b) No more than ten (10) group homes will be permitted in the municipality;
- (c) No group home shall be permitted within 500.0 metres (1640.42 ft.) of another group home.

3.10 Height Exceptions

Where height limitations are set forth in this By-law, such limitations shall not apply to antennae, belfries, bridges, church steeples, chimneys, clock towers, communications facilities, electrical supply facilities, flagpoles, grain elevators, hydroelectric transmissions tower, lightning rods, lighting standards, mechanical equipment, silos, skylights, solar panels, ventilators and water tanks. Notwithstanding the foregoing, the height limitations set forth in this By-law shall not apply to residential wind turbines or commercial wind turbines located in the Agricultural Zone (AG) or in the Rural Zone (RU). Notwithstanding the foregoing, limitations prescribed by the Federal Ministry of Transport or practices recommended by the Ministry with respect to height limitations and appropriate lighting in the vicinity of airfields shall prevail.

3.11 Home Industries

Home industries shall only be permitted in the General Agricultural (AG) Zone and in the Rural (RU) Zone in accordance with the following provisions:

- (a) No more than 25% or 40.0 square metres (430.57 sq.ft.) of the total floor area of the dwelling, whichever is the lesser, shall be used for the purpose of a home industry;
- (b) Accessory buildings may be erected, altered or used for the purpose of a home industry provided that no more than 50.0 square metres (538.21 sq.ft.) of the gross floor area of all accessory buildings shall be used for the purpose of home industry uses and provided it is located a minimum of 15.0 metres (49.21 ft.) from any lot line and a minimum of 45.0 metres (147.64 ft.) from a dwelling located on another lot;
- (c) No more than two (2) people, other than the permanent residents of the dwelling, shall be engaged in the home industry;
- (d) Open storage may be permitted provided such storage is a minimum of 15.0 metres (49.21 ft.) from any lot line and a minimum of 45.0 metres (147.64 ft.) from a dwelling located on another lot and that no more than 40.0 square metres (430.57 sq.ft.) of lot area is used for the open storage;
- (e) The activity shall not create or become a nuisance in regard to noise, odour, vibration, traffic or parking;
- (f) The only retail sales allowed shall be for those products substantially produced or made on site or which are accessory and essential to the business. Retail sales and related storage areas shall not occupy more than 10.0 square metres (107.64 sq.ft.) of total floor area.

3.12 Home-Based Business

- (a) Residential

Home occupations shall be permitted accessory to any residential use in accordance with the following provisions:

- (i) The business is conducted by the permanent residents of the dwelling;
- (ii) No more than two (2) people, other than the permanent residents of the dwelling, shall be engaged in the business;

- (iii) The total amount of floor area used and devoted for the home occupation shall not exceed 25% or 40.0 square metres (430.57 sq.ft.) of the floor area of the dwelling, whichever is lesser, or in the case of a tourist lodging establishment, up to three bedrooms shall be used for home occupation purposes;
- (iv) There shall be no external display or advertising of the home occupation other than a sign in accordance with the provisions of the Sign By-law of the Municipality;
- (v) The only retail sales permitted shall be for those products substantially made on site or which are accessory and essential to the business. Retail sales and related storage areas shall not occupy more than 10.0 square metres (107.64 sq.ft.) of total floor area;
- (vi) Where instruction is carried on, no more than six (6) pupils are in attendance at one time;
- (vii) The activity shall not create or become a nuisance, in regard to noise, odour, vibration, traffic or parking;
- (viii) No mechanical or electrical equipment shall be used except that reasonably consistent with the use of a dwelling;
- (ix) No open storage of materials shall be permitted;
- (x) No storage of hazardous materials such as paints or other flammable corrosive or explosive substance shall be permitted;
- (xi) Not more than one motor vehicle used for commercial purposes is kept on the premises but not such vehicle, in whole or in part, shall be located on any public road allowance.

(b) Rural

Rural home occupations shall be permitted accessory to any agricultural use. Any such use shall conform to the following provisions:

- (i) The business is conducted by any of the permanent residents of the dwelling;
- (ii) No more than two (2) people, other than the permanent residents of the dwelling, shall be engaged in the rural home occupation;
- (iii) The only retail sales allowed shall be for those products substantially produced, grown or made on site or which are

accessory and essential to the business. Retail sales and related storage areas shall not occupy more than 10.0 square metres (107.64 sq.ft.) of total floor area;

- (iv) The total amount of floor area used and devoted to the home occupation shall not exceed 25% or 40.0 square metres (430.57 sq.ft.) of the floor area of the dwelling, whichever is lesser;
- (v) Open storage may be permitted for the rural home occupation provided such storage is a minimum of 15.0 metres (49.21 ft.) from any lot line and a minimum of 45.0 metres (147.64 ft.) from a dwelling located on another lot and that no more than 40.0 square metres (430.57 sq.ft.) of lot area is used for the open storage.

3.13 Intensive Livestock Operations

(a) General

Notwithstanding any provisions of this By-law to the contrary, the establishment of a new Intensive Livestock Operation or the expansion of an existing Intensive Livestock Operation in a General Agricultural (AG) Zone may be permitted subject to the following:

- (i) that the operation, including the manure storage and livestock facilities, shall conform with the Minimum Distance Separation II (MDS II); and
- (ii) that the said facilities are constructed in accordance with an approved Nutrient Management Plan.

(b) Nutrient Management Plan

No intensive livestock operation or associated manure storage facility shall be established or enlarged until a Nutrient Management Plan is completed to the satisfaction of the Municipality.

3.14 Loading Requirements

The owner or occupant of any lot, building or structure located in an Industrial or Commercial Zone which involves the frequent receiving, shipping, loading or unloading of animals, goods, wares, merchandise or raw materials shall provide and maintain on the lot occupied by the building or structure, loading spaces in accordance with the following regulations.

(a) Number of Spaces Required.

The number of loading spaces provided shall be in accordance with the floor area of the building or structure as follows:

Floor Area of Building	Number of Loading Spaces
Commercial Uses	
• Less than 200 sq.m (2152.85 sq.ft.)	None
• 200.0 sq.m to 1000.0 sq. m (10764.26.ft.)	1
• Over 1000.0 sq.m	2 plus 1 additional space for each additional 1000.0 sq.m of floor area or part thereof
Industrial Uses	
• Less than 400.0 sq.m (4305.7 sq.ft.)	None
• 400.0 sq.m to 2000.0 sq.m (21528.53 sq.ft.)	1
• Over 2000.0 sq.m	1 plus 1 additional space for each additional 2000.0 sq.m of floor area or part thereof

(b) Size of Loading Space

Each loading space shall be at least 14 metres (45.93 ft.) long, 3.5 metres wide and have a vertical clearance of 4.5 metres (14.76 ft.).

(c) Location

The required loading spaces shall be provided on the lot occupied by the building or structure for which the spaces are required and such space shall not form of any street or required parking area, and shall not be located within a front yard or exterior side yard.

(d) Access

Access to loading spaces shall be by means of a lane at least 3.5 metres (11.48 ft.) wide for one way traffic and 6.0 metres (19.69 ft.) wide for two traffic and located on the same lot.

(e) Cumulative Standards

Where more than one use is permitted on any lot, the requirements of this By-law with regard to parking and loading requirements shall be cumulative.

(f) Additions to Buildings

The loading space requirements shall not apply to any building or structure in existence at the date of passing of this By-law so long as the floor area, as it existed at such date, is not increased. If an addition is made to the building structure which increases the floor area, then additional loading spaces shall provided as required in Section 3.14 (a) for such addition.

(g) Surfaces

Accesses and loading spaces shall be surfaced with a stable material such as concrete, asphalt, crushed stone or gravel.

3.15 Landscaped Open Space

- (a) In any zone, any portion of any minimum required yard which is not used for any other permitted purpose shall be devoted to landscaped open space.
- (b) Where landscaped open space is required as buffering, such landscaping shall be continuous except for driveways, aisles or walkways which provide access to the lot.

3.16 Lots Containing More Than One Use

Where a lot contains or is proposed to contain more than one use, each use shall conform to the provisions of this By-law for the Zone where such use is located.

3.17 Lots Divided Into More Than One Zone

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

3.18 Marine Facilities

Unless otherwise stated in this By-law, marine facilities in all zones other than islands are subject to the following:

- (a) the maximum total perimeter of all docks, boathouses and swimming platforms including all approach ramps, rock-filled cribs, etc., shall be 60.0 metres (196.85 ft.) with a maximum total area of 75.0 square metres (807.3 sq.ft). The length of the dock shall not exceed the width of the water frontage of the lot containing the subject dock. For the purpose of this subsection, perimeter shall mean all surfaces which abut water;

- (i) Islands have different requirements from shoreline dwellings. Where shoreline dwellers have garages and laneways to park their various vehicles, Island dwellers require storage and parking (docking) space for the many types of marine vehicles. Visitors to shoreline facilities may overflow onto the roads next to dwellings. Islanders have requirements for marine facilities, which shall have the following limitations: Islands and lots on Islands having an area of 1 ha. (2.5 acres) and above, the maximum perimeter will be 120.0 metres (400.0 ft) with a maximum total area of 150 sq. metres (1614.00 sq.ft).

For Islands and lots on islands having an area between 1 ha and 0.1 ha, the area of any dock or marine structure shall not exceed 3% or a maximum of 150 square metres, whichever is less, of the total area of the island or lot.

Any undeveloped island smaller than 0.1 ha or 0.25 acres will be limited to a single dock not exceeding 2% of the islands total area.

- (b) marine facilities shall not exceed 6.0 metres (20 ft) in height measured from high water geodetic;
- (c) the area of a pump house shall not exceed 6.0 square metres in area and 3.0 metres (9.84 ft.) in height;
- (d) the total and combined width of marine facilities, stairs, decks or other structures shall not occupy more than 20% of the width of the shoreline or 15.0 metres (49.21 ft.), whichever is lesser, of any lot which abuts a waterbody;
- (e) no marine facility shall be located within 4.6 metres of a side lot line and from the straight line projection of a side lot line into the abutting waterbody. There shall be no minimum yard requirement for the yard adjacent to the water.

3.19 Minimum Distance Separation Formulas

- (a) All development within the Rural and Agricultural Zones shall comply with the Minimum Distance Separation I (MDS I) Formula, as amended from time to time. However, in the event of a conflict between the calculated MDS I setback distance and any other established setback contained herein, the most restrictive setback shall apply. The above provision shall not apply to those lots legally existing as of the date of passing of this By-law.

- (b) No livestock facility nor associated manure storage facility shall be erected or expanded unless it complies with the Minimum Distance Separation II (MDS II) Formula within the Agricultural, Rural or any of the Mineral Resources Zones, as amended from time to time. However, in the event of a conflict between the calculated MDS 11 setback distance and any other established setback contained herein, the most restrictive setback shall apply.
- (c) Where an existing building does not conform to the Minimum Distance Separation requirements, the above provisions shall not apply in cases of rebuilding after a fire or damage through causes beyond human control, provided that the rebuilding does not further diminish the existing separation.

3.20 Municipal Services

No person shall hereafter erect and use in whole or in part any main building for any purpose in any zone within the limits of the Village of Lansdowne as shown on Schedule 'F', unless it is connected to the municipal water supply and sanitary sewer systems.

3.21 Non-Complying & Non-Conforming Uses

(a) Continuance of Existing Uses

Nothing in this By-law shall prevent the use of any land, building or structure for any purpose prohibited by the By-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the By-law, so long as it continues to be used for that purpose.

(b) Repair, Restoration and Reconstruction of Non-Conforming Uses or Non-Complying Uses, Buildings or Structures

(i) A legal non-conforming use or non-complying use, building or structure may be repaired or restored provided that:

- Such repair or restoration does not increase the height, size, volume or extent of non-conformity or non-compliance of the use, building or structure, except as required in order to comply with the requirements of the Ontario Building Code.

(ii) A legal non-conforming use or a non-complying use, building or structure may be reconstructed provided that:

- A building permit must be obtained and the owner demonstrates continuous intention to continue the long-established pattern of usage.

- Such reconstruction does not increase the height, size or volume or extent of non-conformity or non-compliance of the use, building or structure beyond that existing prior to the occurrence of the damage, except as required in order to comply with the requirements of the Ontario Building Code.
- (iii) The rebuilding or repair of any building or structure located within a flood plain or erosion hazard shall be relocated outside of the flood plain or erosion hazard where possible, or alternatively require flood proofing or engineering measures that are to the satisfaction of the Conservation Authority.
- (c) Enlargement of Non-Conforming Buildings or Structures
- A non-conforming building or structure may not be enlarged except by permission granted by the Committee of Adjustment or by amendment to this By-Law.
- (d) Alterations to Non-Complying Buildings or Structures
- Nothing in this By-law shall prevent the alteration or enlargement of an existing non-complying building or structure provided such alteration or enlargement does not further reduce any provision of this by-law with which the existing building or structure is not in compliance. Alterations which extend a building or structure along an existing non-complying setback shall be limited to a maximum extension of 1/3 of the existing length of the wall of the respective building or structure length of the wall of the respective building or structure.
- (e) Building Permit Issued
- Nothing in this By-law shall prevent the construction or use of any building or structure for a non-conforming use if the plans for such building or structure were approved by the Chief Building Official prior to the date of passing of this By-law, provided that:
- (i) when the building or structure is constructed, it shall be used and shall continue to be used for the purpose for which the building permit was issued; and
 - (ii) the erection of such building or structure is commenced in accordance with the Building Code Act and regulations and applicable municipal by-laws.
- (f) Existing Non-Complying Lots
- (i) No existing lot shall be changed in area, depth, or frontage if the effect of such change is to cause the original, adjoining, or new lot to be in

contravention of this by-law. Further, an existing non-complying lot may be changed in lot area, lot depth, or lot frontage without the need to amend this by-law provided such alteration to the lot area, lot depth, or lot frontage does not further increase any existing non-compliance.

- (ii) The following uses shall not be permitted on a non-complying lot:
- A residential use on a vacant or undeveloped island lot of less than 0.6 ha in lot area;
 - An agricultural use that includes the keeping of livestock on a lot of less than 2 ha in lot area.

- (g) Where an existing lot is changed in area, depth or frontage and contains thereon existing non-complying buildings or structures, such lot may be altered in area, depth or frontage so long as the existing building or structure non-compliance is not made worse.

- (h) Accessory Buildings

Nothing in this By-law shall prevent the erection of a building accessory to a nonconforming use provided that such accessory building conforms with all relevant provisions of this By-law.

- (i) Less than Required Floor Area

Nothing in this By-law shall prevent the enlargement of a permitted non-complying dwelling which has a floor area or dwelling unit area less than that required by this By-law, provided such extension or addition does not contravene any other provision of this By-law.

- (j) Change of Use

The use of any lot, building or structure which is not permitted in the zone in which it is located, shall not be changed except to a use which is listed as a permitted use in such zone or to a use which is authorized by the Committee of Adjustment pursuant to its powers under the Planning Act.

- (k) Replacement of Non-Complying Septic Disposal Systems

Where an existing septic disposal system is to be replaced, the new system is to be positioned on the property as per the provisions of this by-law or, if the setback from a waterbody or watercourse cannot be met, as far back as physically possible from the waterbody or watercourse but no closer than the existing system.

3.22 Occupancy Restrictions

- (a) Human habitation shall not be permitted in any of the following buildings, structures or parts thereof:
 - (i) accessory use or marine facility,
 - (ii) any truck, bus or similar vehicle, recreational vehicle if located outside of a Tent and Trailer Park or Camping Area, coach, trailer, streetcar body or railway car whether or not the same is mounted on wheels;
 - (iii) any mobile home located outside of a Mobile Home Park unless it has been approved under Section 3.22 (b) or Section 3.36 of this By-law.
- (b) A mobile home shall be permitted as a temporary residence for a period not exceeding twelve (12) months during the reconstruction of a conventional dwelling lost or damaged through causes beyond human control. Temporary accommodation will only be permitted in the case when an existing dwelling is damaged to the extent that it becomes uninhabitable and for the time period while reconstruction or new construction is in progress. Temporary construction facilities and/or accommodations shall comply with the provisions of the zone and removed within thirty (30) days of the issuance of occupancy permit.

3.23 Open Storage

In any zone where open storage is permitted, the following provisions shall apply:

- (a) the open storage is accessory to the principal use of the lot;
- (b) open storage shall not be permitted within any minimum required front or minimum required exterior side yard, or in any other side or rear yard where the side or rear lot line abuts any Residential or Institutional Zone and/or any public road;
- (c) a strip of landscaped open space, a minimum of 3.0 metres (9.84 ft.) in width shall be provided around all open storage areas;
- (d) where open storage areas abut Residential or Institutional Zones, the required landscaped open space must also include visual screening with a minimum height of 3.0 metres (9.84 ft.) and sufficient to effectively screen the use within two (2) years. Any combination of plant materials, landscaped berms or fencing may be used;

- (e) open storage shall not exceed a maximum height of 3.0 metres (9.84 ft.)
- (f) any areas used for open storage shall be in addition to any minimum off-street parking or loading areas required by this By-law.

3.24 Outdoor Illumination

Outdoor illumination of buildings, structures or yards including parking areas, and excluding decorative lights, shall be permitted provided the fixtures are so designed located and installed that the light is generally directed downwards away from adjacent lots water bodies and public streets, to avoid light trespass and so as not to diminish the viewing of night skies and further provided that such illumination shall not consist of a colour or be so designed or located that it may be confused with traffic signals.

3.25 Parking Requirements

- (a) Requirements

The owner of every building or structure erected, enlarged or used for any of the purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant, or other persons entering upon or making use of the said premises from time to time, one or more parking spaces, in accordance with the following:

<u>Type of Use</u>	<u>Minimum Parking Spaces Required</u>
Single Detached, Semi-Detached and Duplex Dwellings	2 parking spaces per dwelling unit.
Apartment Dwelling or Row House Dwelling	1.5 parking spaces per dwelling unit, of a minimum of 15% shall be reserved for The exclusive use of visitors
Group Home	1 parking space per every two group home residents.
Other Residential Uses permitted by this By-Law	1 parking space per dwelling unit.
Adult Entertainment-Goods and Parlours	1 space for every 3 persons to be accommodated according to maximum permitted capacity, or 1 space for every 4.0 square metres of floor space area, whichever is greater.

