

**CORPORATION OF THE TOWNSHIP OF ALGONQUIN HIGHLANDS**

**BY-LAW NUMBER \_\_\_\_\_**

Being a By-law to Amend By-law 03-22, as amended, being the Comprehensive Zoning By-law of the Township of Algonquin Highlands.

(General Amendment)

**WHEREAS** the authority to pass this By-law is provided by Section 34 of the *Planning Act*, R.S.O. 1990, Chapter P.13 and amendments thereto;

**AND WHEREAS** on the 19<sup>th</sup> day of June, 2003, By-law No. 03-22 was enacted to provide comprehensive zoning for the entire Township of Algonquin Highlands;

**AND WHEREAS** it is deemed expedient to amend By-law No. 03-22;

**NOW THEREFORE**, the Council of the Corporation of the Township of Algonquin Highlands enacts as follows:

**Section 1     ADMINISTRATION AND INTERPRETATION**

1. Section 1.2 is amended to read:

**“DECLARATION:** The following schedules contained under separate cover are hereby declared to form part of this By-law:

A1 to A2	I1 to I5
B1 to B5	J1 to J5
C1 to C6	K1 to K5
D1 to D7	L1 to L4
E1 to E7	M1 to M5
F1 to F6	N1 to N5
G1 to G5	O1 to O3
H1 to H4”	

2. Section 1.3 is amended by adding the following paragraph to the end:

“The provisions of this By-law may not apply to Crown Land. However, this By-law reflects the established planning policies of the Township of Algonquin Highlands and it is intended that the Crown shall have regard for the provisions of this By-law.”

3. Section 1.8 is amended to read:

“Notwithstanding any other provision in this By-law, where a zone symbol is followed by the letter (H), no person shall use the land to which the letter (H) applies for any use other than the use which existed on the date this By-law was passed, until the (H) is removed in accordance with the policies of the Official Plan and/or the requirements of any provisions of an amending By-law or “Exceptions to Zone” and the Planning Act, as amended.”

4. A new Section 1.11 is added following Section 1.10, to read as follows:

**“ZONING OF PRIVATE LANDS NOT IDENTIFIED ON SCHEDULES:** The private patented lands located within Part of Lots 11 & 12, Concession 14, former Township of Nightingale, located on Whitefish Lake within Algonquin Park are zoned “Shoreline Residential Type Two (SR2).”

5. A new Section 1.12 is added following Section 1.11, to read as follows:

**“LIMITED SERVICE AREAS:** Shoreline residential properties that do not have frontage and/or direct access on a year-round, publicly maintained road are identified as being within the “Shoreline Residential Type Two (SR2)” zone. Given the restricted access to these properties, the provision of municipal services to these properties such as fire protection, ambulance, and school busing, amongst other matters, may be limited.”

6. Section 1.11 entitled “Headings” is renumbered Section 1.13 and Section 1.12 entitled “Road Closings” is renumbered Section 1.14.

**Section 2     COMPLIANCE WITH THE BY-LAW**

7. A new Section 2.7 is added following Section 2.6, to read as follows:

**“ENFORCEMENT:** Any designated employee of the Township of Algonquin Highlands acting under their direction may, at any reasonable hour and upon producing proper identification, enter and inspect any property but shall not enter any building or structure used as a dwelling unit without the consent of the occupier, or the authority of a Search Warrant issued pursuant to the provisions of the Provincial Offences Act.”

8. Section 2.7 entitled “Violation and Penalties” is renumbered Section 2.8 and amended to read as follows:

**“VIOLATION AND PENALTIES:** Any person or corporation who contravenes any provision of this By-law is guilty of an offense and upon conviction is liable to the fine(s) as provided for under the Planning Act, R.S.O. 1990, c.P.13, as amended.”

9. Section 2.8 entitled “Remedies” is deleted in its entirety.

10. A new Section 2.12 is added following Section 2.11, to read as follows:

**“TRANSITION PROVISIONS:**

a) **Minor Variance:** Where the Committee of Adjustment for the Township of Algonquin Highlands or the Ontario Municipal Board has authorized a minor variance from the provisions of this By-law prior to (date By-law Update is passed), nothing in this By-law shall prevent the issuance of a Building Permit for a building or structure provided:

- the development occurs in accordance with the plans filed with the Township in support of the minor variance application; and,
- with the exception of the relief that was granted by the minor variance, the development would comply with all of the other applicable By-law provisions as they read at the time of the granting of the minor variance; and,
- a Building Permit for the building or structure is issued the later of within three years of the granting of the minor variance or by (three years from date of passing of By-law Update).

b) **Site Plan:** This By-law does not prevent the issuance of a Building Permit for a development where a site plan agreement has been entered into prior to (date By-law Update is passed), provided the development proceeds in accordance with the terms of the site plan agreement.

c) **Building Permit:** This By-law does not prevent the erection or use of a building or structure for which a Building Permit was issued prior to (date By-law Update is passed) so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the Building Permit has not been revoked.

**Section 3     DEFINITIONS**

11. A new Section 3.1 is added, to read as follows:

**“ACCESSORY APARTMENT:** An accessory dwelling unit contained within a single detached dwelling and secondary to the main dwelling unit of the building.”

12. Section 3.1 is renumbered 3.2 and amended to read as follows:

**“ACCESSORY BUILDING OR STRUCTURE:** A detached building or structure that is not used for human habitation (except for a sleeping cabin), the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot.”

