

EXPLANATORY NOTE

By-law No. 10-85 The Township of Tarbutt and Tarbutt Additional is a Comprehensive Zoning By-law applying to all the lands within the Township boundaries.

The purpose of the by-law is to restrict the use of lands and buildings within the Township to those uses adopted by Council by By-law No. 10-85 passed on November 4th 1985.

The effect of the by-law will be to ensure that the changes in the use of land, and new buildings or structures within the Township will take place in accordance with a set of regulations. The by-law does not interfere with the continued use of lands or buildings which were being used for any purpose on the day of the passing of the by-law Council. The by-law also permits the use of all lots created before the by-law was passed if they meet other standards and regulations of the by-law.

TAKE NOTICE that the Council of the Corporation of the Township of Tarbutt and Tarbutt Additional passed By-law 10-85 on the 4th day of November 1985 under section 34 of The Planning Act. A copy of the By-law is furnished herewith a note giving an explanation of the purpose and effect of the By-law and stating the lands affected thereby is also furnished herewith.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the By-law by filing with the Clerk of the Corporation of the Township of Tarbutt and Tarbutt Additional not later than the 9th day of December, 1985 a Notice of Appeal setting out the objection to the By-law and the reason in support of the objection.

The Ontario Municipal Board may approve the said By-law but before doing so it may appoint a time and place when any objection to the By-law will be considered. Notice of any hearing that may be held will be given only to persons who have filed an objection or notice of support and who have left with or delivered to the Clerk undersigned, the address to which the notice is to be sent and similarly, to any person who has filed a request for a change in the provisions of the By-law.

The last date of filing objections will be the 9th day of December, 1985.

Dated at the Township of Tarbutt and Tarbutt Additional this is 15th day of November, 1985.

Pilvi Court,
Clerk Treasurer
Municipality of Tarbutt
and Tarbutt Additional
R. R. # 1
Desbarats, Ontario
P0R 1E0

**THE CORPORATION OF THE TOWNSHIP OF
TARBUTT AND TARBUTT ADDITIONAL
BY-LAW NO. 10-85**

Being a by-law to provide for the regulation of land and the erection, character, use and location of buildings and structures in the municipality of the Township of Tarbutt and Tarbutt additional.

WHEREAS authority is granted under Section 34 of The Planning Act, 1983, and;

WHEREAS it is deemed necessary and expedient to pass a by-law to regulate the use of land and the erection, character, use and location of buildings and structures in the municipality of the Township of Tarbutt and Tarbutt Additional.

NOW THEREFORE, THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF TARBUTT AND TARBUTT ADDITIONAL ENACTS AS FOLLOWS:

**SECTIONS 1 – INTERPRETATION,
ADMINISTRATION, ENFORCEMENT**

- 1.1 “Title” – this by-law may be cited as “The Zoning By-law of the Township of Tarbutt and Tarbutt Additional”.
- 1.2 “Defined Area” – this by-law applies to all lands within the Municipality of the Township of Tarbutt and Tarbutt Additional save and except those lands to which Restricted Area By-laws Number 3-79 applies.
- 1.3 “Interpretation” – for the purposes of this by-law, the definitions and interpretations given herein shall govern.
- 1.4 “Administration” – this by-law shall be administered by a person designated from time to time, by the Council, as Zoning Administrator, or by such person as is from time to time, appointed by Council to do so.
- 1.5 “Compliance with Zoning By-law” – no person shall use land, undertake any development, construct, reconstruct or use any building or structure except in conformity with the regulations controlling the use, this by-law and The Planning Act. Nothing in this by-law shall be construed to exempt any person from complying with the requirements of any other by-law of the Township of Tarbutt and Tarbutt Additional or of any law of the Province of Ontario, or of Canada.

