

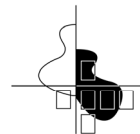
TOWNSHIP OF MINDEN HILLS

ZONING BY-LAW 06-10

February 23, 2006

Approved by the Ontario Municipal Board August 9, 2006

**Office Consolidation
December 2025**



PLANSCAPE
Building Community Through Planning
Bracebridge, Ontario

Township of Minden Hills Zoning By-law 06-10

Table of Contents

Section 1 : ADMINISTRATION AND INTERPRETATION.....	1
1.1 TITLE:	1
1.2 APPLICATION:	1
1.3 ZONE SCHEDULES AND FIGURES:.....	1
1.4 ADMINISTRATION:	1
1.5 INTERPRETATION:.....	1
1.6 ZONE SYMBOLS:.....	1
1.7 EXCEPTION ZONES:.....	1
1.8 OVERLAY ZONES:.....	1
1.9 TEMPORARY USE ZONES:.....	2
1.10 HOLDING PROVISIONS:.....	2
1.11 INTERPRETATION OF ZONE BOUNDARIES:	2
1.12 ZONING OF ISLANDS:	2
1.13 HEADINGS AND USE OF FIGURES:.....	2
1.14 TECHNICAL REVISIONS TO THE ZONING BY-LAW:.....	2
1.15 ROAD CLOSINGS:.....	3
1.16 SEVERABILITY:.....	3
1.17 EFFECTIVE DATE:	3
1.18 REPEAL OF FORMER BY-LAWS:.....	3
1.19 OBLIGATION:.....	3
1.20 UNLAWFUL USES:	3
1.21 INTERPRETATION OF ROADS AND ROAD ALLOWANCES:	3
1.22 PREVIOUS COMMITTEE OF ADJUSTMENT DECISIONS:	3
1.23 TRANSITION PROVISIONS:	3
Section 2 : COMPLIANCE WITH THE BY-LAW	5
2.1 COMPLIANCE:	5
2.2 REQUIREMENTS:	5
2.3 CHANGE IN LOT SIZE:	5
2.4 CHANGE IN USE:.....	5
2.5 PUBLIC ACQUISITION:.....	5
2.6 BUILDING AND OTHER PERMITS:	5
2.7 ENFORCEMENT:	5
Section 3 : DEFINITIONS	6
Section 4 : GENERAL PROVISIONS	25
4.1 ACCESSORY BUILDINGS, STRUCTURES AND USES	25
4.2 ADDITIONAL DWELLING UNITS:	30 ²⁹
4.3 ASPHALT PLANT, PORTABLE:	31 ³⁰
4.4 BOATHOUSES AND BOATPORTS:	31 ³⁰
4.5 CONSTRUCTION USES (TEMPORARY):	32 ³⁰
4.6 DWELLING UNIT:.....	32 ³⁰
4.7 ESTABLISHED BUILDING LINE:	32 ³⁰
4.8 EXISTING BUILDINGS, STRUCTURES AND USES	32 ³⁴
4.9 EXISTING LOTS	33 ³²
4.10 FRONTAGE REQUIREMENTS.....	34 ³²

4.11	GARDEN SUITES:	35 33
4.12	HAZARD LAND – AREA AND FRONTAGE:	35 33
4.13	HEIGHT OF BUILDINGS:	35 33
4.14	HOME OCCUPATION:	35 33
4.15	HOME INDUSTRY:	36 34
4.16	HUNT CAMP:	36 35
4.17	INDUSTRIAL USES:	37 35
4.18	LIGHTING:	37 35
4.19	LOADING SPACE REGULATIONS:	37 35
4.20	MINIMUM DISTANCE SEPARATION – AGRICULTURAL USES:	38 36
4.21	MULTIPLE USES ON ONE LOT:	38 36
4.22	MULTIPLE ZONES ON ONE LOT:	38 36
4.23	NOXIOUS USES:	38 37
4.24	PARKING AREA REQUIREMENTS	38 37
4.25	PITS AND/OR QUARRIES:	42 41
4.26	PLANTING STRIP REGULATIONS	42 41
4.27	PROHIBITED USES	43 41
4.28	PUBLIC USES	43 42
4.29	REDUCTION OF REQUIREMENTS:	44 43
4.30	SIGHT TRIANGLES:	44 43
4.31	SIGNS:	44 43
4.32	SPECIAL REGULATIONS – Resort Establishments	45 43
4.33	SPECIAL REGULATIONS – Camping Establishment or Recreational Institutions	45 43
4.34	SPECIAL SETBACK REQUIREMENTS FROM A WATERCOURSE: ..	45 43
4.35	SPECIAL SETBACK REQUIREMENT FROM A PRIVATE ROAD OR PRIVATE RIGHT-OF-WAY:	45 43
4.36	SPECIAL YARD REQUIREMENTS FOR THROUGH LOTS:	45 44
4.37	TRAILER OR MOBILE HOME PARKS:	45 44
4.38	TRUCK, BUS, COACH BODIES AND DERELICT VEHICLES:	46 44
4.39	ZONING OF ISLANDS AND LANDS COVERED BY WATER	46 44
Section 5	: ZONE PROVISIONS	47 45
5.1	Classification	47 45
5.2	ZONE PROVISIONS	47 45
5.3	ZONE PROVISIONS APPLICABLE TO SPECIFIC USES OR OVERLAY ..	57 54
5.4	EXCEPTIONS TO ZONES	59 56
Section 6	: ENACTMENT	144 141

and accessories, plumbing tools and accessories, pumps, scaffolding, welding equipment and other similar tools and appurtenances are offered or kept for sale, rent, lease, or hire, under agreement, for compensation.

