# *Municipality of Shuniah Office Consolidation of Zoning By-law No. 2038-00, as amended*

**This consolidated working copy of the Municipality of Shuniah's Zoning By-law No. 2038-00, as amended, has been prepared for the purposes of convenience only and it is not necessarily a true copy of the By-law. The Municipality of Shuniah accepts no responsibility for the accuracy or completeness of this consolidation. The original by-laws lodged in the Municipal Clerk's office should be consulted.**

**For the purposes of consistency, this consolidated copy of By-law No. 2038-00 has had any reference to the *"Township of Shuniah"* updated to state the *"Municipality of Shuniah"* in accordance with By-law No. 2203-06, the Change of Name By-law for the Municipality.**

# By-law No. 2038-00

# The Zoning By-law

# for

# The Municipality of Shuniah

*as amended by the*
*Ontario Municipal Board (OMB) Case No. PL020379*
*by Decision No. 0184 Issued Feb 10, 2003*
*and*
*by Decision No. 1660 Issued on June 28, 2005*
*and further*
*as amended by*
*Amending By-law listed on Schedule "A" attached to this by-law*

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# 1. EXPLANATION OF THE BY-LAW

## Purpose of the By-law

This By-law has been prepared in order to replace By-law 1070, and to implement Provincial approval to a recent official plan update. The By-law establishes zones within which permitted land uses are defined; and regulations, provisions and requirements for them are set out. The purpose of these is to establish and to implement minimum standards of health, safety, and general welfare in the community, and to facilitate sound municipal financial management, as it relates to land use.

THIS ZONING BY-LAW AND ALL AMENDMENTS THAT ARE MADE TO IT MUST CONFORM TO THE MUNICIPAL OFFICIAL PLAN.

## Compliance Required

Compliance to the zoning by-law is typically facilitated by municipal approvals issued to permits and/or licences AND by enforcement actions initiated by the municipality or by any ratepayer through the courts.

With respect to the first means of enforcement THE TOWNSHIP WILL NOT ISSUE A BUILDING PERMIT OR ANY OTHER PERMIT OR LICENCE THAT IS NOT IN CONFORMITY WITH THIS BY-LAW. With respect to the latter, typically legal enforcement has tended to be on the basis of complaints received, and viewed on the specific details of the particular issue(s) as they are determined at the time. The new zoning by-law contains nothing that would alter or replace this practice, particularly as it applies to historic situations. Notwithstanding, Council has indicated that the new zoning by-law is a significant investment of public resources, and that, therefore the township should follow a policy of aggressive protection of the by-law against new violations.

## Implementation

Municipal staff may rule upon matters of interpretation. They will, in the conduct of such actions, have regard for the protection of the municipality against legal action that might arise out of such rulings as well as the merits of the matter being considered (practical application, logic, and implications upon the operation of the by-law are among the matters that would be given consideration). The final decision respecting a matter of interpretation rests with Council and would be expressed as a Council resolution.

Risk would continue to exist even where a municipal interpretation is obtained. Such risk can be reduced by seeking a specific Council rezoning or by a decision of the Committee of Adjustment.

Where issues of conformity arise, municipal staff have no authority or power to vary the by-law or to set aside any part thereof. They simply implement the by-law as it is found to exist. Change is initiated through zoning amendments submitted to Council or variance applications to the Committee of Adjustment.

## Relief for Existing Situations

Where a condition existed prior to the passing of this by-law, certain relief is provided in the form of; a) legal non-permitted status where use is in conflict, and; b) legal non-complying status where one or more of the regulations are not met. Continuation of a legal non-permitted use or situation is guaranteed, and under certain circumstances, changes to the use or situation can occur. A lawyer or planner should be consulted where alteration of such status is desired, for such matters can be complex and legal status can be jeopardised. Continuation of a non-complying use allows full enjoyment of the property so long as the particular discrepancy is not made worse.

Relief is also provided in the by-law for vacant lots that are undersized relative to the standards set out in this by-law for area or lot width. Such lots were created before the zoning by-law, and thus, within reason are recognised as being able to be used. A

minimum lot area and frontage on a public road continue to be necessary. Accordingly, except in special defined situations, small lots and/or lots without road frontage will not be buildable lots.

### Concept of Lot as Basis for Zoning

The zoning by-law relies upon the concept of a lot as the basis for consideration of use of land. In Shuniah, a lot will mean different things depending upon the zone in which the lands are located. In the Association zone, a lot is referred to as a cottage site, and is generally described as being a part of the Association property that is assigned or committed to exclusive use. In other zones a lot is generally described as the land that is owned by a particular person or body and is capable of being transferred.

### Administration

The Township will maintain a legal file containing an original copy of this by-law, and of each and every amendment enacted to alter this by-law. The Township will also maintain a second consolidated file binder, within which it will keep an updated and current, unofficial copy of this By-law.

# 2. GENERAL ADMINISTRATION

## 2.1 TITLE

This By-law shall be known as the Zoning By-law of the Corporation of the Municipality of Shuniah.

## 2.2 EFFECTIVE DATE

This By-law shall come into force and effect upon final passing hereof, subject to the approval of The Ontario Municipal Board

## 2.3 DEFINED AREA

This By-law shall apply to all of the lands within the boundaries of the Municipality of Shuniah, including lands that are covered by water.

## 2.4 SCOPE AND CONFORMITY WITH THIS BY-LAW

2.4.1 All uses of land, buildings and/or structures are prohibited unless specifically permitted by this By-law.

2.4.2 No lands shall be used and no building or structure shall be erected, altered, enlarged, or used, in whole or in part, within the Township and no building permit shall be issued, except in conformity with the permitted land uses and with the regulations, provisions and requirements of this By-law.

2.4.3 No portion of a water lot and no island shall be used, or buildings or structures erected, altered, enlarged or used and no building permit shall be issued for such, except in conformity with the permitted land uses and with the regulations, provisions and requirements of this By-law.

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

2.4.5 No building or structure shall be moved within the municipality or from outside the municipality unless in conformity with this By-law.

2.4.6 No lot shall be reduced in lot area or lot width, which would have the effect of causing a contravention with the regulations and provision and requirements of this By-law, except as provided for elsewhere in this By-law.

## 2.5 IMPLEMENTATION

2.5.1 This By-law shall be administered by such persons(s) and/or positions as Council may designate from time to time.

2.5.2 Final interpretations shall be made by Council.

## 2.6 AMENDMENTS TO THIS BY-LAW

2.6.1 The final subsection of each Section of this By-law shall be entitled “Amendments” and shall be the location where amendments relating to such zone are entered.

## 2.7 CONFLICT

2.7.1 In the event of a conflict between this By-law and any other by-law of the Township, the more restrictive by-law shall prevail.

2.7.2 Nothing herein shall be construed or represented as replacing any otherwise relevant and lawful municipal or senior government requirement.

## 2.8 LICENCES AND PERMITS

No municipal permit, certificate, or licence shall be issued for a proposed use of land or a proposed erection, alteration, enlargement or use of any building or structure that is in contravention to this By-law.

## 2.9 VALIDITY

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

## 2.10 VIOLATION AND PENALTIES

Any person, corporation or other legal entity who contravenes any of the provisions of this By-law; and who is an occupant of and/or an owner of land, buildings or structures erected, altered, or used in contradiction of any of the provision of this By-law, is guilty of an offence and is liable, upon summary conviction to a fine as set out and provided for by the Planning Act, as may be amended from time to time, and such fine shall be recoverable under the provincial Offences Act, all of the provision of which apply hereto. In particular, the fines described in the act are as follows:

a) for a person:
   i) upon first conviction to a fine not more than $5,000.00; and
   ii) upon subsequent conviction to a fine not more than $10,000.00 per day that the contravention continues.

b) for a corporation or other legal entity:
   i) upon first conviction to a fine not more than $5,000.00; and
   ii) upon subsequent conviction to a fine not more than $25,000 per day that the contravention continues.

c) where a conviction is entered under this Section, in addition to any other remedy or any other penalty provided by law, the court in which the conviction has been entered, and/or and court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.

## 2.11 REPEAL OF EXISTING BY-LAWS

By-law 1070, and all other previous amendments thereto passed under Section 34 of the Planning Act, R.S.O. 1990 or its predecessors are herein repealed.

## 2.12 OFFICIAL PLAN

This By-law is in accordance with the official plan of the Municipality of Shuniah as amended.

## 2.13 AMENDMENTS TO SECTION TWO

# 3. NON-PERMITTED / NON-COMPLYING

## 3.1 CONTINUED USE

Nothing herein shall prevent the continued use of any land, building or structure for any purpose prohibited by this by-law provided that:

a) such land, building or structure was legally used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose; and

b) a building permit has been issued and not revoked 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 in accordance with the purpose that was provided for in the relevant building permit. Where such building permit is subsequently revoked, the relief provided in this section shall cease to apply.

## 3.2 LONG STANDING USES

3.2.1 Where any land, building or structure was used at January 1st, 1980 for a purpose permitted in the zone in which it was then located, such use is deemed to have been legally conforming to this By-law as at that date.

3.2.2 Except as specifically exempted hereafter, where land, building, or structure was used at January 1st, 1980 for a purpose that was not permitted in the zone in which the lands are located, such use is deemed to be a legally non-permitted use as at that date. This provision shall not apply to lands, buildings or structures that are within the following zones:

a) Shoreline Residential; Shoreline Residential – Black Bay; Shoreline Residential – Moonlight Bay; Shoreline Residential – Back Lots; Mobile Home Residential; and

b) Recreational Cottage; Recreational Association; Recreational – Lambert Island; Recreational – Bass Lake; Recreational – Black Bay; Recreational – White Birch Beach; Recreational – Remote.

## 3.3 NON-PERMITTED USES

3.3.1 So long as any land, building, or structure remains as a legally non-permitted use, none of the relevant zone regulations apply. Use will be limited entirely to those buildings and/or structures as they existed on the date of passing of this by-law, subject to any change by an approved Committee of Adjustment permission or zoning amendment.

3.3.2 Conversion to Conforming Use: Where a non-permitted use is converted into a legally permitted use, or where a non-permitted use has been abandoned or otherwise terminated, all future use of the lands, buildings, or structures shall be in accordance with this By-law, and any previous legal non-permitted status shall no longer exist. Where such conversion to a conforming use occurs, any legally existing building or structure shall be deemed to be legally non-complying with respect to such regulation at the date of such conversion.