13. Section 3.3 is renumbered 3.4 and amended to read as follows:

**“ACCOMMODATION UNIT:** A room or rooms designed as a unit to provide accommodation for the traveling or recreational public, including a room and/or rooms in a hotel, motel, tourist establishment, a rental cottage or cabin, a recreational mobile home or a tent or trailer site.”

14. A new Section 3.5 is added, to read as follows:

**“AGGREGATE STOCKPILING:** The storing of aggregate material for later use, sale or disposal.”

15. A new Section 3.7 is added, to read as follows:

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

16. A new Section 3.9 is added, to read as follows:

**“ARTISAN’S STUDIO:** A building or part of a building used for the creation, finishing, refinishing or similar production of paintings, sculptures, photographs, pottery, or other works of arts or hand-made crafts by the proprietor, together with the sale of such commodities, but does not include any use otherwise defined in this By-law.”

17. A new Section 3.26 is added, to read as follows:

**“CARGO OR SHIPPING CONTAINER:** A metal container customarily used for the transport of freight or storage.”

18. A new Section 3.31 is added, to read as follows:

**“CHIEF BUILDING OFFICIAL:** An official employed by the Township of Algonquin Highlands appointed by By-law to perform the duties as set out in the Ontario Building Code Act, as amended, and shall include any Inspector likewise employed and appointed.”

19. Section 3.32 is renumbered 3.38 and amended to read as follows:

**“DAY NURSERY:** The use of land or buildings for the purposes of providing temporary care, for pre-school age children within the meaning of the Day Nurseries Act, as amended.”

20. Section 3.33 is renumbered 3.39 and amended to read as follows:

**“DECK:** A floor system structure without a roof or walls, having footings, a foundation or cantilevered, which is above finished grade and may be attached to or abutting one or more walls of a building or constructed separate from a building.”

21. Section 3.36 is renumbered 3.43 and amended to read as follows:

**“DWELLING:** A building or part of a building occupied or capable of being occupied, in whole or in part as the home, residence or sleeping place of one or more persons either continuously, permanently, temporarily or transiently and may include a modular home but shall not include a trailer, a travel or tent trailer, a mobile home, a motorized mobile home, a truck camper, or an accommodation unit in a tourist establishment.”

22. A new Section 3.44 is added, to read as follows:

**“DWELLING, ACCESSORY:** A dwelling, accessory to the main use of the property and in the form of a single detached dwelling.”

23. Section 3.37 is renumbered 3.45 and amended to read as follows:

**“DWELLING, DUPLEX:** A building that is divided horizontally into two (2) separate dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.”

24. Section 3.40 entitled “DWELLING, SEASONAL” is deleted in its entirety.

25. A new Section 3.48 is added, to read as follows:

**“DWELLING, SEMI-DETACHED:** A building that is divided vertically into two separate dwelling units, each of which has an independent entrance directly from the outside.”

26. Section 3.41 is renumbered 3.49 and amended to read as follows:

**“DWELLING, SINGLE DETACHED:** A building containing one dwelling unit only not including an accessory apartment.”

27. A new Section 3.51 is added, to read as follows:

**“DWELLING UNIT, ACCESSORY:** A dwelling unit, accessory to the main use of the property and contained within the main building.”

28. Section 3.51 is renumbered 3.60 and amended to read as follows:

**"FARM:** Any farming or agricultural use and includes apiaries; aviaries; berry or bush crops; breeding, raising, or training of horses or cattle; greenhouses; lands devoted to the hatching, raising and/or marketing of chickens, turkeys, or other fowl or game birds, animals, fish or frogs; lands used for grazing, flower gardening, field crops; growing, raising, picking, treating and storing of vegetable or fruit produce grown on the lands or in greenhouses; mushroom farms; nurseries; orchards; riding stables; the raising of sheep, goats, or swine; tree crops; market gardening; wood lots; and such other uses or enterprises as are customarily carried on in the field of general agriculture. "Farm" shall include a single detached dwelling and such principal buildings as barns and silos, which are incidental to the operation of the farm."

29. Section 3.73 is renumbered 3.82 and amended to read as follows:

**"HUNT CAMP:** A building or structure consisting of one or more rooms which are at least partially furnished and may include facilities for the preparation of food and overnight accommodation, for persons angling or hunting wildlife, on a temporary basis."

30. Section 3.81 is renumbered 3.90 and amended to read as follows:

**"LOT AREA:** The total horizontal area within the boundaries of a lot, measured above the normal or maintained high water mark, but shall not include the Original Shore Road Allowance, unless it has been closed and conveyed."

31. Section 3.83 is renumbered 3.92 and amended to read as follows:

**"LOT COVERAGE:** That percentage of the lot area covered by all buildings and covered structures, including boathouses and boatports appertaining to the lot but shall not include that portion of such lot area that is occupied by a building or portion thereof that is completely below grade."

32. A new Section 3.97 is added, to read as follows:

**"LOT LINE, EXTERIOR SIDE:** A lot line, other than a front lot line or rear lot line, which abuts an improved public street, highway or an unopened road allowance on a corner lot."