- 3.51 **ERECT:** Set up, place, locate, build, construct, reconstruct or relocate, and, without limiting the generality of the work, also includes:
- any preliminary physical operation, such as excavating, filling or drainage;
 - altering any existing building or structure by an addition, enlargement, extension, relocation or other structural change;
 - any work for the doing of which a Building Permit is required under The Building Code Act and Regulations; and,
 - erect, erected, and erection shall have a corresponding meaning.
- 3.52 **EXISTING:** In existence on the date of passing of this by-law.
- 3.53 **FARM:** Land used for the growing of crops including nursery and horticultural crops, the raising of livestock and other animals for food or fur, aquaculture, apiculture, agro-forestry, or maple syrup production. A farm includes a single detached dwelling and buildings and structures, such as barns and silos, which are incidental to the operation of the farm.
- 3.54 **FARM PRODUCE OUTLET:** A use accessory to a farm that consists of the retail sale of agricultural products produced on the farm where such outlet is located.
- 3.55 **FLOOD FRINGE:** Shall mean the outer portion of the flood plain between the floodway and the limit of the regulatory flood. Flood depths and velocities are generally less severe in the flood fringe than those experienced in the floodway.
- 3.56 **FLOOD PLAIN:** Shall mean the area, usually low lands, adjoining a navigable waterway which has been, or may be covered by flood water.
- 3.57 **FLOODPROOFING:** Shall mean a combination of building changes or adjustments incorporated into the basic design, construction, or alteration of individual buildings or properties subject to flooding so as to reduce or eliminate flood damages.
- 3.58 **FLOODWAY:** Shall mean the channel of a navigable waterway and that inner portion of the flood plain where flood depths and velocities are generally higher than those experienced in the flood fringe. The floodway represents that area required for the safe passage of flood flow or that area where flood depths or velocities are considered to be such that they pose a potential threat to life or property damage.
- 3.59 **FLOOR AREA, GROSS:** for a dwelling, or dwelling unit, the total area of the storeys contained within the outside walls of the dwelling, or dwelling unit exclusive of any garage, carport, porch, veranda, balcony, unfinished attic, or unfinished basement; or, for a building or part of a building other than a dwelling or dwelling unit, the total area of all the storeys contained within the

articles and, without limiting the generality of the foregoing, shall include, but not be limited to the repair and servicing of radio and television receivers, vacuum cleaners, appliances, shoes, cameras, toys, watches, clocks, bicycles or other similar goods and appliances but shall not include industrial or manufacturing uses or motor vehicle repair shops as may otherwise be defined or classified in this by-law.

- 3.162 **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 or other similar services.
- 3.163 **SHIPPING CONTAINER:** Means an enclosed metal structure, originally designed to be used for shipping purposes, and may also be referred to as a sea container.
- 3.164 **SIGHT TRIANGLE:** the triangular space formed by the street lines abutting a corner lot and a third line drawn from a point on a street line to another point on a street line, each such point being the a distance of 9.0 metres from the point of intersection of the street lines. Where the street lines do not intersect at a point, the point of intersection of the street line shall be deemed to be the intersection of the projection of the street lines of the intersection of the tangents to the street lines.
- 3.165 **SIGN:** A structure or advertising device having illustrations affixed thereto or displayed thereon in any manner, used to identify, advertise or attract attention to any object, product, place, activity, person, institution, organization, firm, group, profession, enterprise, industry or business, including any letter, work, model number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement.
- 3.166 **SLEEPING CABIN:** An accessory building separate from the principal residential dwelling, located on the same lot as the principal building, for sleeping accommodation, or for the occasional accommodation of guests. A sleeping cabin does not include a yurt, mobile home, travel trailer, tent or geodesic dome. A sleeping cabin shall not contain cooking or kitchen facilities, inclusive of a wet bar, and shall not be used for to provide monetary gain, but may contain sanitary-bathroom facilities.
- 3.167 **STOREY:** The portion of a building, other than an attic, included between any floor level and the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling or roof next above it.
- ATTIC:** An upper level in the roof of a building, generally used for storage and accessible only by an internal stairway, within which habitable uses are not permitted.
- 3.168 **STOREY, FIRST:** The lowest storey of a building closest to finished grade having its ceiling 1.8 metres or more above average finished grade.

- 3.169 **STOREY, ONE HALF:** The portion of a building situated wholly or partly within the roof and in which there exists at least one point with a vertical dimension of at least 2.3 metres (measured from the finished floor to finished ceiling).
- 3.170 **SUNROOM:** A permanent enclosed structure, attached to and forming part of a dwelling unit and which is used as living area, with windows or glass as walls and which may also contain a glass roof.
- 3.171 **STREET:** A Public Road, or Seasonal Township Road.
- 3.172 **STREET LINE:** The dividing line between a lot and a street; or, when used in reference to a sight triangle, the dividing line between a lot and private road, private right-of-way, or a street.
- 3.173 **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. For the purposes of this By-law, a fence that has a height of two metres or less, a retaining wall that has a height of one metre or less, and light standards shall not be considered structures. For greater certainty outdoor swimming pools, outdoor hot tubs, telecommunications antennas and towers, electric vehicle charging stations, free-standing solar panels and wind turbines are structures.
- 3.174 **TANDEM PARKING:** means two parking spaces, located one behind the other.
- 3.175 **TENT:** A portable shelter of canvas, nylon or other fabricated materials which is support by one or more poles or frame and is not permanently affixed to the site.
- 3.176 **TOURIST ESTABLISHMENT:** A commercial establishment operated to provide sleeping accommodation for the traveling or vacationing public, and may include services and facilities in connection with which sleeping accommodation is provided.
- 3.177 **TRAILER:** A vehicle that may be drawn upon a public street by a motor vehicle but for the purposes of this By-law does not include a recreational mobile home.
- 3.178 **TRAILER, TRAVEL OR TENT:** Any trailer that is designed to be temporarily utilized for living, shelter and sleeping accommodation, with or without cooking facilities, which is not permanently affixed to the ground and has running gear and towing equipment that is permanently attached, and a current licence plate.
- 3.179 **TRANSPORT DEPOT:** A building, structure or place where buses, trucks or tractor trailers are rented, leased, kept for hire, stored, or parked for remuneration, or, from which trucks or tractor trailers, stored or parked on the property, are dispatched for hire as common carriers.
- 3.180 **TRUCK CAMPER:** Any unit so constructed that it may be attached upon a motor vehicle, as a separate unit, and is capable of being utilized for the living, eating and/or sleeping accommodation of persons.