3.3.3 Repair of a Non-permitted Use: should an existing legal non-permitted building, structure, or use in any zone be damaged by accidental fire, flood, or other natural disaster, or by other causes beyond the owner's control, nothing in this By-law shall prohibit such building or structure from being restored and/or strengthened to a safe condition, or reconstructed, provided that the height, size and/or volume are not increased; no change in the use of the building or structure occurs; and provided that reconstruction is completed within twenty-four (24) months of the date on which the damage took place. Nothing herein shall prevent the maintenance, repair or strengthening of any legal non-permitted use to a safe condition.

3.3.4 Alteration of lot sizes: Except where lands are taken from a property by a public body for public purposes, the size of a legal non-permitted property shall not be reduced, except where a zoning amendment is enacted, permitting such change in size. Where lands are taken by such public body, a non-permitted use shall not lose its legal status by virtue of such action.

## 3.4 NON-COMPLYING TO REGULATIONS AND/OR REQUIREMENTS

3.4.1 Continued use and reconstruction: Nothing herein shall prevent the continued use or shall prevent the reconstruction at the same location, or the repair of a legal non-complying use, building or structure, provided in the instance of reconstruction, that a minimum setback of 1.5 metres is maintained between the building and any lot line.

3.4.2 Nothing herein shall prevent the reduction, extension, or enlargement of any building, or structure, or the alteration of lands involved in a non-complying use, provided that such action does not cause a further contravention of the provisions of this By-law.

3.4.3 For the purposes of this section, except as provided in 3.4.4 hereafter, any expansion or addition that extends or continues further along the same building line of an existing non-complying situation, shall be considered to represent a further contravention of the relevant provision of the By-law.

3.4.4 For the purposes of this section, where an existing non-complying situation is to a setback from a railway line, expansions or additions that extend further along the same building line as the existing building, and which does not further intrude into the described setback, may be constructed so long as no other relevant requirements of the by-law are contravened.

## 3.5 UNDERSIZED VACANT LOTS OF RECORD

3.5.1 BL 2392-09 Except in the case of the Shoreline Residential, Shoreline Residential – Black Bay, Shoreline Residential – Moonlight Bay and Shoreline Residential – Back Lots Zones, Where a vacant existing lot having a lesser lot width and/or lot area than that which is required by this By-law is held as a lot of record under separate and distinct ownership from abutting lands on or before the 1st day of January 1980, as evidenced by the records in the Registry or Land Titles Offices such deficiency shall not prevent use of the lot or the erection, alteration or use of buildings or structures consistent with all other regulations and requirements of the zone in which such land is located, provided that :

a) a minimum of 6.0 metres of lot boundary is abutting an open, travelled and publicly maintained road;
b) such lot meets the requirements of the authority having jurisdiction for private sewage disposal; and
c) for such undersized lots, the required minimum side yards may be reduced to not less than 10% of the lot width.

3.5.2 An undersized lot may be increased in size, and where, notwithstanding such increase in size, the lot continues to be undersized, the status and the rights bestowed by 3.5.1 shall continue to apply.

3.5.3 BL 2392-09 In the case of the Shoreline Residential, Shoreline Residential – Black Bay, Shoreline Residential - Moonlight Bay or Shoreline Residential – Back Lot Zones, an undersized lot shall be used only for recreational dwelling use, in accordance with the regulations therefore.

## 3.6 AMENDMENTS TO SECTION THREE

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2392-09 Portion deleted re Update resulting from OPA #2
2392-09 Section deleted re Update resulting from OPA #2

# 4. GENERAL PROVISIONS

## 4.1 TOLERANCE PROVISION

Any provision of this By-law that is followed by the words “metres, square metres, or hectares” shall be deemed to have a tolerance of plus or minus +/- 3 cms. in the case of a linear measurement and/or +/- 0.1 square metre where the measurement is expressed in square metres, and 0.1 hectare where the measurement is expressed in hectares, unless specifically stated elsewhere.

## 4.2 REMOVAL OF PROPERTY BY A PUBLIC AUTHORITY

Where the acquisition of land by a public agency or authority results in the creation of a deficiency with respect to one or more of the regulations that are set out in either the general or a specific portion of this By-law, such resulting condition shall be deemed to be legally non-complying.

## 4.3 MINIMUM FRONTAGE ON A STREET

4.3.1 [BL 2363-08] Subject to Subsection 4.3.2 hereafter, no main building or structure shall be erected in any zone for any purpose unless the lot on which such building or structure is located abuts and has frontage and direct practical access of not less than 6.0 metres on an existing public road that is open, travelled, and maintained by the Municipality or by any other appropriate public road authority, or as provided for as private road in an approved condominium plan.

4.3.2 Section 4.3.1 shall not apply to the following:

a) to lands in the Recreational Association zone;
b) to a non-residential building or structure accessory to a permitted agricultural, forestry, mining or extraction or Conservation activity or use;
c) to a remote cottage in the Recreational Cottage - Remote Zone;
d) a permitted use on one of the following private roads; Lambert Drive, Cedar Bay Road, White Birch, Isku Park, Pine Drive;
e) a private road within an approved plan of condominium;
f) [BL-2196-06] a wood waste disposal site located on portions of Concession I and II, Sections 15 and 16, Township of MacGregor, which may be accessed by private road traversing Crown and/or private lands;
g) [BL-2483-10] Lots 8 through to and including Lot 11 of Registered Plan 765;
h) [BL-2482-10] to Lots 53 through to and including Lot 57, of Registered Plan 720 along with that portion of Mining Location 12Z Savigny’s Survey abutting Part 5 of Reference Plan 12601, in the Township of MacGregor;
i) to Lot 12, Registered Plan 765, in the Township of MacGregor;
j) to the South East Quarter of Concession 7 Section 11 along a portion of the South West Quarter of Concession 7 Section 11 being described as Parts 3, 4, 5, 6, 7, and 8 of Reference Plan 55R-11510 in the Township of McTavish.
k) [BL-2694-13] Lot 1 of Plan 751 and Lot 15 B of Plan 759, East Loon Lake, Township of McTavish.

## 4.4 OCCUPANCY RESTRICTIONS

4.4.1 Human habitation shall not be permitted in any of the following buildings, structures, or parts thereof:

a) A building which is accessory to a residential use, except a bunk house in the following zones: Recreational Cottage, Recreational Association, Recreational – Lambert Island, Recreational – Bass Lake, Recreational – Black Bay, Recreational – White Birch Beach, Recreational – Remote, Shoreline Residential, Shoreline Residential - Black Bay, Shoreline Residential – Moonlight Bay, Shoreline Residential – Back Lots Zone at Eldorado Beach; [BL-

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[BL 2363-08] To ensure direct practical access
[BL-2196-06] To Include the Wood Waste Site Hwy 527
[BL-2483-10] To recognize road for building & planning purposes
[BL-2482-10] To recognize road for building & planning purposes
[BL-3385-24] To permit occupancy in an accessory building, site specific

[3385-24] For the lands and premises described as 2230 Amethyst Avenue, more particularly described as Part Mining Location AB Scott's Survey, Township of MacGregor, Municipality of Shuniah, the following shall apply: Notwithstanding Section 4.4.1 (a) of the Zoning By-law 2038-00 to permit occupancy in an accessory building, site specific.

b) a truck, bus, coach, vehicle or streetcar body whether or not the same is mounted on wheels;
c) except as provided in Section 4.16, any recreation vehicle located outside of a tent and trailer park or a camping area; and
d) a mobile home except in a mobile home park.

4.4.2 No dwelling shall be used for human habitation before the main side walls and roof have been erected; windows, external siding and roofing have been completed; and kitchen, heating and sanitary facilities/conveniences have been installed and rendered useable.

4.4.3 Any dwelling unit in a multiple residential building may be occupied provided that all of the conditions described in 4.4.2 above are satisfied for such unit, notwithstanding the fact that one or more of the dwelling units have not been completed.

4.4.4 Certificate of Occupancy

[BL 2296-07] No change in the use of a recreational dwelling to a single dwelling or of any building or structure on such land from recreational to permanent use may be made without the issuance of a "Certificate of Occupancy" by the Municipality.

4.4.5 The Chief Building Official or his designate shall issue the Certificate of Occupancy upon compliance by the applicant with all provisions of the Cottage Conversion Policy and all applicable by-laws of the Township including this zoning by-law.

## 4.5 FACILITIES PERMITTED IN ANY ZONE

The following are permitted uses in any zone:

a) railway lines, gas pipelines, and utility easements;
b) compressor stations and similar related facilities to pipeline or other easements;
c) communication antennas, towers, and related accessory facilities;
d) streets and roads; and
e) driveways that provide access to a permitted use.

## 4.6 ACCESSORY OR ASSOCIATED USES

4.6.1 No building permit shall be issued for an accessory building until a building permit has been issued for the main use. [BL 2658-13]If a building permit has been obtained for the Main Use, Building or Structure and an Accessory Use, Building or Structure, construction of the Main Use Building or Structure must start within 6 months of the issuance of the building permit.

a) The following shall apply to this section :
   i) The start of construction of a Main Use, Building or Structure is considered as having obtained an approved first inspection by the Chief Building Official or his or her designate of the foundation for the Main Use, Building or Structure.

If construction of the main use building/structure has not started under the terms of the issuance of the building permit as set out above, the accessory building or structure will be considered as illegal non permitted and not conform to the regulations as set out in this by-law.

[BL 2363-08] The Committee of Adjustment may approve a severance for a lot that contains an existing accessory building to remain during the construction of a main use building conditional that either the construction of the main use building

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BL 2296-07 OPA No. 2 Provisions Cottage Conversion
BL 2363-08 General Text Amendments

be initiated or the accessory building be demolished prior to the Certificate of the Official being issued.

BL-2196-06 For a wood waste disposal site located on portions of Concession I and II, Sections 15 and 16, Township of MacGregor, building permits for accessory buildings and/or structures may be issued in association with the main use notwithstanding that there is no main building.

