

ZONING BY-LAW No. 2014-1407

MUNICIPALITY OF CALLANDER

Prepared by



April 22, 2014

**CORPORATION OF THE
MUNICIPALITY OF CALLANDER**

BY-LAW No. 2014-1407

**A By-law to regulate the use of land and the character,
location and use of buildings or structures
in the Municipality of Callander.**

Purpose and Effect:

By-law No. 2014-1407 is intended to regulate the use of all lands, buildings and structures within the Municipality.

This By-law permits and regulates the use of land as shown on Schedules 'A' and 'A-1' to the Zoning By-law. Uses that legally existed prior to the date of adoption of this By-law will be permitted to continue. Any new use not specifically permitted by the By-law is prohibited. New development occurring after this By-law comes into effect must comply with the regulations set out in the By-law.

WHEREAS authority is found in Section 34 of the Planning Act to pass by-laws prohibiting and regulating the use of lands, buildings, and structures and the type of construction, height, bulk, location, spacing and character of buildings and structures to be erected or altered;

AND WHEREAS this By-law conforms to the Official Plan for the Municipality of Callander

AND WHEREAS the Council of the Corporation of the Municipality of Callander now deems it desirable and in the public interest to rescind By-law 2003-857 and all Amendments thereto, and enact a new Comprehensive Zoning By-law

NOW THEREFORE the Council of the Corporation of the Municipality of Callander enacts a By-law as follows:

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SECTION 1 ADMINISTRATION

1.1 Title

This By-law may be referred to as "The Zoning By-law for the Municipality of Callander".

1.2 Lands Affected by this By-law

This By-law applies to all lands within the geographic Municipality of Callander. The provisions of this By-law may not apply to Crown Land. However, the Crown shall have regard to the provisions of this By-law when considering land uses on Crown Land.

1.3 Compliance with Zoning By-law

No person shall change the use of any building, structure or lot or erect or use any building or structure or use or occupy any lot or building in whole or in part, except in conformity with the provisions of this By-law.

1.4 Compliance with Other By-laws

In the event of any conflict within this By-law or with any amendment to this By-law or with the requirements of any other By-law, the most restrictive or the By-law imposing the higher standard shall govern and apply unless the context clearly requires otherwise.

1.5 Compliance with Other Restrictions

Nothing in this By-law shall be construed to exempt any person from complying with any restrictions or regulations lawfully imposed by the Municipality or any other governmental authority or agency having jurisdiction to make such restrictions or regulations.

1.6 Building Permits

The requirements of the By-law must be met before a Building Permit is issued by the Municipality for the erection or alteration of any building or structure. The provisions of the By-law must be met even if a building permit is not required.

1.7 Administration and Enforcement

This By-law shall be administered and enforced by the Chief Building Official or such other person as the Council designates.

Any person convicted of a violation of this By-law is liable, at the discretion of the convicting Justice, on first conviction to a fine of not more than \$25,000 and on a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.

1.8 Severability Provision

A decision of a Court stating that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other provisions or parts of the provisions of this By-law.

1.9 Repeal of Existing By-laws

Upon this By-law coming into effect By-law 97-664, 75-126, 76-146, 77-160, 77-166, 77-167, 77-174, 78-177, 78-178, 80-206, 80-214, 80-216, 81-229, 81-231, 83-284, 85-342, 86-364, 88-421, 88-418, 88-424, 90-450, 90-459, 93-545, 94-541, 94-567, 94-576, 95-593, 96-642, 97-648, and all amendments thereto are hereby repealed.

1.10 Effective Date

This By-law shall come into force the day that it was passed in accordance with the provisions of the Planning Act.

1.11 Reference to Legislation

Where this Zoning By-law makes reference to legislation, then the references shall be deemed to mean that as presently existing, or as amended, replaced or re-enacted, from time-to-time by the Province, and shall be deemed to include, in addition to the statute itself, all regulations passed thereunder.

1.12 Zones

For the purpose of this By-law the following zones are established and they may be referred to by the name or by the symbol set opposite the name of the zone as indicated below:

R1	-	Urban Residential
R2	-	Urban Shoreline Residential
R3	-	Urban Semi-Detached Residential
RE	-	Estate Residential
RR	-	Recreation Residential
RM	-	Multiple Residential
RUR	-	Rural Residential
RU	-	Rural
C1	-	General Commercial
C2	-	Local Commercial
C3	-	Highway Commercial
CR	-	Resort Commercial
GM	-	Gateway Mixed Use
I	-	Institutional
M1	-	General Industrial
M2	-	Industrial Park
MP	-	Extractive Industrial Pit
MQ	-	Extractive Industrial Quarry
MD	-	Waste Disposal
OS	-	Open Space
CL	-	Crown Land
EP	-	Environmental Protection

1.13 Zone Schedule

The zones and zone boundaries are shown on Schedules A, and A1 attached hereto and forming part of this By-law.

1.14 Determining Zone Boundaries

The extent and boundaries of all zones set out on the Schedules forming part of this By-law shall be interpreted in accordance with the following provisions:

- a) A zone boundary which is shown approximately at a lot line on a Registered Plan of Subdivision or Condominium, Reference Plan or Municipality lot line shall follow such lot lines.
- b) A zone boundary shown approximately at the centre line of a highway, street, road, lane, right-of-way, railway, electrical line, gas line, oil line or other transmission line is considered to be the centre line of the highway, street, road, lane, right-of-way, railway, electrical line, gas line, oil line or other transmission line.
- c) Unless the location of a zone boundary is specified by dimensions on the zoning map, a zone boundary which lies within a lot shall be fixed by the scale of the Schedule upon which it is shown.
- d) A zone boundary shown following approximately a shoreline or the centre line of a creek, stream or channel is considered to be the shoreline or centre line and moved with any natural changes to the waterbody or watercourse.
- e) Where a zone boundary is shown on the Schedules attached hereto, the zone symbol within that boundary shall apply to all land within such boundary. All lands below the surface of a navigable waterbody or watercourse shall be deemed to be in the Open Space (OS) Zone.

1.15 Exceptions to Zones

Where a Zone Symbol on the Zone Maps is followed directly by a dash and number (for example RU-5), the land so designated shall be subject to, and used in accordance with, all provisions of this By-law applicable to the zone represented by such symbol except as otherwise specifically provided by the special provisions of the exception zone set out in this By-law.

1.16 Holding Provisions

Where a Zone Symbol shown on the Zone Maps is followed by a Holding (H) Symbol, a By-law must be passed under Section 37 of the Planning Act prior to the lands being used in accordance with the permitted uses and zone provisions. Specific Holding provisions are outlined in Section 3.20.

1.17 Permitted Uses

Where this By-law specifically permits a use in a Zone or Zones, only those uses specifically identified shall be permitted in that Zone.

1.18 Metric Conversion Table

This table has been included in the By-law to summarize standard conversions found in this By-law. To convert to metric divide the imperial value by the conversion standard in the table. To convert to imperial multiply the value by the conversion standard in the table.

Metric Unit	Imperial Unit	Conversion (Metric to Imperial)
Centimeters	Inches	0.39
Metres	Feet	3.28
Square Metres	Square Feet	10.7
Square Metres	Acres	0.000247
Hectares	Acres	2.47

**SECTION 2
GENERAL PROVISIONS**

2.1 Accessory Buildings, Structures and Uses

a) Permitted Uses

Where this By-law, or an amendment to this by-law provides that a lot may be used and a building or structure may be erected or used for a purpose, that purpose shall include any accessory building or structure or accessory use provided that:

- i) a valid building permit for the principal use, if required, is issued
- ii) that the principal building or structure is already in existence on the lot;
- iii) the accessory building or structure shall not be used for human habitation except where specifically permitted by this By-law.

b) Setback and Yard Requirements

Except as otherwise provided by this By-law, any accessory building or structure shall comply with the yard requirement of the zone within which it is located. This provision shall not apply to prevent the construction of docks, marine facilities, pumps or pumphouses as may otherwise be permitted in this By-law. Unless specifically provided for, no accessory buildings or structures shall be permitted between the main buildings or structure and the front lot line.

c) Lot Coverage and Height

The total lot coverage of all accessory buildings and structures, regardless of floor area, but excluding swimming pools, shall not exceed 10 per cent of the lot area. The height of any accessory building or structure in any zone shall not exceed 5 metres. Agricultural buildings in excess of 30 square metres shall be considered as primary buildings.

d) Maximum Ground Floor Area

Within the Rural (RU) Zone, Rural Residential (RUR) Zone and the Recreational Residential (RR) Zone, the maximum ground floor area of any one detached accessory building or structure is 112m² unless another provision of this By-law is more restrictive. This provision shall not apply to agricultural buildings.

e) Accessory Structure Encroachments

Notwithstanding the yard and setback provisions of this By-law to the contrary the following accessory structures are permitted to encroach into the minimum yard and setbacks required by this by-law by the distance specified in Table 1: Permitted Encroachments.

TABLE 1: PERMITTED ENCROACHMENTS

Accessory Structure	Permitted Encroachment
Sills, belts courses, cornices, eaves, canopies, gutters, awnings, eave troughs, chimneys, pilasters or any other architectural ornament or similar structure	0.3 metres into any yard
Fire escapes, exterior staircases	0.9 metres into rear and exterior side yard
Bay windows	0.9 metres over a maximum of 3 metres in the front, rear and exterior side yards
Balconies	1.8 metres in any yard
Decks in excess of 2.4 metres above finished grade	1.8 metres in a front, rear or exterior side yard, but not closer than 1.2 metres to any lot line
Decks, or patios, and steps accessing a deck or patio 2.4 metres or less above finished grade	1.8 metres in a front or exterior side yard and 2.4 metres in a rear yard only, but not closer than 1.2 metres to any lot line.
Private septic systems	Permitted in all yards, but are required to meet setbacks from watercourses and waterbodies
Satellite dish exceeding 1.0 metre in diameter	Permitted in interior side yard and rear yard. Prohibited in front yard and exterior side yard
clothes poles, flag poles, garden trellises, retaining walls, fences having a maximum height of 1.8 metres, signs	Permitted in all yards

f) Boat Dock or Launching Ramp

Notwithstanding the yard provisions of this By-law to the contrary, a boat launching ramp or a dock may be erected and used in any yard, or adjacent to the front lot line of a lot abutting a navigable waterway, provided such ancillary structure is located no closer than 1.5 metres (to the side lot line or the 90 degree projection of the side lot line where it

meets the tangent of the front lot line at the shoreline to a distance of 30 metres.

Docks associated with a residential use shall not exceed 15 metres in length from the normal high water mark

Docks extending from a property with Commercial zoning shall be permitted to extend a maximum of 30 metres in length from the normal high water mark.

Where the frontage of a residential lot is zoned Environmental Protection (EP) in its entirety a floating dock, having a maximum width of 0.8 m shall be permitted, except on Grand Trunk Island, where private docks are prohibited.

g) Boathouses

Notwithstanding the yard and setback provisions of this By-law to the contrary, a boathouse may only be constructed on a lot abutting a navigable waterway where the lot complies with the minimum lot frontage and lot area requirements of the Zoning By-law. Where a boathouse is permitted it shall be subject to the following provisions:

- i) maximum width 11 m or 25% of the lot frontage, whichever is lesser
- ii) minimum side yard from extension of side lot line 6 m
- iii) maximum building height above average high water mark 5 m
- iv) maximum building size 108 sq. m

h) Docks and Boathouses – Cumulative Width

Docks and a boat house associated with a residential use shall not exceed a width of 25% of the lot frontage to a maximum of 15 metres.

i) Garages or Other Accessory Buildings or Structures

Notwithstanding the yard and setback provisions of this By-law to the contrary, unless otherwise specified in this By-law, a detached private garage or other accessory building or structure may be erected and used in an interior side or rear yard, provided that:

i) Interior Side Yard

Where such accessory building or structure is located in an interior side yard, it shall not be closer than 1.2 metres to the interior side lot line.

ii) Rear Yard

Where such accessory building or structure is located in a rear yard, it shall not be closer than 1.5 metres to the rear lot line except, where the rear lot line abuts a municipally maintained road, it shall not be closer than 10 metres to the rear lot line, unless otherwise specified in this By-law.

iii) Commercial and Industrial Uses

Notwithstanding the foregoing provisions, buildings and structures accessory to a Commercial or Industrial use comply with the required interior side lot line.

iv) Rural , Extractive Industrial Pit, Extractive Industrial Quarry and Waste Disposal Zones

Notwithstanding the provisions of this section, an accessory building may be permitted in the front or exterior side yard of a property within a Rural (RU), Extractive Industrial Pit (MP), Extractive Industrial Quarry (MQ) or Waste Disposal (MD) Zone provided the accessory building is setback 15 metres from the front lot line and 15 metres from the exterior side lot line in the Rural Zone and 30 from the front lot line and 30 metres from the exterior side lot line in the Extractive Industrial Pit (MP), Extractive Industrial Quarry (MQ) or Waste Disposal (MD) Zone.

j) Gazebos and Saunas

Notwithstanding the yard and setback requirements of this By-law to the contrary, a gazebo and sauna may be permitted in the front yard provided that:

- i) the maximum area is 10 m²;
- ii) it is setback at least 2 m from any side lot line;
- iii) it has a minimum front yard of 8 m; and,
- iv) the height shall not exceed 3 m.

k) Separation for Accessory Buildings

Unless specifically provided for in this By-law, the minimum separation between an accessory building and a main building on the same lot shall be 1.8 metres from any point of the buildings including eaves.

l) Hot Tubs

No hot tub shall be located within 10 metres of the shoreline of any waterbody or watercourse.

m) Cloth Covered Structures

For the purposes of this By-law, buildings covered with cloth, plastic or similar flexible materials shall be required to meet the same setback requirements as permanent buildings and structures.

n) Outdoor Furnaces

Outdoor furnaces used for burning wood, coal or fuel shall not be permitted in any R1, R2, R3, RE, RM, C1, or C2 Zone. Where an outdoor furnace is permitted, it shall be setback a minimum of 10 metres from any lot line and shall not be permitted in a front yard.

2.2 Accessory Dwelling Units

Accessory dwelling units shall be permitted in detached dwellings and semi-detached dwellings.

An Accessory dwelling unit shall have a maximum gross floor area of 100 square metres.

Accessory dwelling units are not permitted in accessory buildings.

There shall be a maximum of one accessory dwelling unit permitted per lot.

Accessory dwelling units are not permitted where there is inadequate sewage disposal and water capacity available to service the unit.

2.3 Access and Frontage Requirements

a) Year Round Maintained Public Road

No person shall erect any building or structure in any Zone after the date of passing of this By-law, unless the lot upon which such building or structure is to be erected has frontage and access to a year round maintained public road.

The above provisions shall not apply to prevent the erection of a permitted building or structure on a lot in registered plan of subdivision where a Development Agreement has been entered into with the Municipality, notwithstanding that the road or roads will not be assumed by the Municipality until the end of the maintenance period, nor shall it apply to prevent the enlargement, extension, renovation, reconstruction or other structural alteration of a legally existing building or structure, which is located on a lot which does not have frontage upon an improved public road, provided the use of such building or structure does not change and is permissible within the Zone in which it is located.

b) Frontage on Private Road

Notwithstanding the provision in 2.3 (a) where an existing lot abuts a private road or private right-of-way, a use, building or structure shall be

permitted on such lot, in accordance with the applicable provisions of this By-law provided such private road or private right-of-way existed as of the date of passing of this By-law.

- c) **Condominium Roads**
Notwithstanding the provisions in 2.3 a), where a private road is the common element in a Plan of Condominium, and where a Development Agreement has been entered into with the Municipality, notwithstanding that the road or roads will not be assumed by the Municipality, a use, building or structure shall be permitted, in accordance with the applicable provisions of this By-law.
- d) **Navigable Waterway**

Notwithstanding the provisions of 2.3 (a) where a lot is an island, a use, building or structure shall be permitted in accordance with the applicable provisions of this By-law) Existing Recreation Residential (RR) Lots
- e) **An existing lot zoned Recreation Residential (RR) shall be exempt from the provisions of subsection 2.3(a) where such lot is in a registered plan of subdivision registered before June 24, 1974.**

2.4 Antennae, Towers, Satellite Dishes

Radio and televisions antenna towers, satellite dishes that are greater than 2 metres in height and dish antennas less than 10 metres in height and other similar structures are permitted in any zone provided they meet the minimum requirements of the zone in which they exist and are not located in any front yard or exterior side yard.

2.5 Dwelling Units on a Lot

Unless specified elsewhere in this By-law, no more than one dwelling unit shall be permitted on a lot.

2.6 Established Building Line

Notwithstanding the minimum front yard requirements in Section 4 to the contrary, on a lot fronting on a navigable waterway or street, that is situated between two existing residential lots where the existing dwellings are no more than 120 metres apart, the required minimum front yard setback for that lot shall be the average of the established front yard setback that lawfully exists on the two abutting lots, or the required front yard for the zone, whichever is the lesser.

2.7 Environmental Protection

Lands zoned Environmental Protection (EP), may be included in the calculation of yard requirements and lot area, but only where such lands are above the normal or maintained high water mark. Setback requirements in this By-law shall be measured from the limit of the normal or maintained high water mark.

2.8 Flood Elevation and Minimum Opening Elevation

The regulatory flood elevation for Lake Nipissing is 197.25 meters Canadian Geodetic Datum (C.G.D.) Notwithstanding any other provision of this By-law to the contrary, no building or structure used for human habitation abutting the shoreline of Lake Nipissing shall be constructed having an external opening elevation of less than 197.55 meters C.G.D.

Flood Proofing Minimum Opening Elevation – 197.55 meters C.G.D. and
Wave Up-rush and Erosion Protection – 197.55meters C.G.D.

Other watercourses – Development adjacent to a watercourse may require a flood study.

2.9 Group Homes

No Group Home shall be located within 200 metres of another Group Home measured from any lot line.

2.10 Height Exceptions

Notwithstanding the height provisions of this By-law to the contrary, nothing in this By-law shall apply to prevent the erection, alteration, or use of a barn or silo, a church spire, a belfry, a flag pole, a clock tower, a chimney, a water tank, a radio or television tower or antenna, an air conditioner duct, a grain elevator, incidental equipment required for processing, external equipment associated with internal equipment or machinery and conveying equipment, electric power, mast or transmission towers, smokestack, fire lookout tower, roof-top structure containing mechanical equipment pertaining to the operation of the building, skylight, solar collector, bell tower, church tower, satellite dishes and antennas, and other similar structures which exceeds the maximum height requirements provided the main use is permitted within the Zone in which it is located and provided all other applicable provisions of this By-law are satisfied.

2.11 Home Occupation

Where a Home Occupation is a permitted use the following regulations shall apply:

- a) in addition to persons living on the premises, a maximum of one assistant, may be engaged in the occupation of providing merchandise and/or services to customers;
- b) no display, other than a non-illuminated sign having a maximum area of 0.5 square metres, shall indicate that a home occupation is being carried on in the dwelling unit.;
- c) there shall be no goods, wares, or merchandise offered for sale or rent from the dwelling which are not manufactured or processed on the premises. The resale of products not manufactured or processed on the property is prohibited;

- d) not more than 25 per cent of the gross floor area of the dwelling or a maximum of 50 square metres, whichever is lesser, shall be used for the purposes of home occupation, and such home occupation shall be conducted entirely within the dwelling;
- e) there shall be no outside animal enclosures or external storage of goods or materials in conjunction with the home occupation use;
- f) a home occupation shall not include a boarding or lodging house, a restaurant, or a group home, but may include an unlicensed day nursery;
- g) a maximum of 15 percent of the total lot area shall be devoted to parking facilities; and,
- h) there shall be no emission of noise, fumes, odour, dust or traffic which is not normally attributed to the use of the land for residential uses.