- 3.192 **YARD, REAR:** A yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any building or structure on the lot, the nearest outside storage use on the lot, or edge or rim of an excavation on the lot.
- 3.193 **YARD, REQUIRED:** The minimum yard required by the provisions of this By-law.
- 3.194 **YARD, SIDE:** A yard extending from the front yard to the rear yard and from the side lot line of the lot to the nearest part of any building or structure on the lot, the nearest outside storage use on the lot, or edge or rim of an excavation on the lot.
- 3.195 **YARD, SIDE, EXTERIOR:** A side yard that immediately adjoins a public street or an unopened road allowance.
- 3.196 **YARD, SIDE, INTERIOR:** A side yard other than an exterior side yard.
- 3.197 **YARD, WATER:** A yard extending from the high-water mark on any body of water to the nearest wall of any building, structure or attachment thereto on the lot.

Section 4: GENERAL PROVISIONS

Unless specifically exempted or regulated elsewhere in this By-law, the following regulations apply to all lands covered by this By-law.

4.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

- 4.1.1. **Permitted Uses:** Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any detached accessory building or structure or accessory use, located on the same lot as the primary use to which they are related.
- 4.1.2. **Uses Permitted Habitation in detached accessory buildings and structures:** No detached accessory building or structure shall be used for human habitation or an occupation for gain, unless specifically permitted in this By-law.
- 4.1.3 **Setback Requirements: Relation to Street and Location on Lot** Except as specifically provided for elsewhere in this By-law the following setback requirements apply to all detached accessory buildings or structures:
- a) Any accessory building or structure shall be erected in accordance with the yard requirements in Tables 2 and 4 of the zone it is located in.
 - b) No detached accessory building or structure shall be erected closer than 1.5 metres to the principal building.
 - c) In all residential zones: An accessory building or structure which is not part of the principal building shall not be erected a) in any of the required yards, or b) closer to the street line, or where applicable to the shoreline, than the principal building on the lot, except in the case of a through lot in the

Commented [AD1]: Not a new provision; moved from 4.1.4

Shoreline Residential (SR) Zone, ~~unless specifically provided for elsewhere in this By-law, an accessory building or structure may be located closer to the street line, providing it continues to meet the required yard setbacks and Section 4.35.~~

- c) ~~Non-Residential Zones:~~ No accessory building or structure shall be erected
- a) ~~closer to the street line, side lot line, or rear lot line, than the minimum required yard requirements of the respective Non-Residential Zone; or, unless specifically provided for elsewhere in this By-law.~~

~~4.1.4 Relation to Principal Building: No detached accessory building or structure shall be erected closer than 1.5 metres to the principal building, unless specifically provided for elsewhere in this By-law.~~

Commented [AD2]: Moved from 4.1.4 to 4.1.3 b)

~~4.1.54.1.4~~ **Principal Building to be Erected First:** No accessory building or structure shall be erected on any lot until the principal building has been erected, with the exception of:

- ~~on a lot zoned Rural (RU) on which the principal use is a farm without buildings;~~
- a dock on a lot accessible only by water;
- temporary construction uses; or,
- a septic system.

~~4.1.64.1.5~~ **Building Height:** The height of any accessory building or structure located greater than 40 metres from the high water mark, shall not exceed 6 metres and shall not be more than two (2) storeys in height. ~~Where an accessory building or structure is located within 40 metres from the high water mark such building or structure shall not exceed 3.55.5 metres from finished grade to peak and shall not be more than one (1) storey in height, and provided all other sections of unless otherwise provided by this By-law are complied with.~~

~~4.1.74.1.6~~ **Exceptions to Height:** The following accessory structures may exceed the height requirements permitted within the Zone in which they are located:

- a grain elevator,
- a barn or silo,
- a church spire,
- a belfry,
- a flag pole,
- a chimney,
- a clock tower,
- a communication tower,
- a water tank,
- a radio or television tower or antenna,

- an air conditioner duct, and
- external equipment associated with internal building equipment, located in the Rural (RU) Zone.

4.1.84.1.7 Coverage: The maximum lot coverage of all detached accessory buildings and structures, except swimming pools and septic tile fields, is ~~five-six~~ percent (~~5%6%~~) of the lot area. Within an Industrial Zone, the maximum lot coverage of all accessory buildings or structures is ten percent (10%) of the lot area, except in the M3 Zone which shall permit a maximum of five percent (5%). This Accessory lot coverage is included within the total coverage noted in Tables 2 and 4.

4.1.94.1.8 Shore Road Allowance: No new detached building or structure shall be erected on a shore road allowance that is owned by the Township or the Crown, with the exception of a means of pedestrian access, one deck, one dock or one pumphouse, ~~shall be erected on a shore road allowance that is owned by the Township or the Crown, and subject to the provisions of Section 4.11.~~ Where a structure is erected on a shore road allowance that is owned by the Township or the Crown, such structure shall be deemed to be an accessory use to the principal use located on the adjacent patented lot. For greater clarity, this provision does not serve to deem any building or structure within the shore road allowance as legally erected or lawfully used.