33. A new Section 3.99 is added, to read as follows:

**"LOT LINE, INTERIOR SIDE:** A lot line other than an exterior side, front or rear lot line."

34. Section 3.92 is renumbered 3.103 and amended to read as follows:

**"MARINA:** Premises inclusive of docking facilities, located on a navigable waterway, where boats, other watercraft and boating accessories, and recreational vehicles (excluding motorized mobile homes) are stored, serviced, repaired, or kept for sale or rental and where facilities for the sale of marine fuels, lubricants and propane may be provided."

35. A new Section 3.121 is added, to read as follows:

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

36. A new Section 3.124 is added, to read as follows:

**"PORCH:** A structure attached to a permitted building which is covered and enclosed partially or wholly on its sides by screening."

37. A new Section 3.135 is added, to read as follows:

**"REFRESHMENT VEHICLE:** A stationary vehicle, either mounted on blocks or supported by a conventional wheel, tire and axle system, from which food and beverages are stored, prepared and/or offered for sale to the public."

38. Section 3.122 is renumbered 3.136 and amended to read as follows:

**"RESTAURANT:** Premises where food is offered for sale or sold to the public for immediate consumption and may include a dining room, café, cafeteria, ice cream parlour, tea room, dairy bar, coffee shop, or snack bar."

39. Section 3.128 is renumbered 3.142 and amended to read as follows:

**“SAUNA:** An accessory building or structure wherein facilities are provided for the purpose of a steam bath and may include a change room.”

40. Section 3.129 is renumbered 3.143 and amended to read as follows:

**“SAW AND/OR PLANING MILL:** A building, structure or area where timber is cut, sawed or planed, either to finished lumber, firewood or as an intermediate step, and may include facilities for the kiln drying of lumber and/or the distribution of such products on a wholesale or retail basis.”

41. Section 3.136 is renumbered 152 and amended to read as follows:

**“SLEEPING CABIN:** An accessory building separate from the principal residential dwelling, located on the same lot as the principal building, for the accommodation of persons but shall not contain cooking or kitchen facilities. Cooking or kitchen facilities are defined as an area where food is stored or prepared or cooked and which has cooking appliances and/or a kitchen sink. A sleeping cabin may contain sanitary facilities with the approval of the appropriate authority. A sleeping cabin shall not be used for monetary gain.”

42. Section 3.145 is renumbered 3.160 and amended to read as follows:

**“STRUCTURE:** Anything constructed or erected, the use of which requires location on the ground, or attached to something having location on the ground and without limiting the generality of the foregoing, includes a motor vehicle. All docks, whether attached to the shoreline or floating, shall be considered a structure. For the purposes of this By-law, a septic system, all fences, a retaining wall that has a height of one metre or less, and light standards shall not be considered structures.”

43. A new Section 3.161 is added, to read as follows:

**“SWIMMING POOL:** An artificial body of water, the container of which is constructed of cement, fiberglass or similar material, having a depth greater than 0.5 metres and intended primarily for bathing, swimming and diving, but shall not include a natural, dug or dammed pond primarily intended for aesthetic or agricultural purposes.”

44. A new Section 3.168 is added, to read as follows:

**“USE:** When used as a noun, the purpose for which a lot or building or structure, or any combination thereof, is designed, arranged, occupied or maintained and when used as a verb, “used” shall have a corresponding meaning.”

45. Section 3.152 is renumbered 3.169 and amended to read as follows:

**“UTILITY SHED:** A building or structure maintained and used for the purposes of storing lawn and garden equipment or similar household related appurtenances.”

46. A new Section 3.170 is added, to read as follows:

**“VERANDA:** An unenclosed structure attached to a building having a floor and roof.”

47. A new Section 3.180 is added, to read as follows:

**“YARD, EXTERIOR SIDE:** A yard extending from the required front yard to the required rear yard and from the exterior side lot line of the lot to the nearest wall of the principal building or structure on the lot.”

48. Section 3.162 is renumbered 3.181 and amended to read as follows:

**“YARD, FRONT:** A yard extending across the full width of the lot between the front lot line of the lot and the nearest wall of the principal building or structure on the lot.”

49. A new Section 3.182 is added, to read as follows:

**“YARD, INTERIOR SIDE:** A yard extending from the required front yard to the required rear yard and from the interior side lot line of the lot to the nearest wall of the principal building or structure on the lot.”

50. Section 3.163 is renumbered 3.183 and amended to read as follows:

**“YARD, REAR:** A yard extending across the full width of the lot between the rear lot line of the lot and the nearest wall of the principal building or structure on the lot.”

51. Section 3 is renumbered accordingly.

**Section 4     GENERAL PROVISIONS**

52. A new Section 4.1 is added, to read as follows:

**“ACCESSORY APARTMENTS:** Notwithstanding any other provisions of this By-law regarding the number of dwelling units on a single lot, an accessory apartment is permitted in the “Rural”, “Hamlet Residential” and “Rural Residential” zones subject to the following provisions:

- a) The accessory apartment is located within a permitted single detached dwelling;
- b) Only one (1) accessory apartment may be created within the single detached dwelling;
- c) An accessory apartment shall have a minimum floor area of 25.0 square metres for a studio or bachelor apartment; a minimum floor area of 32.0 square metres for a one-bedroom apartment; an additional 9.0 square metres for each additional bedroom;
- d) The maximum floor area of an accessory apartment shall not exceed the lesser of 35% of the floor area of the single detached dwelling or 60.0 square metres;
- e) The appropriate approval authority has approved the private sewage disposal system to service the single detached dwelling and accessory apartment; and,
- f) The accessory apartment and single detached dwelling shall meet all other applicable provisions of this By-law and any other fire, health, safety, or occupancy regulations or by-laws.