2.12 Home Industry

Where a Home Industry is a permitted use the following provisions shall apply:

- a) a maximum of four (4) persons may be engaged in the home industry;
- b) such home industry may be located in part of a dwelling, or in any accessory building located on a lot on which a dwelling is in existence, provided the total gross floor area utilized by the home industry does not exceed a maximum of 150 square metres;
- c) there shall be no outside storage of goods, materials or articles;
- d) Notwithstanding section 2.11(c) a maximum of three currently licensed motor vehicles associated with the home industry may be parked or stored on the lot but only within an interior side or rear yard;
- e) there shall be no emission of noise, fumes, odour, dust or traffic which is not normally attributed to the use of the land for residential uses;
- f) a home industry shall be clearly secondary to the main residential use and shall not change the residential character of the dwelling on the lot; and,
- g) the home industry shall comply with the following minimum lot area, yard and setback provisions:
 - i) minimum lot area 0.8 ha
 - ii) minimum setback from all lot lines for home industry uses 30.0 m
 - iii) minimum separation from dwelling in existence on another lot 100.0 m

- h) maximum sign size 2.0 m²

Existing buildings that do not meet the setback requirements of subsection ii) may be used for home industries provided that all of the other provisions in this section are met.

2.13 Human Habitation

Regardless of floor area, no truck, bus, coach, tent trailer, tent, travel trailer, railway car, shipping container or streetcar body shall be used for human habitation within the Municipality of Callander, whether or not the same is mounted on wheels.

2.14 Hunt Camp

The maximum size of any hunt camp shall be 60 square metres.

A Hunt Camp maybe permitted on a lot which does not have direct access to, or frontage on, a maintained municipal road.

2.15 Landscaped Screening Strips

A landscaped screening strip may form part of any required landscaped open space or yard requirement. Within required landscaped screening strip, an unpierced planting strip shall be planted and maintained.

Unless otherwise provided for in this By-law, where a commercial, industrial, institutional or multiple residential land use abuts a lot in a Residential zone, a 1.8 metre high landscaped screening strip shall be required adjacent to the full length. A landscaped screening strip may be interrupted by a pedestrian walkway or driveway, provided that such crossing is perpendicular to the landscaped screening strip.

A landscaped screening strip of at least 3 metres in width shall be required adjacent to the full length of the said lot where a commercial, industrial, institutional or multiple residential lot abuts a Residential zone.

2.16 Loading Spaces

Loading spaces shall be provided and maintained for any building or structure used for any Commercial, Industrial, or Institutional use having a gross floor area greater than 185 square metres in accordance with the following:

- i) a loading space shall not form part of any street or lane;
- ii) loading spaces shall be located on lot having the use for which they are required;
- iii) loading spaces shall be a minimum of 3.6 metres wide by 9 metres long and have a vertical clearance of not less than 4.2 metres.

- iv) access to a loading space shall be by a 3.6 metres wide driveway having a minimum vertical clearance of 4.2 metres and leading to a public road
- v) the minimum number of loading spaces provided shall be one space per 1,858 square metres of floor area and one per each 1,858 square metres or fraction thereof of gross floor area in excess of 1,858 square metres.

2.17 Minimum Dwelling Unit Size

No dwelling unit, except an apartment dwelling unit or townhouse dwelling unit shall have a ground floor area of less than 65m² unless specifically provided for by this By-law.

2.18 Minimum Distance Separation

No building shall be constructed in the Rural Zone or within 1000 m of an intensive Agricultural use in a rural Zone which does not conform to the MDS1 and MDSII Formulas as determined by Schedules B and C, attached to and forming part of this By-law.

Setbacks for new dwellings constructed on lots other than the lot containing the barn from barns containing livestock shall be required in conformity with the MDSI Formula, attached to and forming part of this By-law as Schedule B.

New barns or expansions to existing barns shall require setbacks in conformity with the MDSII Formula, attached to and forming part of this By-law as Schedule C.

2.19 Model Homes

Nothing in this By-law shall apply to prevent the use of any part of any lot in a draft plan of subdivision or condominium description for a maximum of one model home dwelling per lot to a maximum of three model home dwellings per subdivision or condominium description, and an accessory sales office contained within a permitted model home dwelling provided that:

- a) The model home dwelling and accessory sale office shall be directly incidental to the construction of dwellings, services and roads and the sale of lots, units or dwellings in the subdivision or condominium description; and
- b) The model home dwelling and accessory sales office shall be removed or converted to a permitted use if construction of dwellings, services and roads and the sale of lots, units or dwellings in the subdivision or condominium description has been finished or discontinued for a period of 180 days;
- c) Where a model home dwelling is permitted, it shall not be permitted to be used as a residential dwelling unit until it is located on a separate lot and connected to water and sewage services.

2.20 Multiple Uses on One Lot

Where any land, building or structure is used for more than one permitted use, the applicable Zone Provisions of this By-law which serve to regulate each such use shall be complied with. Where there is a conflict in the required standards, the more restrictive provisions shall apply.

2.21 Multiple Zones on One Lot

Where a lot is divided into more than one Zone under the provisions of this By-law, each such portion of the lot shall be used in accordance with the Zone provisions of this By-law for the applicable Zone as if it were a separate lot.

The minimum lot area and lot frontage requirement of the most restrictive zone shall apply for the entire lot.

Where a lot contains multiple zones, one of which is the Environmental Protection Zone, the provisions of this section shall not apply.

2.22 Non-Complying Lots, Buildings and Structures

a) Where a building or structure is located on a lot having less than the minimum frontage and/or lot area, and/or having less than the minimum setback, front yard and/or side yard and/or rear yard required by this By-law, the said building or structure may be enlarged, reconstructed, repaired, renovated, relocated or replaced with new construction provided that:

- i) the enlargement, reconstruction, renovation, repair, relocation or replacement does not further reduce the front yard, and/ or side yard, and/ or rear yard or increase lot coverage beyond the requirements of this By-law;
- ii) the height of the existing legal non-complying building or structure is not increased except where the required yards are met;
- iii) the building or structure is being used for a purpose permissible within the zone in which it is located; and,
- iv) all other applicable provisions of this By-law are complied with.

b) Reconstruction of Existing Building

Nothing in this By-law shall prevent the reconstruction or replacement of a legally existing building that does not comply with the provisions in this By-law, provided that the portion of the building that does not meet the minimum requirements of this By-law is not increased in height or volume and the building is on the same footprint as the previously legally existing building.

c) Existing Undersized Lots

Where a lot, having a lesser lot area and/or lot frontage than required herein, existed on the date of passing of this By-law, or where such a lot is created by a public authority or correction of title, such a smaller lot may be used and a permitted building or structure may be erected and/or used on such lot provided that all other applicable provisions of this By-law are complied with and provided that a sewage system that complies with the regulations under Building Code can be installed on the lands.

Lots which have been increased in size following adoption of this By-law shall be considered to comply with this By-law and may be used in accordance with this provision.

2.23 Non-Conforming Uses

a) Continuation of Existing Uses

The provisions of this By-law shall not apply to prevent the use of any existing lot, building or structure for any purpose prohibited by this By-law if such existing lot, building or structure was lawfully used for such purposes prior to the effective date of this by-law and provided that the lot, building or structure continues to be used for that purpose. Where the use ceases to exist for a period of two years, the use will be deemed to have been discontinued.

b) Exterior Extension

The exterior of any building or structure which was lawfully used prior to the effective date of this by-law for a purpose not permissible within the Zone in which it is located, shall not be enlarged, extended, reconstructed or otherwise structurally altered, unless such building or structure is thereafter to be used for a purpose permitted within such Zone, and complies with all requirements of this By-law for such Zone unless these changes are necessary to provide for flood proofing or insulation of the building.

c) Interior Alteration

The interior of any building or structure which was lawfully used, prior to the effective date of the By-law, for a purpose not permissible within the Zone in which it is located, may be reconstructed or structurally altered for the existing purpose for which such building or structure was lawfully used.

d) Restoration

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any existing, legal non-conforming building or structure or part thereof, provided that the strengthening or restoration does not increase the building height, size or volume or change the existing, lawful use of such existing building or structure or unless these changes are necessary to provide for flood proofing or insulation of the building.

e) Reconstruction Of Existing Dwellings

Nothing in this By-law shall apply to prevent the reconstruction of any legally existing non-conforming dwelling which is damaged by causes beyond the control of the owner other than flooding, or which is demolished and reconstructed by the owner. A new dwelling may be constructed in the same location on which a dwelling unit existed on the date of the passage of this By-law even if such did not comply with one or more of the provisions of this By-law, but the non-conformity may not be further increased.

Buildings damaged or destroyed as the result of natural flooding shall not be reconstructed except in accordance with the provisions of this By-law.

f) Building Permit Issued

The provisions of this By-law shall not apply to prevent the use of any existing lot, building or structure for any purpose prohibited by this By-law for which the footings or foundations have been legally constructed prior to the passing of this By-law, so long as the building or structure, is substantially completed within one year after the date of the passing of this By-law and a building permit is issued by the Chief Building Official.

2.24 Outdoor Storage

No open or outdoor storage, including the outdoor display or sale of goods and material or vehicles for sale, shall be permitted on any lot in any zone except in a zone where such open storage is specifically permitted by this By-law, and in accordance with the following provisions:

- a) such open storage is accessory to the use of the main building on the lot;
- b) open storage is behind the front or exterior side wall of the main building facing any street, and complies with all yard requirements;
- c) such open storage does not cover more than 15 percent of the lot area; and,
- d) any portion of a lot used for open storage is screened from adjacent uses and streets adjoining the lot, by a building, landscaped screening strip, and/or fence. All fences shall extend at least 1.8 metres in height from the ground.

2.25

Outdoor Storage of Motor Vehicles in Residential Zones

- a) In any Residential Zone, the parking or storing of one commercial motor vehicle on any lot developed for residential purposes shall be permitted, provided that the commercial vehicle's capacity does not exceed one ton, the vehicle is owned or operated by the owner or occupant of the dwelling unit
- b) No part of any lot in a Residential Zone shall be used for the outdoor parking or storage of any vehicle other than one recreation vehicle in an interior or rear yard or as permitted elsewhere in this By-law.

2.26

Parking Regulations

a) Parking Space Requirements

Parking spaces are required under this By-law, in accordance with Table 2: Parking Space Requirements. The owner of every building or structure erected or used for any of the purposes listed shall provide and maintain parking spaces and areas accordingly.

If any computation of parking space requirement as set forth in this section results in a number containing a fraction above 0.25, that remaining fraction shall be counted as one parking space.

b) Parking Area Surface

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

c) Ingress and Egress Provisions

- i) ingress and egress to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least 3 metres but not more than 9 metres in perpendicular width;
- ii) the maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 12.0 metres;
- iii) the minimum distance between any two driveways on one lot or between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 8 metres; and
- iv) the minimum angle of intersection between a driveway and a street line shall be 60 degrees.

d) More Than One Use on a Lot

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

e) Parking Area Location on Lot

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

Unless specifically provided for, all parking shall be provided on the same lot as the building, structure or use for which they are required.

f) Additions To, or Changes In, The Use of Existing Buildings and Structures

The parking space requirements referred to herein shall not apply to any existing building or structure so long as the gross floor area is not increased. If any addition is made to a building or structure that increases its gross floor area, parking spaces for the addition shall be provided as required by the Parking Space Requirement Table. Where a change in use occurs, parking spaces shall be provided for such new use in accordance with the requirements of the Parking Space Requirement Table.

The provision of this paragraph shall not apply to require the establishment of parking spaces for a dwelling that existed at the date of passing of this By-law.

g) Use of Parking Spaces and Areas

Parking spaces and areas required in accordance with this By-law shall be used for the parking of operative, currently licensed vehicles only, and for vehicles used in operation incidental to the permitted uses on the lot.

h) Dimensions of Parking Space

A required parking space shall have a minimum width of 3 meters and length of 6 meters, with the exception of a barrier-free parking space which shall have a width of not less than 3.7 meters and a length not less than 6 meters.

i) Aisles and Access to Parking Spaces

Required parking spaces shall be accessed via a aisle having a minimum width of 3 metres for one-way traffic and a minimum width of 6 metres for two-way traffic, and a maximum width of 7.6 metres. The aisle shall be connected by one or two driveways to a road, but shall not be located closer than 15 metres from the limits of the right-of-ways or a street intersection.

TABLE 2: PARKING SPACE REQUIREMENTS

Type of Use	Minimum Off-street Parking Requirements
Assembly Hall, Auditorium, Arena, Community Centre, Stadium, Club, Lodge, Farmers Market or other places of assembly	0.2 parking space for each person that may be legally accommodated at any one time.
Bed and Breakfast	2 parking spaces plus 1 space per guest room
Church	0.1 spaces per seat capacity, plus 1 parking space per 4 persons that may be legally accommodated in any accessory auditoriums or meeting rooms
Funeral Home	0.2 spaces per 5 person that may be legally accommodated
Golf Course	24 parking spaces for each 9 holes of golfing facilities.
Library	1 space per 93 m ² gross floor area or 10 parking spaces, whichever is greater
Liquor Licensed Premises, exclusive of a restaurant, but including an amusement centre, public house or lounge licensed in accordance with The Liquor License Act as amended, and the Regulations thereunder.	1 parking space for each 4 persons that may be legally accommodated at any one time.
Hospital, Long Term Care Home, Clinic	2 spaces per bed or examination room, whichever is greater
Home Occupation, Home Industry	1 space per 18 m ² of gross floor area dedicated to use
Hotel, Motel, Resort, College or Cabin Establishment, Tourist Establishment, Camp Site, Camping Establishment	1 parking space for each guest room, cottage, cabin or camp site, plus parking facilities as are required for any accessory uses that should such exist.
Marina	1.25 parking spaces for every 1 boat slip and 1 parking space for every 8 m ² of gross floor area devoted to commercial use, exclusive of storage areas.
Offices	1 space per 28 m ² gross floor area
Outdoor storage or display	No parking spaces required
School	6 spaces plus 1 space per employee
Recreational establishment, bowling alley, curling rink	1 space per 2 persons capacity
Residential row housing, apartment dwelling unit	1.25 parking spaces per dwelling unit
Residential, single detached, duplex, recreational dwelling, semi-detached	2 parking spaces per dwelling.
Restaurant or Tavern	0.2 parking spaces per seat that may be legally accommodated at any one time
Rooming House	2 parking spaces per dwelling plus 0.5 per guest room
Theatre	0.2 parking spaces per seat capacity

Type of Use	Minimum Off-street Parking Requirements
Workshop	1 parking space per 35 m ² of gross floor area.
All other commercial uses	1 parking space per 28 m ² of gross floor area
All other industrial uses	1 parking space per 93 m ² of gross floor area
Uses Permitted by this By-law other than those listed in this Table	1 parking space per 20 m ² of gross floor area.

TABLE 3: BARRIER FREE PARKING SPACE REQUIREMENTS

Barrier-free parking spaces shall be provided in accordance with the following table:

Number of Parking Spaces in Parking Lot	Number of Barrier Free Parking Spaces Required
1 to 19	1
20 to 100	2 minimum
For each additional 100 or part thereof	1

The number of barrier-free parking spaces which must be provided in a parking lot appurtenant to a Clinic shall be calculated in accordance with the following table:

TABLE 4: CLINIC BARRIER FREE PARKING SPACE REQUIREMENTS

For Clinics barrier-free parking spaces shall be provided in accordance with the following table:

Number of Parking Spaces in Parking Lot	Number of Barrier Free Parking Spaces Required
1 to 9	1
10 to 30	2 minimum
31 or more	3 minimum
For each additional 30 or part thereof	1 minimum to a maximum of 12

2.27 Pits, Quarries and Peat Extraction

The making or establishment of pits or quarries and the extraction of peat is prohibited within the area covered by this By-law, except in the locations permitted by this By-law, and in accordance with the express provisions of this By-law. No person shall use or occupy land or erect any building or structure or conduct any activity on land for the purpose of processing, washing, screening, sorting or crushing of rock, sand, gravel, or peat except as expressly provided for in this By-law.

2.28 Public Uses

a) Public Services

The provisions of this By-law, or any amendments to this By-law shall not apply to prohibit the use of any lot or the erection or use of any building or structure for the purposes of public uses provided by the Municipality, or any Public Authority including any Department or Ministry of the Government of Canada or Ontario and, for the purposes of this Section,

shall include Hydro One, any telephone, telegraph or cable TV company and any natural gas distribution system operated by a Company possessing all the necessary powers, rights, licenses and franchises and distributing gas to the residents of the Municipality.

b) Location Restrictions

Notwithstanding any other provision contained in this By-law to the contrary, where a specific public use is only permitted within a specific Zone classification, then such public use shall only be permitted within that Zone or Zones and shall comply with the Zone Provisions of the Zone or Zones in which the public use is permitted, save and except that there shall be no minimum lot area or lot frontage requirement. This provision does not apply to Crown Agencies.

c) Provisions

No goods, materials or equipment shall be stored outside the building or structure located on the lot, except as may otherwise be permitted under this By-law; and

No building or structure erected in accordance with the provisions of this Section shall be used for the purposes of an office or maintenance or works depot.

d) Streets and Installations

Nothing in this By-law shall prevent a public authority from providing or using land as a street nor prevent the installation of a utility main including a water main, sanitary sewer, storm sewer, gas main, pipeline or overhead or underground hydro, telephone or other utility supply or communication line.

2.29 Reduction of Requirements

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

2.30 Resource Management Uses

The provisions of this By-law, or any amendments to this By-law shall not apply to prohibit the use of any lot for the purposes of resource management. In addition, the provisions of this By-law, or any amendments to this By-law shall not apply to prohibit the use of any lot by an individual for conservation purposes, but shall not include the construction of any buildings or structures.

2.31 Restrictions on Dwelling Units in Non-Residential Buildings

Notwithstanding any other provision of this By-law to the contrary, no dwelling unit shall be located within a portion of a non-residential building which has gasoline or other flammable fluids stored in bulk for commercial purposes, in conjunction therewith, and without limiting the generality of the foregoing, a dwelling unit shall not be permitted within a motor vehicle service station, a motor vehicle repair garage, a marina, a motor vehicle body shop or a marine sales and service shop.

2.32 Setback from Environmental Protection Zone

Unless otherwise permitted by this By-law, in areas outside of the Callander Settlement Area, no building or structure shall be located within 30 metres of any Environmental Protection Zone.

2.33 Setback from Watercourses and Waterbodies

No buildings or structures, shall be located within 20 metres of the high water mark of any watercourse or lake, with the exception of marine facilities, gazebos, boathouses and pumphouses.

2.34 Setbacks from Waste Disposal Area or Sewage Lagoon

No dwelling shall be located within 500 metres of a licensed Waste Disposal Area or 100 metres from a licensed Sewage Lagoon or Sewage Treatment Facility.

2.35 Setbacks for Septic Systems

Unless otherwise permitted by this By-law, no part of any septic system shall be located within 30 metres of the normal or controlled high water mark of any watercourse or lake.

2.36 Sight Triangles

No building, structure, sign, wall, fence or vegetation with a height exceeding 0.6 metres above the centreline of the road shall be erected, located or placed within the triangular space measured along the corner lot lines for a distance of 9 metres from the point of intersection of two street lines, and a distance of 30 metres from the point of intersection of a street line and a railway right-of-way.

2.37 Signs

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

2.38 Temporary Storage Containers

Storage containers shall only be permitted within the following zones: Rural (RU), General Industrial (M1), Industrial Park (M2), Extractive Industrial Pit (MP) Extractive Industrial Quarry (MQ) and Waste Disposal (MD). Notwithstanding the provisions of this By-law, storage containers shall adhere to the provisions of

Section 2.1 and shall be used exclusively for the temporary storage of goods and materials and may not be used to accommodate work areas, shops, office uses or retail sales. Storage containers shall not be permitted to locate within the front yard or exterior side yard.

2.39 Temporary Construction Uses

A tool shed, not exceeding 9.3 square metres, construction trailer, outdoor storage of building materials, supplies, equipment, scaffold or other building or structure incidental to construction is permitted in all areas within the Municipality on the lot where it is situated and only for so long as it is necessary for the work in progress or in relation to a road or public utility, but only until the work is completed or abandoned. For the purpose of this Section, abandoned shall mean the discontinuation of work for more than 120 consecutive days or the failure to maintain a current building permit.

2.40 Temporary Housing

Notwithstanding any other provision of this By-law to the contrary, on a lot in the Rural Zone or Recreational Residential Zone, where a Building Permit for construction of a dwelling has been issued by the Municipality, the residents may occupy a travel trailer on a temporary basis but only during the period which the dwelling is being constructed to a maximum of 24 months.