4.1.104.1.9 Exceptions to Setbacks: Accessory Structure Encroachments

a) **General:** Drop awnings, clothes poles, flag poles, garden trellises, retaining walls less than 1 metre in height, or signs which comply with the By-laws of the Township, are permitted in any required yard.

b) **Fences:** Fences less than 2 metres in height are permitted in any required yard, except within the front or water yard in the Shoreline Residential (SR) Zone.

b)c) **Fire Escapes:** Unenclosed fire escapes, in which the stairs, steps and floor are latticed in such a manner that the proportion of voids to solids is not less than two to one and in which guards, consisting of handrails and the structural members necessary for their support, may project into any required yard a maximum distance of 1.2 metres or 50% of the required yard, whichever is the lesser.

e)d) **Ornamental Structures:** Sills, chimneys, cornices, eaves, gutters, parapets, pilasters, or other ornamental structures may project into any required yard a maximum distance of 0.6 metres.

e)e) **Balconies, Stairs and Open Decks:** Unenclosed balconies, ~~steps-stairs~~ and open decks attached to a primary dwelling may project into any required yard of the principal dwelling a maximum distance of 3.5 metres (11.5 feet), provided such structure complies with Section 4.35 and the required side yard.

e)f) **Utility Sheds:** A utility shed may be erected and used in any required interior side or rear yard provided that it is not located closer the interior side or rear yard with a minimum setback of 2.0 metres, or than the required yard of the

Commented [AD3]: Section to be reorganized to be alphabetical

~~zone the shed is located in, or 2.0 metres to the interior side or rear lot line, whichever is less. The minimum front yard and exterior side yard of the respective zone continue to apply.~~

- g) Gatehouse or Information Kiosk:** In a non-residential zone, a gatehouse or information kiosk may be located in any required front or side yard, provided such structure shall not be erected closer than 3 metres to the front or side lot line.

4.1.10 Garages: ~~A single-storey detached private garage~~

~~a) A detached private garage may be erected and used in any required interior side or rear yard provided that it is no closer than the interior side or rear yard with a minimum setback of 2.0 metres, or the required yard of the zone the garage is located in, or 2.0 metres to the interior side or rear lot line, whichever is less, except that common semi-detached garages may be centered on the mutual side lot line. The minimum front yard and exterior side yard of the respective zone continue to apply.~~

~~b) A detached private garage may be erected closer to the street line than the principal dwelling providing it complies with 4.35 and the front yard setback of the zone it is located in, or in the case of a Shoreline Residential (SR) zoned lot, with the rear yard setback.~~

~~c) In a one-storey garage, storage may be permitted in an attic or loft open to the garage below, but shall not include any habitable space, decks or balconies.~~

~~4.1.14d) A two-storey detached private garage may be erected, but shall have a maximum height of 6 metres, and the second storey shall be restricted to a sleeping cabin, additional dwelling unit or home occupation, which shall comply with the general provisions of the accessory use, inclusive of required yard setbacks of the zone it is located in.~~

4.1.124.1.11 Shoreline Structures

- a) **Identification:** Shoreline structures refer to accessory buildings and structures erected at or near the shoreline in the required yard located between the shoreline and the principal building. They include buildings and structures that are attached to the land that forms the bed of a navigable waterway.
- b) **Permitted Uses:** Shoreline structures include the following: deck, dock, gazebo, pumphouse, stairs and ramps, and existing single storey accessory buildings and structures not otherwise prohibited in the zone in which it is located.
- c) **Maximum Width of Shoreline Structures:** The maximum cumulative width of all shoreline structures shall not exceed 30% of the lot frontage to a maximum of 15 metres.
- d) **Docking Facilities:** A dock may be erected and used in the required front yard of a lot abutting a watercourse provided it complies with the minimum required side yard of the zone, or the straight line projection of the side lot

line into the water, and has a maximum projection into the water of 15 metres from the high water mark, with the exception of either:

- a dock projecting into a narrow watercourse, where the maximum projection shall be the lesser of 6 metres or 30% of the width of the narrow watercourse; or,
- a dock projecting into any other watercourse upon which the 15 metre projection of a dock ends in a water depth of less than 1 metre (measured from the normal ordinary or regulated high water level), the dock may be extended until a water depth of 1 metre is achieved at the end of the dock to a maximum projection of 25 metres

For the purposes of this Section, a narrow watercourse is a watercourse where the distance measured perpendicularly from shoreline to shoreline is less than 30 metres.

- e) **Pump House:** A pumphouse may be erected and used in the required front yard of a lot abutting a watercourse or shore road allowance provided it complies with the minimum required side yard. A pumphouse shall not exceed 2.5 square metres in ground floor area nor be higher than 2 metres.
- f) **Gazebo and Outdoor Sauna:** A gazebo or outdoor sauna may be erected and used in the required front yard of a lot abutting a watercourse provided it is setback a minimum of 6 metres (19.7 feet) from a side lot line, does not have a total floor area greater than 10 square metres (108 square feet), and is located a minimum of 10 metres (33 feet) from the high water mark.

~~4.1.134.1.12~~ **Sleeping Cabin:** ~~In addition to the provisions of 4.1.3, A~~ a sleeping cabin may be erected on a lot in the Shoreline Residential (SR) Zone or the Rural (RU) Zone, provided:

- a) a sleeping cabin shall either be a detached one storey accessory building, or be located within a one storey or permitted two storey accessory building.
- ~~a) Sleeping cabins in either a one or two storey accessory building will be subject to the following:~~
- ~~i.b) any other uses in the building shall be accessory, and~~ the sleeping cabin shall be separated from any other accessory uses by a common wall and shall have an independent entrance.
- ~~ii.c) a~~ maximum of one sleeping cabin is permitted on a lot.
- ~~iii.d) the maximum floor area of a sleeping cabin shall not exceed 35-45 square metres (376-8484.4 square feet) exclusive of decks, porches or balconies.~~
- ~~iv. the sleeping cabin must comply with the yard and setback requirements of the Zone in which it is located and is shall not be located to the front of the principal dwelling;~~
- ~~e) The total ground floor area of all decks, porches and balconies any part of which is attached to or within 2 metres (6.6 feet) of a sleeping cabin or accessory building containing a sleeping cabin shall not exceed 15 square metres (161.5 square feet).~~
- ~~b. The height of a one-storey sleeping cabin does not exceed 4.5 metres (14.8 feet);~~
- ~~e.f) Where the sleeping cabin is located in a permitted two storey accessory building the following additional provisions shall apply:~~
 - ~~i. sleeping cabin shall be entirely located on one storey.~~

- ~~ii.~~ No other accessory uses shall be permitted on the same storey as the sleeping cabin.
- ~~iii.~~ The maximum floor area of the sleeping cabin may exclude any area where the height between the top of the floor and the finished ceiling is less than 1.5 metres (5 feet).