- 1.6** “Enforcement” – any person who is convicted of a breach of any provisions of this by-law shall be forfeit and pay, at the discretion of the convicting Justice, a penalty of not less than \$100.00 and not exceeding (exclusion of costs) the sum of One Thousand Dollars (\$1,000.00) for each offense. Every such fine shall be recoverable under the Summary Convictions Act, R.S.O. 1970, Chapter 450 as amended from time to time, all of the provisions of which apply.
- 1.7** “Validity” – should any section, clause or provision of this by-law be held by a court of competent jurisdiction to be invalid, the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this by-law shall not be affected.
- 1.8** “Repeal of Existing By-laws” – all existing Restricted Area (Zoning) By-laws save and except By-law 3-79 and 7-81 of the Township of Tarbutt and Tarbutt Additional are hereby repealed.
- 1.9** “Effective Date” – this by-law shall take effect from the date of its passage by the Council of the Township of Tarbutt and Tarbutt Additional and shall come into force upon approval by the Ontario Municipal Board.

SECTION 2 – DEFINITIONS

- 2.1** “Definitions” – for the purpose of this By-law, the definitions and interpretations given in this section shall govern. Words used in the present tense include the future, words in the singular number include the plural, and words in the plural include the singular number. The word “shall” is mandatory. The words “used” and “occupied” shall include the words “intended and/or arranged and/or designed to be used or occupied”.
- 2.2** “Accessory” – shall mean a use, separate building, or structure, normally 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 used for human habitation.
- 2.3** “Agricultural Use” – shall mean a use of land, buildings or structures for farming activities involved in food livestock production and including activities directly related to farming such as livestock assembly points, grain drying, animal husbandry services, storage for fresh product, custom machinery operations, and sprayers.
- 2.4** “Building” – shall mean a structure used for the shelter or accommodation of persons, animals, goods or chattels, or equipment, having a roof which is supported by columns or walls and including any tents, awnings and carports.
- 2.5** “Council” – shall mean the Council of the Corporation of the Township of Tarbutt and Tarbutt Additional.

- 2.6** “Dwelling Unit” – shall mean one or more habitable rooms that may be used as a permanent residence, each unit having separate cooking and sanitary facilities, and each having separate cooking and sanitary facilities, and each having private entrance from outside the dwelling or from a common hall or stairway. This definition shall not include motor home or travel trailer.
- 2.7** “Dwelling Unit, Accessory” - shall mean dwelling unit which is:
- a) occupied either by the owner or tenant of the non-residential use or by those employed in the operation; and
 - b) located on the same lot as the non-residential use.
- 2.8** “Dwelling Unit, Seasonal” – shall mean a dwelling unit used as a secondary place of residence for seasonal vacations and/or recreational purposes and not as the principal residence of the owner or occupant thereof.
- 2.9** “Existing” – shall mean existing on the effective date of this by-law.
- 2.10** “Floor Area” – shall mean the sum of the horizontal areas of the floors of a building that are at or above finished grade level, measured between the exterior faces of the exterior walls, or from the centre live of any common or party wall, but excluding any attic, private garage, breezeway, porch, veranda, balcony, or similar appurtenant structure.
- 2.11** “Forestry Use” – shall mean the general raising and harvesting of wood without limiting the foregoing shall include raising and cutting of fuel wood, pulpwood, lumber, Christmas trees, and other forestry products.
- 2.12** “Frontage” – shall mean the horizontal distance between the side lot lines of a lot, measured along a straight line six metres back from the parallel to a line joining the intersections of the two side lot lines with the front lot line.
- 2.13** “Health Authority” – shall mean a Medical Officer of Health or any branch of a Ministry of the government of the Province of Ontario that has the responsibility of approving waste and water systems.
- 2.14** “Lot” – shall mean a parcel of land that is described in a deed or other document legally capable of conveying land, or shown as a lot or block on a registered plan of subdivision.
- 2.15** “Back Lot” – shall mean a lot located on the side of a street or road directly opposite the rear lot line of shoreline lots.
- 2.16** “Lot Area” – shall mean the total horizontal area within the lot lines of a lot.