2.41 Through Lots

Where a lot, which is not a corner lot, has lot frontage on more than one street, or more than one waterbody the setback and front yard requirements contained herein shall apply on each street or waterbody in accordance with the provisions of this By-law.

2.42 Water Use

Any commercial, industrial, institution or agricultural use requiring in excess of 50,000 litres of ground or surface water per day shall be considered as an industrial use under the provisions of this By-law.

SECTION 3 PROVISIONS FOR SPECIFIC USES

Where this By-law permits specific uses in areas described below, only those uses specifically identified as permitted uses shall be permitted in those described areas. The provisions of this Section shall apply in addition to the General Provisions of Section 2.

3.1 URBAN LOW DENSITY RESIDENTIAL ZONE (R1)

No person shall within any Urban Residential Zone (R1) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.1.1 Permitted Uses

- i) single detached dwelling
- ii) home occupation

3.1.2 Regulations for Permitted Uses

i)	Minimum Lot Area	464 m ²
ii)	Minimum Lot Frontage	15 m
iii)	Minimum Front Yard	7.6 m
iv)	Minimum Rear Yard	10.5 m
v)	Minimum Exterior Side Yard	4.5 m
vi)	Minimum Interior Side Yard	1.5 m
vii)	Maximum Lot Coverage	35%
viii)	Maximum Height	10.5 m

3.1.3 Exceptions

3.1.3.1 Urban Low Density Residential Exception One (R1-1) Zone (Catherine Street)

Notwithstanding the provisions of the Urban Low Density Residential (R1) Zone, to the contrary, no person shall within any Urban Low Density Residential Exception One (R1-1) Zone use any land, or erect, alter or use any building or structure except for an apartment building, in accordance with the following provisions:

i)	Minimum Lot Area	550 m ²
ii)	Minimum Lot Frontage	14 m
iii)	Minimum Front Yard	1.5 m
iv)	Minimum Rear Yard	18 m
v)	Minimum Exterior Side Yard	1.5 m
vi)	Minimum Interior Side Yard	1.5 m
vii)	Maximum Lot Coverage	50%
viii)	Maximum Height	2 stories
ix)	Minimum Dwelling Unit Floor Area	
	- Bachelor Unit	32 m ²
	- One Bedroom Unit	50 m ²
	- Two Bedroom Unit	65 m ²
	- For each additional bedroom	9 m ²

- x) Minimum of 10 parking spaces shall be provided, each having a minimum width of 2.7 m and length of 6 m
- xi) Maximum number of Dwelling Units 7

In all other respects the provisions of this By-law shall apply.

3.1.3.2

Urban Low Density Residential Exception Three (R1-3) Zone

(Part of Lot 1, Concession XXVII, Nichols Street, West of former Highway 11)

Notwithstanding the provisions of the Urban Low Density Residential (R1) Zone, to the contrary, no person shall within any Urban Low Density Residential Exception Three (R1-3) Zone use any land, or erect, alter or use any building or structure except a triplex dwelling in accordance with the following provisions:

- | | | |
|-------|---|--------------------|
| i) | Minimum Lot Area | 650 m ² |
| ii) | Minimum Lot Frontage | 21 m |
| iii) | Minimum Front Yard | 7.5 m |
| iv) | Minimum Rear Yard | 10.5 m |
| v) | Minimum Exterior Side Yard | 4.5 m |
| vi) | Minimum Interior Side Yard | 1.5 m |
| vii) | Maximum Lot Coverage | 35% |
| viii) | Maximum Height | 2 stories |
| ix) | Minimum Dwelling Unit Floor Area | |
| | - Bachelor Unit | 32 m ² |
| | - One Bedroom Unit | 50 m ² |
| | - Two Bedroom Unit | 65 m ² |
| | - For each additional bedroom | 9 m ² |
| x) | Minimum of 5 parking spaces shall be provided, each having a minimum width of 2.7 m and length of 6 m | |

In all other respects the provisions of this By-law shall apply.

3.1.3.3

Urban Low Density Residential Exception Four (R1-4) Zone

(Part of Lots 3,4,5, Concession 28, Parcel 18326 PSNS, 42M 620, Osprey)

Notwithstanding the provisions of the Urban Low Density Residential (R1) Zone, to the contrary, no person shall within any Urban Low Density Residential Exception Four (R1-4) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.1.3.3.1

Permitted Uses:

- i) a single detached dwelling
- ii) a home occupation

3.1.3.3.2

Special Zone Requirements:

- | | | |
|------|--------------------------------|--------------------|
| i) | Minimum Lot Area | 900 m ² |
| ii) | Minimum Lot Frontage | 15 m |
| iii) | Maximum Lot Coverage | 35% |
| iv) | Minimum Front Yard (from road) | 7.6 m |
| v) | Minimum Rear Yard (from lake) | 20 m |
| vi) | Minimum Interior Side Yard | |
| | a) 1 storey | 1.5 m |
| | b) 2 storey | 2.1 m |
| vii) | Maximum Building Height | 10.5 m |

3.1.3.3.3 Special Requirements for Accessory Uses

Where an accessory building or structure is located wholly or partly in the rear yard, the following provisions shall apply:

- i) Maximum total cumulative width shall not exceed 25 percent of the horizontal distance along the rear lot line and perpendicular to the side lot lines, except:
 - a) where the rear lot line is not perpendicular to the side lot lines and the side lot lines are parallel, the cumulative width shall not exceed 25 percent of the horizontal distance between the side lot lines; and
 - b) Where the rear lot line is not a straight line and the side lot lines are not parallel, the cumulative width shall not exceed 25 percent of the horizontal distance along a line 6 m back from and parallel to the straight line joining the two points where the side lot lines intersect the rear lot line.
- ii) Minimum setback from normal or controlled high water mark of 4.5 metres.
- iii) Notwithstanding any other provisions of Section 2 of this By-law to the contrary, a floating, cantilevered or post dock shall be permitted at the edge of Callander Bay, subject to any other approvals required by law.
- iv) Maximum floor area of 37 square metres.
- v) Notwithstanding the provisions of Section 2.1, accessory buildings and structures may be permitted between the street and principle dwelling unit.
In all other respects, the provisions of this By-law shall apply.

3.1.3.4 **Urban Low Density Residential Exception Five (R1-5) Zone**

(Part of Lots 4,5, Concession 28, Parcel 18326 PSNS, Osprey)

Notwithstanding the provisions of the Urban Low Density Residential (R1) Zone, to the contrary, no person shall within any Urban Low Density Residential Exception Five (R1-5) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

Permitted Uses:

- i) home occupation
- ii) an apartment dwelling

Special Zone Requirements:

- i) Minimum Lot Area 3 ha
- ii) Minimum Lot Frontage 20 m
- iii) Maximum Gross Floor Area as a percentage of Lot Area - 75%
- iv) Minimum Front Yard shall be one-half of the height of the building, but not less than 7.6 m
- v) Minimum Interior Side Yard shall be one-half of the height of the building, but not less than 6 m

- vi) Minimum Exterior Side Yard shall be one-half of the height of the building, but not less than 6 m
- vii) Maximum height 3 stories
- viii) Minimum usable Open Space as a percentage of Gross Floor Area shall be 50%
- ix) Maximum of 42 dwelling units
- x) A canopy or other similar structure over a major entrance to an apartment building may project into the required yard a distance equal to one-half the setback of the building from the lot line

In all other respects, the provisions of this By-law shall apply.

3.1.3.5 Urban Low Density Residential Exception Six (R1-6) Zone

(Part of Lots 2 and 3, Concession 28, Part of Parcels 9025 and 4103 PSNS-Shannondale.)

Notwithstanding the provisions of the Urban Low Density Residential (R1) Zone, to the contrary, no person shall within any Urban Low Density Residential Exception Six (R1-6) Zone use any land, or erect, alter or use any building or structure except for one or more of the following permitted uses:

- i) a home occupation
- ii) a single detached dwelling

In all other respects, the provisions of this By-law shall apply.

3.1.3.6 Urban Low Density Residential Exception Seven (R1-7) Zone

(Part of Lot 1, Block E, Registered Plan No. 25, Part of Lot 2, Concession 26, Village of Callander, Municipality of Callander – Shultz)

Notwithstanding the provisions of the Urban Low Density Residential (R1) Zone, to the contrary, on lands within the Urban Low Density Residential Exception Seven (R1-7) Zone, a bed and breakfast establishment shall be a permitted use, subject to the following special provisions:

- i) a porch having a maximum width of 8 m may project into the minimum front yard by a maximum of 2.5 m;
- ii) a carport having a maximum width of 8 m may project into the minimum exterior side yard by a maximum of 10.2 m; and
- iii) a balcony having a minimum width of 6.1 m may project into the minimum exterior side yard by a maximum of 1 m

In all other respects, the provisions of this By-law shall apply.

3.1.3.7 Urban Low Density Residential Exception Eight (R1-8) Zone

(Lot 5 and part Lot 8 of M-18, Part of Lot 4, Concession 28)

Notwithstanding the provisions of the Urban Low Density Residential (R1) Zone, to the contrary, on lands within the Urban Low Density Residential Exception Eight (R1-8) Zone the only use in the addition shall be a residential use, subject to the following special provisions:

- i) Maximum Floor area of addition 65.1 m²
- ii) Minimum Front Yard setback to addition 7.6 m

- iii) Minimum Rear Yard setback to addition 10.6 m
- iv) Minimum Side Yard setback to addition 4.2 m

In all other respects, the provisions of this By-law shall apply.

3.1.3.8 Urban Low Density Residential Exception Nine (R1-9) Zone
(Knox United Church - #210 Lansdowne Street)

Notwithstanding the provisions of the Section 3.1.1 and 3.1.2 of By-law 2003-857 to the contrary, within the, Urban Residential Exception Nine (R1-9) Zone, the following shall apply:

- i) Minimum Front Yard 4.1 m
- ii) Minimum Exterior Side Yard 1.1 m
- iii) Minimum Setback for an 11 m² porch in the Front Yard 1.5 m

In all other respects the provisions of the Urban Residential (R1) Zone shall apply.

3.2 URBAN SHORELINE RESIDENTIAL ZONE (R2)

No person shall within any Urban Recreation Residential Zone (R2) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.2.1 Permitted Uses

- i) single detached dwelling
- ii) home occupation

3.2.2 Regulations for Permitted Uses

		Lot Serviced with Municipal Water and Waste Water	Other Lots
i)	Minimum Lot Area	464 m ²	Existing
ii)	Minimum Lot Frontage	15 m	Existing
iii)	Minimum Front Yard	15 m	20 m
iv)	Minimum Rear Yard	7.6 m	15 m
v)	Minimum Exterior Side Yard	4.5 m	4.5 m
vi)	Minimum Interior Side Yard	2 m	4.5 m
vii)	Maximum Lot Coverage	35%	15%
viii)	Maximum Height	10.5 m	10.5 m

3.2.3 Exceptions

3.3 URBAN SEMI-DETACHED RESIDENTIAL ZONE (R3)

No person shall within any Urban Semi-Detached Residential Zone (R3) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.3.1 Permitted Uses

- i) duplex dwelling
- ii) semi-detached dwelling
- iii) home occupation
- iv) link home

3.3.2 Regulations for Permitted Uses

- | | | |
|-------|------------------------------|----------------------------|
| i) | Minimum Lot Area | |
| | - semi-detached dwelling | 650 m ² |
| | - semi detached (corner lot) | 743 m ² |
| | - duplex dwelling | 650 m ² |
| ii) | Minimum Lot Frontage | |
| | - semi-detached dwelling | 10.5 m per unit |
| | - semi-detached (corner lot) | 12.0 m per unit |
| iii) | Minimum Front Yard | 7.6 m |
| iv) | Minimum Rear Yard | 10.5 m |
| v) | Minimum Exterior Side Yard | 4.5 m |
| vi) | Minimum Interior Side Yard | 1.5m or Nil on common wall |
| vii) | Maximum Lot Coverage | 35% |
| viii) | Maximum Height | 10.5 m |

3.3.3 Exceptions

3.4 ESTATE RESIDENTIAL ZONE (RE)

No person shall within any Estate Residential Zone (RE) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.4.1 Permitted Uses

- i) single detached dwelling
- ii) home occupation
- iii) public or private park

3.4.2 Regulations for Permitted Uses

i)	Minimum Lot Area	0.8 ha
ii)	Minimum Front Yard Requirement	15 m
iii)	Minimum Lot Frontage	60 m
iv)	Minimum Rear Yard	15 m
v)	Minimum Exterior Side Yard	7.5 m
vi)	Minimum Interior Side Yard	7.5 m
vii)	Maximum Lot Coverage	15%
viii)	Maximum Height	10.5 m
ix)	Minimum Landscaped Open Space	70% of front yard
x)	Minimum ground floor area	110 m ²

3.4.3 Exceptions

3.4.3.1 Estate Residential Exception One (RE-1) Zone (formerly the Hamlet Community Zone)

Notwithstanding the provisions of the Estate Residential (RE) Zone, to the contrary, on lands within the Estate Residential Exception One (RE-1) Zone, the only permitted uses shall be single detached dwelling, home occupation, parks and legally existing uses, subject to the following special provisions:

i)	Minimum Lot Area	4000 m ²
ii)	Minimum Lot Frontage	30 m
iii)	Minimum Front Yard	15 m
iv)	Minimum Rear Yard	10.5 m
v)	Minimum Exterior Side Yard	6 m
vi)	Minimum Interior Side Yard	6 m

In all other respects, the provisions of this By-law shall apply.

3.5 RECREATION RESIDENTIAL ZONE (RR)

No person shall within any Recreation Residential Zone (RR) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.5.1 Permitted Uses:

- i) home occupation
- ii) recreational dwelling
- iii) private or public park
- iv) single detached dwelling

3.5.2 Regulations for Permitted Uses

- i) Minimum Lot Area 1.0 ha
- ii) Minimum Lot Frontage 100 m
- iii) Minimum Front Yard 15 m
- iv) Minimum Rear Yard 15 m
- v) Minimum Exterior Side Yard 7.5 m
- vi) Minimum Interior Side Yard 7.5 m
- lots having a frontage of 45 m or less 3 m

- vii) Where buildings or structures are located wholly or partially within 60 metres of the shoreline, the maximum lot coverage for those buildings and structures in the RR Zone shall be based on the lot area within 60metres of the high water mark.

Where buildings and structures are located More than 60 metres from the shoreline, the permitted coverage for those buildings and structures shall be calculated based on the total lot area.

- viii) Maximum Lot Coverage 10%
- ix) Maximum Height 10.5 m
- x) Where a lot has frontage on a Waterbody and a public road, the minimum distance between the side lot lines at the road shall be 10 metres.

3.5.3 Converted Recreation Dwelling

Notwithstanding any other provision of this By-law, to the contrary, no existing seasonal recreational dwelling shall be converted to a single detached dwelling unless:

- a) the lot on which the seasonal dwelling is sited fronts on a year round municipally maintained road; and
- b) the seasonal dwelling meets all of the regulations of the Recreation Residential Zone and Section 2 of this By-law.
- c) conversion on Callander Bay shall be limited to 24% increase of the existing gross floor area of the dwelling as existed on the date of passing of this By-law.

3.5.4 Regulations for Home Occupations on Islands

No home occupation shall be permitted on lands zoned Recreational Residential (RR) which do not have frontage on and access to a road.

3.5.5 Special Exemptions

3.5.5.1 Exemption for Existing Recreational Residential Lots

Despite the frontage requirements of this By-law, lots within a Recreational Residential (RR) Zone shall not require frontage on a year round maintained road, provided:

1. The lot is in a plan of subdivision registered prior to June 24, 1974; and,

3.5.6 Exceptions

3.5.6.1 Recreational Residential Exception One (RR-1) Zone (Smith Island – Island C, Part 1, 42R-13827)

Notwithstanding the provisions of the Recreational Residential (RR) Zone, to the contrary, no person shall within any Recreational Residential Exception 1 (RR-1) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

Permitted Uses:

- i) conservation area uses
- ii) cottage
- iii) docks

Regulations for Permitted Uses:

i)	Maximum Lot Coverage of accessory buildings	2%
ii)	Maximum Lot Coverage	10%
iii)	Minimum Front Yard	
	- Lots 1-5 and 8-24	30 m
	- Lots 6 and 7	50 m
iv)	Minimum Rear Yard	
	- Lots 1-5, 8, 11,12, 16-24	8 m
	- Lot 9	120 m
	- Lot 10	80 m
	- Lots 13-15	30 m
v)	Minimum Side Yard	
	- Westerly side yard for Lot 15	100 m
	- Easterly side yard for Lot 5	30 m
	- Easterly side yard for Lot 16	70 m
	- Southerly side yard for Lot 8	30 m
	- All other yards	8 m

Special Provisions

On Smith Island a water supply and maintenance building shall be permitted in the front yard, subject to a 3 metre side yard and a front yard setback of 5 metres. The maximum permitted coverage is 9.3 square metres.

3.5.6.2 Recreational Residential Exception Two (RR-2) Zone
(Sunrise Bay, Part of Lot 25, Concession 28)

Notwithstanding the provisions of the Recreational Residential (RR) Zone, to the contrary, no person shall within any Recreational Residential Exception Two (RR-2) Zone use any land, or erect, alter or use any building or structure except in accordance with the following special provisions:

- i) Minimum setback of 45 metres measured along the common boundary and 30 metres along the other side lot line for all buildings intended for human habitation from the lakeshore road allowance on lots 3 and 4
- ii) Minimum setback of 30 metres for all buildings intended for human habitation from the lakeshore road allowance on lots 1,2,5,6,7,8 and 9

3.5.6.3 Recreational Residential Exception Three (RR-3) Zone
(formerly SD 6, Grand Trunk Island)

Notwithstanding the provisions of the Recreational Residential (RR) Zone, to the contrary, no person shall within any Recreational Residential Exception Three (RR-3) Zone use any land, or erect, alter or use any building or structure except for a single detached cottage subject to the following provisions:

- i) The construction of docks in front of each lot shall be prohibited.
- ii) Septic tank fields shall be located no closer than 15.24 metres to any shoreline, and shall not be within 30.5 metres of the high water mark.
- iii) No removal of vegetation or disturbance of soils, or construction of buildings or structures, or the installation of septic tanks shall be permitted within 30.5 metres of the high water mark except for a maximum of one foot path not exceeding 1.2 metres in width per lot.

In all other respects, the provisions of this By-law shall apply.

3.5.6.4 Recreational Residential Exception Four (RR-4) Zone
(Beau Valley Park, Part Lots 11, 12, Concession 25)

Notwithstanding the provisions of the Recreational Residential (RR) Zone, to the contrary, no person shall within any Recreational Residential Exception Four (RR-4) Zone use any land, or erect, alter or use any building or structure except in accordance with the following:

Permitted uses:

- i) One single detached dwelling
- ii) Home occupations
- iii) Professional offices

Regulations for Permitted Uses:

- | | | |
|------|--|--------|
| i) | Minimum Area for lots with shoreline frontage | 0.2 ha |
| ii) | Minimum Area for lots without shoreline frontage | 0.4 ha |
| iii) | Minimum lot frontage for lots with shoreline frontage | 30.5 m |
| iv) | Minimum lot frontage for lots without shoreline frontage | 45.7 m |
| v) | Minimum setback from high water mark | 30.5 m |
| vi) | Minimum front and rear yard | 7.6 m |

vii)	Minimum side yard requirement	3.0 m
viii)	Minimum floor area	56 m ²
ix)	Maximum building height	10.7 m

In all other respects, the provisions of this By-law shall apply.

3.5.6.5 Recreational Residential Exception Five (RR-5) Zone
(Waltonian Drive, Plan M-521, Part Lot 28, Concession 28)

Notwithstanding the provisions of the Recreational Residential (RR) Zone, to the contrary, no person shall within any Recreational Residential Exception Five (RR-5) Zone use any land, or erect, alter or use any building or structure except in accordance with the following:

- i) Minimum setback for all buildings and structures from the high water mark of Lake Nipissing - 38.4 metres

In all other respects, the provisions of this By-law shall apply.