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Agricultural Use	None
Animal Hospital, Veterinary Establishment	1 parking space per 20.0 square metres (215.29 sq.ft.) of floor area.
Automobile Service Station or Body Shop	1 parking space per 20.0 square metres (215.29 sq.ft.) of floor area or portion thereof.
Bed and Breakfast	1 parking space per guest bedroom in addition to the parking requirements for the dwelling.
Boarding House	0.5 parking spaces per bedroom.
Bowling Alley or Curling Rink	3 parking spaces per bowling lane or curling sheet.
Business or Professional Offices	1 parking space per 20.0 square metres (215.29 sq.ft.) of floor area or portion thereof; minimum 3 parking spaces.
Community Centre, Auditorium, Conference Centre, Private or Commercial Club, Place of Worship	The greater of: (i) 1 parking space for 4 fixed seats or portion thereof; (ii) 1 parking space per 10.0 sq.m (107.64 sq.ft.) of floor area.
Financial Office	1 parking space per 15.0 square metres (161.46 sq.ft.) of floor area or portion thereof; minimum 3 parking spaces.
Home Occupation, Home Industry	1 parking space per employee, in addition to the parking requirements of the dwelling.
Industrial Establishment (other than those listed separately herein)	1 parking space per 80.0 square metres (861.14 sq.ft.) of manufacturing floor area and associated office area or portion thereof plus 1 parking space per 100.0 square metres (1076.43 sq.ft.) of warehousing or storage floor area or portion thereof.
Nursing Home, Clinic, Hospital	1 parking space for each 3 beds or fraction thereof.

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Retirement Home	1 parking space per 4 units or fraction thereof.
Medical or Dental Office	1 parking space per 20.0 square metres (215.29 sq.ft.) of floor area or portion thereof, with a minimum of 6 spaces per doctor.
Museum, Art Gallery	1 parking space for every 90.0 square metres (968.78 sq.ft.) of display area including any basement floor area used for display purposes.
Public Building	1 parking space per 20.0 square metres (215.29 sq.ft.) of floor area of portion thereof.
Marina	1 parking space for each boat slip rented on a seasonal basis, 2 parking spaces for each rental boat capable of providing overnight accommodation and 1 space for every 25.0 sq.m (269.12 sq.ft.) of floor area.
Restaurant	1 per every 4 persons which can be accommodated according to the maximum permitted capacity, minimum 5 spaces; plus 1 parking space for every eight (8) seats on an accessory commercial patio.
Restaurant, Take-Out	1 parking space per 15.0 square metres (161.46 sq.ft.) of floor area.
Retail Store, Retail Convenience Store, Rental Outlet, Automotive Store, Merchandise Service Shop, Personal Service Establishment, Bakery or Bake Shop	1 parking space per 25.0 square metres (269.12 sq.ft.) of floor area or portion thereof; minimum 3 parking spaces.
School, Commercial	1 parking space per 30.0 square metres (322.93 sq.ft.) of floor area or portion thereof; minimum 4 spaces.
School, Elementary	The greater of: (a) 1.5 spaces per classroom; (b) 1 space per 4.0 sq.m (43.06 sq.ft.) of floor area in the gymnasium; or

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	(c) 1 space per 4.0 sq.m (43.06 sq.ft.) of floor area in the auditorium.
School, Secondary	The greater of: (a) 4 spaces per classroom; (b) 3 spaces per 4.0 sq.m (43.06 sq.ft.) of floor area in the gymnasium; or (c) 3 spaces per 4.0 sq.m (43.06 sq.ft.) of floor area in the auditorium.
Shopping Centre or Shopping Plaza	5 parking spaces per 100.0 sq.m (1076.43 sq.ft.) of net leasable area or portion thereof, except for Business Offices, the minimum required parking spaces for such areas shall be that for a Business Office.
Tourist Lodging Establishment	1 parking space per guest room or suite plus 1 parking space for each 4 persons that can be accommodated at any one time in a beverage room, dining room or meeting room.
Undertaking Establishment, Funeral Parlour spaces	1 parking space per 30.0 sq.m (322.93 sq.ft.) of floor area with a minimum of 10 spaces.
Warehouse Establishment or Truck Terminal	1 parking space per 100.0 sq. m (1076.43 sq. ft) of gross floor area.
Wholesale Business	1 parking space per 100.0 square metres (1076.43 sq.ft.) of gross floor area including any basement floor area used for wholesale business purposes but a minimum of 1 parking space shall be provided.
Other Non-Residential Uses permitted by this By-Law	The greater of: (a) 1 space per 25.0 sq.m (269.12 sq.ft.) of floor area or portion thereof, or (b) 1 space per 4 persons design capacity; or (c) 1 space per 2 persons employed on the lot.

(b) Barrier Free Parking

Every barrier free parking space shall have dimensions of at least 3.5 metres (11.48 ft.) in width by 5.5 metres (18.0 ft.) in length with a 6.0 metre (19.69 ft.) aisle.

Every owner and/or operator of a public or private parking area on lands zoned Commercial, Industrial and Institutional shall provide not less than 2% of the total number of parking spaces for barrier free parking with a minimum of one space.

(c) Parking Space Dimensions

Every parking space, except for barrier free parking spaces, shall have dimensions of at least 2.75 metres (9.02 ft.) in width by 5.5 metres (18.0 ft.) in length. Except where parking spaces having access to a street are provided for the exclusive use of a single detached, semi-detached or row housing dwelling, every parking space shall be provided with unobstructed access to a street by a driveway, or aisle.

(d) Location

Required parking in a Residential Zone shall be provided on the same lot as the dwelling unit. In all other zones, the required parking may be provided within 100.0 metres (328.08 ft.) of the building it is intended to serve and no part of any parking area required for a use other than Residential shall be permitted in a Residential Zone. Where required parking is not provided on the same lot, the lot or part of the lot where the parking is located shall be in the same ownership or be leased by a long term renewable agreement and the parking spaces shall be retained for the duration of the use which is being served.

(e) Cumulative Standards

Where two or more uses are permitted in any one building or on any one lot, then the off-street parking requirements for each use shall be calculated as if each use is a separate use and the total number of off-street parking spaces so calculated shall be provided, except in the case of a shopping centre or a shopping plaza.

(f) Access to Parking Areas

(i) Access driveways designated for two-way traffic shall be no less than 6.0 metres (19.69 ft.) wide, but not more than 9.0 metres (29.53 ft.) in width except for Industrial Zones. Separate entrance and exit driveways shall be not less than 3.5 metres (11.48 ft.) in width.

- (ii) Access to parking areas for commercial or industrial uses shall not pass through a Residential Zone.
- (iii) Notwithstanding the provisions contained in Section 3.25 (f) (i), commercial uses operating in existing buildings in the General Commercial (CG) zone, may be permitted to have an access driveway for two way traffic which is not less than 3.0 metres (9.84 ft.) in width.

(g) Commercial Vehicles

Commercial vehicles shall not be parked within any Residential Zone or on a lot used for residential purposes in a Rural Zone, except for the purpose of delivery of goods, wares and merchandise when delivery is carried on in the ordinary course of business. Notwithstanding the above, one school bus or a commercial vehicle operated by the occupant of the dwelling and having a gross vehicle weight of less than 2.0 tonnes may be allowed per dwelling unit but shall not be parked in either a front yard or an exterior side yard.

(h) Buffering

- (i) Where, in a yard in any zone, a parking area providing more than four (4) parking spaces abuts a lot in a Residential Zone, then a continuous strip of landscaped open space a minimum width of 3.0 metres (9.84 ft.) or 1.0 metres (3.28 ft.) combined with a solid fence with a minimum height of 1.5 metres (4.92 ft.) shall be provided along the abutting lot line. The land between the fence and the parking area shall be landscaped with planting material as approved by the Municipality in accordance with an approved Site Plan and shall be maintained in a healthy growing condition.
- (ii) Where, in a yard in any zone, a parking area providing more than four (4) parking spaces abuts a street, a strip of landscaped open space a minimum width of 3.0 metres (9.84 ft.) shall be provided along the lot line abutting the street and shall be continuous except for aisles and driveways required for access to the parking area.

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

(i) Addition to Existing Use

When a building or structure has insufficient parking spaces on the date of passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition. However, if an addition is to be made to the building or structure or a change of use is proposed which increases the floor area and/or the parking spaces required, then parking space for the addition

and/or the new use, shall be provided as required by Section 3.25 (a) of this By-law.

(l) Cash Payment in Lieu of Parking

Notwithstanding the provisions of Section 3.25 (a) hereof, the minimum number of parking spaces required herein may be reduced or waived provided that the owner enters into an agreement with the Corporation under Section 40 of the Planning Act.

3.26 Pits and Quarries

The making or establishing of pits or quarries within the municipality is prohibited except in the Mineral Resource Pit (MRP) Zone in the case of a pit, for the Mineral Resource Quarry (MRQ) Zone in the case of a quarry. This provision shall not apply to the making or establishing of wayside pits or wayside quarries.

3.27 Public Uses and Utilities

- (a) Any land may be used and any building or structure may be erected or used for the purpose of a public use as defined in this By-law (excluding a waste disposal site), provided that:
- (i) all buildings comply with lot coverage, setback and yard requirements prescribed for the zone in which such building is located;
 - (ii) no open storage of goods, materials, or equipment shall be permitted except in accordance with the zone provisions;
 - (iii) no PCB's, other noxious chemical or similar substance is stored upon the land.
- (b) Nothing in this By-law shall prevent the land to be used as a street or prevent the installation of a watermain, sanitary sewer main, storm sewer main, gas main, pipeline or overhead or underground hydra, telephone line or cable, traffic or other sign provided that the location of such street, main, line or sign has been approved by the Corporation.
- (c) Notwithstanding, buildings or structures may not be erected or used for purposed of a public use as defined in this By-Law on lands zoned Provincially Significant Wetland, Locally Significant Wetland or Area of Natural and Scientific Interest, unless justified by an environmental impact statement approved by the Township in consultation with the Conservation Authority and/or technical agencies as required. Buildings or structures are permitted on lands zoned Flood Plain for purposes of a public use as defined by this By-Law and that by their nature must be on hazardous lands.

3.28 Railway Crossings and Sight Distance

No new residential dwelling may be erected within 30.0 metres (100 ft.) of the Canadian National Railway mainline right-of-way.

3.29 Sensitive Lake Trout Lakes

For existing lots of record, development or reconstruction adjacent to Charleston Lake or Red Horse Lake shall be setback a minimum of 30 metres from the high water mark of the waterbody.

3.30 Separation Distances

- (a) The following separation distances will apply between a sensitive land use and the uses listed below:
- (i) within a minimum distance separation as established by Minimum Distance Separation I in accordance with Section 3.19;
 - (ii) within 150.0 metres (492.13 ft.) of any land zoned Industrial Wrecking Yard or used for wrecking yard purposes;
 - (iii) within 500.0 metres (1640.42 ft.) of any land zoned Waste Management;
 - (iv) within 150.0 metres (492.13 ft.) of any land zoned Mineral Resource Pit for pits above the ground water table and within 300 metres for any land zoned Mineral Aggregate-Pit for pits below the groundwater table.
 - (v) within 300.0 metres (984.25 ft.) of any land zoned Mineral Resource Quarry;
 - (vi) within 300.0 metres (984.25 ft.) of any land zoned Mineral Resource Bedrock or Mineral Resource Aggregate;
 - (vii) with 500.0 metres (1640.42 ft) of any land zoned Mineral Resource Wollastonite;
 - (viii) within 500.0 metres (1640.42 ft.) of any land used as an Adult Entertainment-Goods or Adult Entertainment-Parlour;
 - (ix) within 300.0 metres (984.25 ft.) of a kennel;
 - (x) within 400 metres (1312.34 ft.) of any land zoned Sewage Disposal, except where the dwelling is connected to a piped municipal water supply.

- (b) Notwithstanding any provision of this By-law to the contrary, the following is prohibited:
- (i) Hauled Septage Disposal site within 90.0 metres (295.28 ft.) of nearest dwelling or any other use which has a well, or 450 metres (1476.38 ft.) from any village or rural residential subdivision.
- (c) Lands located within the following influence areas require an EIS prior to development being permitted:
- (i) Provincially Significant Wetland (PSW): within the adjacent lands defined as contiguous lands within 120.0 metres (393.70 ft.) of lands zoned PSW;
 - (ii) Species at Risk (SR): within 200.0 metres (656.16 ft.) of lands zoned SR;
 - (iii) Area of Natural and Scientific Interest (ANSI): within the adjacent area of 50.0 metres (164.04 ft.) of lands zoned ANSI;
 - (iv) Locally Significant Wetland (LSW): within the adjacent area of 50.0 metres (164.04 ft.) of lands zoned LSW.

In cases where the Municipality, in consultation with the Conservation Authority, determines that an EIS is not warranted, then, in such cases, an EIS will not be required.

3.31 Setbacks

- (a) From Roads:
- (i) From Provincial Highways
Where a lot abuts a Provincial Highway as identified on the attached Schedules hereof, the minimum setback shall be 15.0 metres (49.21 ft.) plus the minimum applicable yard of the appropriate zone.
 - (ii) 1000 Islands Parkway
Where a lot abuts the 1000 Islands Parkway as identified on the attached Schedules hereof, the minimum setback shall be in accordance with the requirements of the St. Lawrence Parks Commission.
 - (iii) From County Roads
Where a lot abuts County Road 4, the minimum setback shall be 13 metres (42.65 ft.) plus the minimum applicable yard of the appropriate zone for County Road 4. Where a lot abuts a County Road as identified

on the attached Schedules hereof, the minimum setback shall be 12.5 metres (41.01 ft.) plus the minimum applicable yard of the appropriate zone.

(iv) From Township Streets or Roads

The minimum setback shall be 10.0 metres (32.8 ft.) plus the minimum applicable yard for the appropriate zone.

(v) From Private Right-of-Way

The minimum setback shall be 10.0 metres (32.8 ft.) from the edge of a right-of-way

(b) From Water:

Where any lot is adjacent to a waterbody or watercourse, any building, structure, campsite and septic disposal system shall be set back a minimum of 30.0 metres (98.43 ft.) from the high water mark.

This provision shall not apply to marinas and marine facilities, stairs, floating dwellings, transmission facilities for gas, telephone, cable or electrical power, or to flood control and erosion control structures.

(c) From Flood Plains:

Notwithstanding other provisions of this by-law, no building or structure shall be erected or altered within 5 metres of a flood plain or 30 metres from the high water mark, whichever is greater.

(d) From Wetlands:

Notwithstanding other provisions of this by-law, no building or structure shall be erected or altered within 30 metres of a seasonal or permanent wetland not categorized herein.

3.32 Signs

The provisions of this By-law shall not apply to prevent the erection, alteration, or use of any legal sign provided that such sign complies with the provisions of the Municipal Sign By-law and the provisions of this By-law regarding sight triangles.

3.33 Special Provisions for Automobile Service Stations, Automobile Body Shops and Gasoline Retail Facilities

Where automobile service stations, automobile body shops and gasoline retail facilities are permitted in this By-law, the following provisions shall apply:

- (a) Front Yard (minimum):
- | | | |
|------------------|--------|-------------|
| (i) County Roads | 15.0 m | (49.21 ft.) |
| (ii) Local Roads | 12.0 m | (39.37 ft.) |
- (b) Exterior Side yard (minimum):
- | | | |
|------------------|--------|-------------|
| (i) County Roads | 15.0 m | (49.21 ft.) |
| (ii) Local Roads | 12.0 m | (39.37 ft.) |
- (c) Landscaped Open Space (minimum): 5%
- (d) Special Provisions:
- (i) the minimum distance between any pump or advertising sign and any street line shall be 7.5 metres (24.61 ft.);
 - (ii) the width of any entrance or exit or combined entrance or exit measured at the front lot line or exterior side lot line shall not be greater than 9.0 metres (29.53 ft.) and there shall not be more than two accesses from any one street which adjoins the lot;
 - (iii) the minimum distance between any entrance, or exit, and street intersection shall be 12.0 metres (39.37 ft.) and the minimum distance between accesses shall be 9.0 metres (29.53 ft.);
 - (iv) where the lot is a corner lot, no portion of any gasoline pump island shall be located closer than 6.0 metres (19.69 ft.) to a corner lot sight triangle;
 - (i) a strip of landscaped open space, a minimum of 1.5 metres (4.92 ft.) wide shall be provided along any lot line abutting a street, and such landscaped open space shall be continuous, except for accesses, to the lot .

3.34 Special Provisions for Seasonal Worker Accommodations

Where seasonal worker accommodations are permitted in this By-law, and notwithstanding any other provision of this By-law to the contrary, the following provisions shall apply:

- (a) Front Yard Depth:
- No seasonal worker accommodation dwellings shall be located closer to the front lot line than any main building on the lot.
- (b) Side Yard Width (minimum): 10.0 m (32.8 ft.)

SECTION 3**GENERAL PROVISIONS**

(c)	Rear Yard Depth (minimum):	10.0 m	(32.8 ft.)
(d)	Distance from any other accessory building (minimum):	10.0 m	(32.8 ft.)
(e)	Distance from a livestock building (minimum):	25.0 m	(82.02 ft.)
(f)	Distance from a manure storage facility (minimum):	30.0 m	(98.43 ft.)

3.35 Swimming Pools

No swimming pool shall be located in any front yard or any exterior side yard or within a required water or right-of-way setback and shall not be closer than 1.5 metres (4.92 ft.) to any interior side lot line and rear lot line.

Swimming pools are permitted in the front yard of the Shoreline Residential (RS) and Island Residential (RI) zones, and for waterfront residential lots in other zones, and shall be set back a minimum of 30 metres (98.43 ft.) from the high water mark of the waterbody or watercourse or 5 metres from the 1:100 year flood level, whichever is greater.

3.36 Temporary Uses

- (a) In any zone, temporary construction facilities such as a garage, shed, scaffold, or sales office shall be permitted for a maximum period of two years and only while a valid building permit for such construction remains in force, provided such use is removed within thirty (30) days of the issuance of the occupancy permit.

3.37 Yard Encroachments

Every part of any minimum required yard shall be open and unobstructed by any structure other than an accessory building or structure permitted elsewhere in this By-law, provided, however, that those structures listed below shall be permitted to project into the minimum required yards indicated for the distances specified.

- (a) Belt courses, sills, cornices, eaves, gutters, chimneys, bay windows, pilasters or other ornamental structures may project into any minimum required yard not more than 0.6 metres (1.97 ft.).
- (b) Attached unenclosed porches; uncovered patios, decks, balconies; exterior stairs and landings may project from the main building into any yard not more than 3 m, except that where an existing main building is non-complying in relation to the required yard, in which case an open and unroofed porch, deck, exterior stairs or landing may project into the existing yard a maximum of 1.5 m. These encroachments are permitted provided that they are no

closer than 1.2 m to any lot line and do not reduce or infringe upon any necessary sight triangles.

- (c) Uncovered patios, fences, garden trellises and similar landscaping features, all plant materials, clothes poles, flagpoles, retaining walls and similar accessory uses may project into any minimum yard.
- (d) A children's weather shelter not exceeding a floor area of 3.0 square metres (32.29 sq.ft.) shall be permitted in a front yard or exterior side yard in a Rural Zone or an Agricultural Zone.
- (e) Underground facilities such as septic tanks and sewage disposal system leaching beds may project into any minimum yard except a minimum front yard or water setback on a lot abutting a waterbody or watercourse, provided it complies with all other applicable regulations.
- (f) Above ground facilities directly providing public services such as utility poles and mailboxes may encroach into a minimum required yard or setback area provided it complies with all applicable regulations pursuant to federal or provincial legislation and the location is approved by the Municipality.