53. Section 4.1.7 is relocated to Section 4.2.10 c).

54. Section 4.1.8 a) is renumbered 4.2.8 a) and amended to read as follows:

**“General:** Drop awnings, clothes poles, flag poles, garden trellises, retaining walls, fences less than 2.0 metres in height, or signs which comply with the By-laws of the Township, are permitted in any required yard with the exception that fences shall not be permitted within the front yard of a property located within the SR1 or SR2 Zones.”

55. Section 4.1.8 c) is renumbered 4.2.8 c) and amended to read as follows:

**“Ornamental Structures:** Sills, chimneys, cornices, eaves, gutters, parapets, pilasters, or other ornamental structures may project into any required yard a maximum distance of 1.0 metres (3.3 feet).”

56. Section 4.1.8 d) is renumbered 4.2.8 d) and amended to read as follows:

**“Decks, Balconies, Steps or Patios:** Decks, balconies, steps, stairs, landings and patios, may project into any required yard a maximum distance of 6 metres (20 feet) from an existing building or structure but no closer than 2.0 metres (6.5 feet) to any lot line or 4.5 metres to the high water mark.”

57. Section 4.1.9 is renumbered 4.2.9 and amended to read as follows:

**“Garages:** Attached or detached private garages may be erected and used in any yard provided that it is no closer than 2.0 metres (6.5 feet) to any lot line or 30 metres from the high water mark.”

58. Section 4.1.10 b) is renumbered 4.2.10 b) and amended to read as follows:

**“Permitted Uses:** Shoreline structures include: boathouse, boatlift, boatport, dock, gazebo, marine railway, pumphouse, unenclosed free-standing deck, utility shed, and stairs and ramps providing pedestrian access.”

59. Section 4.1.10 c) is renumbered 4.2.10 d) and amended to read as follows:

**“Maximum Width of Shoreline Structures:** The maximum cumulative width of docks, boathouse, boatport, boatlift, and marine railway shall not exceed the following:

- i) 30% of the lot frontage to a maximum of 15 metres (49.2 feet) of the shoreline within the SR1, SR2 and HR Zones;
- ii) 30% of the lot frontage to a maximum of 30 metres (98.4 feet) of the shoreline within the C1, C2 (except marinas) C3 (except marinas) and C4 Zones; and
- iii) 50% of the lot frontage to a maximum of 45 metres (147.6 feet) of the shoreline for marina development within the C2 and C3 Zones.”

60. Section 4.1.10 d) is renumbered 4.2.10 e) and amended to read as follows:

**“Docking Facilities:** A dock, boatlift or marine railway may be erected and used in the required front yard of a lot abutting a shoreline or Original Shore Road Allowance provided:

- i) a minimum setback of 4.5 metres is maintained from the side lot lines and/or the perpendicular projection of the lot line extending 30 metres into the water from the shoreline;
- ii) no part of any docking facilities extends further than 15 metres from the shoreline;
- iii) gazebos, pergolas or other like or similar structures shall not be permitted on a dock; and
- iv) boatlifts shall be located within or adjacent to the permitted dock and/or boathouse and/or boatport.”

61. Section 4.1.10 e) is renumbered 4.2.10 g) and amended to read as follows:

**“Gazebo, Utility Shed and Sauna:** One each of a gazebo, utility shed or sauna may be erected and used in the required front yard of a lot abutting a shoreline provided:

- i) a minimum setback of 4.5 metres is maintained from the high water mark;
- ii) a minimum setback of 4.5 metres is maintained from the side lot lines; and,
- iii) the structure does not exceed 10 square metres in floor area.”

62. A new Section 4.2.10 h) is added, to read as follows:

**“h) Pumphouse:** A pumphouse may be erected and used in the required front yard abutting a shoreline or Original Shore Road Allowance provided:

- i) a minimum setback of 4.5 metres is maintained from the side lot lines;
- ii) the height of the pumphouse does not exceed 2.0 metres; and,
- iii) the pumphouse does not exceed 2.5 square metres in floor area.”

63. A new Section 4.2.10 i) is added, to read as follows:

**“i) Unenclosed Decks:** One freestanding, unenclosed deck may be erected and used within the required front yard abutting a shoreline provided:

- i) a minimum setback of 4.5 metres is maintained from the high water mark, except where such deck is attached to a dock;
- ii) a minimum setback of 4.5 metres is maintained from the side lot lines;
- iii) the deck does not exceed 25 square metres in area; and,
- iv) the deck floor is no more than 1.0 metres from the grade below it.”

64. Section 4.1.11 is renumbered 4.2.11 and amended to read as follows:

**“Sleeping Cabin::** One sleeping cabin may be erected and used on a lot within the Rural (RU) Zone, the Hamlet Residential (HR) Zone, the Rural Residential (RR) Zone, the Shoreline Residential Type One (SR1) Zone, or the Shoreline Residential Type Two (SR2) Zone, where such cabin is accessory to a permitted single detached dwelling, provided:

- i) the total floor area of such cabin does not exceed 45 square metres (485 square feet);
- ii) the height does not exceed 5 metres (16 feet);
- iii) the sleeping cabin does not exceed one storey in height and contains no loft; and,
- iv) the cabin complies with the yard and setback requirements of the Zone in which it is located and is not located to the front of the principal dwelling.”