- 2.17** “Lot Coverage” – shall mean the percentage of the lot area covered by all building or structures situated on the lots, calculated using the ground floor area of such buildings or structures.
- 2.18** “Lot Line” – shall mean any boundary of a lot.
- 2.19** “Lot Line, Front” – shall mean the lot line that divides the lots from the street upon which it abuts. With regard to a shoreline lot, the front lot line shall be that adjacent to the water.
- 2.20** “Lot Line, Rear” – shall mean the lot line farthest from or opposite to the front line.
- 2.21** “Lot Line, Side” – shall mean a lot line other than a front or rear lot line.
- 2.22** “Obnoxious Use” – shall mean an offensive trade within the meaning of the Public Health Act of any use which is offensive or dangerous by reason of the emission of odor, smoke, dust, noise, gas, fumes, vibrations, or refuse matter.
- 2.23** “Home Occupation Use” – shall mean any occupation which is carried on as a accessory use and only by members of the one family residing in a dwelling or dwelling unit, not including commercial, automobile or commercial vehicle repair, sales, storage, or parts repair or sale.
- 2.24** “Person” – shall mean an individual, association, firm, partnership, corporation, trust, organization, trustee or agent, and the heirs, executors, or legal representatives of the person to whom the context can apply according to law.
- 2.25** “Restaurant” – shall mean a building or part of a building where food is offered for sale for sale or sold to the public primarily for immediate consumption therein.
- 2.26** “Single Family” – shall mean, when used to describe dwelling, a separate building containing only on dwelling unit but does not include a mobile home.
- 2.27** “Street” – shall mean a public highway that is a principle means of access to abutting lots that is under the jurisdiction of the Province of Ontario or the Township of Tarbutt and Tarbutt Additional, or is a road within a registered plan of subdivision.
- 2.28** “Structure” – shall mean anything that is erected, built or constructed of parts joined together, the use of which requires locations on the ground, or attached to something having location on the ground.
- 2.29** “Use” – shall mean when used as a noun, means the purpose for which any land, building, or structure or premises, or part of combination thereof, is arranged designed or intended to be used and “uses” shall have a corresponding meaning, “use” when used as a verb or “to use” shall have a corresponding meaning.

- 2.30** “Wayside Pit or Quarry” – shall mean a temporary pit or quarry opened and used by a public road authority solely for the purpose of extracting granular and consolidated material for a particular project or contract of road construction and not located on the road right-of-way.
- 2.31** “Yard, Front” – shall mean an open unoccupied space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest wall of the main building or structure on the lot.
- 2.32** “Yard, Rear” – shall mean a yard extending across the full width of a lot between the rear lot line and the nearest main wall of any main building or structure on the lot.
- 2.33** “Yard, Side” – shall mean a yard extending from the front yard to the rear yard of a lot and between a side lot line and the nearest main wall of any main building or structure on the lot.
- 2.34** “Yard” – shall mean an open, uncovered space on a lot appurtenant to a building and unoccupied by buildings or structures, except as may be permitted in this by-law and in determining yard measurements, the minimum horizontal distance from the respective lot line is to be used.
- 2.35** “Zone” – shall mean an area or district of land as shown on the maps identified as schedules to this by-law and which is subject to the regulations of this by-law.

SECTION 3 – GENERAL PROVISIONS

- 3.1** “Applications” – the provisions of this section apply in all zones except as may be indicated otherwise.
- 3.2** “Zoning Maps and Regulatory Table” –
- a) The Township is divided into the zones as shown on the zoning maps which are attached as Schedule A to this By-Law and which are hereby declared to be part of this By-Law.
 - b) Table 1, attached hereto is hereby declared to be part of this By-Law.
 - c) The following zones are established:

Agricultural	(A Zone)
Rural Residential	(R Zone)
Shoreline Residential	(SR Zone)
Island Development	(I Zone)
Natural Resource	(NR Zone)
Summer Cottage	(SC Zone)

3.3 “Determining Zoning Boundaries” –

1. A zone boundary shown approximately at a lot, street or lane is at the boundary of the lot, street or lane.
2. A zone boundary shown approximately in the centre line of a street or lane, is at the centre line of the street or lane.
3. 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 zoning map.
4. A zone boundary shown following approximately a shore line or the center line of a creek, stream or channel follows the shore line or centre line and moves with any change in such shore line.