SECTION 4 ZONES

4.1 Zone Classifications

For the purpose of this By-law, all land within the Township of Leeds and the Thousand Islands is divided into the following zones which are identified on the attached Schedules by the accompanying symbols:

Residential Zone

-	First Density (Lansdowne)	R1
-	Second Density (Lansdowne)	R2
-	Hamlet	RH
-	Rural	RR
-	Shoreline	RS
-	Island	RI
-	Mobile Home Park	RMP
-	Floating	RF

Commercial Zone

-	General	CG
-	Highway	CH
-	Tourist	CT
-	Recreation	CR

Industrial Zone

-	Light	ML
-	Rural	MR

Institutional Zone

I

Open Space

OS

Agricultural Zone

-	General Agricultural	AG
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Rural Zone

-	Rural	RU
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Mineral Resource Zone

-	Pit	MRP
-	Quarry	MRQ
-	Wollastonite	MRW
-	Resource, Bedrock	MRB
-	Resource Aggregate	MRA

SECTION 4

ZONES

Wrecking Yard Zone	WY
Waste Management Zone	WM
Sewage Disposal Zone	SD
Flood Plain Zone	FP
Environmental Protection Zone	EP
Provincially Significant Wetland Zone	PSW
Locally Significant Wetland Zone	LSW
Area of Natural and Scientific Interest Zone	ANSI
Species at Risk Zone	SR
Parking Lot Zone	PL

4.2 Schedules

The attached Schedules A, B, C, D E, F and G form a part of this By-law.

4.3 Boundaries of Zones

Where the boundary of any zone, as shown on the attached Schedules, is uncertain the following provisions shall apply:

- (a) where the boundary is indicated as following a street, railway right-of-way or other right-of-way, then the boundary shall be the centreline of such street, railway right-of-way or other right-of-way;
- (b) where the boundary is shown as approximately following a concession line or a lot line or an extension of a lot line on a registered plan of subdivision or registered survey plan, the lot line or extension thereof shall be the boundary;
- (c) where the boundary is shown as approximately following a waterbody, the high water mark shall be the boundary;
- (d) Where a zone boundary as indicated follows the 1:100 flood line, the boundary shall be the 1:100 flood line.
- (e) where none of the above is applicable, then the location of such boundary shall be determined by scale from the original Schedules A, B, C, D, E, F and G which are available at the Clerk's Office.

4.4 Streets and Rights-of-Way

Each half of a street, railway right-of-way or other right-of-way shown on the attached Schedules shall be included, unless otherwise indicated, in the zone pertaining to the adjoining property.

Where any street, railway right-of-way, or other right-of-way as shown on the attached Schedules is closed or diverted or where any land included in any right-of-way hereafter ceases to be used for such purpose, the land formerly included in such street, railway right-of-way or other right-of-way shall be included within the zone of adjoining property on either side thereof.

4.5 Holding Zones

Any parcel or area of land in any Zone may be further classified as a holding zone with the addition of the suffix "-h." In some instances, the presence of a holding zone is established by the Zone Classifications legend on the Schedules in order to avoid excess map clutter. The holding classification added to a given zone shall prohibit development of the land until such time as the policies of the approved Official Plan related to holding zones are complied with. While a holding zone is in effect, no lands shall be used and no buildings or structures shall be erected or used for any purpose other than those uses existing for such land, building or structure on the date of passing of this By-law and for the uses specifically permitted in the particular holding zone.

4.6 Special Exception Zones

Where a zone symbol is followed by a dash and a number (e.g., RU-1), this denotes a special exception zone. Lands so zoned shall be subject to all of the provisions of the zone represented by the symbol except as otherwise provided by the special exception provisions of the special zone. Current special exception provisions are listed separately under the appropriate zone category in the text of the By-law.

4.7 Temporary Zones

Other temporary uses, including garden suites, may be authorized from time to time by Zoning By-law amendment pursuant to Section 39 of the Planning Act. These are listed separately at the end of the appropriate zone category and are identified with the symbol "-T" because of their temporary nature.

SECTION 5 RESIDENTIAL ZONES

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Residential Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.1 First Density Residential (R1) - Lansdowne Zone

(a) Permitted Uses:

- duplex;
- group home;
- semi-detached dwelling;
- single detached dwelling.

(b) Zone Requirements

Lot Area (minimum)	465.0 m ²	(5005.33 sq ft)
Lot Frontage (minimum)	15.0 m	(49.21 ft.)
Yard Requirements (minimum)		
Front	7.5 m	(24.61 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	1.5 m	(4.92 ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage (maximum)	35%	
Floor Area (minimum)	75.0 m ²	(807.29 sq ft.)
Dwellings Units per lot (maximum)		
Single Detached Dwelling	1	
Duplex or semi-detached	2	

(c) Notwithstanding, the lawful severance of a lot upon which a building or buildings have been erected shall be deemed to conform with the provisions of this By-law, as amended, and the building or buildings shall be deemed to be erected on one lot for the purposes of administering this By-law. This provision shall not apply if the severed and retained lots comply with the By-law or if the required minor variances are granted.

(d) Municipal Piped Services:

No dwelling shall be erected in this zone unless it is connected to piped municipal sanitary sewer and water services.

(e) Special Exceptions:

(i) R1-1, 20 Jessie Street, 21 and 22 Frederick Street, Assessment Roll Nos. 812-035-08311, 812-035-08309 and 812-035-08307

The lands zoned R1-1, the following regulation shall apply;

- setback from centreline of Township street 13.0 metres

5.2 Second Density Residential (R2) – Lansdowne Zone

(a) Permitted Uses:

- apartment dwelling;
- boarding house;
- row house;
- triplex dwelling;

R1 uses in accordance with the provisions thereof.

(b) Zone Requirements:

(i) Triplex, boarding house or row house:

Lot Area (minimum)	560.0 m ²	(6027.79 sq ft.)
Lot Frontage (minimum)	18.0 m	(59.06 ft.)
Yard Requirements		
Front	7.5 m	(24.61 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	3.0 m	(9.84 ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage (maximum)	35%	
Floor Area per Dwelling Unit (minimum)	65.0 m ²	(699.65 sq ft.)
Dwelling Units per Lot (maximum)		
Boarding House	1	
Triplex or row house	3	

(ii) Apartment:

Lot Area (minimum) 200.0 m² (2152.78 sq. ft.) per unit for each of the first four units plus 150.0 m² (1614.59 sq. ft.) for each additional unit.

Lot Frontage (minimum) 18.0 m (59.06 ft.)

SECTION 5**RESIDENTIAL ZONES**

Lot Frontage (minimum)	18.0 m	(59.06 ft.)
Yard Requirements (minimum)		
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	3.0 m	(9.84 ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage	35%	
Floor area per Dwelling Unit (minimum)		
Bachelor Unit	46.0 m ²	(495.14 sq. ft.)
One Bedroom Unit	55.0 m ²	(592.01 sq. ft.)
Two Bedroom Unit	60.0 m ²	(645.83 sq. ft.)
More than 2 Bedroom Unit	65.0 m ²	(699.64 sq. ft.)
Senior Citizen Unit	42.0 m ²	(452.08 sq. ft.)
Density (maximum)	75 units per hectare	
Landscaped Open Space (minimum)	35%	

(c) Municipal Piped Services:

No dwelling shall be erected in this zone unless it is connected to piped municipal sanitary sewer and water services.

5.3 Hamlet Residential (RH) Zone**(a) Permitted Uses:**

- boarding house;
- duplex dwelling;
- group home;
- marine facility;
- semi-detached dwelling;
- single detached dwelling.

(b) Zone Requirements:

Lot Area (minimum)	6000.0 m ²	(1.5 acres)
Lot Frontage (minimum)	45.0 m	(147.64 ft.)
Yard Requirements (minimum)		
Front	7.5 m	(24.61 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	3.0 m	(9.84 ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage (maximum)	10%	
Floor Area (minimum)	75.0 m ²	(807.29 sq.ft.)
Dwellings per lot (maximum)		
Boarding House, group home, single detached dwelling		1
Duplex, semi-detached dwelling		2

(c) Special Exceptions:

(i) **RH-1**

On lands zoned RH-1, the following zone requirements apply:

Permitted Uses:

- duplex dwelling;
- group home;
- home occupation;
- multiple dwelling;
- semi-detached dwelling;
- single dwelling.

Zone Requirements

Lot Area (minimum)	4000.0 m ²	(0.98 acres)
Lot Frontage	35.0 m	(114.83 ft.)
Yard Requirements (minimum)		
Front	7.0 m	(22.97 ft.)
Rear	8.0 m	(26.25 ft.)
Exterior Side	7.0 m	(22.97 ft.)
Interior Side	3.0 m	(9.84 ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage (maximum)	20%	
Floor Area Per Dwelling Unit (minimum):	70.0 m ²	(753.5 sq.ft.)
Density (maximum)	5 units per ha.	

(ii) **RH-2, Assessment Roll No. 816-010-12300**

On land zoned RM-2, the following zone requirements apply:

Zone Requirements:

Lot Area (minimum)	1670.0 m ²	(17976.32 sq ft.)
Yard Requirements		
Rear	1.0 m	(3.28 ft.)
Interior Side	1.4 m	(4.59 ft.)
Floor Area Per Dwelling Unit (minimum)	55.5 m ²	(597.42 sq.ft.)
Density (maximum)	36 units per ha	

(iii) **RH-3, 133 Park Street, Seeley's Bay, Roll No. 816 010 21115**

Notwithstanding any provision of subsection 5.3 a) of this By-law to the contrary, on the lands identified as RH-3, one mobile home shall be permitted.

(ix) **RH-4, 128 Jonas Street, Assessment Roll No. 816-020-11805**

- a) The lands identified with a shaded marking on Schedule "A" to this By-Law be zoned "Hamlet Residential – Special Exception Four (RH-4)";
- b) That the maximum permitted number of dwelling units on lands to be zoned RH-4 shall be two (2);
- c) That a hobby farm is permitted in the RH-4 zone;
- d) That the front yard setback and the setback from Jonas Street of the existing dwelling, garage and horse barn be no closer than the existing structures. Any new structures shall be subject to the provisions of the RH Zone and other provisions of the Zoning By-Law;
- e) That the setback from the high water mark for the cottage dwelling shall be 12 metres;
- f) That Schedule "G" to By-law No. 07-079 is amended in accordance with the provisions of this By-law

5.4 Rural Residential (RR) Zone

- (a) Permitted Uses:
 - group home;
 - single detached dwelling.
- (b) Zone Requirements:

Lot Area (minimum)		
Non-waterfront Lots	6000.0 m ²	(1.5 acres)
Waterfront Lots	1.0 ha	(2.5 acres)
Lot Frontage (minimum)		
Non-waterfront Lots	45.0 m	(147.64 ft.)
Waterfront Lots	60.0 m	(196.85 ft.)
Yard Requirements (minimum)		
Front	7.5 m	(24.61 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	3.0 m	(9.84 ft.)
Building Height (maximum)	12.0 m	(39.37 ft)
Lot Coverage (maximum)	10%	
Floor Area Per Dwelling Unit (minimum)	75.0 m ²	(807.29 sq.ft.)
Dwelling Units Per Lot (maximum)	1	
- (c) Special Exceptions:

(i) **RR-1, part of Breckenridge Subdivision, see By-law 29-88/89**

On the lands zoned RR-1, the following regulations shall apply:

Lot Area (minimum)	as shown on a Registered Plan of Subdivision
--------------------	--

Lot Frontage (minimum) as shown on a Registered Plan of Subdivision

Setback from high water mark of Legge's Creek
(minimum) 15.0 m (49.21 ft.)

Setback from edge of 1000 Islands Parkway road allowance
(minimum) 45.0 m (147.64 ft.)

(ii) **RR-2, Landon Bay Subdivision (see By-law 1-96, 24-99)**

Lands zoned RR-2, shall only be used in accordance with the following provisions:

Lot Area (minimum) as shown on a Registered Plan of Subdivision

Lot Frontage (minimum) as shown on a Registered Plan of Subdivision

No building shall be located within 15 metres (49.21 ft.) of the ANSI Zone and high water mark.

(iii) **RR-3, (Village Estates)**

Lands zoned RR-3, the following Zone Requirements shall apply:

Lot Area (minimum)	4000.0 m ²	(43057.05 sq. ft.)
Lot Frontage (minimum)	30.0 m	(08.43 ft.)
Lot Coverage (maximum)	20%	

Main Buildings:

Building Height (maximum)	10.5 m	(34.45 ft.)
Floor Area (minimum)	130.0 m ²	(1399.30 sq. ft.)
Setback from Thousand Islands Parkway	52.0 m	(170.60 ft.)

Yard requirements (minimum)

Front	9.0 m	(29.52 ft.)
Rear	9.0 m	(29.52 ft.)
Exterior Side	9.0 m	(29.52 ft.)
Interior Side	4.5 m	(14.76 ft.)

Accessory Buildings:

Building Height	4.5 m	(14.76 ft.)
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Yard Requirements (minimum)

Front	9.0 m	(29.52 ft.)
Rear	1.5 m	(4.92 ft.)
Exterior Side	9.0 m	(29.52 ft.)
Interior Side	1.5 m	(4.92 ft.)

(iv) **RR-4, (Clark Subdivision) Assessment Roll No. 812-015-07001, 812-015-07023, 812-015-07024, 812-015-07026, 812-015-07027, 812015-07028, 812-015-07029**

On the lands zoned RR-4, the following provisions shall apply:

Lot Area (minimum)	8000.0 m ²
Lot Frontage (minimum)	as shown on a Registered Plan of Subdivision

(v) **RR-5, Assessment Roll No. 812-025-27400**

On the land zoned RR-5 the following zone requirements shall apply:

Density (maximum)	1 unit per 2.65 ha	(6.55 acres)
Lot Area (minimum)	5.3 ha	(13.1 acres)
Lot Frontage (minimum)	244.0 m	(800.52 ft.)
Yard Requirements (minimum)		
Front	60.0 m	(196.85 ft.)
Rear, Main Dwelling	15.0 m	(49.21 ft.)
Rear, Caretaker's Dwelling	45.0 m	(147.64 ft.)
Interior Side	15.0 m	(49.21 ft.)
Building Height (maximum)	10.5 m	(34.45 ft.)
Lot Coverage (maximum)	1.5%	
Floor Area per Dwelling Unit (minimum)	93.0 m ²	(1001.07 sq. ft.)
Dwelling Units per lot (maximum)	2	
Marine Facility Height (maximum)	5.0 m	(16.40 ft.)

(vi) **RR-6,105A Willowbank Road, Assessment Roll No. 812-01503100**

The lands zoned RR-6 shall only be used for one single residential dwelling in accordance with the following provisions:

- The minimum elevation for all openings on buildings and structures shall be at a minimum elevation of 76.3 metres (250.33 ft.) geodetic;
- Setback from the high water mark of the St. Lawrence River: 15.0 metres (49.21 ft.);
- Setback from the Canal: 11.6 metres (38.06 ft.); Rear Yard: 3.6 metres (11.81 ft.);
- Interior Side Yard: 3.0 metres (9.84 ft.);
- Setback from private right-of-way: 1.4 metres (4.59 ft.);
- That there is no increase to the volume of the portion of the dwelling which is located within the 15.0 metre (49.21 ft.) setback;
- No accessory structures shall be permitted.

(vii) **RR-7, 4467 Highway No. 2, Assessment Roll No. 812 015 00701**

The lands identified as RR-7-h the following shall also be permitted:

- A private hobby farm, including the construction of a barn, establishment of a manure storage area and the keeping of a maximum of 10 horses.

In accordance with the following additional provisions:

- (i) The Minimum Distance Separation II (MDS) between the subject property and the adjacent lands zoned RR shall be 186 metres for both the livestock barn and the manure storage facility;
- (ii) The h-Holding symbol shall not prevent the lands being used in accordance with Section 5.4 for the purpose of a single detached dwelling prior to removal of the h-Holding symbol;
- (iii) The condition for removal of the h-Holding symbol will be the approval of a site plan in accordance with Section 41 of the Planning Act that demonstrates to the satisfaction of Council that development of the lands for a private hobby farm will comply with the requirements of the by-law.

(viii) RR-8, Lindsay Subdivision, Assessment Roll No. 812 020 07200

On the lands zoned RR-8, the following regulations shall apply:

Lot Area (minimum) - As shown on the Registered Plan of Subdivision
 Lot Frontage (minimum) - As shown on the Registered Plan of Subdivision

(ix) RR-9, 238 & 246 Island View Drive, Assessment Roll Nos. 0812 812 015 00717 & 0812 812 015 00718, respectively.

On the lands zoned RR-9, the following provision shall apply:

Lot Area (minimum 2500 sq. m.)

(x) RR-10, 901 Teddy's Lane, Assessment Roll No. 816 015 16515

- a) The lands identified with a shaded marking on Schedule "A" to this By-Law be zoned "Rural Residential - Special Exception Ten (RR-10)";
- b) That the minimum lot size of the lands to be zoned RR-10 shall be 0.52 hectares;
- c) That for the subject lands at 901 Teddy's Lane, described as part of Lot 16, Concession 7, Former Municipality of Rear of Leeds and Lansdowne, and more particularly described as Part 3 of Plans 28R3327 and 28R3268, the holding 'h' provision in place on the subject lands adjacent to the PSW Zone be lifted; and
- d) That Schedule "C" to By-Law No. 07-079 is amended in accordance with the provisions of this By-Law.

5.5 Shoreline Residential (RS) Zone

- (a) Permitted Uses:
- group home;
 - marine facility;
 - single detached dwelling;
 - sleeping cabin.

(b) Zone Requirements

Lot Area (minimum)	1.0 ha	(2.5 acres)
Lot Frontage (minimum)	60.0 m	(196.85 ft.)
Yard Requirements (minimum)		
Front	30.0 m	(98.43 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	3.0 m	(9.84 ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage (maximum)	10 %	
Floor Area (minimum)	75.0 m ²	(802.29 sq. ft)
Dwellings per Lot (maximum)	1	
Sleeping cabin per Lot	1	

(c) Special Exceptions:

(i) **RS-1, 920 Trillium Lane, Assessment Roll No. 816-025-04600**

On the land zoned RS-1, the following provisions shall apply:

A single dwelling consisting of the existing floor area of approximately 160 m² (1722 ft.²), located 15.24 metres (19.69 ft.) from the high water mark of Charleston Lake .

(ii) **RS-2, Assessment Roll No. 816-025-11900,961 Newells Lane, Bass Lake Part of Lot 13, Concession 11, Township of Lansdowne**

On lands zoned RS-2, the residential dwelling shall be set back a minimum of 10.0 metres (32.81 ft.) from the high water mark of Bass Lake with a permitted height of 6.8 metres (22.31 ft.).