BL 2408-09 For the lands and premises being a Portion of Mining Location 8 Herrick's Survey, described as Part 1 of Reference Plan 55R-11373 and Part 1 of Reference Plan 55R-11829, Township of MacGregor, Municipality of Shuniah in the District of Thunder Bay that By-law No. 2038-00 is hereby amended by the following:
Notwithstanding Section 4.6.1, which states, "No Accessory Building/Structure shall be constructed on any property until a building permit has been issued for the Main Use Building/Structure. If a building permit has been obtained for the Main Use Building/Structure, construction of an Accessory Building must not commence prior to the start of the Main Use Building/Structure"; that the following accessory buildings, which are hereby recognized as legal non-complying:
i) a 8.53 metres (28') by 7.31 metres (24') in area and 5.48 metres (18') in height building utilized as a ski chalet/utility building; and
ii) a 18.2 metres (60') by 14.63 metres (48') in area and 7.01 metres (23') in height building utilized as a multi use storage structure which includes a shooting range.

BL-2766-14 THAT one accessory garage located at ML 3A Hart's Plan 55R 2242 Part 3 and 6, is hereby allowed to be constructed without a main use building being establish.

BL-3156-21 "Notwithstanding Section 4.6.1 which sets out that an accessory building shall not be built prior to the main use dwelling the following shall apply: THAT the accessory structures located on Concession A, Section 9, and part of Part 1 Reference Plan 55R-2978, fronting on Walkinshaw Road in the Township of MacGregor, Municipality of Shuniah is hereby temporarily allowed to remain without a main use dwelling being established."

BL-2766-14 Notwithstanding Section 4.6.1 which sets out that an accessory building shall not be built prior to the main use dwelling the following shall apply:
That the accessory structure located on CON 2 SECTION S PT LOT 9 RP; 55R3847 PART 1 PCL 18977, known as 711 Road 5 South, in the Township of McTavish, Municipality of Shuniah, is hereby temporarily allowed to remain without a main use dwelling being established."

4.6.2 Accessory uses, buildings or structures to a permitted residential use shall be permitted, provided:

a) the height of any residential accessory building shall not exceed BL-2194-06 ~~4.5~~ 6 metres measured to the highest point of the roof, and shall not include a second storey;
b) the locations of an accessory building shall not be within any minimum required front yard ~~or related required side yard~~ BL-2194-06 or in any instance where the front lot line abuts a waterbody or shoreline reserve shall not be located in front of the main building;
c) in no instance shall an accessory building be located closer than 1.5 metres to a lot line;

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BL-2196-06 To allow for accessory buildings with no main use – re Wood Waste Disposal Site
BL 2408-09 Site Specific to allow accessory without a main building
BL-2766-14 Site Specific to allow accessory without a main building
BL-3156-21 Site Specific Temporary By-law for accessory without a main building
BL-2766-14 Site Specific to allow accessory without a main building
BL-2194-06 To Amend Accessory Buildings Requirements – all Zones
BL-2194-06 To Amend Accessory Buildings Requirements – all Zones
BL-3455-26 Site Specific Temporary By-law for accessory without a main building

d) except as otherwise specifically provided, no accessory building shall have a floor area larger than that of the main building on the lot. No accessory building shall exceed a maximum size of 140 sq. metres, and;

e) where an accessory garage has garage doors facing onto a lot line such building shall be not less than 3.0 metres from such lot line.

BL-2096-03 NOTWITHSTANDING Section 4.6.2 a) of By-law No. 2038-00 which restricts the height of residential accessory buildings to 6 metres that in the case of this portion of Mining Location 12E and 15E White's Survey, being more particularly described in Schedule 'A' attached to By-law No. 2096-03, the height of the existing 9.14 x 15.24 metres garage only be 9.1 metres.

BL 2462-10 For the lands and premises being Lot 19 of Registered Plan 55M-563, Township of McTavish, Municipality of Shuniah; the following shall apply:
Notwithstanding Section 4.6.2 b) of By-law No. 2038-00 that the location of one only accessory sauna building is hereby permitted to be located in front of the main building.

BL 2470-10 For the lands and premises being Lot 15 of Registered Plan 55M-563, Township of McTavish, Municipality of Shuniah; the following shall apply:
Notwithstanding Section 4.6.2 b) of By-law No. 2038-00 that the location of one only accessory sauna building is hereby permitted to be located in front of the main building

BL 2513-11 For the lands and premises described as Plan 787 Part Lot 8, Township of McTavish, now being the Municipality of Shuniah; the following shall apply: "Notwithstanding Section 4.6.2 b) of By-law No. 2038-00 that the location of one only accessory sauna building is hereby permitted to be located in front of the main building; as outlined in Schedule 'A' attached hereto.

BL 2562-11 NOTWITHSTANDING the provisions of By-law No. 2038-00, in the case of the lands and premises described as; "Lot 2 Registered Plan M-590 and a portion of the South West 1/4 of Section 8 Concession 8 in the Township of McTavish, Municipality of Shuniah in the District of Thunder Bay known as 265 West Loon Road." is hereby amended as follows:
a) notwithstanding Section 4.6.2 a) of By-law No. 2038-00 that height of the existing garage ,shall not exceed 6.6 metres measured to the highest point of the roof, and shall include a second storey.

BL 2563-11 NOTWITHSTANDING the provisions of By-law No. 2038-00, in the case of the lands and premises described as; "Lot 15, Registered Plan 812 and Part 1 of Reference Plan 55R-12473, Township of MacGregor, Municipality of Shuniah in the District of Thunder Bay" is hereby amended as follows:

a) notwithstanding Section 4.6.4 of By-law No. 2038-00 the proposed personal home office accessory building may include bathroom facilities but not kitchen facilities and the said building may not be used for human habitation;

b) notwithstanding Section 10.3 of By-law No. 2038-00 that the total maximum area for accessory buildings be 310.8 square metres; and

c) that with respect to Section 1 0.4.5 of By-law No. 2038-00; the existing accessory buildings, including the boat house, as shown on the attached Schedule "A" be permitted.

BL-2617-12 For the lands and premises described as Plan 756, Lot 24, Township of McTavish, Municipality of Shuniah; the following shall apply:
"Notwithstanding Section 4.6.2 b) of By-law No. 2038-00 that the location of one only accessory sauna building is hereby permitted to be located in front of the main building;

BL-2618-12 For the lands and premises described as Plan 808, Lot 23, Township of McTavish, now being the Municipality of Shuniah; the following shall apply: "Notwithstanding Section 4.6.2 b) of By-law No. 2038-00 that the location of one only accessory sauna building is hereby permitted to be located in front of the main building

BL-2786-14 For the lands and premises described as 230 Bass Lake Rd, Plan M 218, Lot 5, Township of McTavish, now being the Municipality of Shuniah; the following shall apply: Notwithstanding Section 4.6.2 b) and Section 18.2 of By-law No. 2038-00 that the location of one only accessory gazebo building is hereby permitted to be located in front of the main building.

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BL-2096-03 Site Specific for property (Roll No 3-013 & 3-028)
BL 2462-10 Site Specific to allow a sauna in front of the main building
BL 2470-10 Site Specific to allow a sauna in front of the main building
BL 2513-11 Site Specific to allow a sauna in front of the main building
BL 2562-11 Site Specific to amend Accessory Buildings Requirements
BL 2563-11 Site Specific to allow for personal home office.
BL-2617-12 Site Specific to allow a sauna in front of the main building
BL-2618-12 Site Specific to allow a sauna in front of the main building

BL 2838-15 For the lands and premises described as Plan 55M 560, Lot 19, Township of McTavish, now being the Municipality of Shuniah; the following shall apply:
"Notwithstanding Section 4.6.2 b) of By-law No. 2038-00 that the location of one only accessory sauna building is hereby permitted to be located in front of the main building; as outlined in Schedule 'A' attached *(to By-law 2838-15)* hereto"

BL-2902-16 For the lands and premises described as Plan 758, Lots 23 and 24 ,Township of MacGregor, now being the Municipality of Shuniah, 1883 Mackenzie Beach Ave ; the following shall apply:
"Notwithstanding Section 4.6.2 b) of By-law No. 2038-00 that the location of one only boat house building is hereby permitted to be located in front of the main building as outlined in Schedule 'A' attached hereto."

1BL-2911-16 For the lands and premises described as Plan 808, Lot 25, Township of McTavish, now being the Municipality of Shuniah; the following shall apply:
"Notwithstanding Section 4.6.2 of By-law No. 2038-00 that the location of one only accessory sauna building is hereby permitted to be located in front of the main building; as outlined in Schedule 'A' attached hereto."

2BL-3018-18 For the lands and premises described as Lot 4 Plan 787, 570 East Loon Road, Township of McTavish, now being the Municipality of Shuniah ; the following shall apply:
"Notwithstanding Section 4.6.2 b) of By-law No. 2038-00 that the location of one only accessory sauna building is hereby permitted to be located in front of the main building ; as outlined in Schedule 'A' attached hereto."

BL-3177-21 For the lands and premises described as 2673 Birch Beach Road, more particularly described as Lots 22 and 23 of Registered Plan 694, Part 2 of Reference Plan 55R-8654, Township of MacGregor, Municipality of Shuniah, the following apply:

a) Notwithstanding Section 4.6.2 d) of the Zoning By-law 2038-00 the floor area for the workstation/garage/storage accessory building shall be permitted at a maximum size of 148 square meters resulting in a larger floor area that that of the main building on the lot.

BL-3191-21 For the lands and premises described as West Part of Lot 5, Plan 787, 574 East Loon Road, Township of McTavish, now being the Municipality of Shuniah; the following shall apply:
"Notwithstanding Section 4.6.2 b) of By-law No. 2038-00 that the location of one only accessory sauna building is hereby permitted to be located in front of the main building; as outlined in Schedule 'A' attached hereto."

BL-3192-21 For the lands and premises described as portion of Mining Location 13E, White's Survey being Parts 2 and 3 of Reference Plan 55R-13875, 1027 Cedar Bay Road, Township of MacGregor, now being the Municipality of Shuniah; the following shall apply:
"Notwithstanding Section 4.6.2 b) of By-law No. 2038-00 that the location of one only accessory sauna building is hereby permitted to be located in front of the main building; as outlined in Schedule 'A' attached hereto."

BL-3199-21 For the lands and premises described as 2819 Birch Beach Road, more particularly described as Lot 18 of Registered Plan 834, Township of MacGregor, Municipality of Shuniah, the following shall apply:
"Notwithstanding Section 4.6.2 a) of Zoning By-law No. 2038-00 that the height of the proposed garage shall not exceed 7.2m measured to the highest point of the roof and shall include a second storey; as outlined in Schedule 'A' attached hereto."