3.4 “Scope of the By-Law” – “Non Conforming Uses” – nothing in this by-law shall prevent:

1. the use of any land, building or structure for any purpose prohibited by the by-law is such land, building or structure was lawfully used for such purpose on the day of the passing of this by-law;
2. the erection or use of any building or structure for a purpose prohibited by the by-law, the plans for which have, prior to the day of the passing of the by-law, been approved by the building inspector, 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 erection of such building or structure is commenced within two (2) years after the day of passing of the by-law and such building or structure is completed within twenty-four months after the erection thereof is commenced;
3. the strengthening or restoration to a safe condition of a building, structure or any part thereof which is used for a use, or in a manner, not conforming or complying with the provisions of his by-law for the zone in which it is located, so long as the strengthening or restoration does not alter the height, size or volume.

3.5 “Existing Buildings on non Conforming Lots” – where a building has been erected prior to the date that is by-law comes into force on a lot having less than the minimum frontage or area, or having less than the minimum front, side, or rear yard required by this by-law, the building may be enlarged, reconstructed, repaired, or renovated provided that:

a) the enlargement, reconstruction, repair or renovation does not further reduce the yard requirements of this by-law.

b) All other applicable provisions of this by-law are satisfied.

3.6 “Existing Vacant Undersized Lots” – a vacant lot held in separate ownership from adjoining parcels on the effective date of this by-law, having less than then minimum lot frontage or lot are required by this by-law, may be used for a purpose permitted in the zones in which the lot is located and buildings may be erected on the lot provided that all other applicable provisions of this by-law are satisfied.

3.7 “Reduction of Lot Areas” – no lot area shall be so diminishing that the required yards of other open spaces shall be smaller than prescribed in this by-law.

When any part of a lot is required by this by-law to be reserved as a yard or other open space, it shall continue to be so reserved.

3.8 “Frontage on a Public Road” – no person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected fronts upon an open public street publicly maintained year round subject to the following exceptions:

a) Existing lots of record, zoned I Island may derive access by water only.

b) Existing lots of record at the date of adoption of this by-law in the SC Summer Cottage Zone may derive access from a private right-of-way, if such right-of-way can be legally registered on title for the full length from the lot to an existing public street.

c) Where lots are in a SR Shoreline Residential Zone, the front lot line is adjacent to the water; one other lot line must abut an open public street.

d) Existing lots of record at the date of adoption of this by-law in a SC Summer Cottage Zone must abut a public street or private right-of-way that is not maintained year round.

3.9 “Buildings Per Lot” – not more than one dwelling, together with accessory buildings shall be erected or placed on a single lot except in the agricultural zone where a second dwelling may be erected to provide accommodation for farm labourer or his/her family.

- 3.10** “Moving of Buildings” – no building or structure shall be moved onto any lot unless its erection and use is permitted by this by-law.
- 3.11** “Setbacks on Provincial Highways” – where a building or structure is located adjacent to a provincial highway, setbacks shall be provided and maintained in accordance with the requirements of the Ministry of Transportation and Communications, where such requirements are in excess of those required by this by-law.
- 3.12** “Lots Abutting Waters” – where a lot abuts a lake or river, a boathouse, dock, or wharf may be located in the front yard, side yard or rear yard provided, however, that the approval of any other government authority having jurisdiction has been obtained and provided the boathouse, dock, or wharf is not located closer than 3 metres to the side lot line or does not encroach on the adjacent frontage when the lot boundaries are extended into the water.
- 3.13** “Lake Huron Floodline” – no habitable structure shall be permitted to be erected or placed on any part of a lot below the Lake Huron floodline established as elevation 178.3m Geodetic Survey Datum and for existing buildings or structures, no opening shall be permitted below 178.3, Geodetic Survey Datum. In addition, no fill or removal of fill shall be permitted on any lot along the Lake Huron shoreline that may have the effect of modifying the shoreline.
- 3.14** “Servicing” – prior to any development or redevelopment, a water supply system and a sewage disposal system shall be required to be approved by the health authority having jurisdiction. The minimum size of lot to accommodate an individual well and septic tank shall be 1,380 metres squared.
- 3.15** “Public Uses Permitted” – the provisions of this by-law shall not apply to the use of any land or the erection or use of any building or structure for the purpose of public service by the municipality or any department of the Government of Ontario and Canada, including Great Lakes Power or any telephone, telegraph or gas company, including Trans Canada Pipelines, and such use or erection may be permitted provided that the lot size and coverage and yard regulations required for the zone in which such land, building or structure is located are complied with. No government or department thereof shall be allowed to dump nuclear wastes or toxic waste materials as defined by the Ministry of the Environment in the Township.
- 3.16** “Temporary Uses” – a tool shed, scaffold, or other building or structure incidental to construction on the lot where it is situated may be maintained on such lot where construction work is in progress for as long as it is necessary for such work, but this section ceases to apply where there is an abandonment or completion of such work.