(iii) **RS-3, Assessment Roll No. 816-015-19900,182 Yardarm Lane Part of Lot 18, Concession 7, Township of Lansdowne**

On lands zoned RS-3, the residential dwelling shall be set back a minimum of 14.6 metres (47.9 ft.) from the high water mark of Charleston Lake with a permitted height of 12.0 metres (39.37 ft.).

(iv) **RS-4, Assessment Roll No. 816-015-10227,939 Lost Bay Lane, Part of Lot 4, Concession 7, Township of Lansdowne**

On lands zoned RS-4, the residential dwelling shall be set back a minimum of 7.6 metres (24.93 ft.) from the unopened road allowance.

(v) **RS-5, Assessment Roll No. 816-015-12403**

On the lands zoned RS-5, the residential dwelling shall be set back a minimum of 18.0 metres (59.06 ft.) from the high water mark.

(vi) **RS-6, Assessment Roll No. 816-025-23000, 993 Foster Bay Lane Part of Lot 24, Concession 11, Township of Lansdowne**

on lands zoned RS-6, any building or structure shall be set back a minimum of 30.0 metres (98.43 ft.) from the high water mark and all openings into any building or structure shall be at a minimum elevation of 86.8 metres (284.78 ft.) geodetic.

(vii) **RS-7, Assessment Roll No. 816-030-06207, Part Lot 7, Concession 9, Leeds, 802 Point Lane**

On lands zoned RS-7, the required setback from the private right-of-way shall be:

- from the garage: 7.5 metres (24.61 ft.)
- from the dwelling: 3.0 metres (9.84 ft.)

(viii) **RS-8, Assessment Roll No. 816-010-30501 and 816-010-30400 Part Lot 3, Concession 8, Leeds, 111 Lilac Lane**

On lands zoned RS-8, the minimum required interior side yard shall be 1.0 metres (3.28 ft.) and the required rear yard shall be 2.4 metres (7.87 ft.).

(ix) **RS-9, Assessment Roll No. 816-025-06604 Part Lot 22, Concession 10, 905 Trillium Lane**

On lands zoned RS-9, the minimum required water setback shall be 14.6 metres (47.90 ft.).

(x) **RS-10, Assessment Roll No. 816-010-06695**

On lands zoned RS-10, no building or structure shall be erected on the subject lands with an elevation of less than 86.4 metres (283.46 ft.) geodetic.

(xi) **RS-11, Assessment Roll No. 816-025-21300**

On lands zoned RS-11 the minimum setback from the high water mark of Charleston Lake shall be 5.0 metres (16.4 ft.).

(xii) **RS-12, Lot Addition to Assessment Roll No. 816-015-16907**

On lands zoned RS-12, no opening shall occur in any building or structure with an elevation less than 86.8 metres (284.77 ft.) geodetic.

(xiii) **RS-13, Assessment Roll No. 816-025-12600**

On lands zoned RS-13, the minimum required water setback shall be 12.5 metres (41.0 ft.).

(xiv) **RS-14, Assessment Roll No. 816-025-26400**

On lands zoned RS-14, no building or structure shall be erected on the subject lands with an elevation of less than 86.8 metres (284.77 ft.) geodetic.

(xv) **RS-15, Assessment Roll No. 816-025-19803 and 816-025-19810**

On lands zoned RS-15 the minimum required water frontage is 30 metres (98.43 ft.).

(xvi) **RS-16, Assessment Roll Nos. 816-010-03900, 816-010-04500, 816-010-04700, 816-010-04100, 816-010-04200, 816-010-05800**

On lands zoned RS-16, no building or structure shall be erected on the subject lands with an elevation of less than 86.4 metres (283.46 ft.) geodetic.

(xvii) **RS-17, Assessment Roll Nos. 816-015-16903, 816-015-16927, 816-01516913, 816-015-16912, 816-015-16917 and 816-015-16908**

On lands zoned RS-17, any building or structure shall be set back a minimum of 30.0 metres (98.43 ft.) from the high water mark and no structure shall be erected on the subject lands with an elevation of less than 86.8 metres (284.78 ft.) geodetic.

(xviii) **RS-18, Assessment Roll Nos. 816-030-06302, 816-030-06305, 816-03006306, 816-030-06307 and 816-030-06309**

On lands zoned RS-18, any building or structure shall be set back a minimum of 30.0 metres (98.43 ft.) from the high water mark and no structure shall be erected on the subject lands with an elevation of not less than 98.86 metres (324.34 ft.) geodetic.

(xix) **RS-19, Assessment Roll No. 816-015-12004**

On lands zoned RS-19, an accessory garage located 0.1 metres (0.328 ft.) from the private right-of-way is permitted.

(xx) **RS-20, Assessment Roll No. 816-015-16906 and 816-015-16907**

On lands zoned RS-20, any building or structure shall be set back a minimum of 30.0 metres (98.43 ft.) from the high water mark and no structure shall be erected on the subject lands with an elevation of less than 86.8 metres (284.78 ft.).

(xxi) **RS-21, Assessment Roll No. 816-010-29000**

On lands zoned RS-21, in addition to the permitted single dwelling, a second single dwelling is permitted in compliance with the zone requirements.

(xxii) **RS-22, Assessment Roll No. 816-015-12008**

On lands zoned RS-22, an accessory garage located 3.9 metres (12.8 ft.) from the private right-of-way is permitted.

(xxiii) **RS-23, Assessment Roll No. 816-015-16918**

On lands zoned RS-23, any building or structure shall be set back a minimum of 30.0 metres (98.43 ft.) from the high water mark and no structure shall be erected on the subject land with an elevation of less than 86.8 metres (284.78 ft.).

(xxiv) **RS-24, Assessment Roll No. 816-030-06234**

On lands zoned RS-24, a single dwelling located 0.8 metres (2.62 ft.) from the private right-of-way is permitted.

(xxv) **RS-25, Assessment Roll No. 816-025-17000**

On the lands zoned RS-25, an accessory garage located 3.0 metres (9.84 ft.) from the private right-of-way is permitted, and a single dwelling with a setback of 15.8 metres (51.84 ft.) from Charleston Lake is permitted.

(xxvi) **RS-26, Assessment Roll No. 816-030-06240**

On lands zoned RS-26, an accessory garage located 3.5 metres (11.48 ft.) from the private right-of-way is permitted.

(xxvii) **RS-27, Assessment Roll No. 816-025-05100**

On lands zoned RS-27, a single dwelling with a setback of 14 metres (46 ft.) from Charleston Lake is permitted.

(xxviii) **RS-28, Assessment Roll No. 816-025-24100**

On lands zoned RS-28, the minimum setback from the high water mark shall be 10.0 metres (32.8 ft.), while the minimum interior side yard shall be 2.1 metres (6.89 ft.) for one side and 3.0 metres (9.84 ft.) for the other.

(xxix) **RS-29, Assessment Roll No. 816-015-17600, 816-015-16925**

On lands zoned RS-29, an unenclosed deck with a minimum 27.0 metre (88.58 ft.) setback from the high water mark shall be permitted.

(xxx) **RS-30, Assessment Roll No. 816-010-27200**

On the land zoned RS-30, a single dwelling with a setback of 12.2 metres (40.03 ft.) from the high water mark is permitted.

(xxxi) **RS-31, Assessment Roll No. 816-025-27400**

On lands zoned RS-31, a single dwelling with a setback of 6.0 metres (19.69 ft.) from Charleston Lake is permitted.

(xxxii) **RS-32, Assessment Roll No. 816-025-19903**

On land zoned RS-32, any building and structure shall be set back a minimum of 30.0 m (98.43 ft.) from the water and no structure shall be erected on land with an elevation of less than 87.8 m (288.06 ft.).

(xxxiii) **RS-33, 810 Cartwright Lane, Assessment Roll No. 816-010-05800**

Notwithstanding any provision of subsection 5.5 b) and 2.168 of this By-law to the contrary, the lands identified as Shoreline Residential, Special Exception Thirty Three (RS-33), a sleeping cabin with an area of 768 ft.² shall be permitted above the existing garage.

(xxxiiii) **RS-34, 333 1000 Islands Parkway, Assessment Roll No. 812 025 58000**

Notwithstanding any provision of subsection 5.5 and 3.31 b) of this By-Law to the contrary the lands identified as Shoreline Residential, Special Exception Thirty-Four (RS-34) shall permit the construction of a residential dwelling (2800 ft.²) while maintaining the existing 1200 ft.² sleeping cabin.

The setback from the highwater mark of the St. Lawrence River shall be 15 metres on the west side of the new dwelling and 29 metres on the east side of the new dwelling.

(xxxiii) **RS-35, Lodge Lane, Red Horse Lake, Assessment Roll No. 816 015 26210 and 816 015 25500**

Registered Owner: Gwendolyn Scott

Legal Description: Part of Lots 6 and 7, Concession 8, Geographic Township of Lansdowne, Township of Leeds and the Thousand Islands, County of Leeds, designated as parts 9, 10, 11 and 13 on Plan 28R-12334 and Part 1 on Plan 28R-13580, being Part of PIN 44227-0373 (LT)

Registered Owner: Morris Merton and Betty Moorhead

Legal Description: Part of Lots 6 and 7 Concession 8, Geographic Township of Lansdowne, Township of Leeds and the Thousand Islands, County of Leeds designated as Parts 1 and 2 on Plan 28R-12334 and Parts 1, 2, and 3 on Plan 28R-13581 being Part of PIN 44227-0372 (LT) and; Geographic Township of Lansdowne, Township of Leeds and the Thousand Islands, County of Leeds, designated as Parts 3 and 4 on Plan 28R-12334 and Part 4 on Plan 28R-13581, being Part of PIN 44227-0372 (LT).

On the lands zoned RS-35, the minimum setback for the installation of a sewage disposal system shall be 300 metres. All other requirements of the Shoreline Residential Zone shall apply.

(xxxiv) **RS-36 & RS-37, Part Lot 19, Concession 7 – Assessment Roll Number 816 015 16925**

- a) The lands identified with hash marks on Schedule “A” to this by-law shall henceforth be zoned “Shoreline Residential – Special Exception 34 (RS-34)”; and the lands identified with shaded tone on Schedule “A” be zoned “Shoreline Residential – Special Exception 35 (RS-35)”
- b) That the minimum frontage of the lands to be zoned RS-34 shall be 42.4 metres;
- c) That the septic system for the lands to be zoned RS-34 and RS-35 shall be setback at least 250 metres from the High Water Mark of Charleston Lake; and
- d) That Schedule “C” to By-law No. 07-079 is amended in accordance with the provisions of this By-law

(xxxvi) **RS-38, 37 Ivy Lea Rd, Assessment Roll Number 812 025 16400**

- a) On lands identified with shaded tone on Schedule “A” to this by-law shall henceforth be zoned “Shoreline Residential Special Exception 36 (RS-36)”; and
- b) That the maximum lot coverage of the lands to be zoned RS-36 shall be 11.4%;

- c) That the minimum lot size of the lands to be zoned RS-36 shall be 0.23 hectares;
 - d) That the minimum frontage of the lands to be zoned RS-36 shall be 38 metres;
 - e) That the front yard setback for the existing dwelling and deck on the lands to be zoned RS-36 shall be 17.6 metres and 12.2 metres, respectively;
 - f) That the setback from the high water mark for the existing dwelling and deck on the lands to be zoned RS-36 shall be 17.6 metres and 12.2 metres, respectively;
- That for the subject lands at 27 Ivy Lea Road, described as part of Lot 18, Concession BF, Former Municipality of Front of Leeds and Lansdowne and more particularly described as Part 1 of Plans 28R-13622, the holding 'h' provision in place on the subject lands adjacent of the PSW Zone to be lifted; and
- g) Schedule "B" to By-law No. 07-079 is amended in accordance with the provisions of this By-Law.

(xxxvii) **RS-39, 907 Teddy's Lane, Assessment Roll Number 816-015-16501**

- a) The lands identified with shaded marking on Schedule "A" to this by-law be zoned "Shoreline Residential Special Exception 37 (RS-37)";
- b) That the minimum lot size of the lands to be zoned RS-37 shall be 0.45 hectares;
- c) That the minimum frontage of the lands to be zoned RS-37 shall be 6.1 metres;
- d) That the minimum rear yard of the lands be zoned RS-37 shall be 4.9 metres;
- e) That the minimum setback from the edge of the private right-of-way and proposed house and attached garage be 5.5 metres;
- f) The for the subject lands at 907 Teddy's Lane, described as part of Lot 16, Concession 7, Former Municipality of Rear of Leeds and Lansdowne, the holding 'h' provision in place on the subject lands adjacent to the PSW Zone be lifted;
- g) Schedule "C" to By-Law No. 07-079 is amended in accordance with the provisions of this By-law.

(xxxviii) **RS-40, 14 McCrae's Bay Lane, Assess. Roll No. 812 025- 14600**

- a) The lands identified with shaded marking on Schedule "A" to this By-law be zoned "Shoreline Residential Special Exception 38 (RS-38)";
- b) That the minimum lot size of the lands to be zoned RS-38 shall be 0.18 hecatres;
- c) That the minimum frontage of the lands to be zoned RS-38 shall be 42 metres;
- d) That the front yard for the dwelling and associated uncovered deck on the lands to be zoned RS- 38 shall be 14.2 metres and 11.1 metres, respectively;

- e) That the setback from the high water mark for the dwelling and associated uncovered deck on the lands zoned RS-38 shall be 14.2 metres and 11.1 metres, respectively;
- f) That the setback of the garage from the edge of the right of way (McCrae's Bay Lane) on lands to be zoned RS-38 shall be 8.5 metres;
- g) That the front yard for the septic system on the lands to be zoned RS-38 shall be 25 metres;
- h) That the setback from the high water mark for the septic system on the lands to be zoned RS-38 shall be 25 metres;
- i) That for the subject lands at 14 McCrae's Bay Lane, described as part of Lot 16, Concession 1, Former Municipality of Front of Leeds and Lansdowne, the holding 'h' provision in place of the subject lands adjacent to the PSW Zone be lifted; and
- j) That Schedule "B" to By-law No. 07-079 is amended in accordance with the provisions of this By-Law.

5.6 Island Residential (RI) Zone

- (a) Permitted Uses:
 - marine facility;
 - single detached dwelling;
 - sleeping cabin.

- (b) Zone Requirements

Lot Area (minimum)*	1.0 ha	(2.5 acres)
Lot Frontage (minimum)	76.0 m	(249.34 ft)

In addition to the definitions of lot area and lot frontage contained in this By-law, calculation of minimum lot area for an island on the St. Lawrence River shall be based on the area above the 76.3 metre (250.33 ft.) geodetic contour and calculation regarding minimum lot frontage shall be measured along a straight line joining the two side lot lines where they intersect with the 76.3 metre (250.33 ft.) geodetic contour.

Yard Requirements (minimum)		
Front	30.0 m	(98.43 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	3.0 m	(9.84 ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage (maximum)	10 %	
Floor Area (minimum)	75.0 m ²	(802.29 sq. ft)
Dwellings per Lot (maximum)	1	
Sleeping cabin per Lot	1	

(c) Expansion of dwellings on islands less than 1.0 ha (2.5 acres) in area will only be permitted if a site specific rezoning or a Committee of Adjustment application approves the development.

(d) Special Exceptions:

(i) **RI-1, Assessment Roll No. 812-025-42705, 812-025-42713**

On the lands zoned RI-1, the minimum rear yard shall be 1.0 metres (3.28 ft.).

(ii) **RI-2, Assessment Roll No. 812-025-45100**

The lands zoned RI-2 shall only be used in accordance with the following provisions:

Permitted Uses:

- sleeping cabin having a maximum floor area of 18.0 m²;
- marine facility consisting of one dock having a maximum area of 90.0 m²;
- one storey single dwelling having a maximum total floor area of 87.0 m²;
- open deck having a maximum area of 40.0 m²;
- approved sewage disposal system.

(iii) **RI-3, Assessment Roll No. 812-025-45601**

The lands zoned RI-3 shall be used in accordance with the following provisions:

Permitted Uses:

- single dwelling having a maximum ground floor area of 150.0 m² (1614.64 sq. ft.);
- accessory one storey storage building having a maximum floor area of 15.0 m² (161.46 sq. ft.);
- boat house having a maximum area of 120.0 m² (1291.71 sq. ft.); docks (connected to boat house and free standing) having a total maximum area of 80.0 m² (861.14 sq. ft.);
- deck;
- approved sewage disposal system.

(iv) **RI-4**

On the lands zoned RI-4, no sleeping cabin shall be permitted and the Lot Area (minimum) and Lot Frontage (minimum) shall be as shown on Registered Plan Numbers 293, 294 and 296.

(v) **RI-5, Assessment Roll No. 812-025-55100**

The lands zoned RI-5 shall only be used in accordance with the following provisions:

Permitted Uses:

- marine facility;
- existing marine storage building with a Maximum floor Area of 18.0 square metres (193.76 sq.ft.);
- single dwelling having a maximum total floor area of 120.0 square meters (1291.71 sq.ft);
- a holding tank or other approved sewage system.

Zone Requirements:

- no part of the single dwelling and no part of any deck shall be located closer than 12.0 metres (39.37 ft.) to the high water mark;
- the maximum height of the single dwelling shall be 4.0 metres (13.12 ft.) measured from the top of the existing rock elevation on which the westerly extremity of the existing building foundation sits, a location which is 15.0 metres (49.21 ft.) from the high water mark on the easterly side of the island, directly adjacent to the hydro transformer.

Other:

Within three months of the issuance of the building permit for the single dwelling;

- the existing pit privy located 8.0 metres (26.25 ft.) from the high water mark will be removed and the hole filled;
- the existing camping trailer will be removed from the island;
- the single dwelling will be clad in building materials which are dark brown and/or dark green in colour.

(vi) **RI-6, Assessment Roll No. 812-025-53300**

On the lands zoned RI-6, no sleeping cabin shall be permitted and the lot area (minimum) shall be 1.2 hectares (2.97 acres).

(vii) **RI-7**

On the lands zoned RI-7, a single dwelling may be erected on Scorpion Island in accordance with the following provisions:

Lot Area (minimum)	the existing lot
Lot Frontage (minimum)	the existing lot frontage
Yard Requirements (minimum)	
All	12.0 m (39.37 ft.)

SECTION 5**RESIDENTIAL ZONES**

Building Requirements (maximum)	3.0 m	(9.84 ft.)
Floor Area (maximum)	36.0 m ²	(387.51 sq.ft.)

Notwithstanding any other provisions of this By-law to the contrary, the exterior cladding material shall be naturally finished wood siding and the roof shall be dark brown or dark green in colour.

(viii) RI-8, Assessment Roll No. 812-015-32000

The lands zoned RI-8 shall only be used for two single dwellings which may be erected on Island No. 012 in accordance with the following provisions:

Lot Area (minimum)	the existing lot	
Lot Frontage (minimum)	the existing lot frontage	
Yard Requirements (minimum)		
North Building	3.0 m	(9.84 ft.)
South Building	3.5 m	(11.48 ft.)
Building Height (maximum)	4.0 m	(13.12 ft.)
Floor Area (maximum)		
North Building	52.1 m ²	(560.82 sq. ft.)
South Building	40.0 m ²	(430.57 sq. ft.)
Area of all uncovered decks		
Combined (maximum)	30.0 m ²	(322.93 sq. ft.)