65. A new Section 4.7 is added, to read as follows:

**“DWELLING UNITS WITHIN NON-RESIDENTIAL BUILDING:** The following regulations apply to regulate accessory dwelling units within a non-residential building where such are permitted as an accessory use:

- i) Accessory dwelling units in a non-residential building may be provided at a rate of one (1) unit per 30 metres of frontage;
- ii) Accessory dwelling units in a non-residential building are not permitted if the lot on which the building is located abuts an Original Shore Road Allowance or the High Water Mark; and,

- iii) Each accessory dwelling unit shall have a minimum of one (1) separate parking space from the non-residential use.”

66. A new Section 4.8 is added, to read as follows:

**“Environmental Protection Area:** Lands zoned “Environmental Protection (EP)” may be included in the calculation of lot area and yard requirements with the exception of lands below the high water mark.”

67. Section 4.7.5 is renumbered 4.10.5 and amended to read as follows:

**“Extensions to Non-Complying Buildings or Structures:** Nothing in this By-law shall prevent the reconstruction, relocation, renovation, enlargement or repair of an existing building or structure that does not comply with the setback, yard, lot coverage or height requirements of this By-law, which existed at the date of passage of this By-law, and which is used for a purpose specifically permitted within the Zone in which such building or structure is located, provided:

- i) there is no increase in the non-compliance;
- ii) with respect to a dwelling or sleeping cabin, any addition maintains the existing setback from the high water mark or 15 metres, whichever is greater;
- iii) if the reconstruction or relocation of a dwelling or sleeping cabin would result in an increase to the gross floor area of the building or structure, that the entire building or structure maintains the existing setback from the high water mark or 15 metres, whichever is greater;
- iv) approval for a sewage disposal system is obtained, where applicable; and,
- v) it is in compliance with all other provisions of this By-law.”

68. Section 4.7.7 is renumbered 4.10.7 and amended to read as follows:

**“Reconstruction Of Damaged Buildings Or Structures:** Nothing in this By-law shall apply to prevent the reconstruction of any lawful non-complying building or structure, which is damaged by causes beyond the control of the owner, provided the height, size or volume of the building or structure is not increased and the reconstruction is initiated within three (3) years of the damage.”

69. A new Section 4.10.8 is added, to read as follows:

**“Two or more Dwellings on a Lot:** Where only one (1) single detached dwelling is permitted on a lot and more than one dwelling exists, no extension or reconstruction of either dwelling is permitted except in accordance with Section 4.10.7 herein.”

70. A new Section 4.11.1 is added, to read as follows:

**“Existing Vacant Undersized Lots:** Notwithstanding any other provision of this By-law to the contrary, where a vacant lot having a lesser lot area and/or frontage than required herein is held under distinct and separate ownership from an abutting lot or lots as shown by a conveyance of title properly registered prior to the date of passing of this By-law or, where such a lot is created as a result of an expropriation, such lot may be used and a building or structure may be erected, provided:

- i) the lot has a minimum lot frontage of 30 metres and a minimum lot area of 0.3 hectares if located with the SR1 or SR2 zone; and,
- ii) all other applicable zone provisions of this By-law are complied with.”

71. Section 4.8.1 is renumbered 4.11.2 and amended to read as follows:

**“Existing Developed Undersized Lots:** Notwithstanding any other provision of this By-law to the contrary, where a lot containing development has a lesser lot area and/or frontage than required herein is held under distinct and separate ownership from an abutting lot or lots as shown by a conveyance of title properly registered prior to the date of passing of this By-law or, where such a lot is created as a result of an expropriation, such lot may be used and buildings or structures may be erected, altered or used on such smaller lot, provided all other applicable zone provisions of this By-law are complied with.”

72. Section 4.9.3 is renumbered 4.12.3 and amended to read as follows:

**“Private Right-of-Way or Navigable Waterway:**

- i) Within the Shoreline Residential Type Two (SR2) Zone, where a lot is accessible by means of a Township road allowance, private right-of-way or crown road providing ingress and egress to a public street or road allowance, the provisions of this By-law



shall not apply to prevent the erection, alteration or a use of a building or structure for a use permitted within the Shoreline Residential Type Two (SR2) Zone.

- ii) Where a building or structure was lawfully used for a purpose permitted within the Zone in which it is located, as of the date of passing of this By-law, and where such building or structure is only accessible by means of a private right-of-way providing ingress and egress to a public street or road allowance, the provisions of this By-law shall not apply to prohibit the extension, enlargement, renovation or reconstruction of such structure.
- iii) Within the Rural (RU) Zone where a lot existed as of the 27<sup>th</sup> of April 1981 and is accessible by means of only a registered private right-of-way or navigable waterway, the provisions of this By-law shall not apply to prohibit the erection, alteration or use of any building or structure for a use permitted within the Rural (RU) Zone.
- iv) Within the Shoreline Residential Type Two (SR2) Zone where a lot is accessible by means of a navigable waterway only, the provisions of this By-law shall not apply to prohibit the erection of a dwelling. For the purposes of this by-law, where a lot fronts upon a shore road or marine allowance, the lot shall be deemed to front upon and be accessible from a navigable waterway.
- v) Notwithstanding the provisions of this Section to the contrary, within the Rural (RU) and Crown Land (CL) Zones, the provisions of this By-law shall not apply to prohibit the erection, alteration or use of a hunt camp.”