BL-3237-22 For the lands and premises described as 546 East Loon Lake Road, more particularly described as Plan 794 Lot 5, Township of McTavish, Municipality of Shuniah, the following shall apply:
"Notwithstanding Section 4.6.2 b) of the Zoning By-law 2038-00 that the location of one open air pavilion with roof and fireplace is hereby permitted to be located in front of the

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BL 2838-15 Site Specific – allow for a sauna
BL-2902-16 Site Specific – allow for boathouse in front of the main building
BL-2911-16 Site Specific – allow for sauna in front of main building
BL-3018-18 Site Specific – allow for sauna in front of main building
BL-3177-23 Site Specific – allow for garage larger than main building
BL-3191-21 Site Specific – allow for sauna in front of main building
BL-3192-21 Site Specific – allow for sauna in front of main building
BL-3199-21 Site Specific – allow for garage to exceed allowable height
BL-3237-22 Site Specific – allow pavilion in front of main building

main building, 17 m from the high-water mark, as outlined in Schedule 'A' attached hereto"

BL-3253-22 For the Lands and premises described as McGregor Part Shore Road allow, Plan M100 Lots 4 to 6, Part Lots 40 and 41 and Reference Plan 55R9242 Parts 1 to 4 and 12 to 15 and Reference Plan 55R14700 Part 1, Municipality of Shuniah, known as 1947 Crystal Beach Ave, the following shall apply;
"Notwithstanding Section 4.6.2 b) of By-law No. 2038-00 that the location of one only accessory sauna building is hereby permitted to be located in front of the main building; as outlined in Schedule 'A' attached hereto."

BL 3302-23 For the lands and premises describes as 411 Otte Road more particularly described as Concession A, Part SW1/4 Section 9, 55R9190 Parts 1 & 2, Township of MacGregor, Municipality of Shuniah, the following shall apply:
"Notwithstanding Section 4.6.2 a) of the Zoning By-law 2038-00 the workspace/garage/storage accessory building shall be permitted to include a second storey."

BL-3302-23 For the lands and premises describes as 411 Otte Road more particularly described as Concession A, Part SW1/4 Section 9, 55R9190 Parts 1 & 2, Township of MacGregor, Municipality of Shuniah, the following shall apply:
"Notwithstanding Section 4.6.2 e) of the Zoning By-law 2038-00, the garage shall be permitted to contain one bathroom comprising of one sink and one toilet."

BL-3385-24 For the lands and premises described as 2230 Amethyst Avenue, more particularly described as Part Mining Location AB Scott's Survey, Township of MacGregor, Municipality of Shuniah, the following shall apply:
"Notwithstanding Section 4.6.2 of the Zoning By-law 2038-00 to allow for an accessory building which shall include a second storey existing as of the date of this by-law."

BL-3384-24 For the lands and premises described as 2037 Amethyst Harbour South Bay Avenue, more particularly described as Plan 451 Lot 8, Township of MacGregor, Municipality of Shuniah, the following shall apply:
Notwithstanding Section 4.6.2 a) of the Zoning By-law 2038-00 that the construction of one garage a maximum of seven (7) metres of height and with a second storey is hereby permitted; as outlined in Schedule 'A' attached hereto."

BL-3388-24 For the lands and premises described as 2855 Eldorado Beach Road, more particularly described as Plan 834 Lot 2, and Part Road Allowance 55R10680 Part 1, Township of MacGregor, Municipality of Shuniah, the following shall apply:
Notwithstanding Section 4.6.2 a) of the Zoning By-law 2038-00 that the construction of a garage with a second storey is hereby permitted; as outlined in Schedule 'A' attached hereto."

BL-3447-25 For the lands and premises described as Thunder Bay Condo Plan 39; Level 1 Unit 8,Municipality of Shuniah, known as 115 Mickelson Drive, the following shall apply:
Notwithstanding Section 4.6.2 b) of By-law No. 2038-00 that the location of one only accessory sauna building is hereby permitted to be located in front of the main building; as outlined in Schedule 'A' attached hereto."

BL-3454-26 For the lands and premisses described as 2609 Birch Beach Road, more particularly described as Plan 55M585 Lot 4, Township of MacGregor, Municipality of Shuniah, the following shall apply:
"Notwithstanding Section 4.6.2 b) of the Zoning By-law 2038-00 that the construction of one only accessory building is hereby permitted to be located in front of the main building; as outlined in Schedule "A" attached hereto site specific as it applies to Plan 55M585, Lot 4, Township of MacGregor, now being the Municipality of Shuniah known as 2609 Birch Beach Road."

BL-3494-26 For the lands and premisses described as 362 Lakeshore Drive, more particularly described as Plam M136, Part Lot 5, 55R755 Parts 1, 2 and 3 Township of MacGregor, Municipality of Shuniah, the following shall apply:

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BL-3253-22 Site Specific – allow for sauna in front of main building
BL-3302-23 Site Specific – allow for accessory to contain bathroom
BL-3385-24 Site Specific – allow for accessory with a second storey
BL-3384-24 Site Specific – allow for accessory to exceed maximum height and with a second storey
BL-3388-24 Site Specific – allow for accessory with a second storey
BL-3455-26 Site Specific – allow for sauna in front of main building
BL-3494-26 Site Specific – allow for oversized garage

"Notwithstanding Section 4.6.2 a) of the Zoning By-law 2038-00 that the construction of one garage a maximum of nine (9) metres in height and with a second storey is hereby permitted; as outlined in Schedule "A" attached hereto."
"Notwithstanding Section 4.6.2 d) of the Zoning By-law 2038-00 that the construction of one garage with a floor area greater than the main building and a maximum size of 456 square metres is hereby permitted; as outlined in Schedule "A" attached hereto."

4.6.3 Accessory uses, buildings or structures to a use other than a residential use shall be permitted provided:

a) no accessory building shall be located in a front or an exterior side yard; and
b) accessory buildings shall not exceed a maximum size of 240 square metres.

4.6.4 The following accessory uses and/or buildings shall not be permitted unless specifically listed as a permitted use in the relevant zone:

a) gasoline, diesel or propane service or storage;
b) salvage yard, or open storage of more than three non-used vehicles;
c) construction equipment, snow removal equipment, forestry equipment business
d) crusher or asphalt plant;
e) buildings intended for human occupation.

BL-3177-21 For the lands and premises described as 2673 Birch Beach Road, more particularly described as Lots 22 and 23 of Registered Plan 694, Part 2 of Reference Plan 55R-8654, Township of MacGregor, Municipality of Shuniah, the following apply:
b) Notwithstanding Section 4.6.4 e) a bathroom, sink and shower shall be permitted in the workspace/garage/storage accessory building.

## 4.7 WATER SERVICE

All new dwellings shall be serviced with a water supply that is of acceptable bacteriological quality and with a minimum capacity of 18 litres per minute, on a continuous basis for a one hour pumping period, as evidenced by a certificate or other documentation from a licensed well driller or master plumber, satisfactory to the Chief Building Official. If a surface water supply is to be utilized for human consumption, it is to be treated.

BL 2296-07 In the case of cottage conversions or the construction of new permanent dwellings, for lots less than 30 metres in width or less than 1,800 square metres in lot area, a study, by a qualified professional of the impact of the conversion on the immediately abutting lands and related surrounding areas will be a prerequisite to the approval or installation of any new or upgraded water service.

## 4.8 SEWAGE DISPOSAL

BL 2392-09 All new dwellings shall be serviced by ~~either a Class 4 or Class 5[ classification as per Part 8 of the Ontario Building Code, 1997] subsurface sewage disposal system~~ an On-site Sewage Disposal System approved by the Thunder Bay District Health Unit or other appropriate approval authority. The design of the On-site Sewage Disposal System must conform to the requirements set out in Part 8 of the Ontario Building Code.
In the case of cottage conversion or the construction of new permanent dwellings,

- Holding tanks shall not be permitted;
- conversion of lots 30 metres in width or more and 1,800 square metres in lot area or more will only be permitted on property having, or capable of supporting an approved Class IV leaching bed sewage system or other Provincial endorsed systems in this category."

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BL-3177-21 To amend to allow bathroom, sink, shower in a workspace/garage/storage accessory building
BL-3447-25 Site Specific – allow for sauna in front of main building
BL 2296-07 OPA No. 2 provisions cottage conversion
BL 2392-09 To Amend in allow Part 8 of OBC – *replaces BL's 2363-08 and 2296-07*
BL-2766-14 To Amend to allow for garage without a main use.
BL-3385-24 To amend to allow a garage with a second storey.

## 4.9 PARKING

4.9.1 Off-street Parking with adequate provision for aisleways and/or driveways shall be provided in accordance with the following provisions:

### 4.9.1.1 NUMBER OF PARKING SPACES REQUIRED

| USE OF BUILDING OR LOT | PARKING SPACES REQUIRED |
|---|---|
| Dwelling | 2 spaces per dwelling unit |
| Any building containing two or more dwelling units | 1½ spaces per dwelling unit |
| Bed and Breakfast | 1 space for every bedroom used to provide overnight accommodation plus 2 parking spaces |
| Retail Stores and Service Outlets | 1 parking space for every 27.8 $m^2$ of floor area; minimum 3 parking spaces |
| Restaurants | 1 parking space for every four persons which can be accommodated according to the maximum permitted capacity. |
| Tourist lodging establishments | 1 parking space per guest room or suite, plus 1 additional parking space for every 18.5 $m^2$ of floor area devoted to public use |
| Religious institutions, theatres, arenas, halls clubs, recreational establishments and other places of assembly | Where there are fixed seats 1 parking space for every four seats: where there are no fixed seats, 1 parking space for each 18.5 $m^2$ of floor area devoted to public use |
| Industrial uses except a Warehouse | 1 parking space for every 46.4 $m^2$ up to 185.8 $m^2$ of floor area thereafter |
| Warehouse | 1 space for every 350 $m^2$ area |
| Offices | 1 parking space for each 18.5 $m^2$ of floor area; minimum 3 spaces |
| Marina | 1 parking space for each boat slip rented on a seasonal basis, 2 parking spaces for each rental boat capable of providing overnight accommodation and 1 space for every 27.8 $m^2$ of floor area |
| Any other use not specified | 1 parking space for each 27.8 $m^2$ of floor area |
| BL-2500-10 Accessory Dwelling | 2 spaces |
| Tent and Trailer Park Camp Site | 1 parking space per site |
| Tourist Cabins | 1 parking space per guest room |
| Other Parking | 1 parking space for use by visitors for each five camp |

BL-2500-10 Parking Regs. for Tent & Trailer Parks

| USE OF BUILDING OR LOT | PARKING SPACES REQUIRED |
|---|---|
| | sites [BL-2500-10] |

4.9.1.2 ADDITIONS TO BUILDINGS

Where an expansion or addition to an existing building is proposed for a building that has an existing deficiency in parking, such deficiency shall not have to be made up; but rather, only the additional parking spaces for the expansion shall be required to be provided in addition to that parking which is currently in existence.