The exterior cladding material shall be naturally finished wood siding and the roof, window frames and other trim shall be dark brown or dark green in colour.

(ix) RI-9, Assessment Roll No. 812-025-48000

The lands zoned RI-9 shall only be used for the following:

- marine facility;
- single dwelling consisting of the existing floor area of 4 m x 4.9 m (13 ft. x 16 ft.) plus a maximum expansion area of 4.9 m x 7.7 m (16 ft. x 25 ft.) provided the existing shed measuring 3.7 m x 3.7 m (12 ft. x 12 ft.) is removed;
- screened, roofed deck measuring a maximum of 2.5 m x 4.9 m (8 ft. x 16 ft.) attached to the southwest side of the enlarged structure;
- an open deck measuring a maximum of 2.5 m x 3.7 m (8 ft. x 12 ft.) located a minimum of 7.0 metres (23 ft.) from the northwest side of the Island;
- existing washroom structure measuring 2.5 m x 2.5 m (8 ft. x 8 ft.).

The enlarged single dwelling may be constructed so that its northeast corner is not less than 12.5 metres (41.0 ft.) from the high water mark. The maximum height of the enlarged structure shall be 5.4 metres (17.72 ft.). All exterior siding shall be in natural tones of brown, green or grey. Roofing shall be dark brown, dark green or black.

(x) **RI-10, Assessment Roll No. 812-015-23101**

On the land zoned RI-10, a one storey addition on the land side of the main boathouse located at the northwest corner of the island and having a maximum floor area of 18.6 m² (200.22 sq.ft) is permitted provided the existing 21.2 m² (228.20 sq.ft) tool shed is demolished.

(xi) **RI-11, Assessment Roll No. 812-025-42000**

On the land zoned RI-11, the following provisions shall apply:

On Island 80 D:

- A one storey addition having a maximum floor area of 56.0 m² (602.80 sq. ft.) shall be permitted, bringing the total area of the enlarged, one storey single dwelling to a maximum floor area of 150.0 m² (1614.64 sq. ft.).
- This single dwelling shall be connected to an approved sewage disposal system located on Island 80E.
- Attached deck(s) having a maximum total area of 100.0 m² (1076.43 sq. ft.) may be permitted provided no portion is closer than 10.5 m (34.45 ft.) from the high water mark.

On Island 80E:

- An approved sewage disposal system shall be permitted to serve the permitted single dwelling located on Island 80D provided the existing sleeping cabin is converted to a tool shed and all plumbing is removed.

(xii) **RI-12, Assessment Roll No. 812-015-23400**

On the land zoned RI-12, the following provisions apply:

- An attached second storey deck having a maximum total area of 22.0 m² (240 sq.ft.) may be permitted on the west side of the existing dwelling.

(xiii) **RI-13, Huckleberry Island Assessment Roll No. 812-025-43900**

On the land zoned RI-13, the following provisions shall apply:

- a single storey sleeping cabin, having a maximum floor area of 45.0 m² (484.39 sq.ft) which is used only for sleeping accommodation, which does not contain kitchen or washroom facilities;
- setback from the high water mark of the St. Lawrence River: 11.0 metres (36.09 ft.).

(xiv) **RI-14, Shetland Island, Assessment Roll No. 812-025-59600**

On the land zoned RI-14, the following provisions shall apply:

- a single dwelling consisting of the existing floor area of approximately 65.0 m² (699.68 sq.ft.), plus the expansion of the height to include dormers on either side of the existing roofline and the extension of the roof on the east side by 1.0 m (3.28 ft.);
- enlargement of the existing open deck on the west side of the dwelling to 2.5 m (8.20 ft.) in width;
- setback from the high water mark of the St. Lawrence River: 0 metres;
- removal of the open shower located adjacent to the river on the east side of the existing dwelling.

(xv) **RI-15, Island No. 29, Assessment Roll No. 812-015-19000**

On the land zoned RI-15, the following provisions shall apply:

- a single dwelling consisting of a maximum floor area of approximately 42.0 m² (452.1 sq.ft.), plus the existing deck; the maximum height of the addition on the east side of the single dwelling to be 5.2 m (17.06 ft.);
- setback from the high water mark of the St. Lawrence River for the addition to be 3.3 m (10.83 ft.);
- maximum lot coverage 9.2%.

(xvi) **RI-16, Windward Island, Assessment Roll No. 812-015-27100**

The lands zoned RI-16 shall only be used for two single dwellings and a sleeping cabin in accordance with the following provisions:

Lot Area	existing lot area
Lot Frontage	existing lot frontage
Yard Requirements (minimum)	15.0 metres
Building Height (maximum)	7.5 metres
Floor Area (maximum)	
West Building	81.0 m ² (873 ft ²)
East Building	78.0 m ² (840 ft ²)
Sleeping Cabin	41.8 m ² (450 ft ²) plumbing fixtures to be removed
Area of all uncovered decks	22.0 m ² (240 ft ²)
Lot coverage (maximum)	6.9%

(xvii) **RI-17, Flying Mallard Island, Assessment Roll No. 812-02541200**

The lands zoned RI-17 shall only be used in accordance with the following provisions:

Lot Area	existing lot area
Lot Frontage	existing lot frontage
Setback from the high water mark of the St. Lawrence River:	11.0 metres (36.08 ft.)

Existing single dwelling consisting of a maximum floor area of 171.0 m² (1840.69 sq.ft) plus a maximum ground floor expansion of 42.0 m (454.1 sq.ft) and an increase in height to 7.5 metres (24.6 ft.) to accommodate a second floor.

Maximum Building Height 7.5 metres (24.6 ft.)

(xviii) **RI-18, 213 Hill Island East, Assessment Roll No. 812-025-36100**

The lands zoned RI-18 the following use shall also be permitted:

- a second building to accommodate kitchen/dining facilities with a maximum area of 69.3 m² (746 ft);
- a covered deck can connect the existing dwelling and the kitchen/dining building;
- the second building shall not contain any bedrooms.

(xix) **RI-19, 1 Isle of the Gremlins, Assessment Roll No. 812-02543100**

On the land zoned RI-19 the following provisions shall apply:

- single dwelling consisting of the existing floor area of approximately 98.0 m² (1054.9 sq.ft.) plus the increase in height to 6.7 metres (21.98 ft.) to include a dormer roof;
- Setback from the high water mark of the St. Lawrence River: 0 metres.

(xx) **R1-20, Bung Island, Assessment Roll No. 812-025-55500**

The lands zoned RI-20, the following marine facility shall be permitted:

- a dock awning (7.9m x 6.7m) over the existing dock on the north side of the island.

(xxi) **RI-21, Islands 102 and 102A Assessment Roll No. 809-010-17500**

On the lands zoned RI-21, a marine facility shall be permitted, specifically a 12.2 metre x 10.7 metre (40 ft x 35 ft), 2 slip boathouse, but does not include any building used for human habitation. Staving boards extend a maximum of 0.9 metres (2.95 ft.) below the decking and be a minimum of 1.4 metres (4.59 ft.) above the bed of the river. The structure shall be supported by piling posts. The maximum height shall be one storey; the maximum dimensions shall be 12.1 metres (39.7 ft.) by 11.0 metres (36.09 ft.) and the roof line shall be pitched.

(xxii) **RI-22, 42 Black Snake Lane, Assessment Roll No. 812-025-29305**

- a) The lands identified with shaded tone on Schedule "A" to this By-Law be zoned "Island Residential – Special Exception 22 (RI-22)l";
- b) That the minimum lot size for the lands to be zoned RI-22 shall be 0.46 ha (1.14 ac);

- c) That the maximum lot coverage for the lands to be zoned RI-22 be 1086%;
- d) That the subject lands at 42 Black Snake Lane, and further described as part of lot 5, Plan 120, Hill Island, in the geographic Township of Front of Leeds and Lansdowne, and having Assessment Roll No. 0812 812 025 29305, the holding 'h' provision in the place on the subject lands adjacent to the ANSI Zone be lifted; and
- e) That Schedule "A" to By-law No. 07-079 is amended in accordance with the provisions of this By-law.

5.7 Mobile Home Park Residential (RMHP) Zone

- (a) Permitted Uses:
- accessory dwelling;
 - community centre;
 - convenience store;
 - laundry shop;
 - mobile home park;
 - park;
 - park management office.

- (b) Zone Requirements:

(i) Mobile Home Park:

Lot Area (minimum)	4.0 ha	(9.88 acres)
Lot Frontage (minimum)	100.0 m	(328.08 ft.)
Yard Requirements (minimum) all yards	7.5 m	(24.61 ft.)

(ii) Mobile Home Site:

Site Area (minimum)	700.0 m ²	(7535 sq.ft.)
Site Frontage (minimum)	15.0 m	(49.21 ft.)
Yard Requirements (minimum)		
Front	4.5 m	(14.76 ft.)
Rear	4.5 m	(14.76 ft.)
Exterior Side	4.5 m	(14.76 ft.)
Interior Side	3.0 m	(9.84 ft.)
Building Height (maximum)	4.5 m	(14.76 ft.)
Site Coverage (maximum)	35%	
Floor Area per Mobile Home (minimum)	45.0 m ²	(484.39 sq.ft.)
Mobile Homes per Site (maximum)	1	

5.8 Floating Residential (RF) Zone

- (a) Permitted Uses:
- floating dwelling;

- marine facility.

(b) Zone Requirements:

Floating Dwellings per Area Zoned (maximum): 1

5.9 Additional Provisions for Residential Zones

(a) Separation Distances for Mobile Home Residential Zones

Where a lot which is zoned Residential, Mobile Home Park (RMHP) is adjacent to any other existing residential use, the minimum yard so abutting shall be 10.0 metres (32.8 ft.) where the existing residence on the adjacent property is located within 15.0 metres (49.2 ft.) of the abutting lot line.

(b) Other General Provisions

Other general provisions shall be in accordance with Section 3 of this By-law.

SECTION 6 COMMERCIAL ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Commercial Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

6.1 General Commercial (CG) Zone

- (a) Permitted Uses:
- a dwelling unit located in a building containing a commercial use;
 - bake shop;
 - bakery;
 - financial institution;
 - clinic;
 - club, commercial;
 - club, private;
 - daycare facility;
 - dressmaker/tailor shop;
 - dry cleaning or laundry outlet;
 - electrician or plumber's shop;
 - funeral parlour;
 - office;
 - parking area/lot;
 - personal service establishment;
 - police station;
 - recreational establishment;
 - rental agency;
 - restaurant;
 - retail store;
 - school, commercial;
 - service or repair shop;
 - single detached dwelling;
 - telephone exchange or switching station;
 - tourist lodging establishment.

- (b) Zone Requirements:

(i) Where piped municipal sewer and water services are not available:

Lot Area (minimum)	6000.0 m	(1.5 acres)
Lot Frontage (minimum)	45.0 m	(147.64 ft.)
Yard Requirements (minimum)		
Front	7.5 m	(24.61 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	3.0 m	(9.84 ft.)

SECTION 6**COMMERCIAL ZONES**

Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage (maximum)	25%	
Dwelling Units per Lot (maximum)	1	

(ii) Where piped municipal sewer and water services are available:

Lot Area (minimum)	465.0 m	(5005.22 sq. ft.)
Lot Frontage (minimum)	15.0 m	(49.21 ft.)
Yard Requirements (minimum)		
Front	7.5 m	(24.61 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	3.0 m	(9.84 ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage (maximum)	60%	
Dwelling Units per Lot (maximum)	1	

(c) Special Exceptions:

(i) **CG-1, Assessment Roll No. 812-030-10201**

On the lands zoned CG-1, the following Zone Requirements shall apply:

Yard Requirements (minimum)		
Front	0.3 m	(0.98 ft.)
Exterior Side	1.7 m	(5.58 ft.)

In addition, no Interior Side Yard shall be required abutting the lot line which divides Lot 651 from Lot 652.

(ii) **CG-2**

On lands zoned CG-2, no off-street parking spaces shall be required for changes in use of an existing building.

(iii) **CG-3, 1033 Prince Street, Assessment Roll No. 812-030-22200**

The lands zoned CG-3, the following zone requirements shall apply:

- Existing North Interior Side Yard shall be 1.76 metres (5.77 ft.);
- Existing Front Yard shall be 2.79 metres (9.15 ft.).

(iv) **CG-4, Part of Lot 1, Registered Plan No. 5, Seeley's Bay Assessment Roll No. 816-010-14900**

On the lands zoned CG-4, the only permitted uses shall be a chip wagon or restaurant. The interior side yard shall be 3.0 metres (9.84 ft.).

(v) **CG-5, (Part of Lots 2 and 3, Plan 36, Seeley's Bay) Assessment Roll No. 816-010-11800**

On the lands zoned CG-5, the following uses shall be permitted on the existing undersized lot without the requirement for on-site parking:

- an accessory dwelling unit;
- rental agency;
- bakery outlet;
- retail store;
- bank;
- service outlet;
- craft shop;
- single dwelling;
- office.

(vi) **CG-6, Assessment Roll No. 816-020-21600**

On land zoned CG-6, a second residential apartment with a floor area of 55 m² (592.0 sq.ft.) is permitted.

6.2 Highway Commercial (CH) Zone

(a) Permitted Uses:

- accessory dwelling or an accessory dwelling unit;
- auction sales establishment;
- automobile service station;
- financial institution;
- building supply centre;
- car washing establishment;
- club, commercial;
- club, private;
- custom workshop;
- funeral parlour;
- gasoline retail facility;
- greenhouse, commercial;
- kennel;
- machinery equipment sales and service outlet;
- miniature warehouse storage;
- office;
- parking area/lot;
- printing shop;
- restaurant;
- retail store;
- service or repair shop;
- tourist lodging establishment;

- transportation terminal or depot;
- vehicle sales or rental establishment;
- veterinary establishment;
- wayside pit or quarry.

(b) Zone Requirements:

(i) Where piped municipal sewer and water services are not available:

Lot Area (minimum)	6000 m ²	(1.5 acres)
Lot Frontage (minimum)	45.0 m	(147.64 ft.)
Yard Requirements (minimum)		
Front	7.5 m	(24.61 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	6.0 m	(19.69 ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage (maximum)	25%	
Dwelling Units per Lot (maximum)	1	

(ii) Where piped municipal sewer and water services are available:

Lot Area (minimum)	465.0 m	(5005.22 sq. ft.)
Lot Frontage (minimum)	15.0 m	(49.21 ft.)
Yard Requirements (minimum)		
Front	7.5 m	(24.61 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	3.0 m	(9.84 ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage (maximum)	60%	
Dwelling Units per Lot (maximum)	1	

(c) Special Exceptions:

(i) **CH-1, PART OF LOT 21, CONCESSION 10, LEEDS Assessment Roll No. 816-020-10111**

On the lands zoned CH-1, the following uses are only permitted:

- agricultural use;
- craft shop;
- custom workshop;
- electrician or plumbers' shop;
- farm machinery sales and service establishment;
- garden centre;
- office;
- rental agency;

- retail store;
- service outlet;
- veterinary establishment.

(ii) **CH-2, Assessment Roll No. 816-025-36204**

On lands zoned CH-2, the only permitted uses shall be as follows:

- an accessory dwelling;
- and antique and collectibles store.

(iii) **CH-3, Assessment Roll No. 812-035-02200**

On the lands zoned CH-3, only a commercial garage and an accessory dwelling shall be permitted.

(iv) **CH-4**

On the lands zoned CH-4, only a commercial garage and a single detached dwelling shall be permitted.

(v) **CH-5**

On the lands zoned CH-5, only a tearoom occupying not more than 35 m² (376.74 sq. ft.) of inside floor area and/or not more than 20 m² (215.29 sq. ft.) of outside floor area and serving a limited menu of soups, salads, sandwiches, baked goods, beverages and similar items shall be permitted in addition to an accessory dwelling unit or a single detached dwelling.

(vi) **CH-6, Assessment Roll No. 812-030-09200**

The lands zoned CH-6 in Part of Lot 18, Concession 2, Lansdowne may only be used for a transportation terminal in accordance with the following provisions:

Lot Area (minimum)	0.99 ha	(2.45 acres)
Lot Frontage (minimum)	110.0 m	(361 ft.)
Yard Requirements (minimum)		
Front	38.0 m	(125 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(25 ft.)
Interior Side	6.0 m	(20 ft.)
Building Height (maximum)	3.96 m	(13 ft.)
Dwelling Units per Lot (maximum)	1	

Open storage shall be limited to transport vehicles in operating condition which are essential to the permitted use.

(vii) **CH-7, Assessment Roll No. 812-020-11200**

The lands zoned CH-7, shall only be used for a vehicle repair garage having maximum dimensions of:

width:	8.6 m	(28 ft.)
depth:	6.8 m	(22 ft.)

and for an attached single detached dwelling. The minimum side yards for the combined structure shall be:

north side:	7.0 m	(23 ft.)
south side:	5.2 m	(17 ft.)

(viii) **CH-8, Assessment Roll No. 812-010-03101**

On the lands zoned CH-8, only the following uses shall be permitted:

- a commercial garage and/or service outlet having a maximum area of 90.0 m² (968.78 sq. ft.)
- an outdoor parking and/or storage area having a maximum area of 275.0 m² (2960.17 sq. ft.)
- a single detached dwelling.

(ix) **CH-9, Assessment Roll No. 812-020-11200**

On the lands zoned CH-9, a marina shall also be permitted.

(x) **CH-10, 409 County Road No. 2, Assessment Roll No. 812-020-07400**

The lands zoned CH-10, the following use shall also be permitted:

- a communication facility.

(xi) **CH-11, 242 Abrams Rd, Assessment Roll No. 812 010 02202**

Notwithstanding any provisions of subsection 6.2 a) of this By-Law to the contrary, the lands identified as Highway Commercial, Special Exception Eleven (CH-11), the only permitted commercial use shall be an automotive repair facility.

An automotive repair facility shall mean a building used for the storage, repair and servicing of motor or recreational vehicles, having at least one service bay where repairs essential to the actual operation of a motor vehicle are performed and where the services are performed for gain or profit.

(xii) **CH-12, 3300 County Road No. 32, Roll No. 816 030 00100**

Notwithstanding any provision of subsection 6.2 a) of this By-law to the contrary, the lands identified as Highway Commercial, Special Exception Twelve (CH-12), the following commercial uses are only permitted:

- Accessory dwelling or an accessory dwelling unit;
- Auction sales establishment
- Financial institution
- Building supply centre
- Custom workshop
- Commercial greenhouse
- Machinery equipment sales and service outlet
- Miniature warehouse storage
- Office
- Parking Area/Lot
- Printing shop
- Restaurant
- Retail store
- Service or repair shop
- Transportation terminal or depot
- Vehicle sales or rental establishment
- Veterinary establishment.