3.6 MULTIPLE RESIDENTIAL ZONE (RM)

No person shall within any Multiple Residential Zone (RM) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.6.1 Permitted Uses

- i) home occupation
- ii) row dwelling
- iii) townhouse dwelling
- iv) apartment dwelling
- v) triplex dwelling
- vi) duplex dwelling
- vii) fourplex dwelling
- viii) semi-detached dwelling
- ix) link home dwellings
- x) public or private park

3.6.2 Regulations for Permitted Uses

- i) Minimum Lot Area per dwelling unit 250 m²
- ii) Minimum Lot Frontage per dwelling unit 7.5 m
- iii) Minimum Front Yard 7.6 m
- iv) Minimum Rear Yard 10.5 m
- v) Minimum Exterior Side Yard 4.5 m
- vi) Minimum Interior Side Yard of 6 m except for semi-detached, link homes or townhouses with a common wall where the requirement shall be 0 metres. Row house or semi-detached with common wall – nil.
- vii) Maximum Lot Coverage 45%
- viii) Maximum Height 10.5 m
- ix) Maximum of 8 dwelling units per row house building
- x) A landscape screening strip of at least 1.6 m in height shall be required abutting a lot line between a RM Zone and a R1 Zone

3.6.3 Exceptions

3.6.3.1 Multiple Residential Exception One (RM-1) Zone

(Keeling – Part Lot 6 and 7, Concession 24)

Notwithstanding the provisions of the Multiple Residential (RM) Zone, to the contrary, no person shall within any Multiple Residential Exception One (RM-1) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

Only Permitted Uses:

- i) a senior citizens complex,
- ii) a dwelling unit for the owner or manager

Provisions for Permitted Uses

- i) Maximum floor area for one bedroom unit 79 m²
- ii) Maximum floor area for two bedroom unit 97.5 m²
- iii) Minimum lot area 3.7 ha

iv)	Minimum lot frontage	150 m
v)	Minimum front yard setback	42.5 m
vi)	Minimum rear yard setback	97 m
vii)	Minimum interior and exterior side yards	25 m
viii)	Maximum lot coverage	3.5%
ix)	Maximum building height	10.5 m
x)	Maximum floor area of owners or managers dwelling	140 m ²
xi)	Maximum number of dwelling units	7
xii)	Minimum landscaped open space of 10 m in width required along all property lines	

In all other respects, the provisions of this by-law shall apply.

3.6.3.2 Multiple Residential Exception Two (RM-2) Zone
(Bayshore Village Condo, Part Lot 2, Concession 26)

Notwithstanding the provisions of the Multiple Residential (RM) Zone, to the contrary, no person shall within any Multiple Residential Exception Two (RM-2) Zone use any land, or erect, alter or use any building or structure except for three row house dwellings containing a maximum of 12 dwelling units in accordance with the following provisions:

Regulations for Permitted Uses:

i)	Minimum setback from high water mark	27.4 m
ii)	Minimum setback from street	12.2 m
iii)	Minimum side yard requirement	1.8 m
iv)	Minimum rear yard	7.6 m
v)	Maximum lot coverage	35%
vi)	Maximum height	10.7 m
vii)	Minimum floor area per dwelling unit	93 m ²
viii)	Minimum of one parking space per dwelling unit plus eight visitor parking spaces	

In all other respects, the provisions of this By-law shall apply.

3.6.3.3 Multiple Residential Exception Three (RM-3) Zone
(Park Bay Apartments, Highway 11, Lot 2, Concession 27)

Notwithstanding the provisions of the Multiple Residential (RM) Zone, to the contrary, no person shall within any Multiple Residential Exception Three (RM-3) Zone use any land, or erect, alter or use any building or structure except for an apartment building containing a maximum of 30 dwelling units in accordance with the following provisions:

Regulations for Permitted Uses:

i)	Maximum Height	10.7 m
ii)	Minimum of one parking space per every three dwelling units shall be provided plus visitor parking spaces as required by this by-law	

In all other respects, the provisions of this By-law shall apply.

3.6.3.4 Multiple Residential Exception Four (RM-4) Zone
(Heron's Landing Condominium – Part Lot 2, Concession 25)
(By-law 2004-920, Oct.5/04)

Notwithstanding the provisions of Section 3.4.2 to the contrary, no persons shall within a Multiple Residential Exception Four (RM-4) Zone use any land, or erect, alter or use any building or structure except for a building containing a maximum of 28 dwelling units in accordance with the following provisions:

Regulations for permitted uses:

- | | | |
|------|---|----------------------|
| i) | Minimum setback from the top of bank of Burford Creek | 7.62m |
| ii) | Minimum Lot Area | 5,500 m ² |
| iii) | Minimum Lot Frontage | 84 m |
| iv) | Maximum Height | 15.24 m |

In all other respects the provisions of the Multiple Residential (RM) Zone shall apply.

3.6.3.5 Multiple Residential Exception Five (RM-5) Zone
(Osprey Links Townhomes)
(By-law 2005-937, Jan.18/05)

Notwithstanding the provisions of the Multiple Residential (RM) Zone to the contrary, no person shall within a Multiple Residential Exception Five (RM-5) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

- a) Minimum Interior Side Yard shall be 1.9 metres except that no interior side yard shall be required where row house dwellings on adjacent lots are attached together by a common wall extending along the side lot line separating such lots.
- b) No more than 5 dwelling units per building shall be built in any row housing development, to a maximum of 30 units.
- c) Section 3.4.2 x) shall not apply.

In all other respects, the provisions of this By-law shall apply.

3.6.3.6 Multiple Residential Exception Six (RM-6) Zone
(Sunbeam Bungalows Limited, Pt. Lot 59, RCP 316, 834 Main Street)

Notwithstanding the provisions of the Multiple Residential (RM) Zone to the contrary, no person shall within a Multiple Residential Exception Four (RM-6) Zone use any land, or erect, alter or use any building or structure except for a maximum of 3 single residential dwelling units and one row house dwelling containing a maximum of 10 dwelling units in accordance with the following provisions:

Regulations for permitted uses:

- | | | |
|----|-------------------------------|-------|
| i) | Minimum side yard requirement | 0.9 m |
|----|-------------------------------|-------|

In all other respects, the provisions of this By-law shall apply.

3.7 RURAL RESIDENTIAL ZONE (RUR)

No person shall within any Rural Residential (RUR) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.7.1 Permitted Uses

- i) single detached dwelling
- ii) home occupation
- iii) home day care

3.7.2 Regulations for Permitted Uses

i)	Minimum Lot Area	0.4 ha
ii)	Minimum Lot Frontage	45 m
iii)	Minimum Front Yard	15 m
iv)	Minimum Rear Yard	10 m
v)	Minimum Exterior Side Yard	7.5 m
vi)	Minimum Interior Side Yard	3 m
vii)	Maximum Height	10.5 m

3.7.3 Exceptions

3.8 RURAL ZONE (RU)

No person shall within any Rural (RU) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.8.1 Permitted Uses

- i) agricultural use
- ii) cemetery
- iii) farm produce retail outlet accessory to an agricultural use
- iv) forestry use
- v) home industry
- vi) home occupation
- vii) hunt camp
- viii) intensive agricultural operation
- ix) municipal recreation facility
- x) private or public park
- xi) private club
- xii) riding school or boarding stables
- xiii) school
- xiv) single detached dwelling
- xv) existing veterinary hospital

3.8.2 Regulations for Permitted Uses

- | | | |
|------|---|--------|
| i) | Minimum Lot Area | |
| | - residential uses | 1.0 ha |
| | - all other uses | 2 ha |
| ii) | Minimum Lot Frontage | 100 m |
| iii) | Minimum Front and Rear Yards | 15 m |
| iv) | Minimum Interior and Exterior Side Yard | 15 m |
| v) | Maximum Lot Coverage | 15% |
| vi) | Maximum Height | 10.5 m |

3.8.3 Special Provisions for Intensive Agricultural Uses

In addition to the regulations for permitted uses in the Rural (RU) Zone, the following regulations shall apply to intensive agricultural uses:

- | | | |
|------|---|-------|
| i) | Minimum Lot Area | 38 ha |
| ii) | Minimum Lot Frontage | 100 m |
| iii) | Minimum Front and Rear Yards | 100 m |
| iv) | Minimum Interior and Exterior Side Yard | 100 m |
| v) | Minimum setback from Lake Nipissing | 300 m |

3.8.4 Exceptions

3.8.4.1 Rural Exception One (RU-1) Zone (Part Lot 13, Concession 24)

Notwithstanding the provisions of the Rural (RU) Zone, to the contrary, within any Rural Exception One (RU-1) Zone, no person shall use any land, or erect, alter or use any building or structure except for the following permitted uses:

- l) an accessory dwelling unit

- ii) an accessory house
- iii) a sales and service outlet for boats, snowmobiles and all-terrain vehicles

In all other respects the provisions of this By-law shall apply.

3.8.4.2 Rural Exception Two (RU-2) Zone
(Part Lot 2, Concession 24)

Notwithstanding the provisions of the Rural (RU) Zone, to the contrary, within any Rural Exception Two (RU-2) Zone no person shall use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

Permitted Uses:

- i) an accessory dwelling unit
- ii) building for the storage of boats, snowmobiles and similar equipment as well as furniture, appliances and other household goods.

Special Regulations for storage building:

i)	Minimum Lot Area	2 ha
ii)	Minimum Lot Frontage	90 m
iii)	Minimum Front Yard	15 m
iv)	Minimum Rear Yard	15 m
v)	Minimum Interior and Exterior Side Yard	15 m
vi)	Maximum Lot Coverage	15%
vii)	Maximum Height	10.5 m

In all other respects the provisions of this By-law shall apply.

3.8.4.3 Rural Exception Three (RU-3) Zone
(Part of Lot 6, Concession 24, Municipality of Callander, Inst. 105279)

Notwithstanding the provisions of the Rural (RU) Zone, to the contrary, in addition to the permitted uses in the Rural (RU) Zone, a bed and breakfast establishment shall be permitted within any Rural Exception Three (RU-3) Zone, in accordance with the following provisions:

i)	Minimum Lot Area	0.57 ha
ii)	Minimum Front Yard	15 m
iii)	Minimum Side Yard	6 m
iv)	Maximum number of guest rooms	4

3.8.4.4 Rural Exception Four (RU-4) Zone
(Part of Lot 5, Concession 21)

Notwithstanding the provisions of the Rural (RU) Zone, to the contrary, no person shall within any Rural Exception Four (RU-4) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

Permitted Uses:

- i) single width mobile home
- ii) mobile home park
- iii) office for management of mobile home park
- iv) open space
- v) recreational uses, including playground and swimming pool

- vi) accessory storage buildings (for domestic equipment)
- vii) accessory central garbage receptacle
- viii) accessory storage compounds
- ix) accessory building for storage of maintenance equipment

Regulations for permitted Uses:

- i) Maximum area of mobile home park 7 ha
- ii) Maximum number of mobile home sites 34
- iii) Minimum site area 600 m²
- iv) Minimum site frontage 18 m
- v) Maximum site coverage 30%
- vi) Minimum front yard setback for site 7.6 m
- vii) Minimum rear yard setback for site 6 m
- viii) Minimum side yard setback for site 3.6 m
- ix) Minimum floor area of mobile home 37 m²
- x) Maximum height of mobile home 4.5 m
- xi) Minimum parking requirement per site 2 spaces

Regulations for accessory buildings:

- i) Maximum of one accessory building per mobile home site
- ii) Minimum yard setback 1.5 m
- iii) Minimum distance between mobile home and accessory building 3 m

Additional regulations:

- i) Each site shall be serviced from a communal water supply and septic tank system
- ii) Each mobile home shall be provided with skirting extending from the bottom of the unit to the ground, and finished in a protective coating that is in keeping with the exterior cover of the mobile unit
- iii) Outdoor storage of equipment or materials shall be prohibit, except in compounds provided for that purpose, that are screened from view by a fence constructed of opaque material

3.8.4.5 Rural Exception Five (RU-5) Zone
(Part Lots 11 and 12, Concession 25)

Notwithstanding the provisions of the Rural (RU) Zone, to the contrary, no person shall within any Rural Exception Five (RU-5) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

Permitted Uses:

- i) one single detached dwelling
- ii) agricultural use
- iii) forestry use
- iv) public or private parks
- v) recreational facilities
- vi) private clubs
- vii) riding stables

Regulations for Permitted Uses:

- i) Minimum setback from lakeshore 30.5 m
- ii) Minimum front and rear yard 7.6 m
- iii) Minimum side yard requirement 6 m
- iv) Minimum floor area 260 m²

v) Maximum building height 10.7 m
In all other respects, the provisions of this By-law shall apply.

3.8.4.6 Rural Exception Six (RU-6) Zone
(Part Lots 21, Concession 25)

Notwithstanding the provisions of the Rural (RU) Zone, to the contrary, no person shall within any Rural Exception Six (RU-6) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

Permitted Uses in addition to those permitted in the Rural (RU) Zone include:

- i) minnow and live bait hatchery
- ii) retail and wholesale trade in bait and fishing tackle

In all other respects the provisions of this By-law shall apply.

3.8.4.7 Rural Exception Seven (RU-7) Zone
(Part Lots 9, Concession 19)

Notwithstanding the provisions of the Rural (RU) Zone, to the contrary, no person shall within any Rural Exception Seven (RU-7) Zone erect or use and building or structure for human habitation within 45 metres of Boulder Creek. In all other respects, the provisions of this By-law shall apply.

3.8.4.8 Rural Exception Eight (RU-8) Zone
(Ricci Hart Road – Part Lot 22, Concession 22)
(By-law 2005-968, Aug.16/05; 2008-1111, Oct.7/08)

Notwithstanding the provision of Rural (RU) Zone, to the contrary, no person shall within any Rural Exception Nine (RU-9) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

Regulations for permitted uses:

- i) Minimum front yard 4 m

In all other respects the provisions of the Rural (RU) Zone shall apply.

3.8.4.9 Rural Exception Nine (RU-9) Zone
(St. Peters Church Callander Bay Drive)
(By-law 2005-967, Aug.16/05)
(Part Lot 1, Concession 28)

Notwithstanding the provisions of Section 3.5.1 to the contrary, no persons shall within a Rural Exception Ten (RU-10) Zone use any land, or erect, alter or use any building or structure except for a Place of Worship including a cultural centre associated with the church with the following provisions:

Regulations for permitted uses:

- i) Maximum lot coverage 20%
- ii) Minimum side yard setback 9 m

In all other respects the provisions of the Rural (RU) Zone shall apply.

3.5.4.10 Rural Exception Ten (RU-10) Zone
(By-law 2009-1154, Oct.6/09)
(Part Lot 12, Concession 24)

Notwithstanding the provisions of the Section 3.5 of By-law 2003-857 to the contrary, within the Rural Exception Eleven (RU-11) Zone, the following use shall be permitted as an accessory use:

- i) Dog Boarding Kennel Facility; and,
- ii) Dog Boarding Kennel Facility means a building used to board dogs which shall be comprised of a maximum of 16 kennel units and 2 overflow units. The individual training of dogs may occur outdoors. The outside housing of dogs is not permitted.

In all other respects the provisions of the Rural (RU) Zone shall apply.

3.8.4.11 Rural Exception Eleven (RU-11) Zone
(By-law 2007-1072, Dec.4/07)

Notwithstanding the provisions of this by-law, a Bed and Breakfast shall be permitted within an existing residential dwelling.

In all other respects the provisions of the Rural (RU) Zone shall continue to apply.

3.8.4.12 Rural Exception Twelve (RU-12) Zone
(By-law 2010-1230, Nov 16, 2010)
(Nelson - Part of Lot 14, Concession 25, North Himsworth)

Notwithstanding the provisions of Section 3.5 of By-law 2003-857 to the contrary, within the Rural Exception Twelve (RU-12) zone, only the following uses shall be permitted:

- i) Home industry;
- ii) Home occupation;
- iii) Single detached dwelling.

In all other respects the provisions of the Rural (RU) Zone shall apply.

3.8.4.13 Rural Exception Thirteen (RU-13) Zone
(Weiskopf - #662 Terrace Road)

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, within the Rural Exception Thirteen (RU-13) Zone, no person shall use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

Permitted Uses:

- i) Home occupation
- ii) Home industry
- iii) Single detached dwelling

Regulations for Permitted Uses:

i)	Minimum Lot Area	0.5 ha
ii)	Minimum Lot Frontage	13 m
iii)	Minimum yard from front lot line	75 m
iv)	Minimum yard from rear lot line	15 m
v)	Minimum yard from southern interior side lot line	20 m
i)	Minimum yard from northern interior side lot line	15 m

In all other respects the provisions of this By-law shall apply.

3.9 GENERAL COMMERCIAL ZONE (C1)

No person shall within any General Commercial Zone (C1) use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

3.9.1 Permitted Uses

- i) accessory dwelling unit
- ii) motor vehicle service station
- iii) motor vehicle repair garage
- iv) bank or financial institution
- v) bus stop
- vi) business, professional and administrative office
- vii) convenience store
- viii) day nursery
- ix) funeral home
- x) hotel or motel
- xi) clinic
- xii) recreation facility
- xiii) parking lot
- xiv) personal service shop
- xv) amusement centre
- xvi) public hospital
- xvii) public park
- xviii) restaurant
- xix) retail store
- xx) taxi stand
- xxi) vehicle sales
- xxii) service shop
- xxiii) marina
- xxiv) apartment dwelling located above or to the rear of a commercial use

3.9.2 Regulations for Permitted Uses

- | | | |
|------|--|--------|
| i) | Minimum Front Yard | NIL |
| ii) | Minimum Lot Area | NIL |
| iii) | Minimum Lot Frontage | NIL |
| iv) | Minimum Interior and Exterior Side Yards | |
| | a) abutting a Residential Zone or use | 6.0 m |
| | b) abutting any other Zone or use | NIL |
| v) | Minimum Rear Yard | 7.6 m |
| vi) | Maximum Lot Coverage | 75% |
| vii) | Maximum Height | 10.5 m |

3.9.3 Special Rear Yard Regulation

Where a General Commercial (C1) Zone does not abut a Residential zone, the minimum rear yard shall be the lesser of 7.6 metres or the legally existing minimum rear yard on the lot as of the date of approval of this By-law.

3.9.4 Regulations for Residential Uses

Existing residential dwellings that are used for residential uses shall be subject to the regulations of the R1, R2 and RM Zone respectively.

3.9.5 Regulations for Accessory Residential Dwellings Units or Apartment Dwellings

Accessory Residential Dwelling Units or apartment dwellings shall only be permitted where:

- i) the residential unit is located in the same building as the commercial use, and is located above or to the rear of the main commercial use;
- ii) the entrance to the residential use is separate from the entrance to the main commercial use
- iii) the dwelling unit is not accessory to a motor vehicle service station

3.9.6 Exceptions

3.9.6.1 General Commercial Exception Two (C1-2) Zone (Near North Mall)

Notwithstanding the provisions of the General Commercial (C1) Zone, to the contrary, within any General Commercial Exception Two (C1-2) Zone the following additional uses shall be permitted:

- i) manufactured or fabricated undertakings but not obnoxious uses;
- ii) a wholesale establishment;
- iii) a service shop;
- iv) a professional office;
- v) a showroom;
- vi) professional sharpening establishment;
- vii) retail sales incidental to and associated with the aforementioned permitted uses; and
- viii) a maximum of four dwelling units in addition to one dwelling unit for an essential workmen or caretaker.

In all other respects the provisions of this By-law shall apply.

3.9.6.2 General Commercial Exception Three (C1-3) Zone (Lot 26, Concession 28, Part 1, Plan 42R-9725)

Notwithstanding the provisions of the General Commercial (C1) Zone, to the contrary, no person shall within any General Commercial Exception Three (C1-3) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

Only Permitted Uses:

- i) Industrial Service Shop for small engines and construction equipment and where parts for such equipment are stored for sale
- ii) Accessory dwelling unit
- iii) Accessory commercial use
- iv) Accessory uses

Regulations for Permitted Uses:

- i) Minimum Lot Area 0.45 ha
- ii) Minimum Lot Frontage 60 m
- iii) Maximum Lot Coverage 10%
- iv) Minimum Front and Rear Yards 30 m
- v) Minimum Side Yards 6 m
- vi) Maximum Floor Area of Service Shop 150 m²
- vii) Accessory commercial uses shall be permitted within the main building provided that the use does not exceed 10 percent of the gross floor area;
- viii) Minimum of 3 metre wide landscaped buffer required along all zone boundaries except where lands are used for entrances or exits
- ix) Outside storage shall only be permitted in the rear yard of a non-residential use
- x) Exterior lighting and illuminated signs shall deflect light away from an adjacent Residential zone

In all other respects the provisions of this by-law shall apply.