4.1.13 Outdoor Swimming Pool: An outdoor swimming pool is permitted as an accessory use ~~or structure within a side or rear yard provided it is not located closer than 3.0 metres to any lot line, and the coverage of the swimming pool does not exceed fifteen percent (15%) of the total lot area provided:~~

- ~~a. The minimum interior side or rear yard setbacks are not less than 3.0 metres. For clarity, the minimum front and exterior side yard setbacks of the respective zone continue to apply.~~
- ~~b. Maximum lot coverage is fifteen percent (15%) of the total lot area;~~
- ~~c. Each of a) and b) above includes any deck, patio, walkway or fenced area around the pool.~~

4.1.14 Septic tile field: A septic tile field is permitted as an accessory structure within any ~~required~~ yard, provided it is not located closer than 30 metres from the shoreline ~~and otherwise complies with all requirements of the Ontario Building Code.~~

4.1.14.1.15 Shipping Containers: Shipping containers shall be permitted as an ~~accessory structure in any Rural, Institutional, Commercial or Industrial zones subject to the minimum yard requirements of the zone it is located in; except where the lot abuts a residential zone, in which case the minimum setback shall be 6.0 metres, or the required yard of the zone the shipping container is located in, whichever is greater. A maximum of two (2) shipping containers are permitted on a lot. Shipping containers shall be screened from view from any street and adjacent residential lots by way of a fence or planting strip.~~

4.2 ADDITIONAL DWELLING UNITS:

~~A maximum of two a~~ Additional dwelling units shall be permitted on a property subject to the following criteria:

- a. Only lands which permit residential uses as the principal use, and as identified in Section 5.2 of the By-law shall permit additional dwelling units, save and except additional dwelling units shall not be permitted in the Shoreline Residential (SR) Zone ~~or within 300 metres (984.3 feet) of a shoreline.~~
- b. Additional dwelling units shall not be permitted within ~~30 metres (98.5 feet) of the high-water mark of a waterbody or watercourse or within 300 metres (984.3 feet) of a lake.~~
- c. The primary dwelling is to be in the form of a single detached house, semi-detached house or townhouse, or as defined by the Planning Act. Other forms of residential uses (i.e., apartment buildings) are not permitted additional dwelling units.
- d. On a parcel of land which has full municipal water and sewage services, a maximum of two additional dwelling units shall be permitted, subject to servicing availability. Only one of the permitted additional dwelling units shall be permitted to locate in an accessory building. Provision of water and sewage services is subject to requirements of the Public Works department.
- e. On a parcel of land which does not have full municipal water and sewage services a maximum of one additional dwelling unit shall be permitted, which can

be located in either the primary dwelling or in an accessory building. A minimum lot area of 1 hectare (2.5 acres) is required.

- f. On a parcel of land which does not have full municipal water and sewage services provision of services can be shared with or separate from the primary dwelling. A well and septic report must accompany a Building Permit for the additional dwelling unit.
- g. A garden suite shall be discounted from the total number of additional dwelling units permitted.

~~h. Where applicable, shall be of a height equal to or lesser than the primary dwelling;~~

~~i-h.~~ Shall comprise a gross floor area not greater than 75% of the gross floor area of the primary dwelling.

~~j-i.~~ One off-street parking space must be provided for each additional dwelling unit.

~~k-j.~~ An additional dwelling unit shall only be permitted on a property with frontage on a year round publicly maintained road and to be accessed from the same driveway or property entrance as the primary dwelling.

~~i.~~ ~~k.~~ Where an additional dwelling unit is located within a ~~detached~~ accessory building, it shall comply with the following:

- i. Be located no further than ~~30-100~~ metres (~~98.5 feet~~) from the primary dwelling, ~~except for in the case of a lot divided into more than one zone where the primary dwelling is located within the Shoreline Residential (SR) Zone, then this provision shall not apply providing the additional dwelling unit complies with all other provisions of this By-law;~~

- ii. shall be of a height equal to or lesser than the primary dwelling;

- ~~iii. Be located within a rear or interior side yard;~~

- ~~iii. An additional dwelling unit may be erected closer to the street line than the principal dwelling providing it complies with the front yard setback of the zone it is located in.~~

- ~~iv.~~ Shall comply with the residential zone regulations of the applicable zone.

- ~~iv-v.~~ An additional dwelling unit shall be considered towards total lot coverage only; accessory lot coverage shall not apply to additional dwelling units. ~~Notwithstanding, the accessory structure shall be included in accessory lot coverage.~~

- l. Notwithstanding provisions of this By-law to the contrary, no minimum floor area shall be required for an additional dwelling unit, except as may be required through building or fire code.

- m. An additional dwelling unit shall not be used as a short-term rental or bed and breakfast establishment.

4.3 ASPHALT PLANT, PORTABLE:

Where specifically permitted in this By-law, a portable asphalt plant shall be used by or on behalf of a public authority.

4.4 BOATHOUSES AND BOATPORTS:

No person shall use any land adjacent to or on a waterbody for the purpose of a boathouse or boatport.

4.4.1 For the purposes of this By-law, where a boathouse or boat port is located on the original shore road allowance which has been conveyed to the adjacent patented lot,

said boathouse or boat port may be deemed to be 'lawfully used' for the purposes of 4.8.1, 4.8.2 and 4.8.3, providing the structure existed prior to all relevant predecessors of this By-law, or a boathouse or boat port was a permitted use in a relevant predecessor of this By-law at the time of construction.