(xiii) **CH-13, 501 Lyndhurst Rd, Roll No. 816 020 27001**

Notwithstanding any provision of subsection 6.2 a) of this By-law to the contrary, the lands identified as Highway Commercial, Special Exception Thirteen (CH-13), the following commercial uses are only permitted:

- Accessory dwelling or an accessory dwelling unit;
- Auction sales establishment
- Custom workshop
- Commercial greenhouse
- Machinery equipment sales and service outlet
- Office
- Printing shop
- Service or repair shop
- Transportation terminal or depot
- Veterinary establishment

6.3 Tourist Commercial (CT) Zone

(a) Permitted Uses:

- accessory dwelling or an accessory dwelling unit;
- club, commercial;

- club, private;
- commercial boat line;
- conference centre;
- gasoline retail facility;
- golf course;
- import/export brokerage business;
- marina;
- marine facility;
- museum;
- miniature golf course and/or driving range;
- parking area/lot;
- parks;
- personal service establishment;
- recreational facility;
- restaurant;
- retail store;
- seasonal camp;
- tent and trailer park;
- tourist lodging establishment.

(b) Zone Requirements:

(i) Tent and Trailer Parks:

Lot Area (minimum)	4.0 ha	(9.88 acres)
Lot Frontage (minimum)	60.0 m	(196.85 ft.)
Yard Requirements (minimum)		
Front	10.0 m	(32.8 ft.)
Rear	10.0 m	(32.8 ft.)
Exterior Side	10.0 m	(32.8 ft.)
Interior Side	5.0 m	(16.4 ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Accessory Dwelling Units Per Lot (maximum)		1
Density (maximum)	25 campsites	per ha
Campsite Area (minimum)	230.0 m ²	(2475.75 sq. ft.)
Campsite Frontage (minimum)	15.0 m	(49.21 ft.)
Dwelling Units per Lot (maximum)		1

(ii) Tourist Lodging Establishments

Lot Area (minimum)	1.0 ha	(2.5 acres)
Lot Frontage (minimum)	60.0 m	(196.85 ft.)
Yard Requirements (minimum)		
Front	10.0 m	(32.8 ft.)
Rear	10.0 m	(32.8 ft.)
Exterior Side	10.0 m	(32.8 ft.)
Interior Side	5.0 m	(16.4 ft.)

SECTION 6**COMMERCIAL ZONES**

Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage	25%	
Accessory Dwelling Units Per Lot (maximum)		1
Density (maximum)	5 units per ha plus 200.0 m (2152.8 sq.ft.) For every unit in excess of 10	

(iii) Other Uses

Lot Area (minimum)	1.0 ha	(2.5 acres)
Lot Frontage (minimum)	60.0 m	(196.85 ft.)
Yard Requirements (minimum)		
Front	10.0 m	(32.8 ft.)
Rear	10.0 m	(32.8 ft.)
Exterior Side	10.0 m	(32.8 ft.)
Interior Side	5.0 m	(16.4 ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage	25%	
Dwelling Units Per Lot (maximum)	1	

(c) Special Exceptions:**(i) CT-1**

On the lands zoned CT-1, a gasoline retail facility shall be permitted.

(ii) CT-2

On the lands zoned CT-2, a flea market, a swimming pool and/or other recreational facilities accessory to the adjacent CR-1 zone may be permitted.

(iii) CT-3

On the lands zoned CT-3, only a houseboat rental business comprised of seven boats and a single detached dwelling shall be permitted. A minimum of 14 parking spaces shall be provided on the lot for the houseboat rental business plus 2 parking spaces for the dwelling. No open storage of houseboats shall be permitted on the lot during the off season.

(iv) CT-4

On the lands zoned CT-4, only a marina, a marine facility and uses permitted under Section 16 shall be permitted.

(v) **CT-5, Assessment Roll No. 809-010-24901**

On the lands zoned CT-5, the minimum rear yard requirement shall be 9.0m (29.52 ft.) and all new buildings shall be constructed with exterior cladding, including the roof, which is dark brown in colour.

(vi) **CT-6, Assessment Roll No. 812-025-57800**

On the lands zoned CT-6, the permitted uses shall only be:

- an accessory dwelling unit,
- a private club or a tourist lodging establishment containing a maximum of 24 guest rooms,
- accessory uses and structures.

The maximum total ground floor area of all buildings shall be 850.0 m² (9149.62 sq. ft.). The minimum lot area shall be the existing lot area.

All building openings such as doors and windows and all sewage disposal system leaching beds shall be located at or above the 76.8 m (251.97 ft.) geodetic elevation.

(vii) **CT-7, Assessment Roll No. 812-025-57800**

On the lands zoned CT-7, the permitted use shall only be an uncovered docking facility accessory to a permitted CT-6 use.

(viii) **CT-8, Assessment Roll No. 812-025-25201**

The lands zoned CT-8 shall only be used for a single detached dwelling in the basement of which, up to 260.1 m (2800 sq. ft.) may be used for a cord-making workshop which manufactures macramé, hammocks and similar items. Up to 40.0 m² (430.57 ft²) of this floor area may be used for retail sales.

(ix) **CT-9, Assessment Roll No. 812-025-13500, 812-025-11600**

On the lands zoned CT-9, the permitted use shall only be docking facilities accessory to a marina.

(x) **CT-10**

On the lands zoned as CT-10, the permitted uses shall be:

- accessory dwelling or an accessory dwelling unit;
- tourist lodging establishment.

(xi) **CT-11**

On the lands zoned CT-11, the permitted uses shall be:

- a casino.

(xii) **CT-12, Assessment Roll No. 816-015-12612**

On the lands zoned CT-12 the only permitted uses shall be as follows:

- a convenience store,
- a take-out food store.

Take-out food store shall mean a building or part thereof where food is prepared, packaged and offered for sale or sold to the public for consumption off of the premises of the establishment, and may include delivery of the food to the public, and also may include a small area (less than 10% of the permitted gross floor area) for food consumption on the premises.

(xiii) **CT-13, Assessment Roll No. part of 812-025-17400**

On the lands zoned CT-15, no open storage of boats or any other equipment or material shall be permitted.

(xiv) **CT-14, Assessment Roll No. part of 812-025-17400**

On the lands zoned CT-14, the only permitted use shall be an uncovered 7 slip docking facility.

(xv) **CT-15, Assessment Roll No. 812-025-11600**

On the lands zoned CT-15, the permitted use shall only be a parking lot and outside boat storage accessory to a marina.

(xvi) **CT-16, Assessment Roll No. 812-040-21000**

On the lands zoned CT-16, the permitted use shall only be a covered or uncovered commercial docking facility accommodating up to ten boats.

Building Height (maximum) 4.0 m (13.12 ft.)

(xvii) **CT-17, Assessment Roll No. part 812-040-18700**

On the lands zoned CT-17, the following provisions shall apply:

- an existing frame building shall be permitted a minimum of 1.3 metres (4.27 ft.) from the westerly lot line of the abutting Residential, Shoreline Zone;
- an existing frame building shall be permitted a minimum of 2.1 metres (6.89 ft.) from the southerly lot line of the abutting Residential, Shoreline Zone;
- a building located on an existing concrete foundation shall be permitted a minimum of 9.2 m (30.18 ft.) from the southwesterly lot line of the abutting Residential, Shoreline Zone.

(xviii) **CT-18, 16 Reynolds Road, Assessment Roll No. 812-025-25100**

The lands zoned CT-18, the following uses shall also be permitted:

- one accessory dwelling unit; and
- two residential dwelling units located in the second storey of the commercial building.

(xix) **CT-18-h, 412 County Road No. 2, Assessment Roll No. 812-020-07109**

The lands zoned CT-18-h, the only permitted uses shall be:

- an accessory dwelling;
- 110 unit tourist lodging establishment.

In accordance with the following additional provisions:

- The minimum building setback from the high water mark of the southern pond shall be 6.22 metres (20.41 ft.) horizontal;
- The minimum building setback from the 1:100 year flood plain elevation of the southern pond shall be 92.0 metres GSC (301.84 ft.) of 3.0 metres (9.84 ft.) horizontal;
- The minimum elevation for all openings on buildings and structures shall be at a minimum elevation of 92.3 metres GSC (302.82 ft.);
- Maximum Building Height: 29.57 metres (97.01 ft.);
- Number of Parking Spaces: 135 spaces.

(xviii) **CT-19, 33 Front St, Rockport, Assessment Roll No. 809-010-25400**

Notwithstanding any provisions of subsection 6.3 and 3.1 (vi) of this By-law to the contrary, the lands identified as Tourist Commercial, Special Exception Nineteen (CT-19), living accommodation is permitted in the second storey of the existing detached garage.

6.4 Recreation Commercial (CR) Zone

(a) Permitted Uses:

- accessory driving range;
- accessory dwelling or an accessory dwelling unit;
- conference centre;
- golf course;
- marine facility;
- park;
- passive outdoor recreation;
- retreat area;
- seasonal camp;
- tent and trailer park;
- tourist information centre;
- trail system.

(b) Zone Requirements:

(i) Tent and Trailer Park:

Lot Area (minimum)	6.0 ha	(14.83 acres)
Lot Frontage (minimum)	75.0 m	(246.06 ft.)
Yard Requirements (minimum)		
All	12.0 m	(39.37 ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Density (maximum)	10 campsites per 0.4 ha (0.99 acres) for the land zoned	
Dwelling Units per Lot (maximum)	1	

(ii) Tent and Trailer Site:

Site Area (minimum)	235.0 m ²	(2529.52 sq. ft.)
Site Frontage (minimum)	15.0 m	(49.21 ft.)
Yard Requirements (minimum)		
All	1.5 m	(4.92 ft.)
Dwelling Unit per lot (maximum)	1	

(iii) Other Uses:

Lot Area (minimum)	6000.0 m ²	(1.5 acres)
Lot Frontage (minimum)	45.0 m	(147.64 ft.)
Yard Requirements (minimum)		
Front	7.5 m	(24.61 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	3.0 m	(9.84 ft.)

SECTION 6**COMMERCIAL ZONES**

Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage (maximum)	25%	
Accessory Dwelling Units per Lot (maximum)	1	
Marine Facility Height (maximum)	3.0 m	(9.84 ft.)

(c) An accessory dwelling or an accessory dwelling unit on a waterfront lot shall conform to the requirements of a Residential, Shoreline (RS) Zone. An accessory dwelling or an accessory dwelling unit on a non-waterfront lot shall conform to the requirements of a Residential, Hamlet (RH) Zone.

(d) Special Exceptions:

(i) **CR-1 Assessment Roll No. 809-010-32805**

On the lands zoned CR-1, only a maximum of 36 sites to be occupied seasonally by recreational vehicles shall be permitted in accordance with the following regulations:

Site Frontage (minimum)	10.6 m	(34.78 ft.)
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(ii) **CR-2, Assessment Roll No. 812-025-14700**

On the lands zoned CR-2, a seasonal park model trailer development containing a maximum of 20 park model trailers which are used an occasional resort for vacation, recreation, rest and relaxation purposes by a person who regularly resides at another location may be permitted in accordance with the following:

- a park model trailer is defined in section 9.39.2.1 of the Ontario Building Code as a manufactured building used or intended to be used as a seasonal recreational building of residential occupancy. It bears a CSA Z241 stamp and has a maximum gross floor area of 50.0 m² (538.21 sq. ft.);
- a park model trailer is not the principal Canadian residence of the owner;
- a park model trailer is not occupied between December 31 of one year and April 1 of the following year;
- that no additions or accessory structures are to be allowed to the original park model trailers, with the exception of one storage shed not exceeding 5.95 square metres (64.0 sq.ft.);
- all servicing infrastructure, including electricity, gas, water supply, sewage disposal and access roads, are rendered inoperable through the use of restrictors, shutoffs, tags gates or similar method to ensure that they are not used during the December 31 to April 1 period;

- all water supply and sewage disposal services are owned and operated by the park management and there is no obligation for the Municipality to own or be responsible for these or any other services.

(iii) **CR-3, Assessment Roll No. 812-025-09202, 812-025-09400, 812-025-09801**

On the lands zoned CR-3, a tent and trailer park is prohibited.

(iv) **CR-4, Assessment Roll No. 812-010-01100**

On the lands zoned CR-4, a contractor's yard or shop shall also be permitted.

6.5 Additional Provisions for Commercial Zones

(a) Accessory Dwellings and Accessory Dwelling Units

- (i) Accessory dwellings not connected to piped municipal sewer and water services shall conform to the requirements of the RH Zone for single detached dwellings and the requirements for RS Zone when located on a waterfront lot. Those which are connected to services shall conform to the R1 requirements.
- (ii) Accessory dwelling units shall have a minimum floor area of 45.0 m² (484.39 sq.ft.).

(b) Increased Yard Requirements

- (i) Where a General Commercial Zone abuts a Residential or Institutional Zone, the minimum side yard requirement on the abutting side shall be increased to 7.5 metres (24.61 ft.) and the minimum rear yard requirement shall be increased to 10.5 metres (34.45 ft.) of which 3.0 metres (9.84 ft.) shall be landscaped open space.
- (ii) Where a Highway Commercial Zone, Tourist Commercial Zone or Recreational Commercial Zone abuts a Residential or Institutional Zone, the minimum side yard requirement on the abutting side shall be increased to 12.0 metres (39.37 ft.) and the minimum rear yard shall be increased to 15.0 metres (49.21 ft.) of which 3.0 metres (9.84 ft.) should be landscaped open space. In the case of a tent and trailer park, the landscaped open space shall be either 30.0 metres (98.43 ft.) in depth or 6.0 metres (19.68 ft.) in depth combined with screening 2.0 metres (6.56 ft.) in height in accordance with site plan control.

(c) Other General Provisions

Other general provisions shall be in accordance with Section 3 of this By-law.

SECTION 7 INDUSTRIAL ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in an Industrial Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

7.1 Light Industrial (ML) Zone

(a) Permitted Uses:

- accessory dwelling or an accessory dwelling unit;
- automobile body shop;
- automobile service station;
- building supply centre;
- club, private;
- contractor's yard or shop;
- custom workshop;
- farm supply and service facility;
- gasoline retail facility;
- machinery and equipment sales and service outlet;
- manufacturing industry;
- milk receiving or transfer station;
- office;
- parking area;
- service or repair shop; transportation terminal or depot;
- vehicle sales or rental establishment;
- warehouse;
- wayside pit or quarry;
- well drilling establishment;
- wholesale establishment.

(b) Zone Requirements

(i) Where piped municipal sewer and water services are not available:

Lot Area (minimum)	1.0 ha	(2.5 acres)
Lot Frontage (minimum)	60.0 m	(196.85 ft.)
Yard Requirements (minimum)		
Front	12.0 m	(39.37 ft.)
Rear	12.0 m	(39.37 ft.)
Exterior Side	12.0 m	(39.37 ft.)
Interior Side	7.5 m	(24.61ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage (maximum)	20%	
Accessory Dwelling Units per Lot (maximum)		1

(ii) Where piped municipal sewer and water services are available:

Lot Area (minimum)	465.0 m	(5005.22 sq. ft.)
Lot Frontage (minimum)	15.0 m	(49.21 ft.)
Yard Requirements (minimum)		
Front	7.5 m	(24.61 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	3.0 m	(9.84 ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage (maximum)	40%	
Accessory Dwelling Units per Lot (maximum)		1

(c) Special Exceptions:

(i) **ML-1, Assessment Roll NO. 812-035-08700**

On the lands zoned ML-1, the minimum interior side yard shall be 7.5 m (24.61 ft.) and the minimum rear yard shall be 10.5 m (34.45 ft.).

7.2 Rural Industrial (MR) Zone

(a) Permitted uses:

- accessory dwelling or an accessory dwelling unit;
- automobile body shop;
- automobile service station;
- building supply centre;
- cheese factory;
- contractor's yard or shop;
- custom workshop;
- electric power generating plant;
- factory outlet;
- farm supply and service facility;
- fuel storage tank;
- gasoline retail facility;
- kennel;
- machinery and equipment sales and service outlet;
- manufacturing industry;
- marine contracting establishment;
- marine facility;
- milk receiving or transfer station;
- mini warehouse and storage
- office;
- parking area;
- planing mill and/or sawmill;
- transportation terminal or depot;

- vehicle sales or rental establishment;
- warehouse;
- wayside pit or quarry;
- well drilling establishment;
- wholesale establishment.
- storage compound

(b) Zone Requirements

Lot Area (minimum)	1.0 ha	(2.5 acres)
Lot Frontage (minimum)	60.0 m	(196.85 ft.)
Yard Requirements (minimum)		
Front	12.0 m	(39.37 ft.)
Rear	12.0 m	(39.37 ft.)
Exterior Side	12.0 m	(39.37 ft.)
Interior Side	7.5 m	(24.61ft.)
Lot Coverage (maximum)	20%	
Building Height (maximum)	15.0 m	(49.21 ft.)
Accessory Dwelling Units per Lot (maximum)		1
Marine Facility Height (maximum)	3.0 m	(9.84 ft.)

(c) Special Exceptions:

(i) **MR-1**

On the lands zoned MR-1, a dredging and/or marine contracting establishment shall be permitted.

(ii) **MR-2, Assessment No. 812-030-09200**

On the lands zoned MR-2, open storage shall be located a minimum of 15.0 m (49.21 ft.) from the top of the bank of any creek or other watercourse and 9.0 m (29.53 ft.) of landscaped open space shall be provided adjacent to the westerly lot line.

(iii) **MR-3**

On the lands zoned MR-3, the permitted use shall only be docking facilities accessory to a dredging and/or marine contracting establishment.

(iv) **MR-4**

On the lands zoned MR-4, a slaughter house will be permitted.

(v) **MR-5, County Road No. 3, Assessment Roll No. 812-040-16500**

The lands zoned MR-5 may only be used for a sawmill and a retail outlet for wood chips/landscaping stones.

(vi) **MR-6, 575 Reynolds Road, Assessment Roll No. 812-030-02800**

On the lands zoned MR-6, the following uses shall also be permitted:

- a manufacturing establishment.

(vii) **MR-7, Assessment Roll No. 812-030-01700**

On the lands zoned MR-7, a transportation terminal shall also be permitted. All buildings and structures shall be set back a minimum of 15.0 m (49.21 ft.) from the centreline of any drainage channel.

(viii) **MR-8, Assessment Roll No. 816-010-09700**

The lands zoned MR-8, in Part of Lot 12, Concession VII, Township of Leeds may only be used for the following uses:

- automobile body shop;
- automobile repair garage.

Automobile repair garage shall mean a building or structure where secondary repair and refitting of motor vehicles may be undertaken for compensation. In no case shall fuel be sold on the premises.

Automobile repair, secondary shall mean major engine/drive train replacement/repair, and shall include engine removal, bottom and top end overhaul, head gasket replacement, grinding of valves, piston ring and/or piston replacement, replacement of any bearings, fuel system, cooling system, carburetion/fuel injection repair/replacement and transmission repair.