3.9.6.3 General Commercial Exception Four (C1-4) Zone
(Lot 10, Concession 19)

Notwithstanding the provisions of the General Commercial (C1) Zone, to the contrary, no person shall within any General Commercial Exception Four (C1-4) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

Only Permitted Uses:

- i) workshop
- ii) service shop, merchandise
- iii) showroom
- iv) offices, administrative and associated with main use
- v) accessory dwelling unit with minimum floor area of 550 sq ft located within main building or subject to the requirements of the Urban Residential (R1) Zone
- vi) accessory commercial use within main building, having maximum floor area of 10% of the floor area of the building or a maximum of 280 square metres, whichever is the lesser

Regulations for permitted uses:

- i) Minimum area 1.0 ha
- ii) Minimum frontage 100 m
- iii) Maximum Lot Coverage 25%
- iv) Minimum front and rear yard requirement 15 m
- v) Minimum interior and exterior side yard 6 m
- vi) Maximum building height 10.5 m

Special Provisions for Accessory Buildings, Uses or Structures:

- i) Accessory buildings, structures and uses shall not be permitted in the front yard or exterior side yard in the case of a corner lot;
- ii) Minimum separation from main building 1.8 m
- iii) Maximum height 1 storey
- iv) Maximum lot coverage 10%
- v) Accessory buildings and structures are not considered accessory if they are attached to the main building in any way, including a breezeway
- vi) Minimum side yard setback 6 m

In all other respects, the provisions of this By-law shall apply.

3.10 LOCAL COMMERCIAL ZONE (C2)

No person shall within any Local Commercial Zone (C2) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.10.1 Permitted Uses

- i) Accessory residential dwelling unit
- ii) bank or financial institutions
- iii) business, professional and administrative offices
- iv) local retail store, not exceeding 200 m² gross leasable area per store
- v) recreation facility
- vi) place of worship
- vii) personal service shop
- viii) post office
- ix) restaurant

3.10.2 Regulations for Permitted Uses

i)	Minimum Lot Area	
	- unserviced lot	1393 m ²
	- serviced lot	464 m ²
ii)	Minimum Lot Frontage	
	- unserviced lot	30 m
	- serviced lot	15 m
iii)	Minimum Front Yard	7.6 m
iv)	Minimum Rear Yard	10.5 m
v)	Minimum Exterior Side Yard	7.6 m
vi)	Minimum Interior Side Yard	4.5 m
vii)	Maximum Lot Coverage	50%
viii)	Maximum Height	10.5 m

3.10.3 Regulations for Accessory Residential Dwellings Units

Accessory Residential Dwelling Units shall only be permitted where:

- a) the residential uses is accessory to the principal commercial uses;
- b) the residential unit is located in the same building as the commercial use, and is located above or to the rear of the main commercial use;
- c) the entrance to the residential use is separate from the entrance to the main commercial use
- d) the dwelling unit is not accessory to a motor vehicle service station

3.10.4 Exceptions

3.10.4.1 Local Commercial Exception One (C2-1) Zone

(Lot 1, Concession 27)

Notwithstanding the provisions of the Local Commercial (C2) Zone, to the contrary, no person shall within any Local Commercial Exception One (C2-1) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

Permitted Uses:

- i) a veterinary hospital;
- ii) accessory dwelling unit or an accessory dwelling.

Regulations for Permitted Uses:

- i) Minimum Interior Side Yard 4.5 m
- ii) Minimum Exterior Side Yard 7.5 m

In all other respects the provisions of this By-law shall apply.

3.10.4.2 Local Commercial Exception Two (C2-2) Zone
(Ram's Head Restaurant, Main Street/ Fleet Street)

Notwithstanding the provisions of the Local Commercial (C2) Zone, to the contrary, no person shall within any Local Commercial Exception Two (C2-2) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

Permitted Uses:

- i) professional and business offices
- ii) restaurant, dining lounge and taverns, exclusive of drive-in restaurants
- iii) dwelling units in accordance with the RI zone, provided that the floor area of the residential use does not exceed the floor area of the commercial uses

Regulations for Permitted Uses:

- i) Minimum Front Yard 5.1 m

In all other respects the provisions of this by-law shall apply.

3.11 HIGHWAY COMMERCIAL ZONE (C3)

No person shall within any Highway Commercial Zone (C3) use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

3.11.1 Permitted Uses

- i) accessory dwelling unit
- ii) accessory office
- iii) amusement centre
- iv) motor vehicle service station
- v) motor vehicle dealership
- vi) motor vehicle repair garage
- vii) bulk fuel establishment
- viii) building supply outlet
- ix) business, professional or administrative offices
- x) cabin establishment
- xi) car wash
- xii) convenience store
- xiii) country market/ flea market
- xiv) driving range
- xv) garden centre, nursery or landscaping supply outlet
- xvi) gift shop
- xvii) hotel or motel
- xviii) lumber yard
- xix) service shop
- xx) miniature golf course
- xxi) model home
- xxii) prefabricated home sales and display
- xxiii) recreational establishment
- xxiv) recreation vehicle and small equipment rental, sales and service establishment
- xv) restaurant
- xvi) retail store

3.11.2 Regulations for Permitted Uses

- | | | |
|-------|----------------------------|---------------------|
| i) | Minimum Lot Area | |
| | - unserviced lot | 1393 m ² |
| | - serviced lot | 464 m ² |
| ii) | Minimum Lot Frontage | |
| | - unserviced lot | 30 m |
| | - serviced lot | 15 m |
| iii) | Minimum Front Yard | 7.6 m |
| iv) | Minimum Rear Yard | 10.5 m |
| v) | Minimum Exterior Side Yard | 7.6 m |
| vi) | Minimum Interior Side Yard | 4.5 m |
| vii) | Maximum Lot Coverage | 50% |
| viii) | Maximum Height | 10.5 m |

3.11.3 Regulations for Accessory Residential Dwelling Units

Accessory Residential Dwelling Units shall only be permitted where:

- a) the residential uses is accessory to the principal commercial uses;
- b) the residential unit is located in the same building as the commercial use, and is located above or to the rear of the main commercial use or as a single detached dwelling in conformity with the requirements of the Residential Urban First Density (R1) Zone;
- c) the entrance to the residential use is separate from the entrance to the main commercial use
- d) the dwelling unit is not accessory to a motor vehicle service station

3.11.4 Exceptions

3.11.4.1 Highway Commercial Exception One (C3-1) Zone

(Part Lot 2, Concession 23 Pt 1 42R-12392)

Notwithstanding the provisions of the Highway Commercial (C3) Zone, to the contrary, no person shall within any Highway Commercial Exception One (C3-1) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

- i) Minimum Lot Area 4.0 ha
- ii) Minimum Frontage 100 m
- iii) Maximum Lot Coverage 5 %
- iv) Minimum Front and Exterior Side Yards 30 m
- v) Minimum Rear Yard 50 m
- vi) Minimum Interior Side Yard 15 m
- vii) Accessory buildings shall not be permitted within 3 metres of any main building, and shall not exceed 2% of the total lot area.

In all other respects, the provisions of this By-law shall apply.

3.11.4.2 Highway Commercial Exception Two (C3-2) Zone

(Part Lot 9, Concession 18)

Notwithstanding the provisions of the Highway Commercial (C3) Zone, to the contrary, within any Highway Commercial Exception Two (C3-2) Zone in addition to the permitted uses, the following additional uses shall be permitted:

Additional Permitted Uses:

- i) Office
- ii) Single Detached dwelling in accordance with the requirements of the Urban Residential (R1) Zone

Within the Highway Commercial Exception Two (C3-2) Zone, no person shall use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

- i) Minimum Lot Area 4.5 ha
- ii) Minimum Lot Frontage 300 m
- iii) Maximum Lot Coverage 10%
- iv) Minimum Front Yard 30 m

- v) Minimum Rear Yard 50 m
- vi) Minimum Interior and Exterior Side Yard 90 m
- vii) Accessory buildings shall not be permitted within 3 metres of any main building, and shall not exceed 2% of the total lot area.
- viii) No building or structure shall be erected with an opening less than 263.8m.a.s.l.

In all other respects, the provisions of this by-law shall apply.

3.11.4.3 Highway Commercial Exception Three (C3-3) Zone
(Part 5, Concession 23)

Notwithstanding the provisions of the Highway Commercial (C3) Zone, to the contrary, no person shall within any Highway Commercial Exception Three (C3-3) Zone use any land, or erect, alter or use any building or structure except in accordance with the following:

Permitted Uses:

- i) single detached dwelling
- ii) home occupation
- iii) home machine shop conducted within an accessory building

Regulation for Permitted Uses:

i)	Minimum Lot Area	1400 m ²
ii)	Minimum lot frontage	23 m
iii)	Maximum lot coverage	15%
iv)	Minimum front yard setback	15 m
v)	Minimum rear yard setback	10.5 m
vi)	Minimum exterior side yard	6 m
vii)	Minimum interior side yard	3 m
viii)	Maximum building height	10.5 m
ix)	Minimum floor area	79.5 m ²
x)	Maximum number of dwelling units	1 per lot

Special regulations for Home Machine Shop:

- i) Maximum number of employees 2 plus owner
- ii) No outdoor storage shall be permitted
- iii) Home machine shop shall be clearly secondary to main residential use
- iv) No obnoxious trade or business shall be permitted
- v) No external advertising other than a sign erected in accordance with the Township's Sign By-law.

In all other respects, the provisions of this By-law shall apply.

3.12 RESORT COMMERCIAL (CR) ZONE

No person shall within any Resort Commercial (CR) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.12.1 Permitted Uses

- i) an accessory assembly hall
- ii) an accessory convenience store or sub-post office
- iii) an accessory restaurant
- iv) an accessory retail store
- v) an accessory service shop
- vi) an accessory single dwelling unit for the sole use of the owner/operator of a business
- vii) camping establishment
- viii) hotels and motels
- ix) private camp
- x) private club, excluding water ski clubs, power boat clubs, motor car or motorcycle clubs, go-cart clubs and trap, skeet, or other shooting clubs
- xi) public camp
- xii) marina
- xiii) recreation facility
- xiv) tourist establishment

3.12.2 Regulations for Permitted Uses

- | | | |
|-------|----------------------------|--------|
| i) | Minimum Lot Area | |
| | - unserviced lot | 0.4 ha |
| | - serviced | NIL |
| ii) | Minimum Lot Frontage | |
| | - unserviced | 60 m |
| | - serviced | 30 m |
| iii) | Minimum Front Yard | 7.5 m |
| iv) | Minimum Rear Yard | 10.5 m |
| v) | Minimum Exterior Side Yard | 6 m |
| vi) | Minimum Interior Side Yard | 6 m |
| vii) | Maximum Lot Coverage | |
| | - unserviced | 20% |
| | - serviced | 50% |
| viii) | Maximum Height | 10.5 m |

3.12.3 Regulations for Accessory Residential Dwelling Units

Accessory Residential Dwelling Units shall only be permitted where:

- i) the residential uses is accessory to the principal commercial uses;
- ii) the residential unit is located in the same building as the commercial use, and is located above or to the rear of the main commercial use or as a single detached dwelling in conformity with the requirements of the Residential Urban First Density (R1) Zone;
- iii) the entrance to the residential use is separate from the entrance to the main commercial use

3.12.4 Exceptions

3.12.4.1 Resort Commercial Exception One (CR-1) Zone

(Main Street South)

Notwithstanding the provisions of the Resort Commercial (CR) Zone, to the contrary, no person shall within any Resort Commercial Exception One (CR-1) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

Permitted Uses:

- i) one dwelling unit for the owner or manager of a business on the same lot
- ii) marinas
- iii) one additional dwelling unit for family
- iv) restaurants
- v) retail shops
- vi) service shops
- vii) accessory recreational facilities

Regulations for Permitted Uses:

- | | | |
|------|------------------------------------|--------|
| i) | Minimum setback to street | 3 m |
| ii) | Minimum setback to high water mark | 5 m |
| iii) | Minimum north side yard | 1 m |
| iv) | Minimum south side yard | 3 m |
| v) | Minimum number of parking spaces | 3 |
| vi) | Maximum height of buildings | 10.5 m |
| vii) | Maximum number of dwelling units | 2 |

In all other respects, the provisions of this by-law shall apply.

3.12.4.2 Resort Commercial Exception Two (CR-2) Zone

(Wasi Falls, Part Lot 6, Concession 24, Part 1 of 42R-3196, Parts 1-6, Plan 42R-13619)

Notwithstanding the provisions of the Resort Commercial (CR) Zone, to the contrary, no person shall within any Resort Commercial Exception Two (CR-2) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

Permitted Uses:

- i) detached cottages
- ii) single detached dwellings
- iii) home occupations and professional offices
- iv) docks and boathouses
- v) buildings and structures for floor or erosion control

Regulations for Permitted Uses:

- | | | |
|------|---|-------------------|
| i) | Minimum lot area | 1.8 ha |
| ii) | Minimum frontage | 250 m |
| iii) | Maximum lot coverage | 10% |
| iv) | Minimum front yard setback | 0.3 m |
| v) | Minimum rear and side yard requirement | 8.0 m |
| vi) | Maximum height | 10.5 m |
| vii) | Minimum floor area for detached cottage | 55 m ² |

- viii) Minimum floor area for detached dwelling 90 m²
- ix) Maximum floor area for detached cottage 90 m²
- x) Maximum floor area for detached dwelling 180 m²
- xi) Minimum distance between buildings 12 m
- xii) Maximum of 10 detached cottages and/or dwellings permitted
- xiii) No sewage disposal system shall be permitted within 30 m of the edge of any normal or maintained high water mark

Regulations for Accessory Buildings, Structure or Uses:

- i) Minimum separation between main building and accessory buildings of 3 m
- ii) Minimum setback from normal or maintained high water mark of 30 m
- iii) Maximum height 1 storey
- iv) Maximum lot coverage 2%
- v) Minimum side and rear yard setback 8.0 m

3.13 GATEWAY MIXED USE (GM) ZONE

No person shall within any Gateway Mixed Use (GM) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.13.1 Permitted Uses

- a) accessory dwelling unit
- b) apartment, located above or to the rear of a commercial use
- c) business, professional and administrative office
- d) clinic
- e) day nursery
- f) hotel or motel
- g) long term care home
- h) service shop
- i) public use
- j) restaurant
- k) retail store
- l) personal service shop
- m) convenience store

3.13.2 Regulations for Permitted Uses

i)	Minimum Lot Area	NIL
ii)	Minimum Lot Frontage	NIL
iii)	Minimum Front Yard	NIL
iv)	Minimum Rear Yard	7.6m m
v)	Minimum Exterior Side Yard	NIL
vi)	Minimum Interior Side Yard	NIL
vii)	Minimum Yard from a Residential Zone	7.6 m
viii)	Maximum Lot Coverage	75%
viii)	Maximum Height	10.5 m

3.13.3 Regulations for Accessory Residential Dwelling Units (only apply to commercial use)

Accessory Residential Dwelling Units shall only be permitted where:

- i) the residential uses is accessory to the principal commercial uses;
- ii) the residential unit is located in the same building as the commercial use, and is located above or to the rear of the main commercial use or as a single detached dwelling in conformity with the requirements of the Residential Urban First Density (R1) Zone;
- iii) the entrance to the residential use is separate from the entrance to the main commercial use

3.13.4 Exceptions

3.13.4.1 Gateway Mixed Use Exception One (GM-1) Zone (Rug-a-Roo)

Notwithstanding the provisions of the Gateway Mixed Use (GM) Zone, to the contrary, within any Gateway Mixed Use Exception One (GM-1) Zone the following additional uses shall be permitted:

- i) a wholesale establishment;
- ii) storage and display areas for bulky merchandise such as furniture and floor coverings

In all other respects the provisions of this By-law shall apply.

3.13.4.2 Gateway Mixed Use I Exception Two (GM-2) Zone (1475 Main Street North, Plan 42M-635, Block 28, Ref. Plan 42R-16080, Part 1) (By-law 2005-986, Nov.22/05)

Notwithstanding the provisions of the Gateway Mixed Use (GM) Zone to the contrary, the following additional uses are permitted within the Gateway Mixed Use Exception Two (GM-2) Zone:

- i) veterinary hospital

In all other respects the provision of the Gateway Mixed Use Zone shall apply.

3.13.4.3 Gateway Mixed Use Exception Three (GM-3) Zone

Notwithstanding the provisions of the Gateway Mixed Use (GM) Zone to the contrary, the following additional uses are permitted within the Gateway Mixed Use Exception Three (GM-3) Zone:

- i) light industrial
- ii) warehouse
- iii) motor vehicle repair garage

In all other respects the provision of the Gateway Mixed Use Zone shall apply.

3.14 INSTITUTIONAL ZONE (I)

No person shall within any Institutional (I) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.14.1 Permitted Uses

- i) hospitals
- ii) medical offices
- iii) municipal recreation facility
- iv) municipal offices
- v) place of worship
- vi) professional offices
- vii) service club
- viii) schools

3.14.2 Regulations for Permitted Uses

i)	Minimum Lot Area	
	- unserviced lot	0.4 ha
	- serviced lot	NIL
ii)	Minimum Lot Frontage	
	- unserviced lot	45 m
	- serviced lot	23 m
iii)	Minimum Front Yard	7.5 m
iv)	Minimum Rear Yard	10.5 m
v)	Minimum Exterior Side Yard	7.5 m
vi)	Minimum Interior Side Yard	5 m
vii)	Maximum Lot Coverage	50%
viii)	Maximum Height	10.5 m

3.14.3 Exceptions

3.14.3.1 Institutional Exception One (I-1) Zone

(Callander Bay Rd and Old Highway 11, Lot 1, Concession 28)

Notwithstanding the provisions of the Institutional (I) Zone, to the contrary, the only permitted use in the Institutional Exception One (I-1) Zone shall be a church. In all other respects, the provisions of this By-law shall apply.

3.14.3.2 Institutional Exception Two (I-2) Zone

(Main Street)

Notwithstanding the provisions of the Institutional (I) Zone, to the contrary, within any Institutional Exception Two (I-2) Zone, the following uses shall be permitted: a clinic, home occupation, municipal recreation facility, an electric power facility, public use and accessory use shall be permitted. In all other respects the provisions of this By-law shall apply.

3.14.3.3

Institutional Exception Three (I-3) Zone

(1481 Main Street North and 1475 Main Street North, Part of Lots 2 and 3,
Concession 28, Municipality of Callander)
(By-law 2005-938, March 1/05)

The only permitted uses on lands zoned Institutional Exception Three (I-3) shall be:

- i) school;
- ii) day care or day nursery;
- iii) library; and,
- iv) accessory uses to a school.

In all other respects, the provisions of this By-law shall apply.

3.15 GENERAL INDUSTRIAL ZONE (M1)

No person shall within any General Industrial Zone (M1) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.15.1 Permitted Uses

- i) accessory commercial use, retail store, wholesale outlet, showroom, sales office or business office provided that the said use does not exceed the lesser of 10 per cent of the gross floor area of the total floor area of the building in which it is located or a maximum floor area of 280 m²
- ii) accessory outdoor storage use of goods or materials
- iii) auto body repair shop
- iv) bulk fuel depot
- v) bulk sales establishment
- vi) building supply outlet
- vii) contractor's yard
- viii) farm implement repair establishment
- ix) light industrial use
- x) lumber yard
- xi) municipal recreation facility
- xii) warehouse
- xiii) workshop

3.15.2 Regulations for Permitted Uses

- | | | |
|-------|---|--------|
| i) | Minimum Lot Area | 0.4 ha |
| ii) | Minimum Lot Frontage | 45 m |
| iii) | Minimum Front Yard | 15 m |
| iv) | Minimum Rear Yard | 15 m |
| v) | Minimum Exterior Side Yard | |
| | (a) abutting or fronting on a street opposite a Residential Zone or use | 10.5 m |
| | (b) abutting or opposite any other use | 6.0 m |
| vi) | Minimum Interior Side Yard | |
| | (a) abutting or fronting on a street opposite a Residential Zone or Use | 10.5 m |
| | (b) abutting or opposite any other use | 6.0 m |
| vii) | Maximum Lot Coverage | 50% |
| viii) | Maximum Height | 10.5 m |

3.15.3 Landscaping

Where lands used for Industrial purposes abut a lot in a Residential zone, a landscaping area of 5 metres wide shall be provided and maintained on the industrial lot along the abutting lot line. Within the landscaped area a landscaped screening strip shall be developed.