4.5 CONSTRUCTION USES (TEMPORARY):

A tool shed, construction trailer, scaffold, shipping container or any other structure incidental to construction, is permitted where construction work is in progress, and until the work is completed or abandoned. For the purposes of this section "abandoned" means the failure to proceed expeditiously with the construction work or the revocation of the building permit. The temporary use of a travel trailer or recreational vehicle may be permitted for temporary habitation on a lot where a dwelling is being constructed and further where the lot does not provide for an existing dwelling on the property. For the purposes of this Section, "temporary" means only during the period of construction of a dwelling, having an active building permit that has not been finished nor abandoned.

4.6 DWELLING UNIT:

Unless otherwise specified in this By-law, no more than one dwelling unit is permitted on a lot.

4.7 ESTABLISHED BUILDING LINE:

Where a permitted dwelling is to be erected on a lot and where there is an established building line extending along a public road on both sides of the lot, such dwelling may be erected closer to the street line than required by this By-law such that the yard is equal to the average setback of the adjacent dwellings on either side of the lot and located on the same side of the street.

4.8 EXISTING BUILDINGS, STRUCTURES AND USES

4.8.1 Continuation of Existing Uses: The provisions of this By-law shall not apply to prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building, or structure was lawfully used for such purpose on the date of passing of this By-law so long as it continues to be used for that purpose.

4.8.2 Prohibited Exterior Extension: The exterior of any building or structure, which at the date of passing of this By-law was lawfully used for a purpose prohibited by this By-law, shall not be enlarged, extended, or otherwise structurally altered save and except as permitted in 4.8.3, unless such building or structure is to be used for a purpose permitted within such Zone, and complies with all requirements of this By-law for such Zone, save and except that reconstruction on the same footprint and to the same height shall be permitted.

4.8.3 Restoration to a Safe Condition: Nothing in this By-law, including the preceding subsection 4.8.2, shall prevent the strengthening or restoration to a safe condition of any building or structure or part thereof lawfully used on the date of passing of this By-law, for any purpose prohibited by this By-law, provided that the strengthening or restoration does not increase the height, size, or volume, or change the use of such building or structure.

4.8.4 Permitted Non-Complying Building or Structure: A non-complying building or structure which was legally erected/alterd in accordance with the by-laws in force at the time of construction and/or alteration may be reconstructed, enlarged, repaired and/or renovated provided that the reconstruction,

enlargement, repair and/or renovation, where it continues to be subject to the existing non-compliance, does not:

- i) increase the extent of existing non-compliance, by further reducing the minimum requirement or further exceeding a maximum requirement; ~~nor~~
- ~~ii) create a new non-compliance issue; or,~~
- ~~iii) increase the degree of an existing non-compliance by increasing the lateral or vertical extent of the building or structure ~~subject to the non-compliance~~;~~
- ~~iv) increase the height of the building or structure by more than 1.2 metres (4 feet) ~~where the increase would be subject to the existing non-compliance~~;~~
~~or,~~
- ~~v) increase the ground floor area of the building or structure, ~~or area of a septic tile field~~, by greater than 25% ~~where the increase would be subject to the existing non-compliance~~; or,~~
- ~~vi) notwithstanding ii) above, an existing dwelling located within the high-water mark setback ~~may be expanded laterally, provided such expansion does not result in the lateral width of the dwelling, including all attachments thereto, in shall not exceed a lateral width excess of 30% of the shoreline frontage or 158 metres (59 feet) (49.3 feet), whichever is less.~~~~
- ~~vi) Notwithstanding i) through v) above, no increase in the size or height shall be permitted of a building or structure which is located wholly or in part within 15 metres (49.3 feet) of the high water mark.~~
- ~~vii) Where the front lot line of a property line is the lot line abutting the shore road allowance, the front yard may be measured from the high water mark, provided the building or structure is not located within the shore road allowance~~

Where the reconstruction, enlargement, repair and/or renovation complies with all provisions of the zone in which it is located, the above provisions of 4.8.4 do not apply.

Commented [AD4]: Moved and made as own provision as 4.8.5

Commented [AD5]: Move 4.8.4 vi) to 5.2 - Table 2 - Notes.

4.8.5 ~~Floor Area Less Than Required Prohibited Expansion of a Non-Complying Building or Structure:~~ Notwithstanding Section 4.8.4, any increase in the size or height of a building or structure which is located wholly or in part within 15 metres (49.3 feet) of the high-water mark shall not be permitted. ~~Nothing in this By-law shall prevent an extension or an addition being made to a dwelling, that was lawfully used for such purpose on the date of passing of this By-law but which has dwelling unit area less than required by this By-law, provided such extension or addition does not contravene any other provision of this By-law.~~

4.8.6 Building Permit Issued: The provisions of this By-law shall not apply to prevent the erection or use of any building or structure, for a purpose prohibited by this By-law, for which a permit has been issued pursuant to The Building Code Act prior to the date of passing of this By-law, so long as the building or structure, when erected, is used and continues to be used for the purpose for which it was erected, provided further that the permit has not been revoked pursuant to The Building Code Act.

4.9 EXISTING LOTS

4.9.1 Existing Undersized Lots: Notwithstanding the frontage and area provisions of this By-law, where a lot having a lesser lot area and/or frontage than required in this By-law is:

- c) Notwithstanding the provisions of this Section and Section 4.24 (Parking Area Requirements) to the contrary, for a lot located on an island, the erection, alteration of or use of a building or structure for a use permitted in such zone, is permitted provided all other provisions of this By-law are met.

4.11 GARDEN SUITES:

A garden suite, as defined in this By-law, may be permitted by way of a Temporary Use By-law and furthermore may be subject to an agreement with the Town.