(ix) **MR-9, Assessment Roll No. 816-025-30702**

On the lands zoned MR-9 the only permitted uses shall be as follows:

- an accessory dwelling or an accessory dwelling unit;
- construction yard;
- custom workshop;
- service outlet;
- truck terminal;
- office;
- warehouse.

(x) **MR-10, Assessment Roll No. 812-010-10800**

The lands zoned MR-10 may also be used for a boat repair business.

(xi) **MR-11, Assessment Roll No. 816-020-24601**

On lands zoned MR-11 the only permitted uses shall be as follows:

- an accessory dwelling;
- automobile body shop: a maximum of 5 vehicles to be serviced at one time;
- custom workshop;
- small engine sales and service outlet;
- warehouse;
- boat sales and service outlet.

(xii) **MR-12, Part of Lot 10, Concession 6, Township of Leeds Assessment Roll Nos. 816-010-02101 and 816-010-03001**

On the lands zoned MR-12 the only permitted uses shall be as follows:

- an accessory dwelling;
- an excavating business;
- landscaping business;
- a welding shop.

(xiii) **MR-13, 337 Escott, Rockport Road, Roll No. 809-015-03500**

Notwithstanding any provisions of subsection 7.2 a) of this By-law to the contrary, the lands identified as Rural Industrial, Special Exception Thirteen (MR-13) may only be used for a winery.

A winery shall mean a building or part of a building where wines are produced and may include wine tasting, storage, display, processing and administrative facilities and any associated patio area and restaurant.

7.3 Additional Provisions for Industrial Zones

(a) Accessory Dwellings

- (i) Accessory dwellings which are not connected to piped municipal sewer and water services shall conform to the requirements of the RH Zone for single dwellings. Those which are connected shall conform to the R1 requirements.
- (ii) Accessory dwelling units shall have a minimum floor area of 45.0 m² (484.39 sq.ft.).

(b) Increased Yard Requirements

Where a Light Industrial Zone or a Rural Industrial Zone abuts a Residential or Institutional Zone, or is separated from a Residential or Institutional Zone by only a street, the minimum yard requirement of any yard so abutting or facing shall be increased to 20.0 metres (65.62 ft.) of which 3.0 metres (9.84 ft.) shall be landscaped open space.

(c) Special Provision Adjacent to Railways

Where a lot line or a part of a lot line in an Industrial Zone directly abuts a railway right-of-way, no minimum yard shall be required on the portion so abutting.

(d) Gate House or Guard House

A gate house or guard house shall be permitted in a front yard or exterior side yard in an Industrial Zone.

(e) Other General Provisions

Accessory uses, parking and loading requirements and other general provisions shall be in accordance with Section 3 of this By-law.

SECTION 8 INSTITUTIONAL ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in an Institutional Zone except in accordance with the provisions of this Section or of any other relevant Sections of this By-law.

8.1 Institutional (I) Zone

(a) Permitted Uses:

- accessory dwelling or an accessory dwelling unit;
- cemetery;
- clinic;
- club, private;
- community centre;
- day care centre;
- fairground;
- fire hall;
- group home;
- group home, correctional;
- hospital;
- library;
- marine facility;
- municipal office;
- museum;
- nursing home;
- office;
- park;
- parking lot;
- place of worship;
- police station;
- retreat area;
- school;
- seasonal camp.
- retirement residence

(b) Zone Requirements:

(i) Where piped municipal sewer and water services are not available:

Lot Area (minimum)	6000.0 m ²	(1.5 acres)
Lot Frontage (minimum)	45.0 m	(147.64 ft.)
Yard Requirements (minimum)		
Front	7.5 m	(24.61 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	3.0 m	(9.84 ft.)
Building Height (maximum)	20 m	(66 ft.)
Lot Coverage (maximum)	20%	
Dwelling Units per Lot (maximum)	1	

(ii) Where piped municipal sewer and water services are available:

Lot Area (minimum)	465.0 m	(5005.22 sq. ft.)
Lot Frontage (minimum)	16.0 m	(52.49 ft.)
Yard Requirements (minimum)		
Front	7.5 m	(24.61 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	3.0 m	(9.84 ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage (maximum)	40%	
Dwelling Units per Lot (maximum)	1	

(iii) Park

No building, structure or active recreational facility shall be located or erected closer than 10.0 metres (32.8 ft.) to any lot line.

8.2 Additional Provisions for Institutional Zones

(a) Accessory Dwellings

- (i) Accessory dwellings not connected to piped municipal sewer and water services shall conform to the requirements of the RH Zone for single detached dwellings. Those which are connected shall conform to the R1 Zone requirements.
- (ii) Accessory dwelling units shall have a minimum floor area of 45.0 m² (484.39 sq.ft.)

(b) Cemeteries

Notwithstanding the provisions of Section 8.1, Cemeteries shall conform to the Cemeteries Act.

(c) Special Exceptions

(i) **I-1, 104-1000 Islands Parkway, Assessment Roll No. 812 020 08200 and 812 020 08300**

On the lands identified as Institutional, Special Exception One I-1, a Residential Care Home Facility shall be a permitted use. A Residential Care Home Facility shall mean a residence for the elderly which provides ancillary health and social services to the residents of the home and has communal dining and recreational facilities.

In accordance with the following additional provisions:

- (i) The minimum setback from the high water mark from the wetland boundary and Legges Creek shall be 30 metres;
- (ii) Maximum Building Height 18 metres
- (iii) Number of Parking Spaces 40 spaces
- (d) Other General Provisions

Accessory uses, parking and loading requirements and other general provisions shall be in accordance with Section 3 of this By-law.

SECTION 9 OPEN SPACE ZONES

No person shall hereafter use any lands not erect, alter, enlarge or use any building or structure in an Open Space Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

9.1 Open Space (OS) Zone

(a) Permitted Uses:

- accessory dwelling or an accessory dwelling unit;
- agricultural use;
- camping area;
- cemetery;
- Club, private;
- conservation use;
- fairground;
- forestry use;
- marine facility;
- park;
- passive outdoor recreation;
- recreational facility;
- seasonal camp;
- sports fields;
- trail system.

(b) Zone Requirements:

- (i) Cemeteries shall conform to the provisions of the Cemeteries Act.
- (ii) No minimum area, frontage or yards shall be required for any lot provided that no buildings or recreational facilities are located thereon.
- (iii) No building, structure or active recreational facility except marine facility shall be located or erected closer than 6.0 metres (19.69 ft.) to any lot line and lot coverage shall not exceed 10%.
- (iv) No building or recreational facility shall be located or erected closer than 6.0 metres (19.68 ft.) to any lot line which abuts a Residential Zone.

(c) Special Exceptions:

(i) **OS-1, Assessment Roll No. 812-015-00732**

The land zoned OS-1 shall only be used for a trail which provides access to a private docking facility.

9.2 Additional Provisions for Open Space Zones

- (a) Accessory dwellings shall conform to the requirements of the R1 Zone if connected to municipal sanitary sewer and water services or the RH Zone if not connected and located on a non-waterfront lot, or RS Zone if not connected and on a waterfront lot. An accessory dwelling unit shall have a minimum floor area of 45.0 m² (484.39 sq.ft.).
- (b) Accessory uses, parking and loading requirements and other general provisions shall be in accordance with Section 3 of this By-law.

SECTION 10 AGRICULTURAL ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in an Agricultural Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law.

10.1 General Agricultural (AG) Zone

(a) Permitted Uses:

- agricultural use,
- including intensive livestock operation;
- conservation use;
- farm supply and service facility;
- farm produce outlet;
- forestry use;
- group home;
- maple sugar operation;
- riding stable;
- sawmill;
- seasonal worker accommodations;
- single detached dwelling;
- underground dwelling;
- wayside pit or quarry ;
- uses accessory to the foregoing.
- agriculture – related use

(b) Zone Requirements:

Lot Area (minimum)		
Agricultural Use, Conservation Use,		
Forestry Use	20.0 ha	(49.42 acres)
Other Uses	1.0 ha	(2.5 acres)
Lot Frontage (minimum)	60.0 m	(2.5 acres)
Front Yard Depth (minimum)	15.0	(49.21 ft.)
Exterior Side Yard Width (minimum)		
Local Road	10.0 m	(32.8 ft.)
County Road	15.0	(49.21 ft.)
Interior Side Yard Width (minimum)	10.0 m	(32.8 ft.)
Rear Yard Depth (minimum)	10.0 m	(32.8 ft.)
Lot Coverage (maximum)	10%	
Building Height (maximum)		
Single detached dwelling	12.0 m	(39.37 ft.)
Other Uses	15.0 m	(49.21 ft.)

(c) Special Exceptions:

(ii) **AG-1,**

On the lands zoned AG-1, the minimum lot area shall be 2.5 ha (6.18 acres).

(ii) **AG-2, Assessment Roll No. 812-020-20500**

On the lands zoned AG-2, the minimum lot area shall be 11.0 ha (27.18 acres).

(iii) **AG-3**

On the lands zoned AG-3, the minimum lot area shall be 5.0 ha (12.35 acres).

(iv) **AG-4, 2414 Outlet Road, Assessment Roll No. 812 040 09500**

Notwithstanding any provision of subsection 10.1 and 3.30 a) x) of this By-law to the contrary, the lands identified as General Agricultural, Special Exception Four (AG-4) shall permit the establishment of a kennel.

The kennel can be located 85 metres from the existing residential dwelling located on the east side of Outlet Road, known as 2415 Outlet Road.

10.2 Additional Provisions for Agricultural Zones

(a) Dwellings

Dwellings per lot (maximum): 1 only

Notwithstanding the provisions of Section 10.1, a maximum of one (1) mobile home for a person engaged full time in the agriculture operation may be permitted.

(b) Intensive Livestock Operations

New and/or expansions to existing intensive livestock operations shall be in accordance with the provisions of Section 3.19 of this By-law.

(c) Farm Building and Manure Storage Location

No building or structure which is used to house animals or fowl, no feed lot area and no manure storage area shall be permitted within a minimum distance separation as determined by the MDS II formula but in no case, shall be closer than 30.0 metres (98.43 ft.) to any lot line.

(d) Cemeteries

Cemeteries shall not be governed by the foregoing standards but shall conform with the requirements of the Cemeteries Act.

(e) Wayside Pit or Wayside Quarry

The requirements of the Aggregate Resources Act shall apply to any wayside pit or wayside quarry.

(f) Open Storage

Open Storage shall be permitted in accordance with the provisions of Section 3.24 of this By-law.

(g) Other General Provisions

Other general provisions shall be in accordance with the provisions of Section 3 of this By-law.

SECTION 11 RURAL ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Rural Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law.

11.1 Rural (RU) Zone

(a) Permitted Uses:

- accessory dwelling;
- agricultural use;
- cemetery;
- conservation use;
- duplex dwelling;
- forestry use;
- greenhouse,
- commercial;
- group home;
- marine facility;
- place of worship;
- recreational facility;
- riding stable;
- semi-detached dwelling;
- single detached dwelling;
- trail system;
- underground dwelling;
- veterinary establishment;
- wayside pit or quarry.
- agriculture – related use

(b) Zone Requirements:

(i) Single detached Dwelling.

Lot Area (minimum)		
Waterfront	1.0 ha	(2.5 acres)
Non-Waterfront	6000 m ²	(1.5 acres)
Lot Frontage (minimum)		
Waterfront	60.0 m	(196.85 ft.)
Non-Waterfront	45.0 m	(147.64)
Yard Requirements (minimum)		
Front	7.5 m	(24.61 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)

SECTION 11

RURAL ZONES

Interior Side	3.0 m	(9.84 ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage (maximum)	10 %	
Floor area per Dwelling Unit (minimum)	75 m ²	(807.29 sq.ft.)
Dwelling Units per lot (maximum)	1	

(ii) Duplex dwelling, semi-detached dwelling:

Lot Area (minimum)		
Waterfront	Not permitted	
Non-Waterfront	6000 m ²	(1.5 acres)
Lot Frontage (minimum)		
Waterfront	Not permitted	
Non-Waterfront	45.0 m	(147.64)
Yard Requirements (minimum)		
Front	7.5 m	(24.61 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	3.0 m	(9.84 ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage (maximum)	10 %	
Floor area per Dwelling Unit (minimum)	75 m ²	(807.29 sq.ft.)
Dwelling Units per lot (maximum)	2	

(iii) Conservation Use, Forestry Use, Riding Stable, Agricultural Use:

Lot Area (minimum)		
Conservation Use, Forestry Use	4.0 ha	(9.88 acres)
Riding Stable, Agricultural Use	2.0 ha	(4.94 acres)
Lot Frontage (minimum)	100.0 m	(328.08 sq. ft.)
Yard Requirements (minimum)		
Front	15.0 m	(49.21 ft.)
Rear	15.0 m	(49.21 ft.)
Exterior Side	15.0 m	(49.21 ft.)
Interior Side	6.0 m	(19.68 ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage (maximum)	5%	
Accessory Dwelling Units per Lot (maximum)		1

(iv) Wayside pit, wayside quarry:

Yard Requirements (minimum)		
Front	12.0 m	(39.37 ft.)
Rear	12.0 m	(39.37 ft.)
Exterior Side	12.0 m	(39.37 ft.)
Interior Side	6.0 m	(19.68 ft.)

(v) Other Uses:

Lot Area (minimum)	6000 m ²	(1.5 acres)
Lot Frontage (minimum)	45.0 m	(147.64 ft.)
Yard requirements (minimum)		
Front	7.5 m	(24.61 ft.)
Rear	10.5 m	(34.45 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	6.0 m	(19.68 ft.)
Building Height (maximum)	12.0 m	(39.37 ft.)
Lot Coverage (maximum)	10%	
Floor Area per Dwelling Unit (minimum)	75 m ²	(807.29 sq.ft.)
Dwelling Units per Lot (maximum)		
Accessory dwelling	1	
Duplex or semi-detached	2	

(c) Special Exceptions:

(i) RU-1

On the lands zoned RU-1, only the following buildings shall be permitted.

- single detached dwelling with a maximum ground floor area of 125 m² (1346 sq. ft.);
- frame garage with a maximum ground floor area of 40 m² (431 sq. ft.);
- frame garage with a maximum ground floor area of 30 m² (323 sq. ft.).

(ii) RU-2

On the lands zoned RU-2, only the following buildings shall be permitted:

- single detached dwelling with a maximum ground floor area of 157.0 m² (1690 sq. ft.);
- frame shed with a maximum ground floor area of 63.0 m² (678 sq. ft.) which may be located a minimum of 0.6 m (2ft.) from the westerly side lot line;
- frame shed with a maximum ground floor area of 18.0 m² (194 sq. ft.).

(iii) RU-3

On the lands zoned RU-3, an antique store shall also be permitted.

(iv) RU-4

On the lands zoned RU-4, an airport shall be permitted along with buildings and structures accessory thereto. The zone requirements set out in Section 11.1 shall apply.

(v) **RU-5**

On the lands zoned RU-5, the minimum lot area shall be 11.0 ha (27.18 acres).

(vi) **RU-6**

On the lands zoned RU-6, the minimum lot area shall be 12.0 ha (29.65 acres).

(vii) **RU-7, Assessment Roll No. 812-010-09000, 812-010-09100**

On lands zoned RU-7, the minimum lot area for an agricultural use shall be 8.5 ha (21 acres).

(viii) **RU-8**

On the lands zoned RU-8, the following zone requirements shall apply:

Lot Area (minimum)	4.0 ha	(9.88 acres)
Lot Frontage (minimum)	95.0 m	(311.68 ft.)
Yard Requirements for Agricultural Buildings (minimum)		
Front	70.0 m	(229.66 ft.)
Rear	320.0 m	(1049.87 ft.)
Sides	30.0 m	(98.43 ft.)

(ix) **RU-9, Assessment Roll No. 812-040-08700, 812-010-02900**

On the lands zoned RU-9, the minimum lot area shall be 5.5 ha (13.59 acres).

(x) **RU-10**

On the lands zoned RU-10, the minimum lot area shall be 12.5 ha (30.89 acres).

(xi) **RU-11, Assessment Roll No. 816-025-28000**

On land zoned RU-11, a communications facility is permitted.

(xii) **RU-12, Roll No. 816 025 14553**

On the land zoned RU-12, the minimum required lot frontage shall be 34 metres (111.5 ft.)

(xiii) **RU-13, Assessment Roll No. 816-015-29603**

On the land zoned RU-13, the following provisions shall apply:

- The minimum Lot area shall be 4.0 hectares (10 acres);
- The minimum water frontage shall be 100.0 metres (328 feet);
- Development of the property shall occur only in a manner and in locations that result in the site development runoff, both permanent and temporary, and inclusive of septic waste, being directed away from the fore slope area of Red Horse Lake, so that infiltration of runoff will occur in areas away from Red Horse Lake and in back slope areas or areas that produce the same effect as back slope areas; and
- All new structures are constructed a minimum of 30.0 metres (98.43 ft.) from the high water mark of Red Horse Lake. Within the 30.0 metre (98.43 ft.) setback the natural vegetation will be maintained and enhanced.

On the part of lands zoned RU-13 (Assessment Roll No. 816-015-29600), the following use will be prohibited: Agricultural use.

(xiv) **RU-14, Assessment Roll No. 816-020-07900**

On the land zoned RU-14, the following provisions shall also apply:

- Development of the property shall occur only in a manner and in locations, that result in the site development runoff, both permanent and temporary, and inclusive of septic waste, being directed away from the fore slope area of Red Horse Lake as well as Long Reach, so that infiltration of runoff will occur in areas away from Red Horse Lake as well as Long Reach and in back slope areas or areas that produce the same effect as back slope areas;
- All new structures be constructed a minimum of 30.0 metres (98.43 ft.) from the high water mark of Long Reach and Red Horse Lake. Within the 30 metres (98.43 ft.) setback the natural vegetation will be maintained and enhanced;
- An Environmental Impact Statement be completed and approved for any development occurring within the wetland area or 120.0 metres (393.7 ft.) of the wetland boundary.

(xv) **RU-15, Assessment Roll No. 812-025-17302**

On land zoned RU-15, a triplex dwelling is permitted.

(xvi) **RU-16, 122 Woodvale Road, Assessment Roll No. 816-015-12610**

On the land zoned RU-16, the following provisions shall apply:

- A dwelling consisting of the existing floor area of approximately 27.7 m² (299ft.²), plus the addition of 38.6m² (416ft.²) located on the west side of the existing dwelling; and

- Setback from the high water mark of Killenbeck Lake: 10 metres (32.8 ft.).

(xvii) **RU-17, Assessment Roll No. 816-025-28000**

The lands zoned RU-17, a telecommunication tower is the only permitted use with access from a private right-of-way.

(xviii) **RU-18, Part of Lot 16, Concession 7, Township of Lansdowne, 166 Woodvale Road, Assessment Roll No. 816-015-16510**

On the lands zoned RU-18, the required frontage shall be 30 metres (98.43 ft.).