3.15.4 Exceptions

3.16 INDUSTRIAL PARK ZONE (M2)

No person shall within any Industrial Park Zone (M2) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.16.1 Permitted Uses

- i) accessory commercial uses, restaurant, retail outlet, wholesale outlet, sales office or business office provided that the said use does not exceed the lesser of 10 per cent of the gross floor area of the total floor area of the building in which it is located or a maximum floor area of 280m² accessory outdoor storage use of goods or materials
- ii) assembly establishment
- iii) bulk fuel establishment
- iv) bulk sales establishment
- v) lumber yard
- vi) building supply outlet
- vii) contractor's yard
- viii) model homes
- ix) manufacturing establishment
- x) repair and service establishment for appliances, furniture or similar items
- xi) motor vehicle service establishment
- xii) municipal recreation facility
- xiii) prefabricated home sales and display
- xiv) processing of goods and materials
- xv) portable asphalt plant
- xvi) outdoor storage
- xvii) transportation terminal
- xviii) warehouse

3.16.2 Regulations for Permitted Uses

- | | | |
|-------|--|--------|
| i) | Minimum Lot Size | 0.4 ha |
| ii) | Minimum Lot Frontage | 30 m |
| iii) | Minimum Front Yard | 15 m |
| iv) | Minimum Rear Yard | 15 m |
| v) | Minimum Exterior Side Yard | |
| | a) abutting or fronting on a street opposite a Residential Zone or use | 10.5 m |
| | b) abutting or opposite any other use | 6.0 m |
| vi) | Minimum Interior Side Yard | |
| | a) abutting or fronting on a street opposite a Residential Zone or use | 10.5 m |
| | b) abutting or opposite any other use | 6.0 m |
| vii) | Maximum Lot Coverage | 50% |
| viii) | Maximum Height | 10.5 m |

3.16.3 Landscaping

Where lands used for Industrial purposes abut a Residential lot, landscaping at least 5 metres wide shall be provided and maintained on the industrial lot along the abutting lot line. Within the landscaped area a landscaped screening strip a minimum of 1.8 metres in heights shall be developed.

3.16.4 Exceptions

3.16.4.1 Industrial Exception One (M2-1) Zone

(Giroux, By-law 2007-1061, Callander Bay Drive, Oct.2/07)

Notwithstanding the provisions of the Industrial Park Zone (M2) Zone, to the contrary, within the Industrial Park Exception Zone One (M2-1) the following uses shall be permitted: One (1) residential dwelling as an accessory use for an essential worker, owner/operator or caretaker for the existing self-storage operation. In all other respects the provisions of this By-law shall apply.

3.16.4.2 Industrial Exception Two (M2-2) Zone

(Hyatt, By-law 2008-1089, Hwy 654W, May 20/08 as amended by OMB Order Dated April 10,2013)

Notwithstanding the provisions of the Industrial Park Zone (M2) to the contrary, within an Industrial Park Exception Two (M2-2) Zone a person shall only use any land, or erect, or alter or use any building or structure for:

- i) Self-Service Storage Facility
- ii) Outdoor Storage of Boats
- iii) Outdoor Storage of Recreational Vehicles

All uses will occur within enclosed buildings, except in accordance with item #3.

Only one area for the outdoor storage of boats and outdoor storage of recreational vehicles shall be permitted in an area defined by the following:

- i) The area for the outdoor storage of boats and the outdoor storage of recreational vehicles shall be located a minimum of 9 metres and a maximum of 10 metres from the southern wall of the southern-most storage building.
- ii) The area for the outdoor storage of boats and the outdoor storage of recreational vehicles shall have a maximum area of 0.37 hectares.
- iii) The area for the outdoor storage of boats and the outdoor storage of recreational vehicles shall have a maximum depth of 43.7 metres, measured from the boundary described in 3(i).
- iv) The area for the outdoor storage of boats and the outdoor storage of recreational vehicles shall have a maximum width of 85 metres.

3.17 EXTRACTIVE INDUSTRIAL PIT ZONE (MP)

No person shall within any Extractive Industrial Zone (MP) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.17.1 Permitted Uses

- i) accessory commercial use, provided that the said use does not exceed the lesser of 10 per cent of the gross floor area of the total floor area of the building in which it is located or a maximum floor area of 280 m²
- ii) Accessory open storage
- iii) agricultural use
- iv) logging and forest products processing
- v) municipal recreation facility
- vi) peat extraction
- vii) pits
- viii) portable asphalt plant
- ix) processing of natural materials including screening, sorting, washing x) wayside pit

3.17.2 Regulations for Permitted Uses

- | | | |
|------|-----------------------------|--------|
| i) | Minimum Lot Area | 5 ha |
| ii) | Minimum Lot Frontage | 90 m |
| iii) | Minimum Front Yard | 18 m |
| iv) | Minimum Rear Yard | |
| | - abutting an MP or MQ Zone | 3 m |
| | - abutting any other Zone | 15 m |
| v) | Minimum Exterior Side Yard | 18 m |
| vi) | Minimum Interior Side Yard | |
| | - abutting an MP or MQ Zone | 3 m |
| | - abutting any other Zone | 15 m |
| vii) | Maximum Height | 10.5 m |

3.17.3 Location of Excavation and Processing Operations

No part of any excavation for a pit or the processing of aggregates shall:

- i) be located closer than 45 metres to any lot line which abuts a zone other than a MP Zone
- ii) be located closer than 45 metres to the normal or maintained high water mark of Lake Nipissing or any watercourse
- iii) be located closer than 30 metres to from any street line or road allowance
- iv) be located closer than 15 metres from any other lot line
- v) be located within 150 metres of any Residential Zone or existing dwelling

3.17.4 Excavation Slope Adjacent to Pipeline

No part of any excavation for a pit shall have a side slope ratio of less than 3 units horizontal to 1 unit vertical adjacent to a natural gas pipeline right-of-way.

3.17.5 Open Storage Area Location

No part of any open storage area shall:

- a) be located closer than 30 metres to any lot line which abuts a zone other than an MP Zone;
- b) be located closer than 45 metres to the normal or maintained high water mark of Wasi River or its tributaries
- c) be located closer than 6 metres to any other lot line

3.17.6 Landscaping

A landscaped area shall be required along each front and exterior side lot line and any lot line that abuts a Residential lot. The planting strip shall have a minimum width of 15 metres and shall be located and maintained on the extractive industrial lands. Within the landscaped area a landscaped screening strip a minimum of 1.8 metres in height shall be developed.

3.17.7 Exceptions

3.18 EXTRACTIVE INDUSTRIAL QUARRY ZONE (MQ)

No person shall within any Extractive Industrial Zone (MQ) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.18.1 Permitted Uses

- i) accessory commercial use, provided that the said use does not exceed the lesser of 10 percent of the gross floor area of the total floor area of the building in which it is located or a maximum floor area of 280 m²
- ii) Accessory open storage
- iii) agricultural use
- iv) logging and forest products processing
- v) municipal recreation facility
- vi) peat extraction
- vii) pits and quarries
- viii) portable asphalt plant
- ix) processing of natural materials including screening, sorting, washing and crushing operations
- x) wayside pit or quarry

3.18.2 Regulations for Permitted Uses

- | | | |
|------|-----------------------------|--------|
| i) | Minimum Lot Area | 10 ha |
| ii) | Minimum Lot Frontage | 90 m |
| iii) | Minimum Front Yard | 18 m |
| iv) | Minimum Rear Yard | |
| | - abutting an MP or MQ Zone | 3 m |
| | - abutting any other Zone | 15 m |
| v) | Minimum Exterior Side Yard | 18 m |
| vi) | Minimum Interior Side Yard | |
| | - abutting an MP or MQ Zone | 3 m |
| | - abutting any other Zone | 15 m |
| vii) | Maximum Height | 10.5 m |

3.18.3 Location of Excavation and Processing Operations

No part of any excavation for a pit or quarry, or the processing of aggregates shall:

- i) be located closer than 45 metres to any lot line which abuts a zone other than a MQ Zone
- ii) be located closer than 45 metres to the normal or maintained high water mark of Lake Nipissing or any watercourse,
- iii) be located closer than 30 metres to from any street line or road allowance
- iv) be located closer than 15 metres from any other lot line
- v) be located within 150 metres of any Residential Zone or existing dwelling

3.18.4 Excavation Slope Adjacent to Pipeline

No part of any excavation for a pit or quarry shall have a side slope ratio of less than 3 units horizontal to 1 unit vertical adjacent to a natural gas pipeline right-of-way.

3.18.5 Open Storage Area Location

No part of any open storage area shall:

- a) be located closer than 30 metres to any lot line which abuts a zone other than an MQ Zone;
- b) be located closer than 45 metres to the normal or maintained high water mark of Lake Nipissing or any watercourse
- c) be located closer than 6 metres to any other lot line

3.18.6 Landscaping

A landscaped area shall be required along each front and exterior side lot line and any lot line that abuts a Residential lot. The planting strip shall have a minimum width of 15 metres and shall be located and maintained on the extractive industrial lands. Within the landscaped area a landscaped screening strip with a minimum height of 1.8 metres shall be developed.

3.18.7 Exceptions

3.19 DISPOSAL INDUSTRIAL ZONE (MD)

No person shall within any Disposal Industrial (MD) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.19.1 Permitted Uses

- i) waste landfill
- ii) recycling facility
- iii) salvage yard
- iv) wrecking yard
- v) open storage
- vi) sewage lagoon
- vii) incinerator

3.19.2 Regulations for permitted uses

i)	Minimum Lot Area	20 ha
ii)	Minimum Lot Frontage	60 m
iii)	Minimum Front Yard	60 m
iv)	Minimum Interior Side Yard	60 m
v)	Minimum Exterior Side Yard	60 m
vi)	Minimum Rear Yard	60 m
vii)	Maximum Lot Coverage (including any open storage use)	35%
viii)	Maximum Height	12.0 m
ix)	Setback from residential uses	500 m
x)	Setback from municipal road allowances and watercourses	500 m
xi)	minimum landscaped open space	20%

3.19.3 Landscaping

Landscaping shall be required along each front and exterior side lot line and any lot line that abuts a Residential Zone or use. The landscaping shall have a minimum width of 15 metres. Within the landscaped area a landscaped screening strip with a minimum height of 1.8 metres shall be developed.

3.19.4 Exceptions

3.20 OPEN SPACE ZONE (OS)

No person shall within any Open Space (OS) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.20.1 Permitted Uses

- i) community centre
- ii) golf course
- iii) driving range
- iv) recreational facility
- v) private or public park
- vi) passive recreation
- vii) yacht club
- viii) Where lands in the OS Zone are under water, the uses shall be limited to a dock, boathouse, and boat launching ramp or other marine facility as defined by this By-law.

3.20.2 Regulations for Permitted Uses

- i) Minimum Front Yard 30 m
- ii) Minimum Rear Yard 30 m
- iii) Minimum Exterior Side Yard 30 m
- iv) Minimum Interior Side Yard 30 m
- v) Minimum Front, Rear, Interior Side and Exterior Side Yards for accessory buildings and structures 30 m
- vi) Maximum Lot Coverage 20%
- vii) Maximum Building Height 6 m

3.20.3 Exceptions

3.20.3.1 Open Space Exception One (OS-1) Zone

(Heron's Landing Condominium – Water lot in front of Part Lot 2, Concession 25)
(By-law 2004-920, Oct.5/04)

Notwithstanding the provisions of Section 3.15.2 to the contrary, no persons shall within an Open Space Exception One (OS-1) Zone use any land, or erect, alter or use any building or structure except for an accessory beach pavilion and uncovered private boat dock and 28 mooring slips for the building located at 888 Main Street W. and zoned "RM-4" containing a maximum of 28 dwelling units in accordance with the following provisions:

Regulations for permitted uses:

- i) Minimum Front Yard 6 m
- ii) Minimum Side Yard 4.5 m
- iii) Maximum Number of Boat Slips 28

In all other respects the provisions of the Open Space (OS) Zone shall apply.

3.21 CROWN LAND ZONE (CL)

No person shall within any Crown Land (CL) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.21.1 Permitted Uses

- i) agricultural use
- ii) forestry use
- iii) public park
- iv) hunt camp
- v)
- vi) passive recreation

3.21.2 Regulations for Permitted Uses

- | | | |
|------|---|------|
| i) | Minimum Front Yard | 30 m |
| ii) | Minimum Rear Yard | 30 m |
| iii) | Minimum Exterior Side Yard | 30 m |
| iv) | Minimum Interior Side Yard | 30 m |
| v) | Minimum Front, Rear, Interior Side
and Exterior Side Yards for accessory
buildings and structures | 30 m |
| vi) | Maximum Lot Coverage | 20% |
| vii) | Maximum Building Height | 6 m |

3.21.3 Exceptions

3.22 ENVIRONMENTAL PROTECTION ZONE (EP)

No person shall within any Environmental Protection (EP) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

3.22.1 Permitted Uses

- i) passive recreation
- ii) public park

3.22.2 Regulations for Permitted Uses

No buildings or structures including accessory buildings or structures with the exception of pump houses, buildings and structures for flood and erosion control, and accessory structures built by a public authority, are permitted in the Environmental Protection (EP) Zone.

3.22.3 Exceptions

3.22.3.1 Environmental Protection Exception One (EP-1) Zone (formerly Special District 6 - Grand Trunk Island open space)

Notwithstanding the provisions of the Environmental Protection (EP) Zone, to the contrary, no person shall within any Environmental Protection Exception One (EP-1) Zone use any land, or erect, alter or use any building or structure except for a private park and a communal docking facility. In all other respects, the provisions of this By-law shall apply.

3.23 HOLDING PROVISIONS (H)

(By-law 2005-937, Jan.18/05)

Wherever the symbol “H” follows a zone symbol on the Schedules to this By-law, the lands shall be subject to a holding provision in accordance with Section 36 of the Planning Act.

Notwithstanding the provision of a Zone in which the land are located, unless a By-law is passed to remove the relevant holding “H” symbol in accordance with the conditions for removing the holding, no person shall use any lot or erect alter or use any building or structure except for the legally existing use as of the date of placing the holding symbol on the lands or as otherwise specified in this section.

3.23.1 Exceptions

3.23.1.1 (Multiple Residential Holding RM(H) Zone)

(Part of Lots 2 and 3, Concession 28, Municipality of Callander)

No development shall take place until the “H” holding symbol has been removed by amendment to this By-law by Council. The “H” holding symbol in this By-law shall only be removed by Council pursuant to Section 36 of the Planning Act R.S.O. 1990 c.P.13, as amended, when the following conditions have been fulfilled:

- i) Sewer and water services are adequately sized to the satisfaction of Council;
- ii) A site plan agreement has been entered into with the Municipality;
- iii) Extensions for services are approved by the appropriate authority; and
- iv) Approval from MNR and MOE has been given if required.

3.23.1.2 (Urban Residential Exception Five Holding R1-5(H) Zone)

(Osprey Subdivision, Part of 49T-95001)

No development shall take place until the “H” holding symbol has been removed by amendment to this By-law by Council. The “H” holding symbol in this By-law shall only be removed by Council pursuant to Section 36 of the Planning Act R.S.O. 1990 c.P. 13, as amended, when the following conditions have been fulfilled:

- i) Sewer and water services are adequately sized to the satisfaction of Council;
- ii) A site plan agreement has been entered into with the Municipality;
- iii) Extensions for services are approved by the appropriate authority;
- iv) Site plan has been prepared to the satisfaction of Council for any commercial or industrial components; and
- v) Approval from MNR and MOE has been given if required.

3.23.1.3 Urban Residential Holding (R1(H)) Zone

(Osprey Subdivision, Part of 49T-95001)

No development shall take place until the “H” holding symbol has been removed by amendment to this By-law by Council. The “H” holding symbol in this By-law shall only be removed by Council pursuant to Section 36 of the Planning Act

R.S.O. 1990, c.P. 13, as amended, when the following conditions have been fulfilled:

- i) Extensions for services are approved by the appropriate authority;
- ii) Site plan has been prepared to the satisfaction of Council for any commercial or industrial components; and
- iii) Approval from MNR and MOE has been given if required.

3.23.1.4 Open Space Exception One Holding (OS-1(H)) Zone

Water lot in front of Part Lot 2, Concession 25)
(By-law 2004-920, Oct.5/04)

No development shall take place and no permits shall be issued until the “(H)” holding symbol has been removed by amendment to this By-law. The “(H)” holding symbol in this By-law shall only be removed by Council pursuant to Section 36 of the Planning Act as amended, when the following conditions have been fulfilled:

- i) Allocation of sewage and water capacity by Council.
- ii) Storm Water Management Plan.
- iii) Site Plan approval by Council.

3.23.1.5 Multiple Residential Exception Four Holding (RM-4(H)) Zone a

(Heron’s Landing Condominium – Part Lot 2, Concession 25
(By-law 2004-920, Oct.5/04)

No development shall take place and no permits shall be issued until the “(H)” holding symbol has been removed by amendment to this By-law. The “(H)” holding symbol in this By-law shall only be removed by Council pursuant to Section 36 of the Planning Act as amended, when the following conditions have been fulfilled:

- i) Site Plan approval by Council.
- ii) Allocation of sewer and water capacity by Council.

3.23.1.6 Rural Residential (RR-4(H)) Zone

(Beau Valley Subdivision)

No development shall take place and no permits shall be issued until the “(H)” holding symbol has been removed by amendment to this By-law. The “(H)” holding symbol in this By-law shall only be removed by Council pursuant to Section 36 of the Planning Act as amended, when the following conditions have been fulfilled:

- i) The property has direct frontage to a road assumed by the Municipality or a road upgraded to the satisfaction of the Municipality and the subject property is a Parcel of Tied Land to a common element condominium respecting road maintenance to the satisfaction of the Municipality

3.23.1.7 Multiple Residential holding (RM(H-1)) Zone

(Gateway Mixed Use Area)

No development shall take place until the “(H-1)” Holding symbol has been removed by amendment to this By-law by Council. The “(H-1)” Holding symbol in this By-law shall only be removed by Council pursuant to Section 36 of the Planning Act R.S.O. c P.13 as amended, when the following conditions have been fulfilled:

- i) Sewer and water services are adequately sized to the satisfaction of Council;
- ii) Sewage capacity is available;
- iii) A Site Plan Agreement has been entered into with the Municipality; and,
- iv) All extensions for services are approved by the appropriate authority.

SECTION 4 DEFINITIONS

ABUT OR ABUTTING

Directly and immediately contiguous, physically touching, or sharing a common wall or lot line, or separated only by a street or road having a maximum width of 20 m.

ACCESS

A way or means of approach to provide vehicular or pedestrian physical entrance to a property.

ACCESSORY

A use, separate building or structure, which is incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, building or structure but not including a building or structure which is used as a dwelling unless specifically permitted.

ADULT ENTERTAINMENT

Any use, building, structure or part thereof in which is provided in pursuance of a trade, calling, business or occupation, services appealing or designed to appeal to erotic or sexual appetites or inclinations.

AGGREGATE

Gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock, other than metallic ores, or other prescribed materials under the Aggregate Resource Act.

AGRICULTURAL BUILDING

Any building or structure customarily used in connection with a farm other than a residence.

AGRICULTURAL OPERATION, INTENSIVE

An operation having either a minimum of 150 animal units (as defined by Minimum Distance Separation formula, attached to and forming part of this By-law) or 2 units per hectare of land zoned Agricultural (A).

AGRICULTURAL PRODUCE OUTLET

The use of land, buildings or structures for the purposes of buying or selling or the processing, storage and supply of commodities and services that support agricultural operations.