3.17 “Multiple Uses” – where any land or building is used for more than one purpose, all provisions of this by-law relating to each use shall be satisfied. Where there is conflict such as in the case of lot size or lot frontage, the higher or more stringent standards shall prevail.

3.18 “Obnoxious Uses” – notwithstanding anything contained in this by-law, no land or building in any zone shall be used for any purpose which from its nature or from the material used is under The Public Health Act or regulations there under declared to be a noxious trade, business or manufacturing, without the consent of the local Medical Officer of Health as provided in The Public Health Act.

3.19 “Wayside Pits or Quarries” – the Minister of Transportation and Communications, the Township of Tarbutt and Tarbutt Additional and their agents and contractors may sue any land in the Rural or Agricultural Zone for the purpose of a wayside pit or quarry provided that no wayside pit shall be opened within 46 metres of a road allowance of a public road nor within 60 metres of a residential property and that on completion of the particular project or contract or road construction, the land is to be restored to a condition compatible with the surrounding terrain.

3.20 “Accessory Uses” –

- a) any use necessary to a lawful use of the Zoning By-law is a permitted use.
- b) No accessory building may be located in a minimum front or side yard. Where an accessory building is erected in the rear yard on a corner lot, it shall not be located closer to a street than the minimum setback for the main building from that street
- c) Accessory buildings shall not exceed 5% of total lot area.
- d) Accessory buildings shall be no more than 6m in height in the R., S.R., S.C. or I zones, and 2 storeys in the A. and N.R. zones.
- e) Accessory buildings shall be set back a minimum of 3m from the lot line in the R., S.R., S.C. and I zones, and 7m in an A zone.

3.21 “Permitted Yard Encroachments” – the following yard encroachments shall be permitted:

- a) Unenclosed porches, window sills, cornices, chimneys, pilasters, eaves, gutters and similar non-structural architectural features may project no more than a distance of 0.5 metres into any minimum yard.
- b) Swimming pools to conform with minimum lot line setback requirements and be enclosed with fencing of a minimum height of 1.5 metres.

- 3.22** “Uses Permitted in All Zones” – the following uses shall be permitted in all zones:
- a) Existing uses, buildings or structures and enlargements thereto provided that prior to enlargement, the approval of the health authority is obtained and provided that the lot coverage does not exceed 50%.
 - b) Conservation area uses, or protective measures.
- 3.23** “Minimum Dimension of Rear Lot Line” – where the frontage of a lot is deemed to be the water’s edge, the rear lot line shall not be less than 7.5m.
- 3.24** “Prohibited Uses” – development on any back lot is prohibited.
- 3.25** “Separation Between Agricultural and Non-Agricultural Uses” – where a non-agricultural use is established or expanding in close proximity to existing livestock buildings or where livestock facilities are being constructed, enlarged or remodeled near existing non-agricultural use, the standard separation distance between the existing and proposed use shall be a minimum of 150 metres or the distance prescribed by the Minimum Distance Separation formula of Agricultural Code of Practice whichever distance is smaller.