(xix) **RU-19, Assessment Roll No. 816-020-26203**

On lands zoned RU-19, any building or structure shall be set back a minimum of 15 metres (49.21 ft.) from the high water mark and no structure or building shall be erected on the subject lands with an elevation of less than 92.9 metres (304.79 ft.). An accessory sleeping cabin is a permitted use in addition to the single dwelling.

(xx) **RU-20, Part of Lot 7, Concession 9, Leeds, Part of Assessment Roll No. 816-030-06004**

On the lands zoned RU-20, the set back from the high water mark of Whitefish Lake shall be 22.0 m (72.18 ft.) for the single dwelling unit. The sewage disposal system shall be setback a minimum of 30.0 metres (98.43 ft.).

(xxi) **RU-21, Assessment Roll No. 816-015-25304**

On the lands zoned RU-21, a special 23.0 metre (75.46 ft.) setback from the high water mark shall be required in addition to all other provisions of the Rural zone.

(xxii) **RU-22, Assessment Roll No. 816-020-27000**

On the lands zoned RU-22, a special minimum lot area of 2950 m² (31754.6 sq.ft.) shall be required from the wetland boundary, in addition to all other provisions of the Rural (RU) zone.

(xxiii) **RU-23, Assessment Roll No. 816-020-31105, 816-020-31106, 816-020-31107, 816-020-31108 816-020-31109**

On the lands zoned RU-23, a special minimum lot area of 0.8 ha (1.98 acres), plus a special 30.0 m (98.43 ft.) setback from the wetland boundary shall be required, in addition to all other provisions of the Rural (RU) zone. Further,

openings in buildings shall not be erected below 93.2 metres (305.77 ft.) geodetic elevation.

(xxiv) **RU-24**

On the lands zoned RU-24, the permitted uses shall be:

- single detached dwelling
- forestry use.

(xxv) **RU-25, Assessment Roll No. 816-010-06639**

On lands zoned RU-25, all openings into any building or structure shall be at a minimum elevation of 86.4 metres (283.46 ft.) geodetic. The water setback for the existing shed shall be 3.7 metres (12.14 ft.) and the setback from the private right-of-way for the existing privy shall be 4.3 metres (14.10 ft.). An accessory sleeping cabin is a permitted use in addition to the single dwelling.

(xxvi) **RU-26, Assessment Roll No. 816-015-09200**

On lands zoned RU-26, no openings in any building or structure shall be at an elevation of less than 86.4 metres (283.46 ft.) geodetic.

(xxvii) **RU-27, Assessment Roll No. 812-040-09200**

On the land zoned RU-27, the minimum lot area shall be 7.0 ha (17.3 acres).

(xxviii) **RU-28, Assessment Roll No. 812-010-10700**

The lands zoned RU-28, shall only be used for the cutting and storage of firewood. A residential dwelling is not permitted.

(xxix) **RU-29, Assessment Roll No. 812-040-12006**

On the land zoned RU-29, no dwelling shall be permitted and no livestock barn or manure storage shall be permitted within 180 m (590.55 ft.) of any dwelling. The existing pole barn shall only be used for the storage of feed and equipment.

(xxx) **RU-30, Assessment Roll No. 812-020-06506**

On the land zoned RU-30, the minimum Lot Frontage shall be 9.0 m (29.53 ft.).

(xxxi) **RU-31, Assessment Roll No. 812-020-27602**

On the land zoned RU-31, a Garden Suite defined as a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable and

having a maximum floor area of 110 m² (1184.07 sq. ft.) shall be permitted for a period up to ten years from the date of passing of this By-law.

(xxxii) **RU-32**

On the lands zoned RU-8, the minimum lot area shall be 10.0 ha (24.71 acres).

(xxxiii) **RU-33, Assessment Roll No. 816-015-12419, 816-015-12411**

On the lands zoned RU-24, a special 30.0 m (98.4 ft.) setback shall be required from the wetland boundary, in addition to all other provisions of the Rural (RU) zone.

(xxxiv) **RU-34, 137 Lyndhurst Rd, Assessment Roll No. 816-030-02300**

Notwithstanding any provision of subsection 11.1 a) of this By-law to the contrary, on the lands identified as Rural, Special Exception Thirty-Four (RU-34), a residential dwelling is not permitted.

(xxxv) **RU-35, 514 1000 Islands Parkway, Assessment Roll No. 812-025-14700**

On the lands zoned RU-34, in addition to all of the permitted uses in the Rural Zone, a private lane and an entrance accessing the KOA campground along with associated signage shall be permitted. All structures on the residential lots shall be located on the north side of the existing private right-of-way that provides access to the KOA campground.

(xxxvi) **RU-36, Pt Lots 3/4, Conc 10 – Assessment Roll No. 816-020-23010 & 816-020-23275**

- a) The lands identified with shaded tone and serrated edges on Schedule “A” to this By-Law be zoned “RU-35”;
- b) That the setback from the high water mark for the lands to be zoned RU-35 be 40 metres;
- c) That for the lands described as Parts 8, 9 & 10 in Plan of Survey 28R-13299 and Parts 3 & 6 in Plan of Survey 28R-12934, the holding ‘h’ provision in place on the subject lands adjacent to the PSW Zone be lifted; and
- d) That Schedule “C” to By-law No. 07-079 is amended in accordance with the provisions of this By-law.

11.2 Additional Provisions for Rural Zones

(a) Accessory Dwellings

A second dwelling shall only be permitted on an operating farm for a full time employee on the farm or for a retiring farmer provided that such dwelling is a

minimum of 6.0 metres (19.68 ft.) from the other dwelling and has a minimum floor area of 45.0 m² (484.29 sq.ft.) and a maximum height of 12.0 metres (39.37 ft.).

(b) Rural Home-Based Business

A Rural Home-Based Business shall be permitted in the Rural (RU) Zone provided that such use conforms with Section 3.12.

(c) Wayside Quarries

Notwithstanding any provision of this By-law, no wayside quarry shall be permitted within the separation distances established in Section 3.30.

(d) Cemeteries

Notwithstanding the provisions of Section 11.1, cemeteries shall conform with the provisions of the Cemeteries Act.

(e) Other General Provisions

Other general provisions shall be in accordance with Section 3 of this By-law.

SECTION 12 MINERAL RESOURCE ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Mineral Resource Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

12.1 Mineral Resource, Pit (MRP) Zone

(a) Permitted Uses:

- agricultural use;
- conservation use;
- crushing and processing operations;
- forestry use;
- pit;
- wayside pit or wayside quarry.

(b) Zone Requirements:

Yard Requirements (minimum)

All Yards	30.0 m	(98.43 ft.)
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Agricultural Use, Conservation Use, Forestry Use

In accordance with the provisions for the Rural (RU) zone.

(c) Special Exceptions:

(i) **MRP-1, Assessment Roll No. 816-020-10103, 816-020-10400, 816-030-08100**

On lands zoned MRP-1 the minimum separation distance between the existing residential dwellings and the pit shall be 100.0 metres (328.08 ft.).

(ii) **MRP-2, Assessment Roll No. 816-030-01600**

On the lands zoned MRP-2, the minimum separation distance between the existing residential dwellings and the pit shall be 70.0 metres (229.66 ft.).

12.2 Mineral Resource, Quarry (MRQ) Zone

(a) Permitted Uses:

- agricultural use;
- conservation use;
- crushing and processing operations;

- forestry use;
- pit;
- quarry;
- wayside pit or wayside quarry.

(b) Zone Requirements:

Yard Requirements (minimum)

All Yards	30.0 m	(98.43 ft.)
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Agricultural Use, Conservation Use, Forestry Use

In accordance with the provisions for the Rural (RU) zone.

(c) Special Exceptions:

(i) **MRQ-1, Assessment Roll No. 812-010-19500**

On the lands zoned MRQ-1, a quarry shall be limited to a Class B Quarry above water extracting a maximum of 20,000 tonnes annually.

12.3 Mineral Resource, Wollanstonite (MRW) Zone

(a) Permitted Uses:

- agricultural use;
- conservation use;
- crushing and processing operations;
- forestry use;
- pit;
- quarry;
- wayside pit or quarry.

(b) Zone Requirements:

Yard Requirements (minimum)

All Yards	30.0 m	(98.43 ft.)
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Agricultural Use, Conservation Use, Forestry Use

In accordance with the provisions for the Rural (RU) zone.

12.4 Mineral Resource, Bedrock (MRB) Zone

(a) Permitted Uses:

- agricultural use,
- excluding buildings;
- conservation use, excluding buildings;
- forestry use, excluding buildings;

- greenhouse, commercial;
- park, excluding buildings;
- passive outdoor recreation;
- recreational facility;
- riding stable;
- trail system;
- wayside pit or quarry.

(b) Zone Requirements:

None

(c) Special Exceptions:

(i) **MRB-1, 80 Thomas Rd, Assessment Roll No. 816-030-07200**

Notwithstanding any provisions of subsection 12.4 a) of this By-Law to the contrary, on the lands identified as Mineral Resource Bedrock, Special Exception One (MRB-1), a residential dwelling is not permitted.

12.5 Mineral Resource, Aggregate (MRA) Zone

(a) Permitted Uses:

- agricultural use,
- excluding buildings;
- conservation use, excluding buildings;
- forestry use, excluding buildings;
- park, excluding buildings;
- passive outdoor recreation;
- wayside pit or quarry.

(b) Zone Requirements:

None

12.6 Additional Provisions for Mineral Resource Zones

(a) Other General Provisions

Accessory uses and other general provisions shall be in accordance with Section 3 of this By-law.

**SECTION 13
WRECKING YARD ZONES**

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Wrecking Yard Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law.

13.1 Wrecking Yard (WY) Zone

(a) Permitted Uses:

- accessory dwelling;
- agricultural use;
- conservation use;
- forestry use;
- wrecking yard.

(b) Zone Requirements:

Lot Area (minimum)	2.0 ha	(4.94 acres)
Lot Frontage (minimum)	60.0 m	(196.85 ft.)
Yard Requirements (minimum)		
All yards	9.0 m	(29.53 ft.)
Accessory Dwelling Units per Lot (maximum)	1	

13.2 Additional Provisions for Wrecking Yard Zones

(a) Other General Provisions

Other general provisions shall be in accordance with Section 3 of this By-law.

**SECTION 14
WASTE MANAGEMENT ZONES**

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Waste Management Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law.

14.1 Waste Management (WM) Zone

(a) Permitted Uses:

- agricultural use;
- conservation use;
- forestry use;
- waste management facility, including transfer station and/or disposal site;
- wayside pit or wayside quarry.

(b) Zone Requirements:

Lot Area (minimum)	1 ha	(2.5 acres)
Yard Requirements (minimum)		
All Yards	9.0 m	(29.53 ft.)

(c) Special Exceptions:

(i) **WM-1, 227 Escott-Rockport Road, Assessment Roll No. 809 010 32075**

Notwithstanding any provision of subsection 14.1 a) of this By-law to the contrary on the lands identified as Waste Management, Special Exception One (WM-1), a communications facility is a permitted use.

14.2 Additional Provisions for Waste Management Zones

(a) Other General Provisions

Other general provisions shall be in accordance with Section 3 of this By-law.

SECTION 15
SEWAGE DISPOSAL ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Sewage Disposal Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law.

15.1 Sewage Disposal (SD) Zone

(a) Permitted Uses:

- agricultural use;
- conservation use;
- forestry use;
- sewage disposal site and/or treatment plant.

(b) Zone Requirements:

Yard Requirements (minimum)		
All Yards	9.0 m	(29.52 ft.)

15.2 Additional Provisions for Sewage Disposal Zones

(a) Other General Provisions

Other general provisions shall be in accordance with Section 3 of this By-law.

SECTION 16 FLOOD PLAIN ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Flood Plain Zone except in accordance with the provisions of this Section and of any other relevant Section of this By-law.

16.1 Flood Plain (FP) Zone

(a) Permitted Uses:

- conservation use, excluding buildings;
- agricultural use, excluding buildings;
- forestry use, excluding buildings;
- marine facility;
- parks, excluding buildings;
- passive outdoor recreation, excluding buildings;
- uses accessory to a residential use located on the same lot, excluding buildings.

(b) Zone Requirements:

No site alteration shall occur and no building or structure shall be erected, altered or used except with the written approval of the relevant Conservation Authority pursuant to its Section 28 Regulation.

(c) Special Exceptions

(i) **FP-1, County Rd No. 32, Assessment Roll No. 812-010-23500 and 812-010-23701**

On the lands identified as FP-1, a residential dwelling shall be permitted.

(ii) **FP-2, 844 Cottage Lane, Grippen Lake, Roll No. 816 030 09500**

Notwithstanding any provision of subsection 16.1 of this By-law to the contrary, on the lands identified as FP-2, a 23.8 m² cabin shall be permitted.

16.2 Additional Provisions for Flood Plain Zones

(a) Other General Provisions

Accessory uses and other general provisions shall be in accordance with Section 3 of this By-law.

SECTION 17 ENVIRONMENTAL PROTECTION ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in an Environmental Protection Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

17.1 Environmental Protection (EP) Zone

(a) Permitted Uses:

- conservation use, excluding buildings;
- marine facility.

(b) Crown Beds of Water bodies:

All Crown beds of waterbodies up to the high water mark are zoned Environmental Protection unless specifically shown otherwise on the attached Schedules.

(c) Special Exceptions:

(i) **EP-1, Bay of St. Lawrence Subdivision**

On the land zoned EP-1, a private docking facility providing a maximum of 28 boat slips shall be permitted.

17.2 Additional Provisions for Environmental Protection Zones

(a) Other General Provisions

Accessory uses and other general provisions shall be in accordance with Section 3 of this By-law.

SECTION 18
PROVINCIALY SIGNIFICANT WETLANDS ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Provincially Significant Wetland Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law.

18.1 Provincially Significant Wetland (PSW) Zone

(a) Permitted Uses:

- conservation use, excluding buildings;
- passive outdoor recreation.

(b) Zone Requirements:

None.

18.2 Additional Provisions for Provincially Significant Wetland Zones

(a) Other General Provisions

Other general provisions shall be in accordance with Section 3 of this By-law.

SECTION 19
LOCALLY SIGNIFICANT WETLANDS ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Locally Significant Wetland Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

19.1 Locally Significant Wetland (LSW) Zone**(a) Permitted Uses:**

- conservation use, excluding buildings;
- forestry use, excluding buildings;
- passive outdoor recreation;
- marine facility if justified by an EIS approved by the Township in consultation with the Conservation Authority and/or technical agencies as required.

(b) Zone Requirements:

None.

19.2 Additional Provisions for Locally Significant Wetland Zones**(a) Marine Facilities**

Marine facilities shall be in accordance with Section 3.18 and shall be approved by the Cataraqui Region Conservation Authority.

(b) Other General Provisions

Other general provisions shall be in accordance with Section 3 of this By-law.

SECTION 20
AREA OF NATURAL AND SCIENTIFIC INTEREST ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in an Area of Natural and Scientific Interest Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law.

20.1 Areas of Natural and Scientific Interest (ANSI) Zone

(a) Permitted Uses:

- conservation use, excluding buildings;
- forestry use, excluding buildings;
- passive outdoor recreation.

(b) Zone Requirements:

None.

20.2 Additional Provisions for Area of Natural and Scientific Interest Zones

(a) Other General Provisions

Other general provisions shall be in accordance with Section 3 of this By-law.

SECTION 21 SPECIES AT RISK ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Species at Risk Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law.

21.1 Species at Risk (SR) Zone

(a) Permitted Uses:

- conservation use, excluding buildings;
- passive outdoor recreation.

(b) Zone Requirements:

None.

(c) Special Exceptions:

(i) **SR-1, Bald Eagle Habitat**

Development shall be prohibited within 200.0 metres (656.17 ft.) of lands designated a Bald Eagle Habitat.

21.2 Additional Provisions for Species at Risk Zones

(a) Other General Provisions

Other general provisions shall be in accordance with Section 3 of this By-law.

SECTION 22 PARKING LOT ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Parking Lot Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

22.1 Parking Lot (PL) Zone

(a) Permitted Uses:

- garage, private;
- marine facility;
- parking lot.

(b) Zone Requirements:

Yard Requirements (minimum)

Front Yard	30.0 m	(98.43 ft.)
All other Yards	3.0 m	(9.84 ft.)

Building Height (maximum)	5.0 m	(16.41 ft.)
Lot Coverage (maximum)	2%	

Note: For the purposes of these yard provisions, the provisions will also apply to parking spaces.

(c) Special Exceptions:

(i) PL-1, Charleston Lake, Assessment Roll No. 816-025-08500

The lands identified as PL-1, shall only be used for the parking of vehicles by the owners of the property located on Wolfe Island, located on Charleston Lake.

(ii) PL-2, Assessment Roll No. 816-025-10800, 816-025-11201

On land zoned PL-2, a maximum of eight (8) parking spaces, boat launching and docking facilities for the exclusive use of the Owners of the Island lots described as Lots Part 10, 11, 12, and 13 on Registered Plan 28R-7145 only shall be permitted subject to the following requirements and provisions.

(iii) **PL-3, Assessment Roll No. 816-025-14558 and 816-025-14557**

Notwithstanding any provision of subsection 22.1 of this By-law to the contrary, the lands identified as Parking Lot, Special Exception Three (PL-3), the following provisions shall apply:

“On lands zoned PL-3, a maximum of eight (8) parking spaces for the exclusive use of the Owners of the lands described as Part Lot 14, Concession 11 on the south side of Bass Lake only shall be permitted. The parking area shall be fenced.

Yard Requirements:

Western boundary (minimum)	0.5 m	(1.64 ft.)
Northern boundary (minimum)	0.5 m	(1.64 ft)

Special Provisions:

- No parking of vehicles or trailers or storage of any material shall be permitted within 21.0 metres (68.9 ft.) of the high water of Bass Lake;
- Vehicle access to a boat launching area approved by the Ministry of Natural Resources is permitted within the water front yard provided that the width of the access way is not greater than 3.0 metres (9.84 ft.).

22.2 Additional Provisions for the Parking Lot Zone(a) Parking Lots Adjacent to Water

Where a parking lot is created adjacent to water, no parking, driveways, accessory uses or disturbance to the natural land form or vegetation is permitted within the waterfront yard. Notwithstanding these limitations, boat launching and docking facilities proposed in association with the parking area are permitted provided prior approval from the Cataraqui Region Conservation Authority is obtained and only minimal disturbance to the natural land form or vegetation occurs.

(b) Other General Provisions

Accessory uses and other general provisions shall be in accordance with Section 3 of this By-law.

This By-law shall become effective on the date of approval hereof.

This By-law given its first reading on the 13th day of November, 2007.

This By-law given its second reading on the 13th day of November, 2007.

This By-law given its third and final reading and passed under the Corporate Seal on the 10th day of December, 2007

CORPORATE SEAL OF THE TOWNSHIP

_____ Frank Kinsella _____ MAYOR

_____ Vanessa Latimer _____ CLERK