4.12 HAZARD LAND

a) Area and Frontage:

a) With the exception of the Shoreline Residential (SR) zone, L and zoned HZ – Hazard Land, may be used in the calculation of the minimum lot area or lot frontage requirements for another zone on that lot where property under one ownership is zoned only partially as HZ – Hazard Land, however with respect to lot coverage and required setbacks Section 4.22 (Multiple Zones on One Lot) shall apply.

- b) Setbacks: A minimum setback of 5 metres is required for any building or structure from a HZ Zone on the same lot.**

4.124.13 HEIGHT OF BUILDINGS:

No principal building or structure shall exceed three (3) storeys in height, exclusive of any basements.

4.134.14 HOME OCCUPATION:

The following regulations apply to regulate a home occupation where such a use is permitted:

- The home occupation shall clearly be secondary to the main residential use of the property and shall not change the residential character of the property;
- Such home occupation shall not be a nuisance, with regard to noise, vibration, etc., and not interfere with television or radio reception of others in neighbouring buildings or structures;
- Such home occupation shall not include a medical clinic, a private hospital, a nursing home, a boarding house, an eating establishment or a veterinary clinic, but may include a business or professional office that complies with the provisions of this subsection;
- There shall be no display to indicate that any part of the property is being used for a use other than residential except for an unlit sign of not more than 0.5 metres square (5.4 square feet), except where a lot fronts on a County Road or Provincial Highway, in which case the requirements of the County or the Province shall be complied with;
- The home occupation use shall be conducted entirely within the dwelling or an accessory building;
- Where the home occupation is located within the dwelling, not more than 25% of the gross floor area of the dwelling shall be used for the purposes of home occupation use. Where the home occupation is located within an accessory building, the floor area shall be limited to a maximum of 45 square metres (484.4 square feet);

~~4.25.24.26.2~~ **Contents:** Any required planting strip shall consist of a row of trees or a continuous hedgerow of evergreens or shrubs, not less than 2 metres high at planting, immediately adjacent to the lot line or portion thereof along which such planting strip is required hereunder. The remainder of the strip shall be used for no other purpose than the planting of shrubs, flowerbeds, grass or a combination thereof.

~~4.25.34.26.3~~ **Interruption for Driveways or Pedestrian Walks:** In all cases where ingress and egress driveways or walks extend through a planting strip, it shall be permissible to interrupt the strip within 3 metres of the edge of such driveway or within 1.5 metres of the edge of such walk.

~~4.25.44.26.4~~ **Maintenance:** Where a planting strip is required, it shall be planted, nurtured and maintained by the owner(s) of the lot on which the strip is located.

~~4.25.54.26.5~~ **Landscaped Open Space Supplement:** A planting strip referred to in this subsection may form a part of any landscaped open space required by this By-law.

~~4.264.27~~ **PROHIBITED USES**

~~4.26.14.27.1~~ The following uses are prohibited in any Zone:

- The use of any trailer for human habitation, except where such trailer is located in a permitted camping establishment or in a trailer park or as otherwise permitted in Section 4.5 of this By-law.
- ~~Boathouses or boat ports.~~
- The use of any motor vehicle, truck, bus or coach body for human habitation.
- The use of any accessory building or structure for human habitation, with the exception of a sleeping cabin, additional dwelling unit, home occupation or home industry.
- The storage of disused rail cars, streetcars, truck bodies or trailers without wheels, which include shipping containers unless otherwise permitted.
- Permanent asphalt plants.
- The parking or storage of trailers or commercial motor vehicles on a vacant lot, except where specifically permitted elsewhere in this By-law.
- The outdoor storage of partially dismantled motor vehicles or trailers or motor vehicle or trailer parts, except where specifically permitted elsewhere in this By-law.
- Obnoxious uses.
- The manufacturing, refining, rendering or distillation of acid, ammonia, chlorine, coal, creosote, explosives, fireworks, glue, petroleum or tar.
- The bulk storage of industrial chemicals, hazardous waste or liquid industrial waste as defined under the Environmental Protection Act, as amended.

~~4.274.28~~ **PUBLIC USES**

4.27.14.28.1 Public Services: The provisions of this By-law shall not apply to prohibit the use of any land, or the erection or use of any building or structure, for the purposes of public service provided by a Public Authority. For the purpose of this Section, a Public Authority shall include any hydro, natural gas, telephone, telegraph, or cable television company, which company possesses the necessary powers, rights, licenses, and franchises.

4.27.24.28.2 Location Restrictions: Notwithstanding Section 4.28.1, where a public use is specifically listed as a permitted use in a zone on Tables 1 and 3, such use shall only be carried out in that specific zone or zones.

4.27.34.28.3 Provisions: Where a use conducted by a Public Authority is not restricted to a specific Zone, no land, building or structure is to be used for public use in any residential zone unless the following provisions are complied with:

- a) Minimum yard requirement (all yards): 10 metres
- b) Maximum Lot coverage (all buildings): 40%
- c) Minimum Landscaped Open Space: 30 percent
- d) Maximum Height of Buildings: 10 metres
- e) 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
- f) 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.

4.27.44.28.4 Streets and Installations: Nothing in this By-law shall prevent land to be used as a street or prevent the installation of a watermain, sanitary sewer, storm sewer, gas main, pipeline, street lighting, overhead or underground hydro, communication line or high voltage and extra high voltage electrical facilities owned, operated and maintained by a hydro company, provided the location of such main or line has been approved by the Township. Notwithstanding the generality of the foregoing, this approval shall not be required for any public use that has received prior approval pursuant to the provisions of The Environmental Assessment Act, as amended.

4.284.29 REDUCTION OF REQUIREMENTS:

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

4.294.30 SIGHT TRIANGLES:

On a corner lot, no building or structure, fence, wall, vegetative planting or landscaping that has a height of greater than 0.6 metres shall be permitted; and no motor vehicle shall be parked in a sight triangle.