4.9.1.3 PARKING AREAS

a) Required parking in a Community Residential, a Shoreline Residential, Shoreline – Black Bay, Shoreline – Moonlight Bay, Shoreline - Back Lots, Rural, or Mobile Home Residential Zone shall be provided on the same lot as the dwelling unit. In all other zones, parking shall be provided within 91.4 m of the building or lot it is intended to serve. No part of any parking area required for a use other than Residential shall be permitted in a Residential Zone except that used for a permitted home occupation or bed and breakfast;
b) Required parking in the Recreational Association Zone may be located on the cottage site or on the Association residual lands.
c) Where required parking is not provided on the same lot, the lot or part of the lot where the parking is located shall be in the same ownership or be leased by a long term renewable agreement in the same name and interest as the main property, and the parking spaces shall be retained for the duration of the use;
d) Every parking space shall have dimensions of at least 3.0 m by 6.0 m;
e) Except where required parking spaces are provided for the use of occupants for a single family, each parking space shall be provided with unobstructed access to a street by a driveway, aisle, and/or lane;
f) Where two or more uses are permitted in any one building or on any one lot, the off-street parking requirements for each use shall be calculated as if each use is a separate use, and the total number of off-street parking spaces so calculated, shall be provided, except where a single integrated standard is provided. Alternatively, where a single, integrated parking standard is provided, the number of parking spaces may be calculated using such integrated parking requirement, and that number of parking spaces shall be required;
g) Where the calculated number of parking spaces results in a number that is a fraction that is higher than point five (.5), the number of parking spaces shall be increased to the next whole number.
h) [BL 2364-08] In the case of institutional buildings, and residential buildings in excess of 20 dwelling units in size, a minimum of two spaces for physically handicapped persons shall be provided and shall have a minimum width of 3.5 metres, and be located near and accessible to an entrance to the related building. Such spaces shall be included in the total calculation of parking spaces required for the property.

4.9.1.4 ACCESS TO PARKING AREAS

a) Access driveways designated for two-way traffic shall be not less than 6.0 metres in width. One way entrance and/or exit driveways shall be not less than 3.0 m in width; and
b) Access to parking areas for commercial or industrial uses shall not pass through a Residential Zone.

4.9.1.5 PARKING AREA WITH MORE THAN FOUR PARKING SPACES

Where a parking area contains more than four (4) parking spaces, such parking area shall be serviced by an aisle, with dimensions not less than:

| | |
|---|---|
| - up to 45 degrees | 4.6 metres |
| - over 45 degrees up to 70 degrees | 5.2 metres |
| - over 70 degrees up to 80 degrees | 6.0 metres |
| - over 80 degrees up to 90 degrees | 6.5 metres |

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[BL-2500-10] Parking Regs. for Tent & Trailer Parks
[BL 2364-08] New - Parking Spaces for Disabled

### 4.9.1.6 PARKING AREA ILLUMINATION

Where parking areas are illuminated, lighting fixtures shall be so arranged that no part of any fixture shall be more than 9.1 m above the finished grade of the parking area. Fixtures shall be so designed and installed that the light is directed downward and deflected away from adjacent lots and public roads.

## 4.10 LOADING

One loading space, being not less that 3.6 metres by 9 metres, having vertical clearance of not less than 4.3 metres, shall be provided for any building that exceeds 500 square metres in size. Where a loading space is provided, such space shall have unobstructed access to an aisleway, driveway or to a public street. A loading space shall not occupy any required parking space, aisleway or driveway.

## 4.11 PUBLIC SERVICES

Any land may be used and any building or structure may be erected or used for the purpose of a public service by the Corporation of the Municipality of Shuniah, or by any local board thereof, by any telephone, hydro or gas company, or by any senior level of government in the conduct of that organization's primary business or function, provided:

a) Lot coverage, setback and yard provisions and parking and loading provisions in the relevant zone in which such land, building, or structure is located shall be complied with; and
b) No open storage of goods, material, or equipment shall be permitted except in accordance with the zone provision.

## 4.12 HOME OCCUPATION

A home occupation use is permitted in any permanent dwelling in accordance with the following. A Home Occupation:

a) shall not be permitted where use is a recreational cottage;
b) shall be conducted entirely within a dwelling, or in an accessory building to a dwelling;
c) shall be conducted only by members of the family residing in the dwelling;
d) shall not occupy more than 25% of the main building ;
e) shall not occupy more than 18.5 square metres of an accessory building;
f) shall be clearly incidental and secondary to the main dwelling and must not change the character of or alter the exterior appearance of the dwelling;
g) shall not include the sale of goods, or the storage of goods or finished inventory, except for a craftsperson, who may sell the product of such craft;
h) shall not include signs, except for a non-illuminated sign not exceeding 0.8 square metres, which may be permitted;
i) no delivery of goods or materials; and
j) there shall be no expectation of conversion to future commercial zoning.

BL-2903-16 For the lands and premises described as Mining Location 11 E Part of Whites Survey RP-55R 10517 Pt 3 ,Township of MacGregor, now being the Municipality of Shuniah, 895 Lakeshore Drive ; the following shall apply:
"Notwithstanding Section 4 that the height of an accessory building is hereby permitted to be 6.28 m and will contain a 2nd story and sanitary facilities and;
"Notwithstanding Section 4.12 e) that the home occupation is hereby permitted to occupy the 2nd story of the accessory garage of approximately 46 $m^2$.

## 4.13 BED AND BREAKFAST

A Bed and Breakfast may be permitted, by specific rezoning, in any legal permanent dwelling, except in a trailer in a mobile home trailer park, in accordance with the following:

a) operation of a bed and breakfast shall be from the main single detached dwelling or converted dwelling only, and shall not be allowed in a recreational dwelling;

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BL-2903-16 Site Specific – permit home occupation in 2nd storey accessory garage

b) operation of a bed and breakfast shall be incidental to and secondary to the main residential use and shall not alter the character or the appearance of the main building;
c) operation shall be only by the occupant of the dwelling;
d) the maximum length of stay shall not exceed five (5) consecutive days;
e) one only non-illuminated sign not exceeding 0.3 square metres in size shall be permitted;
f) operation of a bed and breakfast shall involve not more than four (4) bedrooms for guests; and
g) operation of a bed and breakfast may include the preparation of one meal per day for the patrons of the bed and breakfast.

BL-2474-10 Notwithstanding Section 4.13 and Section 5.13 of By-law No. 2038-00, the operation of a bed and breakfast shall be permitted in a recreational dwelling and shall be in conformity with all other the provisions of Section 4.13 and any other provisions with respect to the operation of a bed and breakfast as regulated in By-law No. 2038-00, and that the said operation of a bed and breakfast be secondary to the main recreational use.

4.13.1 A bed and breakfast business shall be permitted on the following properties, namely:

a) Pinebrook Bed & Breakfast: A portion of the S/W Quarter of Section 18, Concession C, being known by the municipal address of RR # 16, Mitchell Road
b) Eldorado Bed & Breakfast: Lot 7, Registered Plan 834, Eldorado Beach

## 4.14 PITS AND QUARRIES

The making, establishment or use of all pits and/or quarries within the Township is prohibited except in lands located in a zone that permits such use.

## 4.15 SWIMMING POOLS

No swimming pool shall be located in any required front or required side yard, nor closer than 3 metres to any other lot line. Fencing shall be provided in accordance with the Township's Fence By-law and the Building Code.

## 4.16 MOBILE HOMES AND RECREATIONAL VEHICLES

4.16.1 The placement and/or use of mobile homes for residential purposes shall be prohibited in all zones except in a mobile home park, zoned Mobile Home Residential Zone.

4.16.2 A recreational vehicle may be used for temporary accommodation during the construction of a dwelling for not more than one year from the date the building permit is issued.

4.16.3 BL 2363-08 A recreational vehicle may be used for short term accommodation not exceeding ~~thirty (30) days~~ Ninety (90) days in any calendar year, ~~accessory to a legally existing permanent dwelling or recreational dwelling~~ provided that:

- It is accessory to a legally existing permanent dwelling or recreational dwelling; and
- It is located in accordance with the required yards and water setbacks applicable to a dwelling.

## 4.17 TEMPORARY USES

4.17.1 Temporary construction facilities including, scaffolding and/or equipment incidental to construction on the premises shall be permitted in any zone for as long as work is continuously proceeding, or 2 years, from the date that the facilities are brought onto the site.

4.17.2 A portable asphalt plant directly associated with an ongoing road construction contract

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BL-2474-10 To allow a B&B at Superior Shores
BL 2363-08 To ensure mobile homes are not used without a main use building

shall be permitted to be located in any Rural, Industrial or Aggregate Processing (AG-P) zone during the tenure of the relevant contract, subject to a setback of not less than 500 metres from a residence.

4.17.3 A vinyl, temporary vehicle shelter, garage or other portable building may be erected on any residential lot and may be used to shelter a private vehicle, provided that all of the required yard provisions of the particular zone are complied with.

## 4.18 YARD ENCROACHMENTS

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

a) sills, cornices, eaves, gutters, chimneys, bay windows, pilasters or other ornamental structures, may project into any minimum required yard not more than 0.6 m;
b) exterior stairs and landings may project into any minimum required front or rear yard not more than 1.5 m;
c) handicap access ramps, uncovered patios, awnings, fences except that no fence shall be permitted within the required front yard of any property abutting a shoreline, retaining walls, garden trellises and similar landscaping features, clothes poles, flag poles, and similar accessory structures may project into any minimum required yard;
d) free standing stairs traversing topographic changes on a property, or stairs traversing topographic changes on a property and connecting to a landing and/or stairs permitted elsewhere on a lot; and
e) fencing shall be permitted anywhere on a lot, except as excluded by Subsection 4.23.1.