SECTION 4 – ZONE REQUIREMENTS

- 4.1** “Agricultural Zone” – no person shall hereafter use or permit the use of land, building or structure and no person shall erect or permit the erection of any building or structure in the Agricultural Zone except in accordance with the following provisions.
- 4.2** “Permitted Uses” –
- i) Agricultural Use – includes, field crops, truck gardening, flower gardening, nurseries, orchards, diary farming, tree farming, etc. Also included are farms for the frazing, breeding, raising or training of horses, dog kennels or breeding, boarding or sale of dogs and any other similar use or enterprise (for example) sale of farm produce costumarily carried on as part of the field of general agriculture, any form of domestic livestock or poultry.
 - ii) Residential Use- (a) farm related residential dwellings as defined in Section 4.4
 - iii) Commercial Use – normally a part of the rural agricultural function, for example, riding stables, veterinary establishments.
 - iv) Institutional Use – such as schools and churches
 - v) Accessory Use – such as private garages, barns, stables, recreational buildings, greenhouses and any other similar use.

vi) Home Occupation

4.3 “Regulations” – the regulations respecting lot size, frontage, coverage, and yards are shown on Table 1 Zone Regulations

SCHEDULE TABLE 1 – ZONE REGULATIONS							
ZONE	LOT FRONTAGE	LOT AREA	FRONT YARD	REAR YARD	SIDE YARD	MAX. HEIGHT	MAX. COVERAGE
A.	45m	4,046m ²	15m	15m	8m	3 storey or 9m	15%
R. (Residential)	45m	1,390m ²	15m	10m	6m	2 storey or 6m	25%
(Non-Residential)	90m	12,140m ²	15m	15m	7.5m	3 storey or 9m	25%
S.R.	30m*	2,760m ²	15m*	4,5m	2.5m	2 storey or 6m	15%
S.C.	30m*	2,760m ²	15m*	4.5m	2.5m	2 storey or 6m	15%
I	60m*	4,046m ²	15m*	15m	8m	2 storey or 6m	15%
R. (Birch Hill Subdivision)			8m	8m	1.5m		
* Measured from the high water mark.							

- 4.4** Farm related residential dwelling is a dwelling which is used by the farm owner or used by full time farm help or used by the retiring farmer or a seasonal dwelling on a single agricultural lot existing as of the date of adoption of this by-law.

SECTION 5 – RURAL RESIDENTIAL ZONE

- 5.1** “Rural Residential Zone” – no person shall hereafter use or permit the use of land, building or structure and no person shall erect or permit the erection of any building or structure in the Rural Residential Zone except in accordance with the following provisions.

- 5.2** “Permitted Uses” –

a) Residential –

- one single family detached dwelling per residential lot.
- home occupation

- b) Agricultural – agricultural uses allowed in the Rural Residential Zone include field crops, truck gardening, nurseries, orchards, dairy farming, tree farming, farms for the grazing, breeding, or sale of farm animals and any other similar uses or enterprises customarily carried on in the field of general agriculture.

- c) Recreational – parks, playgrounds, community centre, and recreational buildings and other similar uses.

d) Institutional –

- Churches, seminaries, schools and residential uses in connection with uses permitted herein
- A cemetery, mausoleum columbarium, together with any chapel or other building appurtenant and incidental to said use including a crematorium, shall be permitted provided a license has been obtained in accordance with the “Cemetery Act”, R.S.O. 1970, Chapter 57 and amendments thereto.

e) Commercial –

- Stables, riding academies, kennels or boarding establishments of domestic animals, animal hospitals and veterinary establishments, storing of farm vehicles and machinery used on the premises, storing of motor vehicles, provided that the number of vehicles stored does not exceed four.
- Those retail stores, offices, restaurants and motel uses existing as of the day of the passing of this By-law.
- Municipal offices, Town Hall, and other municipal buildings.

- f) Accessory Buildings (Recreational) and Uses – private garages. Recreational buildings, greenhouses, swimming pools, and private parks, if not used for commercial purposes and any other similar use.
 - g) Accessory Buildings (Agricultural) and Uses – barns, stables, and agriculturally oriented buildings.
- 5.3** “Regulations” – the regulations respecting lot size, frontage, coverage and yards are shown on Table 1 Zone Regulations.