4.304.31 SIGNS:

~~Nothing in this By-law shall prevent the construction, alteration, or use of any sign. A sign may be constructed, altered or used in any required yard,~~ provided the sign complies

with Sections 4.14, 4.15, and 4.30 of this Bylaw and with the other by-laws of the Township of Minden Hills, ~~or County of Haliburton~~ or Ministry of Transportation. No permanent signs shall be permitted in the water yard of the Shoreline Residential (SR) zone.

4.314.32 SPECIAL REGULATIONS – Resort Establishments

The maximum habitation in a resort per family shall not exceed 70 days per year. The maximum number of timeshare, interval ownership or fractional ownership units shall not exceed one (1) for every 45 metres of frontage on a watercourse except where a site specific zoning amendment specifies a different number.

- Minimum Distance Between Cabins
or Cottages on Same Lot 4 metres

4.324.33 SPECIAL REGULATIONS – Camping Establishment or Recreational Institutions

- a) Minimum Lot Area Requirement 4 hectares
- b) Minimum Lot Frontage Requirement 60 metres
- c) Minimum Campsite Area Requirements 200 sq. metres
- d) Minimum Campsite Frontage Requirement
(on an internal roadway) 12 metres
- e) Minimum Distance Between Campsites 2 metres
- f) Maximum Density of Campsites

Maximum density of campsites shall not exceed 15 sites per 4,050 sq. metres, exclusive of lands used for ingress and egress.

4.334.34 SPECIAL SETBACK REQUIREMENTS FROM A WATERCOURSE:

Notwithstanding the yard provisions of this By-law to the contrary, where a watercourse runs through a lot, no building or structure shall be erected within 15 metres of the existing high water mark of such watercourse; save and except where the watercourse is a lake in which case Section 5.2 shall apply.

4.344.35 SPECIAL SETBACK REQUIREMENT FROM A PRIVATE ROAD OR PRIVATE RIGHT-OF-WAY:

No building may be erected or used within 3 m (10 ft.) of a private right-of-way or private road.

4.354.36 SPECIAL YARD REQUIREMENTS FOR THROUGH LOTS:

Where a lot is a through lot, the front yard requirements shall apply on each street or waterbody, as the case may be excepting that, within the Shoreline Residential (SR) zone, the required front yard setback from such street on a through lot shall be 15 metres.

4.364.37 TRAILER OR MOBILE HOME PARKS:

The establishment of a trailer park or mobile home park is prohibited in any Zone, save and except where such parks are specifically permitted by this By-law. The use of any trailer or recreational vehicle for human habitation is prohibited except where such trailer

Section 5: ZONE PROVISIONS

5.1 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 named and described below. For the purposes of this By-law, reference may be made to individual zones, categories of zones or sub categories of zones as set out below:

Zone	Zone Symbol
------	-------------

RESIDENTIAL ZONES

RESIDENTIAL TYPE ONE	R1
RESIDENTIAL TYPE TWO	R2
HAMLET RESIDENTIAL	HR
RURAL RESIDENTIAL	RR
SHORELINE RESIDENTIAL	SR

NON-RESIDENTIAL ZONES

Rural Zones

RURAL	RU
-------	----

Commercial Zones

HIGHWAY COMMERCIAL	C1
GENERAL COMMERCIAL	C2
RECREATIONAL COMMERCIAL	C3
VILLAGE COMMERCIAL	C4

Institutional Zones

COMMUNITY FACILITY	CF
--------------------	----

Industrial Zones

GENERAL INDUSTRIAL	M1
EXTRACTIVE INDUSTRIAL	M2
WASTE DISPOSAL INDUSTRIAL	M3

Environmental Zones

HAZARD LAND	HZ
OPEN SPACE	OS
FLOODWAY	FW

Overlay Zones

FLOOD PROOFING	FP
FLOOD RISK	FR

5.2 ZONE PROVISIONS

No person shall, within any of the Zones, use any land or erect or use any building or

TOWNSHIP OF MINDEN HILLS ZONING BY-LAW NO. 06-10

Section 5.2

Table 2 - Lot Regulations - Residential Zones

Zone	Residential Type One (R1)	Residential Type Two (R2)	Hamlet Residential (HR)	Rural Residential (RR)	Shoreline Residential (SR)
Lot Area (min m2) (per unit)	700 on full sewer and water services 3000 if not served with a sanitary sewer system	500 per unit for single detached, duplex and semi detached, or 230 per unit for multiple dwelling	3000	4000	4000
Lot Frontage (min m)	18	18 for single detached 10.5 for semi detached & duplex 7/unit for multiple dwelling	30	60	60
Front Yard (min m)	7.5	7.5	10	15	23(1)(2)
Interior Side Yard (min m)	1.2	1.2 or 3 for multiple dwellings	3	10	4.5
Exterior Side Yard (min m)	4.5	4.5	10	15	6
Rear Yard (min m)	7.5	7.5	10	15	12
Setback from High Water Mark (min m) (a) = Lot created prior to February 22, 2005 (b) = Lot created after February 22, 2005	23 30	23 30	23 30	23 30	23 30
Dwelling Unit Area – (min m2)	55	55	55	55	55
Building height (principal building) (max m)	11	11	11	11	11
Lot coverage (max %)	30	35	25	15	15
Landscaped Open Space (min %)	20	20	30	30	30
Notes: (1) except where a lot zoned Shoreline Residential does not front on a watercourse or a shore road allowance, in which case the minimum front yard shall be 15 metres. (2) Where the front lot line of a property line is the lot line abutting at the municipally owned shore road allowance, the front yard may be measured from the High Water Mark, provided no portion of the building or structure, or attachment thereto, is not located within the shore road allowance.			Legend: m = metres ha = hectares m2 = square metres min = minimum max = maximum		

Commented [AD6]: Note (2) moved from 4.8.4 vi)