BL-3177-21 For the lands and premises described as 2673 Birch Beach Road, more particularly described as Lots 22 and 23 of Registered Plan 694, Part 2 of Reference Plan 55R-8654, Township of MacGregor, Municipality of Shuniah, the following apply:

c) Notwithstanding Section 4.18 a) the yard encroachment of the eaves for the main building shall be increased to 1.219 metres.[3]

## 4.19 ILLUMINATION

Lighting fixtures which are not public uses and which are designed for exterior illumination, shall be constructed or installed with the light directed and/or deflected away from adjacent lots and public roads. Such lighting fixtures shall not be more than 9.1 m above the finished grade.

## 4.20 SATELLITE DISHES

4.20.1 Satellite dishes less than 1.5 metres diameter across the dish may be attached to a building.

4.20.2 Satellite dishes in excess of the aforementioned size may be located on the ground or attached to a structure on the ground, but shall not be permitted in any required front or required side yard.

## 4.21 HEIGHT

Where height limitations are set out in this By-law, such limitations shall not apply to water tanks, flag poles, lightning rods, lightning standards, ventilators, skylights, mechanical equipment enclosures, elevator enclosures, antennae, church steeples, belfries, chimneys, solar collectors, silos, electrical supply facilities and communication towers.

## 4.22 WATER LOT, WATER COURSES

4.22.1 No portion of a lot located below the high water mark, shall be used for any building or structure, except:

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BL-3177-21 To amend to allow increased yard encroachment of eaves.

a) dock or mooring facility;
b) wharf, dam;
c) water piping, hose, etc relating to a lake water supply, but not including a pump house;
d) boat launch; and/or
e) groins, break walls or other shoreline protection, and other such erosion or flood control features.

4.22.2 Notwithstanding that such lands are not shown on the zoning schedule attached hereto, the permitted uses and requirements of Section 33 Use Limitation shall apply to all lands within 4 metres of the centreline of a watercourse having year round (and not intermittent) flow, and all land within 4 metres of a waterbody.

4.23 FENCING

4.23.1 No fences shall be constructed in the front of any recreational or permanent dwelling unit in any Shoreline Residential or Recreational zone.

4.23.2 Fences shall be in accordance with the Municipal Fencing By-law.

4.24 [BL 2363-08]AREAS of NATURAL AND SCIENTIFIC INTEREST ANSI, MINE HAZARDS, LANDFILL LOCATIONS

No development shall occur on lands shown on Schedule B, which contain an ANSI, Mine Hazard, Waste or Landfill Disposal, or significant Archaeological sites, or within 20 metres of the determined outer boundaries of such sites.

4.25 PROVINCIAL HIGHWAYS

Where development is adjacent to any Provincial Highway, Provincial Access and/or building permit controls may be applicable. Compliance with such controls will be required to be demonstrated prior to the issuance of a building permit.

4.26 RAILWAY REGULATIONS

**ADDED OMB Case No. PL020379 Decision No. 0184 and By-law No. 2093-02**

4.26.1 [BL 2093-02] DEVELOPMENT ABUTTING A NEARBY RAILWAY RIGHT OF WAY

[BL- 2643-12] Notwithstanding Section 4.26.1 Development Abutting a Nearby Railway Right of Way the following shall apply.

a) Where lands abut a nearby railway right of way that is no longer operational or has been officially decommissioned none of this section applies.

4.26.1.1 [BL-2101-03]NOTWITHSTANDING Section 4.26.1.1 (ii) of By-law No. 2038-00 which regulates the setback of buildings from the railway that in the case of this portion of Mining Location 6Z, Savigny's Survey and Part 1 of RP 55R-11868 in the Township of MacGregor known as 1207 Sunrise Beach Drive, being more particularly described in Schedule "A" of By-law No. 2101-03, the minimum setback for any habitable or regular occupied building shall be 26.3 metres.

4.26.1.2 for the purpose of Section 4.26.1.1 above, and for 4.26.1.5 following, lands separated from a railway right of way by a public or by a private road shall be considered as not being abutting the railway right of way.

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[BL 2363-08] To spell out ANSI
[BL 2093-02] As a result of OMB Decision 0184
[BL-2101-03] Site Specific to Ptn ML 6Z (Roll No. 3-158 & 3-159)
[BL 2643-12] Setback to a Railway right of way that is no longer operational or has been officially decommissioned

the minimum setback for any habitable or regularly occupied building located in a Light Industrial zone or involving automobile servicing and repair shall be either:
i) 15 metres in conjunction with a 2 metre earth berm; or
ii) 20 metres in conjunction with a 1.5 metre earth berm;
or shall be 60 metres in the absence of such a berm as outlined in subsections i) and ii) of Section 4.26.1.3.

4.26.1.3 the minimum setback for any regularly occupied building located in a Heavy Industrial zone or involving automobile servicing and repair shall be 15 metres.

4.26.1.4 A 1.83 metre high fence shall be erected and maintained along the common property between a railway line and any developed, cleared, or utilized portion of land, by the owner of such land, in the following situations:

i) for each lot where more than two new lots have been created from an existing property, either by severance or by plan of subdivision, after the date of passing of this by-law; or
ii) for each lot where there are three or more residential lots in a row which do not have a dwelling on them as at the date of the passing of this by-law; or
iii) for any new multiple residential building; or
iv) for new regularly occupied commercial, institutional, commercial recreational or industrial buildings; or
v) for expanded or enlarged regularly occupied commercial, institutional, commercial recreational or industrial buildings where the expansion or enlargement results in an increase of the square footage of the existing building at the date of passing of By-law No. 2038-00 by more than 65%.

4.26.1.5 where habitable or regularly occupied buildings exist at the date of passing of By-law 2038-00 and are located partially or fully within the relevant above established minimum setback areas, such buildings may be maintained, repaired, renovated, and enlarged/expanded, notwithstanding the above noted setback, which otherwise shall continue to apply, provided that;

i) the amount or extent of the discrepancy relative to the minimum setback is not increased.
ii) any enlargement/expansion does not increase the square footage of the existing building to more than 65% of the square footage as it existed at the date of the passing of By-law No. 2038-00.
(a) Notwithstanding the provisions of Section 4.26.1.6 ii), above, which otherwise continues to exist, the property legally described as Lot 28, Plan 803, in the Township of MacGregor, now in the Corporation of the Municipality of Shuniah, District of Thunder Bay, known as 1703 Mackenzie Beach Avenue, shall be permitted to expand, such that the expansion may increase the square footage of the existing building by up to 125% of the square footage as it existed at the date of the passing of By-law No. 2038-00.

4.26.1.6 where no alternative means of vehicular access is available to lands for which an earth berm is provided in order to reduce the minimum setback implemented above, such earth berm may include a standard driveway access. [BL 2093-02]

## 4.27 AMENDMENTS TO SECTION FOUR

### [BL-2258-074] ADULT ENTERTAINMENT ESTABLISHMENTS

Adult Entertainment Establishments may only be permitted, by specific rezoning, and in accordance with the following:
a) Shall not be closer than 1,000 metres to the closest property line of a school,

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BL 2093-02 As a result of OMB Decision 0184
BL-2258-07 General Amendment to Regulate Adult Entertainment Establishments
2258-07 To regulate Adult Entertainment Establishments

church, church sponsored camp, community centre, park, playground, day care or nursery, group home, or a residential dwelling (permanent or seasonal), except where a residence is located on the same property, measured to the closest edge of the main building used as an adult entertainment establishment.

b) Shall be accommodated in a free standing building and not be a part of a shopping centre containing other independent uses.

c) Shall not be closer than 1,000 metres to an existing adult entertainment establishment, measured from the closest edge of the related property lines.

d) Shall provide loading and/or parking spaces in accordance with the standards for a restaurant.

BL-2271-07 WIND ENERGY RESOURCES

Wind Energy Resource shall include the permitted use of Wind Farms and may be permitted within the Rural and Hazard Lands zones, and any of the Commercial, Extractive, and Industrial I zones.

a) Maximum height restrictions shall not apply to wind farms including, components and related buildings located therein.

b) Wind farm owner/operators shall be permitted to maintain and/or rebuild equipment within a wind farm without restriction so long as such maintenance and/or rebuild does not reasonably alter the original permitted design and configuration of the wind farm.

c) The construction of any dwelling unit shall be prohibited within the greater of 200 metres or Ministry of the Environment NPC 232 for all new dwellings from any wind turbine within a wind farm, as measured from the nearest surface of the wind turbine support tower at grade.

d) Notwithstanding the lot requirements and the other standard regulations and requirements specific to each zone in this By-law, the following requirements shall apply to wind farms, subject to conformity with provincial noise regulations whereupon distances determined by sound characteristics shall govern should those distances be greater than those listed in this section:

The placement of all Wind Turbines shall comply with the following:

a) Setback distances with respect to property lines shall not apply to wind turbines located within a wind farm where the property lines nearest to any given wind turbine define and separate properties belonging to two or more participating landowners.

b) With respect to a wind turbine all setback and separation distances shall be defined relative to the tower center of the wind turbine support tower as measured at the natural ground level.

c) Notwithstanding any other consideration including calculated sound levels no wind turbine shall be located at a distance less than 200 metres from the nearest occupied dwelling. BL-2271-17

| Minimum Setback / Separation Item (Defined as "Accessory Structure") | Separation distance from dwellings | Participant Property line setback | Non-Participants Property line setback* | Setback from road right-of-way line* | Separation distance from non-dwelling principal and accessory structures |
|---|---|---|---|---|---|
| Wind turbine (Measured from tower center) | Greater of:<br>a) 200 m ; or<br>b) Ministry of Environment – Certificate of Approval Requirement (NPC) | 0 m | Rotor Radius plus 10 m | Rotor Radius plus 10 m | Rotor Radius plus 10 m |

BL 2364-08 RACETRACK/MOTOCROSS

No lands shall be used for a vehicle racetrack, motocross track or other such activity except by specific amendment to the zoning by-law.