SECTION 6 – SHORELINE RESIDENTIAL ZONE

- 6.1** “Shoreline Residential Zone” – no person shall hereafter se or perit the use of land, building or structure and no person shall erect or permit the erection of any building or structure in the Shoreline Residential Zone except in accordance with the following provisions.
- 6.2** “Permitted Uses” –
- One residential dwelling per lot.
 - Community centers, parks, playgrounds, recreational buildings and other similar uses intended to serve seasonal residence.
 - Accessory uses such as boat houses, out houses, docks, steam bath huts, utility sheds and other similar type accessory uses.
- 6.3** “Regulations” – the regulations respecting lot size, frontage, coverage, and yards are shown on Table 1 Regulations.

SECTION 7 – SUMMER COTTAGE ZONE

- 7.1** “Summer Cottage Zone” – no person shall hereafter use or permit the use of land, building or structure and no person shall erect or permit the erection of any building or structure in the Summer Cottage Zone except in accordance with the following provisions.

7.2 “Permitted Uses” –

- One seasonal dwelling unit.
- Parks, playgrounds, recreational buildings, and other uses intended to serve seasonal residence.
- Existing permanent residential dwellings on the day of the passing of this By-law.
- Accessory uses such as boat houses, out houses, dokcs, steam bath huts, utility sheds and other similar type accessory uses.

7.3 “Regulations” – the regulations respecting lot size, frontage, coverage, and yards are shown on Table 1 Zone Regulations.

SECTION 8 – ISLAND ZONE

8.1 “Island Zone” – no person shall hereafter use or permit the use of land building or structure and no person shall erect or permit the erection of any building or structure in the Island Zone land except in accordance with the following provisions.

8.2 “Permitted Uses” –

- Seasonal dwelling unit.
- Accessory to the above

8.3 “Regulations” – the regulations respecting lot size, frontage, coverage, and yards are shown on Table 1 Zone Regulations.

SECTION 9 – NATURAL RESOURCE ZONE

9.1 “Natural Resource Line” – no person shall hereafter use or permit the use of land, building or structure and no person shall erect or permit the erection of any building or structure in the Natural Resource Zone land except in accordance with the following provisions.

9.2 “Permitted Uses” –

- The extraction of sand and gravel.
- Stone crushing.
- A contractor’s yard when accessory to the operation of the pit.
- An accessory use.

9.3 “Lot Regulations” –

- Minimum Lot Area: 4 ha
- Minimum Set Back: (a) From any street – 45m
(b) From any lot line – 30m

SECTION 10 – EXCEPTIONS

10.1 “Exceptions” – where a lot having a frontage or area less than is required herein was held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry or Land Titles Office at the date of the passing of this By-law, and such lot continues to be so held such lot may be used and a building or structure may be erected, altered or used on such smaller lot provided that the owner complies with all other requirements of this By-law.

The minimum size of lot to accommodate an individual well and septic tank shall be 1,380 metres squared.

SECTION 11- ADMINISTRATION AND INSPECTION

11.1 “Administration and Inspection” – this By-law shall be administered by the person or persons so designated from time to time by the Council and such person or persons are hereby authorized to enter at all reasonable house upon any property or premises for the purpose of carrying out his duties under this By-law.

11.2 “Application for Building Permit” – in addition to the requirements of the Building By-law, application for a Building Permit shall be accompanied by plans in duplicate drawn to an acceptable scale. Such drawing to scale shall indicate all existing structures proposed as part of the application. Upon satisfactory meeting all provisions of this By-law, prior to issuance of a Building Permit, where applicable, approval of an adequate water and sewage system, from the Algoma Health Unit and Ministry of the Environment is required.

11.3 “Penalty” – any person who contravenes this By-law is guilty of an offense and liable upon summary conviction to a penalty not exceeding One Thousand Dollars (\$1,000) exclusive of costs. Each day of continuing breach of this By-law shall constitute a separate offense. The penalties herein provided shall be recoverable under the Summary Convictions Act.

11.4 “Conflict with Other By-laws” – in the event of conflict between this By-law and any other By-law this By-law shall prevail.

11.5 “Effective Date” – this By-law shall not come into force without the approval of the Ontario Municipal Board, but subject to such approval, shall take effect from the passing thereof.

PASSED in Open Council this 4th day of November, 1985.

FIRST READING: November 4th, 1985

SECOND READING: November 4th, 1985

THIRD READING: November 4th, 1985