73. A new Section 4.12.4 is added, to read as follows:

**“Condominium Access:** Notwithstanding the provisions of Section 4.12.1, where property is developed by condominium description, the lot frontages and access may be on a private road for individual units within the condominium description.”

74. A new Section 4.16 is added, to read as follows:

**“HUNT CAMP:** The following regulations apply to regulate a hunt camp where such use is permitted:

- i) Notwithstanding Section 4.12 of this By-law, a Hunt Camp is permitted without frontage on an improved public street, maintain year round;
- ii) Only one Hunt Camp is permitted per lot; and,
- iii) All buildings and structures are setback 30 metres from any lot line.”

75. A new Section 4.21 is added, to read as follows:

**“OUTDOOR WOOD BURNING FURNACE:** An outdoor wood burning furnace, which is used for the space heating of buildings and structures, is permitted subject to the following requirements:

- i) The minimum setback from any lot line for an outdoor wood burning furnace shall be 30 metres; and,
- ii) The construction or installation of a outdoor wood burning furnace is not permitted without a building permit from the Township and must comply with the manufacturer’s installation instructions.”

76. A new Section 4.22 is added, to read as follows:

**“OUTSIDE DISPLAY OF GOODS AND MATERIALS:** Where outside display of goods and materials is permitted, the following shall apply:

- i) Such outside display shall be accessory to a commercial use carried on in an enclosed building, or portion thereof, on the same lot;
- ii) The area used for outside display shall be in addition to the areas required for parking, loading and landscaping; and,
- iii) The area used for display of goods and materials shall comply with the yard requirements for the zone in which the land is situated.”

77. A new Section 4.23 is added, to read as follows:

**“OUTSIDE STORAGE:** Where outside storage is permitted, the following shall apply:

- i) Outdoor storage shall be located behind the front or exterior wall of the main building facing any street and complies with all yard requirements;
- ii) Any portion of a lot used for outside storage is screened from adjacent uses and streets adjoining the lot by a building, planting strip, and/or fence at least 2.0 metres in height from the ground; and,
- iii) The area used for outside storage shall be in addition to the areas required for parking, loading and landscaping.”

78. Section 4.17 "Parking Space Requirements" is renumbered Section 4.24.

79. The Table to Section 4.17.1 Parking Space Requirements is amended by adding "1 parking space per accessory apartment" for Residential Use.

80. A new Section 4.24.3 is added, to read as follows:

**"Parking Space Size:** A parking space shall have:

- i) A minimum width of 3 metres; and
- ii) A minimum length of 6.0 metres, except for parallel parking, where a minimum length of 6.7 metres is required."

81. A new Section 4.24.10 is added, to read as follows:

**"Barrier-Free Parking Requirements:** Barrier-free parking spaces shall be provided for new commercial development as follows:

- i) At a rate of 1 barrier-free space for every 25 parking spaces required;
- ii) Shall have a minimum width of 3.5 metres and a minimum length of 6.0 metres;
- iii) Shall contain an adjacent 1.75 metre wide aisle that may be shared by two adjacent designated barrier-free spaces;
- iv) Easy access for disabled persons, whether via ramps, depressed curbs or other means and shall be located within easy access distance for the building or complex intended to be accessed; and
- v) Signs to identify barrier-free parking spaces in conformance with the regulations made under the Highway Traffic Act."

82. A new Section 4.28 is added, to read as follows:

**"REFRESHMENT VEHICLES:** Refreshment vehicles shall only be permitted within a Commercial Zone and subject to the following:

- i) Refreshment vehicles shall not be permitted to locate on a municipal road allowance;
- ii) Refreshment vehicles shall not be located within the parking lot of a commercial business, if the result would be a deficiency in parking spaces for the existing commercial use and the refreshment vehicle;
- iii) A minimum setback of 3.0 metres is maintained from all lot lines; and,
- iv) All refreshment vehicles shall not exceed a gross floor area of 10.0 square metres."

83. Section 4.21A is renumbered 4.30 and amended to read as follows:

**"SHORELINE BUFFER:** The required front yard on a lot abutting a watercourse or waterbody or a shore road allowance, shall be maintained as a shoreline buffer as follows:

- i) Within a residential zone, 80% of the area shall be maintained as shoreline buffer; and
- ii) Within a commercial zone, 70% of the area shall be maintained as shoreline buffer.

This provision applies to all lots on which development takes place within 30 metres of the high water mark after (date of passage of By-law)."

84. Section 4.29 "Special Provisions – Crown Lands" is deleted in its entirety.

85. A new Section 4.37 is added, to read as follows:

**"WATERBODY OPEN SPACE (WOS) ZONE:** All lands located below the High Water Mark of a watercourse are zoned Waterbody Open Space (WOS). Where lands below the High Water Mark abut lots zoned Residential and Commercial, only Docking Facilities and Boathouses and Boatports are permitted if they are an accessory use to the permitted uses of the nearest abutting zone above the High Water Mark and subject to the provisions of Sections 4.2.10(e) and 4.2.10(f)."