BL-2271-07 General Amendment to regulate Wind Energy Resources
BL 2364-08 New to include Racetracks need site zoning

BL 2364-08 YARDS ABUTTING LAKE SUPERIOR, LOON AND BASS LAKE
Notwithstanding yard requirements to the contrary set out in any zone, where a property abuts Lake Superior, Loon Lake or Bass Lake, the following minimum setbacks shall apply:

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|---|---|
| a) where abutting a shoreline allowance | 1.5 metres |
| b) where abutting the shoreline directly | 21.5 metres |

BL-2096-03 NOTWITHSTANDING Section 4.6.2 a) of By-law No. 2038-00 which restricts the height of residential accessory buildings to 6 metres that in the case of this portion of Mining Location 12E and 15E White's Survey, being more particularly described in Schedule 'A' attached to By-law No. 2096-03, the height of the existing 9.14 x 15.24 metres garage only be 9.1 metres.

BL 2462-10 For the lands and premises being Lot 19 of Registered Plan 55M-563, Township of McTavish, Municipality of Shuniah; the following shall apply:
Notwithstanding Section 4.6.2 b) of By-law No. 2038-00 that the location of one only accessory sauna building is hereby permitted to be located in front of the main building.

BL 2470-10 For the lands and premises being Lot 15 of Registered Plan 55M-563, Township of McTavish, Municipality of Shuniah; the following shall apply:
Notwithstanding Section 4.6.2 b) of By-law No. 2038-00 that the location of one only accessory sauna building is hereby permitted to be located in front of the main building

BL 2513-11 For the lands and premises described as Plan 787 Part Lot 8, Township of McTavish, now being the Municipality of Shuniah; the following shall apply: "Notwithstanding Section 4.6.2 b) of By-law No. 2038-00 that the location of one only accessory sauna building is hereby permitted to be located in front of the main building; as outlined in Schedule 'A' attached hereto.

BL 2562-11 NOTWITHSTANDING the provisions of By-law No. 2038-00, in the case of the lands and premises described as; "Lot 2 Registered Plan M-590 and a portion of the South West 1/4 of Section 8 Concession 8 in the Township of McTavish, Municipality of Shuniah in the District of Thunder Bay known as 265 West Loon Road." is hereby amended as follows:
a) notwithstanding Section 4.6.2 a) of By-law No. 2038-00 that height of the existing garage ,shall not exceed 6.6 metres measured to the highest point of the roof, and shall include a second storey.

BL 2563-11 NOTWITHSTANDING the provisions of By-law No. 2038-00, in the case of the lands and premises described as; "Lot 15, Registered Plan 812 and Part 1 of Reference Plan 55R-12473, Township of MacGregor, Municipality of Shuniah in the District of Thunder Bay" is hereby amended as follows:

a) notwithstanding Section 4.6.4 of By-law No. 2038-00 the proposed personal home office accessory building may include bathroom facilities but not kitchen facilities and the said building may not be used for human habitation;
b) notwithstanding Section 10.3 of By-law No. 2038-00 that the total maximum area for accessory buildings be 310.8 square metres; and
c) that with respect to Section 1 0.4.5 of By-law No. 2038-00; the existing accessory buildings, including the boat house, as shown on the attached Schedule "A" be permitted.

BL-2617-12 For the lands and premises described as Plan 756, Lot 24, Township of McTavish, Municipality of Shuniah; the following shall apply:
"Notwithstanding Section 4.6.2 b) of By-law No. 2038-00 that the location of one only accessory sauna building is hereby permitted to be located in front of the main building;

BL-2618-12 For the lands and premises described as Plan 808, Lot 23, Township of McTavish, now being the Municipality of Shuniah; the following shall apply: "Notwithstanding Section 4.6.2 b) of By-law No. 2038-00 that the location of one only accessory sauna building is hereby permitted to be located in front of the main building

BL-2786-14 For the lands and premises described as 230 Bass Lake Rd, Plan M 218, Lot 5, Township of McTavish, now being the Municipality of Shuniah; the following shall apply: Notwithstanding Section 4.6.2 b) and Section 18.2 of By-law No. 2038-00 that the location of one only accessory gazebo building is hereby permitted to be located in front of the main building.

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BL 2364-08 New to include in lake setbacks to 21.5 m
BL-2096-03 Site Specific for property (Roll No 3-013 & 3-028)
BL 2462-10 Site Specific to allow a sauna in front of the main building
BL 2470-10 Site Specific to allow a sauna in front of the main building
BL 2513-11 Site Specific to allow a sauna in front of the main building
BL 2562-11 Site Specific to amend Accessory Buildings Requirements
BL 2563-11 Site Specific to allow for personal home office.
BL-2617-12 Site Specific to allow a sauna in front of the main building
BL-2618-12 Site Specific to allow a sauna in front of the main building

BL-2196-06 For a wood waste disposal site located on portions of Concession I and II, Sections 15 and 16, Township of MacGregor, building permits for accessory buildings and/or structures may be issued in association with the main use notwithstanding that there is no main building.

BL 2408-09 For the lands and premises being a Portion of Mining Location 8 Herrick's Survey, described as Part 1 of Reference Plan 55R-11373 and Part 1 of Reference Plan 55R-11829, Township of MacGregor, Municipality of Shuniah in the District of Thunder Bay that By-law No. 2038-00 is hereby amended by the following:

Notwithstanding Section 4.6.1, which states, "No Accessory Building/Structure shall be constructed on any property until a building permit has been issued for the Main Use Building/Structure. If a building permit has been obtained for the Main Use Building/Structure, construction of an Accessory Building must not commence prior to the start of the Main Use Building/Structure"; that the following accessory buildings, which are hereby recognized as legal non-complying:

4.27.1.1.1 i) a 8.53 metres (28') by 7.31 metres (24') in area and 5.48 metres (18') in height building utilized as a ski chalet/utility building; and

ii) a 18.2 metres (60') by 14.63 metres (48') in area and 7.01 metres (23') in height building utilized

BL-2978-17 1. For the lands and premises described as 656 Duncan Ave. Lots 5, 6 and 7 Plan 759 the following shall apply:
"Notwithstanding Section 10.3 the Side Yard for a Main Building for the existing cottage on Lot 7 Plan 759 is reduced from 3m to 2.7 m.
"Notwithstanding Section 4.26.1 the setback to the railway right of way for the existing dwelling on lot 7 from 45 m to 20 m and the setback for any habitable structure on lots 5 and 6 from 45 m to 30m.
"Notwithstanding Section 4.3 the minimum frontage on an opened and maintained road is hereby deleted."
"Notwithstanding Section 10.2 that Lots 5, 6 and 7 shall become blended and divided into 2 lots having lesser minimum lot requirements than otherwise allowed."

2. That ingress, egress and any maintenance of the portions of road allowance abutting these lands not currently maintained by the Municipality shall be the responsibility of those owners of said lots and that this condition be stipulated as a Notification on title.
3. That a Notification Agreement attached hereto as Schedule 'B' be registered against the subject lands as a condition of this amendment pursuant to the Planning Act R.S.O. 1990 as amended Section 16.
4. That one additional new access to the subject lands shall be permitted only at the location as described in Schedule "A" attached hereto.
5. That any access to the subject lands over the unopened road allowance shall be no wider than 6 metres and approved by the Municipality.
6. No clearing of the unopened road allowance is permitted without consent of the Municipality.
7. That the Mayor and Clerk are hereby authorized to execute the Notification Agreement attached hereto as Schedule '8' BL-2978-17

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BL-2196-06 To allow for accessory buildings with no main use – re Wood Waste Disposal Site
BL 2408-09 Site Specific to allow accessory without a main building
BL-2978-17 Site Specific Railway setback and no minimum frontage required on road

# 5. DEFINITIONS

For the purpose of this By-law, the definitions and interpretations given in this section shall govern.

5.1 **Accessory**, when used to describe a use, building or structure, shall mean a use, building or structure that is uninhabitable unless otherwise specified, and is incidental, subordinate, and exclusively devoted to the principal (main) use and located on the same lot with such principal use, unless specifically provided otherwise.

BL-2258-07 **Adult Entertainment Establishment** shall mean any premises or part thereof in which is provided live theatre, video theatre, live dance or live display by entertainers and/or staff intended or distinguished by nudity or partial nudity, or otherwise relating to erotic or sexual conduct, appetite, or inclination.

BL 2363-08 **Aggregate** shall mean clay, earth, sand, gravel, shale, stone, loose rock, or other such material used for construction or manufacturing purposes.

BL 2363-08 **Aggregate Extraction** shall mean the removal of aggregate material from its natural setting by means of an open excavation, and may include extraction, screening, washing, stockpiling, and/or hauling, and, if specifically allowed in the zone, crushing.

5.2 **Agricultural Use** shall mean a use of land, building or structures for the raising of animals and birds, and the growing of agricultural crops i.e. turf grass, greenhouse crops, mushrooms and nursery stock and shall include value added agricultural products from the farm operation of the property.

5.2.1 Agricultural Use shall not be construed to include commercial activities related to agriculture such as abattoirs, tanneries and sales outlets, or manufacturing.

5.3 **Alter** shall mean:

a) when used with reference to a building or structure or part thereof, to change any one or more of the external dimensions of the building or to change the type of construction of the exterior walls or roof;
b) when used with reference to a lot, to change the area, frontage or depth thereof; to change the width, depth or area of any required yard, landscaped open space or parking area; or to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of such lot or otherwise; and
c) when used with reference to use, shall mean to discontinue and replace the use with a use which is defined herein as being distinct from the discontinued use.

5.4 **Association Cottage Site** shall mean an area that is part of a larger property owned by the said cottage association and;

i) Is under the exclusive use and enjoyment of a particular member of the said cottage association;
ii) Is described in a drawing acknowledged and agreed to with respect to boundaries by the specific members of the association enjoying similar exclusive use and enjoyment of abutting lands on each side, and by the association; and
iii) Has frontage on a waterbody or on a shoreline allowance abutting a waterbody, except for the existing back lots at Pebbly Beach and East Green Bay.

5.5 **Association Residual Lands** shall mean the property owned by a cottage association in a cottage association zone, exclusive of all Association cottage sites.

5.6 **Automobile Body Shop** shall mean an establishment where vehicle cleaning, polishing, body or frame repair and/or painting is done.

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BL-2258-07 General Amendment To Regulate Adult Establishments
BL 2363-08 New Definition
BL 2363-08 New Definition

5.7 **Automobile Gas Bar** shall mean a premises where gasoline, (but not propane or diesel fuel unless specifically permitted), is kept for sale with or without lubricants and/or other automobile accessories, but where no repair, and only minor servicing of automobiles is carried on. Minor services shall involve activities such as adding oil or washer fluid or changing windshield wiper blades.