AGRICULTURAL USE

The use of land, buildings or structures for general farming, and without limiting the generality of the foregoing, shall include the growing and harvesting of crops, orchards, nursery products, greenhouses, beekeeping, syrup collecting, the breeding, raising, boarding and training of all livestock and any other operation normally associated with farming, including the sale on the premises, of produce grown or raised on the premises. A kennel shall not be included as an agricultural use. A commercial greenhouse or nursery shall not be included as an agricultural use.

AIRFIELD, HOBBY

Any lands, buildings or structures used for the purpose of landing, storing or flying of model airplanes

AIRPORT HANGER

A building or structure designed and used for the shelter of aircrafts.

AIRSTRIP, PRIVATE

Lands used for the purpose of landing, storing, taxiing or taking-off of private aircraft.

AISLE

The area used by motor vehicles for access to and from all off-street parking spaces, but does not include an access driveway.

AMUSEMENT CENTRE

Any use, building, structure or part thereof in which is provided in for entertainment or amusement, but shall not include an adult entertainment use.

ASSEMBLY HALL

A building or part of a building used for the gathering of groups of persons for a specific function. Full kitchen facilities shall not be provided.

ATTACHED

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

AUTO BODY REPAIR SHOP

A building or structure used for the painting or repairing of motor vehicle bodies, exterior and undercarriage, and in conjunction with which there may be towing service and motor vehicle rentals for customers while the motor vehicle is under repair, but does not include any other automotive use defined herein.

BANK OR FINANCIAL INSTITUTION

A premises in which financial services are offered to the public and includes a bank, credit union, trust company, savings office, investment advising or any other retail banking or investing operation.

BANQUET HALL

A building or part thereof, used for the gathering of groups of people for a specific function including the consumption of food and drink and shall include full kitchen facilities

BALCONY

A platform, raised above the ground that is only accessible from an apartment dwelling, or upper storey and which is surrounded by a railing.

BASEMENT

That portion of a building partly underground, and having more than one-half of its clear height below the average grade on the front wall of the building.

BED AND BREAKFAST

A use within a single family dwelling wherein no more than 3 guest rooms are made available for temporary accommodation of the traveling or vacationing public. Such an establishment may offer light meals to those persons temporarily residing at the establishment. A Bed and Breakfast Establishment shall not include a restaurant or a Tourist Establishment.

BOAT LAUNCH RAMP

A permanent structure located on a navigable waterway that is designed to provide launching facilities for a boat or other form of water transportation, and may include a boat dock.

BOATHOUSE

Any building or enclosure that is accessible from the water and in which one or more boats, ships or float planes and related equipment are stored, kept or repaired, where there is no habitable living quarters included.

BUFFER STRIP

An area of continuous vegetation that is designed to screen adjacent land uses.

BUILDING

A structure whether temporary or permanent, consisting of walls and a roof. Any tent, awning, bin, bunk, platform used for shelter, accommodation, enclosure, or storage shall be deemed a building. A vessel or vehicle shall not be deemed a building.

BUILDING ENVELOPE

The area where buildings or structures shall be located, erected or altered.

BUILDING, PRINCIPAL or MAIN

Any building which is carried on the principal purpose for which the building lot is used and shall include a barn or silo used in conjunction with a farm.

BUILDING SUPPLY AND LUMBER OUTLET

A building or structure in which building or construction and home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials related to home improvements but does not include any use or activity otherwise defined or classified herein.

BULK FUEL DEPOT

Lands, buildings and structures for the storage, distribution of fuels and oils but not including retail sales except key lock operations.

BULK SALES ESTABLISHMENT

A retail store where primarily large. Bulky or unwieldy items including, but not necessarily restricted to, furniture, appliances, machinery, floor coverings, landscaping and garden supplies, or implements, are offered for sale or rental.

BUSINESS, PROFESSIONAL OFFICE OR ADMINISTRATIVE OFFICE

A building or part of a building in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment and may include the administrative offices of a non-profit or charitable organization.

BUS STOP

An establishment or location where commercial passenger vehicles pick up and discharge fare-paying passengers.

CABIN

A single storey structure or building which is maintained for the accommodation of an individual or individuals where facilities for cooking are not provided.

CABIN ESTABLISHMENT

A tourist establishment comprised of two (2) or more cabins arranged singled or in pairs and which does not provide cooking facilities.

CAMP SITE

An area within a camping establishment of at least 186 square metres that is occupied on a temporary basis only, by the trailer, motorized home, truck camper, camper or tent, but not a mobile home.

CAMPING ESTABLISHMENT

A tourist establishment consisting of at least five (5) camping sites and comprising land used or maintained as grounds for the camping or temporary parking of trailers, motorized mobile homes, truck campers, campers or tents, and licensed under the Tourism Act.

CARPORT

A parking area having a roof supported on post or complete walls and attached to a dwelling unit.

CAR WASH

A building or part thereof containing manual or automate facilities for washing and cleaning vehicles.

CEMETERY

The land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried.

CHIEF BUILDING OFFICIAL

An official employed by the Municipality appointed under the Building By-law or pursuant to the provisions of The Building Code Act, as amended, and shall include any Inspector likewise employed and appointed.

CLINIC

An establishment in which medical, dental or other professional healing treatment is given to human beings.

CLOTH COVERED STRUCTURE OR BUILDING

Any permanent or temporary building or structure having a structural frame of solid material, and covered with cloth, vinyl or other flexible material.

COMMUNITY CENTRE

Any land, or building, or any part of any building used for community activities without purpose of gain.

CONDOMINIUM

A building or parcel of land that is held in a single corporate ownership as defined in the Condominium Act.

CONSERVATION AREA USE

A use dedicated towards the preservation of fish and wildlife habitat including woodlot management, and structures for flood/erosion control. This use shall not include administration and/or operational facilities.

CONSTRUCTION

The act or processing of creating a building or structure, and shall include additions, extensions, renovations and new construction.

CONTRACTOR'S YARD

A yard of any general contractor or builder where equipment and materials are stored or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.

CONVENIENCE STORE

A retail store wherein various convenience goods and items of day-to-day personal or household use are offered for sale, and may include the rental of videos.

CORPORATION

The Corporation of the Municipality of Callander.

COTTAGE

A residential dwelling unit used or intended to be used as a seasonal recreational building pursuant to Section 1.1.1.2 of the Ontario Building Code.

COTTAGE ESTABLISHMENT

A tourist establishment comprising of two (2) or more cottages owned or leased by the same person.

COUNCIL

The Council of the Corporation of the Municipality of Callander.

COUNTRY MARKET/ FLEA MARKET

A building or track of land used for the temporary exhibit, storage and temporary retail sale of merchandise, goods, wares, produce, crafts and arts for the utilization and consumption of the general public provided that any temporary exhibit, storage and temporary retail sales occurring does not include the sale of livestock and auction sales

DAY NURSERIES

A day nursery operated for pre-school age children within the meaning of the Day Nurseries Act, as amended.

DECK

Is an elevated structure attached to a building with no walls or roof or structure serving the same purpose as a wall or roof.

DEVELOPMENT

The construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, or the grading or alteration in elevation or contour of land.

DOCK

A temporary or permanent structure for the mooring or docking of boats or other water transportation, attached to or forming part of the mainland.

DRIVING RANGE

A public or private area operated for the purpose of developing golfing techniques, and may include putting greens or a miniature golf course, but excluding a golf course.

DWELLING, ACCESSORY

A separate building, or structure, which is incidental, subordinate, exclusively devoted to and located on the same lot as the principle use, building or structure but not including a building or structure which is used as a dwelling unless specifically permitted.

DWELLING, APARTMENT

A building containing three or more dwelling units, sharing a common hall and common entrance at grade.

DWELLING, DETACHED

A detached building containing one dwelling unit only.

DWELLING, DUPLEX

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

DWELLING, GARDEN SUITE

A detached residential structure containing bathroom and kitchen facilities that is an accessory use to an existing dwelling unit and that is designed to be portable.

DWELLING, LINK HOME

One of a pair of single detached dwellings that have no apparent structural connection above grade and which are separated from its pair by a minimum of 1.2 metres, but which are horizontally coupled along a portion of the entire footing or foundation along not more than one side of each such home.

DWELLING, MODEL HOME

An unoccupied dwelling unit in which a temporary sales office for the sale of lots, units or dwellings in the subdivision or condominium description is contained as an accessory use

DWELLING, SEMI-DETACHED

Dwelling, Semi-detached means a building divided vertically by a common wall above finished grade into two separate dwelling units, each such dwelling unit having an independent entrance from outside the building.

DWELLING, TOWNHOUSE or ROW

A dwelling unit in a building divided vertically into no less than three nor more than eight dwelling units attached by common walls extended from the base of the foundation to the roof line, each dwelling unit having a separate entrance at grade.

DWELLING, TRIPLEX

A building that is divided vertically into three separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.

DWELLING, FOUR-PLEX

The whole of a building that is divided vertically by common party walls into four separate dwelling units, each of which has two common party walls.

DWELLING UNIT

A building or part of a building used for human habitation, in whole or in part as the home, residence or sleeping place of one or more persons either continuously, permanently, temporarily or transiently including a modular home, but shall not include a mobile home.

DWELLING UNIT, ACCESSORY

A dwelling unit that is contained within the principal building on a property and accessory to a permitted principal use.

ENCROACHMENT

An intrusion or advancement into a required yard or setback.

ESTABLISHED BUILDING LINE

The average distance from the street line or shoreline to existing buildings in any block where more than half the frontage has been built upon, at the date of passing of this By-law.

ERECT

To build, place, reconstruct, relocate or alter by means of new construction, an addition, enlargement or extension, and includes any preliminary physical operation preparatory to such work such as excavating, grading, cribbing, filling or draining.

EXIST and EXISTING

The date of passing of this By-law.

EXTENSION, SIDE YARD

A 90 degree projection of the side lot line where it meets the tangent of the front lot line at the shoreline to a maximum distance of 30 metres (100 ft)

FARM IMPLEMENT REPAIR ESTABLISHMENT

Means the use of land, buildings or structures for the repair of equipment and machinery directly associated with farming operations and activities.

FARM PRODUCE RETAIL OUTLET

A building, or part of a building, in which farm produce, exclusive of meat or poultry, is offered for sale at retail. But shall not include the sale of farm produce which has been reprocessed nor shall it include a slaughter house or abattoir.

FINISHED GRADE

The average elevation of the finished surface of the ground at ground level on any one side of a building or structure.

FLOOD PLAIN

The flood-prone area, usually lowlands, adjoining the channel of a river, stream or watercourse which are susceptible to being inundated by water from any source.

FLOOR AREA, GROSS

The total floor area of all floors of a building measured between the exterior faces of the exterior walls which is used for heating, the storage of goods or personal effects, laundry facilities, recreational areas, the storage or parking of motor vehicles, exclusive of any private garage, carport, basement, porch, veranda, deck or exterior stairs.

FLOOR AREA, GROUND

The maximum ground floor area of a building measured by the outside walls, excluding, in the case of a dwelling house, any private garage, carport, porch, verandah, deck or sunroom (unless such sunroom is habitable at all seasons of the year).

FORESTRY

The use of land for the purpose of conservation and/or the growing and cutting of trees for the purpose of producing wood, and would include Christmas tree productions, and the cutting of wood for fuel, pulp, wood and lumber. Forestry shall not include the manufacturing or processing of wood products.

FRONT WALL

The wall of a building that borders the front yard.

FUNERAL HOME

A building or part thereof wherein human remains are preserved or otherwise prepared for interment or cremation, and which provides funeral and memorial services to the public.

GARAGE, PRIVATE

A detached accessory building or portion of a dwelling house which is designed or used for the sheltering of a private motor vehicle and storage of household equipment incidental to the residential occupancy and which is fully enclosed and roofed and excludes a carport or other open shelter.

GARDEN CENTRE OR COMMERCIAL GREENHOUSE

An establishment engaged in both the propagation and retail sale of garden and landscaping supplies including, without limiting the generality of the foregoing, trees, shrubs, flowers, plants, seeds and fertilizers, pesticides, weed-killer, garden tools and lawn furnishings.

GAZEBO

A roofed structure which may include screened in walls, used as a semi-enclosed sitting area in conjunction with a dwelling or park

GARAGE or SHED

An accessory building or structure which is fully enclosed and roofed which is used primarily for the storage of motor vehicles, household equipment or yard equipment

GOLF COURSE

A public or private area operated for the purpose of playing golf, and includes a par 3 golf course, club house and recreational facilities, accessory driving ranges and miniature golf courses, and similar uses.

GROUP HOME

A single-detached dwelling unit in which not more than 10 persons, having physical, social or mental handicaps reside in a household under the appropriate supervision of supervisory personnel, who may also reside in the dwelling unit, and which is licensed and/or approved for funding under provincial statutes and in compliance with municipal by-laws. A dwelling unit occupied for the purpose of providing shelter for persons on parole or released from penal institutions, or for persons ordered to reside there as a result of a conviction of a criminal offence is not a group home.

GUEST CABIN

A single storey accessory structure which is not attached to the main dwelling on a lot which is maintained for the accommodation of an individual or individuals where facilities for cooking are not provided.

HABITABLE BUILDING or STRUCTURE

A space designed for human living, sleeping, cooking and eating.

HEIGHT OF BUILDINGS

The vertical height from the average finished grade on the front wall and shall be calculated as follows:

- (a) In the case of a flat roof, the highest point of the roof surface on the parapet, whichever is the greater;
- (b) In the case of a mansard roof, the deck roof line;
- (c) In the case of a gable, hip or gambrel roof, the average heights between the eaves and ridge.

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

HIGH WATER MARK SETBACK

The setback will be measured from the normal average or maintained water level of the lake or river.

HIGHWAY

A public thoroughfare for vehicular, cycle and pedestrian traffic, including the entire area within the right-of-way, under the jurisdiction of the Ministry of Transportation.

HOME INDUSTRY

Any occupation of a light industrial nature conducted entirely within a building or part of a building accessory to a single-detached dwelling, and shall not include auto body shops, repair garages.

HOME OCCUPATION

An occupation, business, trade or craft carried on by the occupant of a dwelling on his premises as a secondary use in connection with which there is no display, no stock in trade.

HOTEL

A building, or part thereof, or group of buildings where sleeping accommodations (with or without meals) is provided to the public, but where no individual private cooking facilities are provided.

HUNT CAMP

Shall mean a building or structure consisting of one or more rooms which is at least partially furnished and may include facilities for the preparation of food and overnight accommodation on a temporary basis for use only during the hunting or fishing seasons but shall not include any other establishments or use as may be defined or classified in this By-law.

IMPROVED PUBLIC ROAD

A street, road or highway under the jurisdiction of the Province of Ontario or the Municipality which is maintained so as to allow normal vehicular access to adjacent properties.

INDUSTRIAL USE

The use of land, building or structure designed for the purpose of manufacturing, assembling, making, preparing, printing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing or storage, or adapting for sale of any goods, substances, articles and the storage of building and construction equipment and materials, but does not include extractive use, activities primarily associated with a commercial use or the supplying of personal services but shall include the taking of water in excess of 50,000 litres per day.

INDUSTRIAL USE, LIGHT

The manufacturing, assembly, storage, processing or shipping of component, parts or finished products suitable for retail trade and does not include operations that create a nuisance, or pollute the air, water or create noise pollution.

INSTITUTIONAL USE

The use of land, buildings or structures for public or social purposes, and may include governmental, religious, educational, charitable, recreational, or other similar uses.

KENNEL

Shall mean a building or structure where domestic household pets are kept, raised, trained and/or boarded for commercial purposes.

LANDSCAPED OPEN SPACE

The open unobstructed space from ground to sky at grade on a lot accessible by walking and which is maintained exclusively for the growth and maintenance of grass, flowers, trees, bushes and other landscaping, including natural vegetation and trees and includes any surfaced walk, patio or similar area but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.

LANDSCAPED SCREENING STRIP

Shall mean a row of coniferous or deciduous vegetation with evergreen leaves that is designed to screen adjacent land uses. For the purpose of this By-law, a landscaped screening strip may be complemented or replaced by an opaque fence.

LANDSCAPING

Shall mean any combination of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, screening, fencing, or other architectural elements, all of which are designed to enhance the visual amenity of a property or to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land. For the purposes of this definition a deck that is no more than 0.3 m above grade at its highest point shall be considered landscaping.

LEASABLE FLOOR AREA, GROSS

The gross floor area designed for tenant occupancy and exclusive use, expressed in square metres, from the center lines of joint partitions, and exteriors of outside walls.

LIGHT EQUIPMENT SALES AND RENTAL ESTABLISHMENT

A building or structure or part of a building or structure in which light machinery and equipment such as air compressors and related tools and accessories; augers; automotive tools; cleaning equipment; light compaction equipment; concrete and masonry equipment; electric tools and accessories; fastening devices such as staplers and tackers; floor and carpet tools; gasoline generators; jacks and hydraulic equipment; lawn and garden tools; ladders; moving equipment; painting and decorating equipment; pipe tools and accessories; plumbing tools and accessories; pumps; hoses; scaffolding; welding equipment; and, other similar tools and appurtenances are offered or kept for rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

LIVESTOCK

Includes dairy, beef, swine, poultry, horses, goats, sheep, donkeys, rabbits, fur-bearing animals, deer and elk, game animals, birds and other animals identified in Table 1 of the Minimum Distance Separation Implementation Guidelines, as developed by the Ontario Ministry of Agriculture and Food as amended from time to time.

LOADING SPACE

An off-street space which is provided and maintained on the same lot as a permitted use and used solely for the temporary parking of a vehicle loading or unloading merchandise or materials pertinent to such permitted use.

LODGING HOUSE/ BOARDING HOUSE

A dwelling in which the proprietor supplies for a fee, sleeping accommodations with board for at least three people and not more than 10 people exclusive of the proprietor, members of the proprietors family and employees of the establishment, but does not include a hostel.

LOGGING

The removal or cutting of logs from harvestable timber for commercial purposes, either by selective, strip or clear-cutting operations.

LONG TERM CARE HOME

A premises licensed as a long-term care home under the Long-Term Care Homes Act, 2007, S.O. 2007, c.8.

LOT

A parcel or tract of land described in a deed or other legal document which is legally capable of being conveyed.

LOT AREA

The total horizontal area within the lot lines of a lot above the normal or maintained high water mark.

LOT, CORNER

A lot situated at the intersection of two or more streets, or at the intersection of a street and a railway right-of-way, or a lot abutting on one or more parts of the same street, in which an interior angle of less than one hundred and thirty-five (135) degrees is contained, between the front and side lot lines abutting by the said street or streets.

LOT COVERAGE

The percent of the lot area covered by buildings or structures on or connected to a lot, including porches, verandas and any other roofed area but excluding parking areas, driveways, docks and uncovered decks less than 1 metres in height, and walkways.

LOT FRONTAGE

The horizontal distance between side lot lines measured at right angles from the side lot lines. Where the side lot lines are not parallel, or a lot having a bent corner the lot frontage shall be measured as the distance between the points at which the side lot lines intersect with the front lot line, along a straight line that is 6 metres back

LOT LINE, INTERIOR

A lot line which does not abut a street

LOT LINE

Any boundary of a lot.

LOT LINE, EXTERIOR SIDE

The side lot line which abuts an improved public street or an unopened road allowance on a corner lot.

LOT LINE, FRONT

The lot line that abuts the street, except,

- a) Where a lot has both water frontage and abuts a street, the shoreline shall be considered the front lot line, or
- b) Where a lot has water frontage and no frontage on a road, the front lot line shall be the lot line abutting the high water mark of the navigable waterway, or the longest portion of shoreline where the lot abuts water on more than one side; or
- c) In the case of a corner lot or through lot, the shortest lot line that abuts a street shall be deemed to be the front lot line and the longer lot line that abuts a street shall be deemed the exterior side lot line, or,
- d) In the case of a corner lot or through lot with two lot lines of equal length abutting streets, the lot line that abuts the wider street shall be deemed to be the front lot line, but where the streets are of equal width, the line over which access to the property is gained shall be the front lot line, but
- e) Notwithstanding the above, where a lot is within the Urban low density Residential Zone (R1) or the Multiple Residential (RM) Zone, and where a lot abuts both a street and waterway, the front lot line shall be the lot line that abuts a street. Both the lot line that abuts the street and the lot line that abuts the waterway shall be considered the Front Lot Line for the purposes of determining lot frontage. For the purpose of calculating yard requirements, The lot line abutting the street shall be considered the Front Lot Line.