86. Section 4 is renumbered accordingly.

## **Section 5     ZONE PROVISIONS**

87. Section 5.1 is amended to read as follows:

**“CLASSIFICATION**

The provisions of this By-law apply to all lands within the limits of the Township, which lands, for the purpose of this By-law are divided into various Zones as follows:

<b>ZONE</b>	<b>SYMBOL</b>
<b>Rural Zones</b>	
Rural	RU
<b>Residential Zones</b>	
Hamlet Residential	HR
Rural Residential	RR
Shoreline Residential Type One	SR1
Shoreline Residential Type Two	SR2
<b>Commercial Zones</b>	
Highway Commercial	C1
General Commercial	C2
Recreational Commercial	C3
Commercial/Industrial	C4
<b>Industrial Zones</b>	
General Industrial	M1
Extractive Industrial – Pits	M2
Extractive Industrial – Pits & Quarries	M2A
Waste Disposal Industrial	M3
<b>Miscellaneous Zones</b>	
Community Facility	CF
Crown Land	CL
Open Space	OS
Waterbody Open Space	WOS
Environmental Protection	EP”

**TABLES**

- 88. Table 1A – Permitted Residential & Accessory Uses is amended to read as attached hereto.
- 89. Table 1B – Permitted Non-Residential Uses is amended to read as attached hereto.
- 90. Table 2 – Lot Regulations is amended to read as attached hereto.

**SCHEDULES**

- 91. Schedules 1 to 16 inclusive, including Schedules 1A and 9A are hereby deleted and replaced with Schedules A1 to A2, B1 to B5, C1 to C6, D1 to D7, E1 to E7, F1 to F6, G1 to G5, H1 to H4, I1 to I5, J1 to J5, K1 to K5, L1 to L4, M1 to M5, N1 to N5 and O1 to O3, inclusive as attached hereto.

**IMPLEMENTATION**

- 92. This by-law shall come into force in accordance with the provision of Section 34(18) of the Planning Act.

READ A FIRST and SECOND TIME THIS \_\_\_\_\_ day of \_\_\_\_\_, 2013.

READ A THIRD and FINAL TIME and PASSED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Reeve (Carol Moffatt)

\_\_\_\_\_  
Clerk (Dawn Newhook)

TABLE 1A to By-law No. 2013-

**ALGONQUIN HIGHLANDS ZONING BY-LAW**

**Table 1A - Permitted Residential & Accessory Uses**

	Zones																	
	Environmental Protection (EP)	Open Space (OS)	Waterbody Open Space (WOS)	Rural (RU)	Hamlet Residential (HR)	Rural Residential (RR)	Shoreline Residential Type One (SR1)	Shoreline Residential Type Two (SR2)	Community Facility (CF)	Highway Commercial (C1)	General Commercial (C2)	Recreational Commercial (C3)	Commercial/Industrial (C4)(1)	General Industrial (M1)	Extractive Industrial - Pits (M2)	Extractive Industrial - Pits & Quarries(M2A)	Waste Disposal Industrial (M3)	Crown Land (CL)
<b>RESIDENTIAL USES</b>																		
Dwelling, Single Detached	x(2)			x	x	x	x	x		x(2)		x(2)						
Dwelling, Duplex					x													
Dwelling Unit in a Non-residential Building (2)										x	x	x	x					
Prohibited	x		x						x					x	x	x	x	x
<b>ACCESSORY USES</b>																		
Accessory Apartment				x	x	x												
Bed and Breakfast				x	x	x	x											
Business, Professional or Administrative Office (2)												x	x	x	x	x	x	x
Group Home				x	x	x												
Home occupation				x	x	x	x	x										
Home industry				x	x	x	x											
Outside display of goods & materials (2)										x	x							
Outside storage										x	x	x	x	x	x	x	x	x
Retail commercial (2)													x	x				

**Table 1A to By-law 03-22**

passed the 19th day of June, 2003  
proposed revision July 23, 2013

(1) = Permitted uses are as existing at the date of passage of this by-law, or as established by site specific zoning amendment  
(2) = accessory to a permitted non-residential use only