LOT LINE, REAR

The lot line farthest from or opposite to the front lot line.

LOT LINE, INTERIOR SIDE

A lot line other than a front or rear lot line.

LOT, SERVICED

A lot that is serviced by both a public water system and a public sanitary sewer system.

LOT, UNSERVICED

A lot which is not serviced by a public water system and/or public sanitary sewer system.

LOT, THROUGH

A lot bounded on opposite sides by streets or navigable waterways.

LUMBER YARD

A building, structure or yard in which building materials are offered or kept for sale at retail and may include the fabrication of lumber products.

MANUFACTURING ESTABLISHMENT

A building used for the purpose of manufacturing, assembly, making, preparing, inspecting, finishing, treating, altering, repairing, fabricating, warehousing, or storing or adapting for sale of any goods, substance, article, or product.

MARINA

An establishment or premises, containing docking facilities, where boats or boat accessories are berthed, stored, serviced, repaired, or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided.

MARINE FACILITY

An accessory structure which is used to take a boat into or out of a navigable waterway, or to moor a boat. This definition includes a launching ramp, boat lift, or dock but does not include any building or any boat servicing, repair, or sales facility.

MARINE SALES AND SERVICE ESTABLISHMENT

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

MEDICAL CLINIC

A premises where members of the medical professions provide medical, dental, and/or therapeutic diagnosis and treatment to the general public but does not include a public or private hospital or office located in the medical professional's residence.

MINIMUM OPENING ELEVATION

The height of the lowest opening on a habitable building that would allow flood waters to enter the building.

MOBILE HOME

Any dwelling that is designed to be mobile, and constructed or manufactured to provide a permanent residence for one or more persons certified in accordance with C.S.A. Standard Z240 or 241, but does not include a travel trailer or tent trailer or trailer otherwise designed.

MODULAR HOME

A transportable factory built dwelling unit designed to be transported and assembled on a site into one integral unit, and which is designed for continuous occupancy on a year round basis, but shall not include a mobile home.

MOBILE HOME PARK

A parcel of land which is developed and managed as a unit where individual lots are made available on a rental basis for the placing of a mobile home, where the ownership and responsibility for the maintenance of private internal roads, services, communal areas and buildings, including snow plowing and removal, garbage collection, together with general park management rests with management.

MOTEL

A structure containing a series of living or sleeping units with individual interior sanitary conveniences, including motor courts or tourist courts. All required parking is at grade and direct access is available from the parking area to the individual units.

MOTOR VEHICLE

An automobile, truck, motorcycle, and any other vehicle propelled or driven other than by human power, but does not include the cars of railways, or other motor vehicles running only upon rails or road building machine within the meaning of The Highway Traffic Act, as amended.

MOTOR VEHICLE, COMMERCIAL

Any commercial motor vehicle within the meaning of The Highway Traffic Act, as amended.

MOTOR VEHICLE BODY SHOP

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

MOTOR VEHICLE DEALERSHIP/SALES ESTABLISHMENT

A building or structure where a franchised dealer displays motor vehicles for sale, lease or rent and in conjunction with which there may be used motor vehicle sales or rentals, a motor vehicle repair garage, a motor vehicle service station, a motor vehicle gasoline bar or a motor vehicle body shop, but shall not include any other establishment otherwise defined or classified in this By-law.

MOTOR VEHICLE REPAIR GARAGE

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

MOTOR VEHICLE SERVICE STATION

A building or structure where gasoline, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, sparkplugs, batteries and automotive accessories for motor vehicles and new retail goods are stored or kept for sale to the general public, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, and where mechanical or running repairs essential to the actual operation of motor vehicles are executed or performed. Such shall require public washrooms.

MUNICIPAL, PROVINCIAL WORKS GARAGE

Any land, building and/or structure owned by the Corporation of the Municipality of Callander or the Province of Ontario and used for the storage, maintenance and/or repair of material, equipment, machinery and/or motor vehicle used in connection with civic works.

MUNICIPALITY

The Corporation of the Municipality of Callander

NAVIGABLE WATERWAY

A waterway deemed to be navigable by Provincial or Federal Statute

NON-COMPLYING

A lot, building or structure that does not fulfill the requirements of the zone provisions for the zone in which the lot, building or structure is located.

NON-CONFORMING

An existing use, building or structure that does not conform with the permitted uses for the Zone where such existing use, building or structure is located.

NURSERY OR GREENHOUSE, COMMERCIAL

A building or structure, and lands associated therewith, for the growing of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation together with gardening tools and implements which are sold at retail from such building or lot to the general public.

NUTRIENT MANAGEMENT PLAN

A technical document which specifies how an agricultural operation is to store, manage and distribute agricultural nutrients (manure).

OFFICE

A place where business may be transacted, a service performed or consultation provided

OPEN OR OUTDOOR STORAGE

Any accessory storage outside of a principal or main building or structure on the lot.

OUTDOOR FURNACE

An enclosed accessory building housing a furnace or combustion chamber for burning wood or other fuels that conducts heat through a piping system to the principle building in order to heat the principle building.

OUTDOOR RECREATION AREA

A place designed and/or equipped for the conduct of sports, leisure time activities and other recreational activities, but shall not include buildings. It may include accessory structures to the principle use. It may include such items as signs, benches, goal posts.

OUTDOOR STORAGE

The storage of goods and materials including vehicles for hire or sale, outside of a building.

PARK, PUBLIC

Any open space or recreational area, owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario and may include therein neighbourhood, community, and special parks or areas and may include one or more athletic fields, field houses, fair grounds or similar uses.

PARK, PRIVATE

A park other than a public park, that does not include buildings or structures, but may include benches, playing fields, goal posts, hoops and similar structures.

PARKING AREA

An area of land or a building or part thereof which is provided and maintained upon the same lot or an abutting lot for the purpose of providing parking spaces to motor vehicles.

PARKING LOT

A parking area forming the principal use of a lot.

PARK MODEL TRAILER

Any vehicle so constructed that is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or that its running gear is removed. A Park model trailer shall not include any trailer used primarily for the purpose of sale or storage.

PARKING SPACE

An area, for the parking or storage of motor vehicles, having a minimum width of 3 metres and a minimum area of 18.5 square metres , exclusive of any aisles, ingress or egress lanes.

PARKING SPACE, BARRIER-FREE

An area, for the parking or storage of motor vehicles, having a minimum width of 3.7 metres and a minimum area of 22.2 square metres , exclusive of any aisles, ingress or egress lanes.

PATIO

A platform or surfaced area without a roof, the surface of which is not more than 0.3 metres above finished grade.

PERSON

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

PIT

A place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit.

PLACES OF WORSHIP

Churches, chapels, temples, parish halls and synagogues including offices for the administration of the religious institution, convents, seminaries, monasteries, rectories, parsonages and parish houses.

PORCH

Is a partially enclosed, or fully enclosed structure attached to and forming part of a building.

PORTABLE PROCESSING or ASPHALT PLANT

Any equipment for the crushing, screening or washing of sand and gravel aggregate materials, but not including a concrete batching plant or an asphalt plant, of which the equipment is capable of being readily drawn or readily propelled by a motor vehicle and which equipment is not considered permanently affixed to the site.

PRIVATE CAMP

One or more buildings used for sleeping accommodation, the preparation and serving of food and/or sport and recreational facilities, operated under private ownership, and intended for recreational purposes on a temporary or seasonal basis.

PRIVATE CLUB

A non-profit, non-commercial organization, which carries on social, cultural, athletic and/or recreational activities.

PRIVATE ROAD

A private right-of-way over private property which affords access to abutting lots.

PRIVATE SWIMMING POOL

Private Swimming Pool shall mean a privately owned indoor or outdoor pool of water, other than:

- (i) a swimming or bathing beach;
- (ii) a natural swimming or bathing area;
- (iii) a hot tub that is above ground with a lockable cover, or
- (iv) a wading or reflecting pool containing water not in excess of 0.45 metres) in depth.

PUBLIC AUTHORITY

Any Federal, Provincial, County or Municipal agencies, and includes any commission, board, authority or department established by such agency.

PUBLIC CAMP

An establishment that provides accommodation in the form of cabins, rooms or campsites, which is not open to the travelling public, and has centralized facilities for dining and recreation, and provides recreational, religious or educational programs provided by a public authority or registered charity.

PUBLIC USE

Any use of land, buildings or structures by or on behalf of a public authority.

PUMPHOUSE

A building with a maximum size of 1.5m² used for storage of a water pump, pressure tank or facilities related to pumping water from a waterbody.

PUBLIC HOSPITAL

Means,

- a) A "hospital" as defined in the Community Psychiatric Hospitals Act, R.S.O. 1990, c.C.21, as amended;
- b) An "institution" or "sanitarium" as established by the provisions of the Ontario Mental Health Foundation Act, R.S.O. 1990, c.D.26, as amended; or,
- c) A "hospital" or "medical department" as defined in the Public Hospitals Act, R.S.O. 1990, c.P.40, as amended.

QUARRY

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

RECONSTRUCTION

The process of reproducing by new construction the exact building or structure or part thereof, as it appeared at a specific period of time, and may include restoring, renovating, reestablishing or reassembling. Reconstruction shall also include new construction, where such new construction is in the same location as the building or structure that previously existed.

RECREATIONAL AREA or FACILITY

A place designed and/or equipped for the conduct of sports, leisure time activities and other recreational activities, and may include buildings and structures.

RECREATION, PASSIVE

Recreational uses of the land that do not include buildings, structures or the use of motorized vehicles.

RECREATIONAL VEHICLE

A non-commercial vehicle used primarily for recreational or vacation purposes, including a travel-trailer, boat, or any trailer or other vehicle capable of being used for temporary human habitation and any motorized boat, motorcycle or all-terrain vehicle.

RECREATIONAL DWELLING

A single detached dwelling that is used for temporary occupation on a seasonal basis by persons who maintain a permanent residence in another location.

RECREATIONAL ESTABLISHMENT

A building or structure, or part thereof, owned or operated by a private club, a non-profit or charitable institution or a public agency including a facility developed or operated as a public-private partnership, where facilities are provided primarily for athletic or recreational activities or events, and includes, without limiting the generality of the foregoing, an arena and a public pool.

RECREATIONAL VEHICLE

A self propelled vehicle used as a temporary accommodation for seasonal recreational purposes and equipped with sanitary and cooking facilities.

RECYCLING FACILITY

Means a premises in which used materials are separated and/or processed and then shipped to other users that will then use those materials to manufacture new or recycled products.

RESIDENTIAL ZONE

Shall mean any zone using the term 'residential' and having the following zone symbols of the schedules to this By-law: R1, R2, R3, RE RR, RM and RUR.

RESORT

A tourist establishment that operates throughout all or part of the year and that has facilities for serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting, camping or recreational purposes and may include a Liquor Licensed Premises.

RESOURCE MANAGEMENT

The conservation, preservation, protection and improvement of the components of the natural environment through a comprehensive management and maintenance program administered by a public authority for individual or public use, including forestry and wildlife management areas.

RESTAURANT

A building or part of a building where food is offered for sale or sold to the public primarily for immediate consumption.

RESTAURANT, DRIVE-THROUGH

A building or part of a building where food is offered for sale or sold to the public for consumption on the premises or off the premises, and may include drive-through service.

RETAIL STORE

A building where goods, wares, merchandise, substances or articles, are offered or kept for sale at retail or rental and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, or articles sufficient only to service such stores but does not include any retail outlet otherwise classified or defined in this By-law.

RETIREMENT HOME

A residential development consisting of a group of self-care units, either attached or detached, with ancillary facilities that provides social and recreational activities for use by its inhabitants, such facilities and forms of housing being designed for, and offered to persons who are at or near retirement area. Ancillary facilities may include nursing and medical facilities, chapels, meeting rooms, recreational facilities, therapy rooms, kiosk facilities and the like.

RIDING SCHOOL OR BOARDING STABLE

An area of land which is used as an educational centre for horse training, handling, care, or for the lodging of horses.

SALVAGE OR WRECKING YARD

A place where motor vehicles and parts are wrecked, disassembled, repaired and resold, where second-hand goods, including waste paper, bottles, automobile tires, clothing, other scrap materials and salvage are collected to be sorted and where used lumber and used building materials are stored for sale or resale.

SAWMILL

A building, structure or area where timber is cut or sawed, either to finished limber or as an intermediary step.

SCHOOL

A public school, a separate school, a university, a community college or a private school authorized by the Province of Ontario.

SELF-SERVICE STORAGE FACILITY

A building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods or contractors supplies.

SERVICE CLUB

A non-profit, non-commercial organization that carries on social, cultural, athletic or recreational activities for the benefit of the community.

SERVICE SHOP

A building or part of a building, not otherwise defined or classified in this By-law, for the servicing or repairing of articles, goods or materials, as well as facilities for accessory retail sales, but shall not include the servicing, repairing or sales of motor vehicles.

SERVICE SHOP, PERSONAL

A building, or part of a building, in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, such as a barber's shop, a ladies hairdressing establishment and a shoe repair shop.

SETBACK

The horizontal distance from the centre line of the street right-of-way, measured at right angles to such centre line, or in the case of a lot having frontage on a navigable waterway take the horizontal distance from the high water mark to the nearest part of any building or structure or excavation on the lot.

SHORELINE

Any lot line or part thereof which abuts the high water mark or a navigable waterway, or a Crown land shoreline reserve.

STORAGE CONTAINER

Means the trailer portion of a tractor-trailer unit or transport truck without the running gear, or a rail or seaway container which is traditionally used for the shipping and transportation of goods and materials.

STOREY

That portion of a building or structure between any floor level and the floor, ceiling or roof immediately above, except that any portion of a building below grade level shall not be deemed a storey unless its ceiling is at least 1.8 m above the established grade.

STREET

A highway as defined under The Highway Traffic Act, or the Municipal Act or a road which has been assumed and is maintained by the Corporation of the Municipality of Callander.

STREET LINE

The limit of the street or road allowance and is the dividing line between a lot and street or road.

STRUCTURE

Anything man-made that is fastened to or into the earth or rests on the earth by its own mass or is attached to something having location on the ground, or is attached to a building including a septic system, holding tanks, satellite receiving dishes, and heat pumps. A floating dock or boardwalk shall be considered a structure.

SUMMER CAMP

A camp which is privately owned and operated, or a camp which is operated by a charitable corporation approved under The Charitable Institutions Act, as amended, or a camp within the meaning of the regulations made under The Public Health Act, as amended.

TAVERN

A building or part thereof at which alcoholic beverages may be prepared and served for consumption on the premises with or without food.

TAXI STAND

A building, structure or lot where chauffeured passenger automobiles are kept for hire.

TEMPORARY USE

A use of land, building or structure for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

TENT

Any kind of temporary shelter for sleeping that is not permanently affixed to the site and that is capable of being easily moved and is not considered a structure.

TOURIST ESTABLISHMENT

Any premises operated to provide sleeping accommodation for the traveling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided including a hotel, resort and a cottage establishment but does not include:

- a) A camp operated by a charitable corporation approved under The Charitable Institutions Act, as amended;
- b) A summer camp within the meaning of the regulations made under The Health Protection and Promotion Act, as amended; or
- c) A club owned by its own members and operated without profit or gain.

TRAILER

A vehicle that is at any time drawn upon a highway by a motor vehicle and for the purposes of this By-law does not include a mobile home.

TRAILER, CONSTRUCTION

Any trailer designed to be temporarily located on a parcel of land during the construction of a building or the development of land utilized for temporary shelter and/or the storage of equipment related to the construction occurring on the land and having the running gear and towing equipment permanently attached.

TRANSPORTATION TERMINAL

The use of land, buildings or structures for the purpose of storing, servicing, repairing or loading trucks, transport trailers and/or buses, and does not include automobile service stations or transportation sales or rental outlets.

TRAILER, TRAVEL OR TENT

Any trailer which is designed to be temporarily utilized for living, shelter and sleeping accommodation, with or without cooking facilities and which has running gear and towing equipment that is permanently attached and is not permanently affixed to the ground.

TRUCK CAMPER

Any unit so constructed that it may be attached upon a motor vehicle, as a separate unit, and capable of being temporarily utilized for the living, sleeping or eating accommodation of persons.

USE

- a) Any purpose for which a building or other structure or a parcel of land may be designed, arranged, intended, maintained, or occupied; or,
- b) Any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a parcel of land.

UTILITY PROVIDER

Any agency, which under public or private ownership, provides the public with electricity, gas, heat, rail, transportation, water, sewage, collection or other public service.

VERANDA

Is an unenclosed structure attached to a building having a floor and roof.

VEHICLE

A motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or the cars of electric or steam railways running only upon rails.

VETERINARY HOSPITAL

The premises of a veterinary surgeon where animals are treated or kept.

WAREHOUSE

A building or part of a building used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for a wholesale or retail commercial outlet, and may include mini self-storage facilities, but shall not include facilities for a truck or transport terminal, stockyard or outdoor storage.

WASTE DISPOSAL AREA

A place where garbage, refuse, domestic or industrial waste, exclusive of liquid industrial waste, is disposed, dumped, incinerated and may include a recycling facility.

WASTE LANDFILL

A landfill site where garbage, refuse, domestic or industrial waste, exclusive of liquid industrial waste, is disposed of or dumped

WASTE TRANSFER FACILITY

A facility where waste materials are collected for shipment and may be sorted and/or prepared for transportation.

WATERBODY

A navigable river or lake having a surface area in excess of 10 hectares .

WATERCOURSE

An identifiable depression in the ground in which a flow of water regularly or continuously occurs..

WAYSIDE PIT OR QUARRY

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

WHOLESALE ESTABLISHMENT

The sale of commodities to retailers or businesses for the purpose of carrying on any trade or business even if the said trade or business is the consumer or end user of the commodity

WINDOW, BAY

A projection from the wall of a building that contains a window, that is wholly above the level of the adjacent floor surface and does not result in any projection of the adjacent floor area.

WRECKING YARD

An area outside of an enclosed building where motor vehicles are disassembled, dismantled or junked, or where vehicles not in operable condition, or used parts of motor vehicles, are stored.

WOODCHIPPER

A machine that processes logs into wood chips

WORKSHOP

A building or structure where manufacturing is performed by tradesmen requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a commercial welder's shop, or similar uses.

YACHT CLUB

A building and lot used as the meeting place for an association of persons united by a common interest in boating and shall include provisions for the land and water storage of marine crafts.

YARD

Any open unoccupied space appurtenant to a building measured from the closest supporting structure of the building to the lot line.

YARD, EXTERIOR SIDE

A yard extending from the front yard to the rear yard between the exterior side lot line and the nearest wall of any building on the lot for which the yard is required.

YARD, FRONT

A yard extending across the full width of the lot between the front lot line and the nearest wall of any building or structure on the lot for which the yard is required.

YARD, REAR

A yard extending across the full width of the lot between the rear lot line and the nearest wall of any building on the lot for which the yard is required.

YARD, REQUIRED

The minimum yard required by the provisions of the By-law.

YARD, INTERIOR SIDE

A yard extending from the front yard to the rear yard between the interior side lot line and the nearest wall of any building on the lot for which the yard is required.

ZONE

The category of use or activity of land, buildings, structures or activities permitted by this By-law.

ZONE PROVISIONS

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

SECTION 5 ENACTMENT

5.1 FORCE AND EFFECT

This By-law shall come into force and effect on the date it is passed by the Council of the Corporation of the Municipality of Callander subject to the applicable provisions of the Planning Act, R.S.O. 1990, c.P. 13 as amended.

5.2 READINGS BY COUNCIL

This By-law read a first time on the 22nd day of April, 2014.

This By-law read a second time on the 22nd day of April, 2014.

This By-law read a third time and finally passed on the 22nd day April, 2014.

HECTOR LAVIGNE, MAYOR

MAIRGHREAD KNOUGHT, CLERK