TABLE 1B to By-law No. 2013-\_\_\_\_\_

**ALGONQUIN HIGHLANDS ZONING BY-LAW**

**Table 1B - Permitted Non-Residential Uses**

Table 1B to By-law 03-22 amended by By-law 08-21 Consolidated July 31, 2008	Zones																	
	Environmental Protection (EP)	Open Space (OS)	Waterbody Open Space (WOS)	Rural (RU)	Hamlet Residential (HR)	Rural Residential (RR)	Shoreline Residential Type One (SR1)	Shoreline Residential Type Two (SR2)	Community Facility (CF)	Highway Commercial (C1)	General Commercial (C2)	Recreational Commercial (C3)	Commercial/Industrial (C4)(1)	General Industrial (MI)	Extractive Industrial Pits (M2)	Extractive Industrial - Pits & Quarries (M2A)	Waste Disposal Industrial (M3)	Crown Land (CL)
<b>NON-RESIDENTIAL USES</b>																		
Aggregate Stockpiling															x	x		
Building Supply Outlet										x					x			
Bulk Storage Tank															x			
Business, Professional or Administrative Office										x	x				x			
Camping Establishment (1)												x (1)						
Cartage or Transport Depot															x			
Cemetery				x					x									
Commercial Self-storage Facility															x			
Community centre				x					x		x							
Conservation	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Contractor's Yard															x			
Day Care Centre				x					x	x	x							
Dry-Cleaning Establishment															x			
Equestrian Facility				x								x						
Equipment Sales & Rental, Heavy															x			
Equipment Sales & Rental, Light										x	x				x			
Farm				x														
Farm Produce Outlet				x						x								
Garden Nursery Sales & Supply Establishment										x								
Golf Course												x						
Golf Driving Range										x		x						
Greenhouse, Commercial				x						x								
Hunt Camp				x														x
Industrial Use															x			
Laundromat, Coin Operated										x	x				x			
Kennel, Commercial				x														
Marina											x	x						
Marine Sales & Service										x	x	x			x			
Medical or Dental Clinic											x							
Motor Vehicle Dealership										x	x							
Motor Vehicle Service Station										x	x				x			
Pit															x	x		
Portable Asphalt Plant				x						x					x	x	x	
Portable Processing Plant															x	x		
Printing or Publishing Establishment										x					x			
Public Use	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Quarry																	x	
Recreational Facility																		
Recreational Vehicle Sales & Service										x		x			x			
Restaurant										x	x	x						
Retail Commercial Establishment										x	x							
Retirement Home										x	x							
Salvage Yard															x			
Saw and/or Planing Mill															x			
School, Commercial									x	x	x							
Service Shop, Light										x	x							
Service Shop, Personal										x	x							
Tourist Establishment										x		x						
Veterinary Clinic				x						x	x							
Warehouse															x			
Waste Disposal Area																		x
Wayside Pit or Quarry															x	x	x	x
Wholesale Establishment										x	x				x			
Workshop															x			
Works Yard															x			

(1) = Permitted uses as existing on the date or passage of this By-law, or as established by site specific zoning amendment

Table 1B to By-law 03-22  
amended by By-law 08-21  
(Consolidated July 31, 2008)  
proposed revision July 23, 2013

TABLE 2 to By-law No. 2013-

**ALGONQUIN HIGHLANDS ZONING BY-LAW**

Table 2 - Lot Regulations

	Zones																	
	Environmental Protection (EP)	Open Space (OS)	Waterbody Open Space (WOS)	Rural (RU)	Hamlet Residential (HR)	Rural Residential (RR)	Shoreline Residential Type One (SR1)	Shoreline Residential Type Two (SR2)	Community Facility (CF)	Highway Commercial (C1)	General Commercial (C2)	Recreational Commercial (C3)	Commercial/Industrial (C4)	General Industrial (M1)	Extractive Industrial - Pits(M2)	Extractive Industrial - Pits & Quarries (M2A)	Waste Disposal Industrial (M3)	Crown Land (CL)
Lot Area (min ha) (1) (8)	(4)	(4)	(4)	2(1)	0.3	2.0	0.4	0.4	0.3	0.3	0.3	0.3	0.4	0.4	1	1	(4)	(4)
Lot Frontage (min m) (8)	(4)	(4)	(4)	90	30	90	60	30	30	30	30	30	30	30	60	60	(4)	(4)
Front Yard (min m)	15	15	n/a	15(5)	10	15	30	30	15	15	15	15	15	15	30	30	100	15
Interior Side Yard (min m)	n/a	3	n/a	15(5)	3	3	6(3)	6(3)	8	6(6)	6(6)	6(6)	6(6)	3	15(7)	15(7)	100	15
Exterior Side Yard (min m)	n/a	15	n/a	15(5)	10	15	12	12	15	15	15	15	15	15	30	30	100	15
Rear Yard (min m)	n/a	12	n/a	12(5)	10	12	12	12	12	12	12	12	12	12	15(7)	15(7)	100	15
Setback from High Water Mark	n/a	30	n/a	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30
Single Detached Dwelling Unit																		
Area - (min m2)	n/a	74	n/a	74	74	74	74	74	n/a	74	74	74	n/a	n/a	n/a	n/a	n/a	n/a
Lot coverage (max%)	n/a	20	n/a	20	30	15	15	15	40	25	25	40	25	25	10	10	n/a	n/a
Landscaped Open Space (min %)	n/a	30	n/a	n/a	30	30	30	30	30	10	10	10	10	10	10	10	n/a	n/a
Single Detached Dwellings per lot	0	1	0	1	1	1	1	1	0	1	0	1	0	0	0	0	0	0
Accessory Dwellings Units per lot (max number)	0	0	0	1	1	1	0	0	(2)	(2)	(2)	(2)	(2)	0	0	0	0	0

(1) = minimum lot size is reduced to 1 acre for crown lots sold for hunt camps

(2) = Refer to Section 4.7

(3) = side yards may be reduced to 3m on lots that existed prior to the passage of this by-law

(4) = as existed on date of passage

(5) = increase to 50 m if for a kennel

(6) = increase to 10 m if abutting a residential zone

(7) = increase to 20 m if abutting a residential zone

(8) = as existed on date of passage for lots on the following lakes: Bear Lake, Beech Lake, Clinto Lake (Hardwood Lake), Eighteen Mile Lake, Fletcher Lake, Kabakwa Lake, Kushog Lake - North and South Basins, Livingstone Lake, Maple Lake, McFadden Lake (Crozier Lake), Oxtongue Lake, Nunikani Lake

m = metres  
 ha = hectares  
 m2 = square metres  
 min = minimum  
 max = maximum

Table 2 to By-law 03-22  
 passed the 19th day of June, 2003  
 proposed revisions July 23, 2013