5.8 **Automobile Rental and/or Sales** shall mean the use of land, buildings and/or structures primarily where motor vehicles are kept for short term rental, and may include display and servicing, and the disposition of such vehicles when no longer used for rental purposes.

5.9 **Automobile Service Station** shall mean the use of land and/or a building where gasoline (but not propane or diesel fuel unless specifically permitted), oil, grease, anti-freeze, tires, spark plugs and other automobile accessories are kept for retail sales and where motor vehicles may be oiled, greased, washed, or repaired but not including body repair or repainting.

**Back Lots** shall mean any lot, which is located on the second tier fronting on a street within a Registered Plan that is recorded at the Registry Office, and does not front on any shoreline [BL 2296-07]

5.10 **Balcony** shall mean a structure without a roof attached to and extending horizontally from the wall or walls of a main building and having no separate foundation on the ground and no direct access to the ground

5.11 **Barn** shall mean a building or structure which is used for the keeping of farm animals, products and equipment in association with an agricultural use.

5.12 **Basement** shall include a cellar and shall mean that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above the average level of ground adjacent to the exterior walls of the building.

5.13 **Bed and Breakfast** shall mean a single dwelling unit in which not more than four (4) bedrooms, being at least one (1) less than the total number of bedrooms in the dwelling unit, are licensed by the municipality and used to provide overnight accommodation to the travelling or vacationing public, for profit or gain, with or without meals to guests of the establishment, in conformity with the provisions of Section 4.13 of this By-law, and where operation of the bed and breakfast is secondary to the main residential use.

5.14 **Beer or Liquor Store** shall mean the use of land, buildings and/or structures in which liquor; wine or beer is kept and offered for retail sale.

5.15 **Boat House** shall mean a building that is used only for the storage of boats and/or related marine craft, equipment, and/or supplies, and not for human habitation.

5.16 **Boat Launch** shall mean the use of land and water for the purpose of launching small pleasure boats, and includes a natural or constructed ramp for launching boats, a parking area for automobiles and trailers, and may include a dock.

5.17 **Buffer** shall mean an area of land the size of which is described in the relevant zone, containing one or more of fencing, grass, shrubs bushes, berms, trees or other vegetation.

5.18 **Building** shall mean a structure having a roof supported by columns or walls or directly on the foundation and used for the shelter and/or accommodation of persons, animals or goods, and shall include a deck that is attached or that is otherwise supported by a building or that is closer than 0.2 metres to a building;

a) **Accessory Building**, shall mean a building customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building unless otherwise provided;
b) **Attached Building**, when referring to a main building shall mean attached horizontally with dependence for structural support or complete enclosure, upon

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[BL 2296-07] OPA #2 – Provisions for Cottage Conversion

a divisional wall or walls shared in common with another main building on the same lot or on an adjacent lot. When referring to an accessory building or structure shall mean attached horizontally with dependence for structural support or complete enclosure upon a divisional wall or walls shared in common with the main building on the same lot;

c) **Main Building**, shall mean the building serving the principal or primary use of the lot on which it is situated.

5.19 **Building Line** shall mean a line within a lot drawn parallel to a lot line which establishes the minimum distance between that lot line and any part of a building or structure which may be erected.

**Building Supply Outlet** shall mean the use of land, buildings, and/or structures for the storage of lumber and wood products, for wholesale or retail sale, and may include the sale of building related items, tools, goods and/or materials. BL 2363-08

**Bulk Fuel Depot** shall mean the use of land, buildings, and/or structures for the storage and distribution of fuels, but not including retails sales except by keylock operation. BL 2363-08

5.20 **Bunk House** shall mean a non-commercial accessory building, no greater than 35.0 square metres, used exclusively for temporary sleeping accommodation in association with the main building, and which contains no cooking or sanitary facilities, whether free standing or attached to another building.

5.21 **Bus Depot** shall mean the use of land, buildings and/or structures where commercial motor vehicles pick up and/or discharge for paying passengers and may include ticket offices, luggage check facilities, parcel shipping facilities and luggage/parcel storage facilities.

5.22 **Carport** shall mean a partially enclosed structure which is used primarily for storage of one or more vehicles and in which no business, occupation or service is conducted for profit.

5.23 **Cemetery** shall mean the use of land, buildings and/or structures for the burial of the dead, including human and family pets, and shall include columbarium, crematories, mausoleums and mortuaries when used in conjunction with, and within the boundaries of such land.

5.24 **Chief Building Official** shall mean an officer or employee of the Township charged with the duty of enforcing the provisions of the Ontario Building Code.

5.25 **Church** shall mean a building dedicated to religious worship which may include a church hall, auditorium, parish hall, Sunday school or related use.

5.26 **Clinic** shall mean a use of land or building for the professional practice of medical practitioners, and/or drugless practitioners, for the purpose of consultation, diagnosis, or treatment and may include therein a pharmacy, optical dispensary, X-ray and laboratory or other similar facilities.

5.27 **Club** shall mean a building or part of a building used as a meeting location for members of a chartered organization and may include social service clubs, a lodge, a fraternity or sorority house, hostel, a labour union hall and similar uses.

5.28 **Coffee Shop** shall mean the use of land, buildings and/or structures used primarily for the selling of coffee for immediate consumption, and may include the sale of accessory baked goods; and may also include seating capacity for clients and the sale of bulk coffee suppliers for other than immediate consumption.

5.29 **Commercial Use** shall mean the use of a building or part thereof not exceeding 300 square metres in size, and associated lands and/or structures, for the purpose of retailing or other exchange of goods, commodities, merchandise, substances, or articles; for the preparation and serving of food and/or drink; for the provision of service

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BL 2363-08 New Definition
BL 2363-08 New Definition

and/or information, but shall not include: . any industrial use;

. a travel trailer park, commercial tourist recreation activity;
. an automobile gas bar or automobile service station;
. a stable or riding academy; an animal kennel;
. a hotel or a motel;
. a tavern.

5.30 **Communications Facility** shall mean an installation, which transmits, receives and/or relays communications such as a microwave relay tower, telephone or telegraph tower, radio or television broadcast tower or similar facility.

5.31 **Community Centre** shall mean the use of land, buildings, and/or structures for community based activities of a social, cultural, recreational or philanthropic nature, operated on a non-profit basis.

5.32 **Conservation Use** shall mean use related to the preservation and/or conservation of natural resources or the natural environment.

5.33 **Construction Yard** shall mean premises used for the storage of materials and the parking and storage of vehicles and equipment used in undertaking construction and similar projects such as excavating or tile drainage installation, and including accessory uses such as an office.

5.34 **Cottage Association** shall mean an organization of persons, whether incorporated or un-incorporated or a trust, which holds title to block(s) or parcel(s) of land, upon which are located a number of recreational dwellings owned individually by the persons who are members or shareholders or participants in the association; without limiting the foregoing, the following Associations are recognised by the Township: Ishkibbible Beach Limited, Clover Beach Limited, Floral Beach Limited, Green Point Campers' Association, West Green/Pebbly Beach Association, East Green Bay Campers' Association, and [BL 2363-08]Wild Goose Bay ~~Trust Association~~ Beach Campers; in addition White Birch Beach shall be deemed to be a Cottage Association.[BL 2296-07]

**Cottage Conversion** shall mean the change or transformation of recreational land use to a permanent residential land use, in accordance with the policies set out in the official plan and documented by obtaining a Certificate of Conversion from the Municipality.[BL 2296-07]

5.35 **Crisis Residence** shall mean a group home that contains more than ten residents and that is used for relatively short term accommodation.

5.36 **Day Nursery** shall mean as defined in the Day Nurseries Act.

5.37 **Deck** shall mean a structure without a roof having a foundation to hold it erect and attached to or abutting one or more walls of a building, with or without direct access to the ground, the floor of which is greater than 0.6 metres above finished grade and shall not include a landing or a stair.

5.38 **Density** shall mean the ratio of the number of dwelling units in a tourist lodging establishment, campsites, mobile home park or multiple dwelling to the total lot area, excluding public streets.

5.39 **Dwelling Unit** shall mean one or more habitable rooms designed and/or intended for use by one or more persons as an independent and separate housekeeping establishment in which separate cooking, sleeping and sanitary facilities are provided for the exclusive use of such persons, with a private entrance from outside of the building, but excluding a hotel, motel or a group home.

a) **Accessory Dwelling** shall mean a dwelling which is accessory to a permitted non-residential use, located on the same lot therewith and is occupied by the owner of such non-residential user or by a person employed on the lot where such dwelling is located.

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[BL 2363-08] Correct Association Name
[BL 2296-07] OPA #2 Provisions for Cottage Conversion
[BL 2296-07] OPA #2 Provisions for Cottage Conversion

b) **Converted Dwelling** shall mean a recreational cottage dwelling that has been converted to permanent residential use in accordance with the policies of the Township therefore, and which has obtained a certificate of conversion or occupancy approval from the Township, and provided all other relevant by-laws of the Township have been complied with. A converted dwelling shall be viewed as a permanent dwelling, but may employ the regulations and requirements that are set out in the converted dwelling policies of the official plan.

c) **Recreational Dwelling** shall mean one dwelling unit used for recreation or vacationing only and thus not occupied or intended to be occupied on a year round basis, and where the owner (occupier) of such dwelling has a principal residence elsewhere.

d) **Permanent Dwelling** shall mean a dwelling unit used as a principle residence

e) [BL-2476-10] **Duplex Dwelling** shall mean a separate building of two (2) or more stories divided either horizontally or vertically into not more than two (2) dwelling units, each of which is completely on a separate storey and each of which have an independent entrance either directly from outside the building or through a common vestibule

Any residential dwelling that is not documented by a building permit or a certificate of conversion to be a permanent dwelling shall be deemed to be a recreational dwelling [BL 2296-07]

5.40 **Environmental Protection Area** shall mean the area of land located between a defined elevation of a watercourse or waterbody and a line drawn parallel thereto and a set defined distance, usually 15 metres, inland therefrom and the lands below the High Water Mark and under the water lying in front of all lands zoned by this by-law.

5.41 **Equipment Rental** shall mean the use of land, buildings and/or structures primarily for the purpose of renting household wares, tools and equipment, and may include sale of such items when no long used for rental purposes.

5.42 **Erect** shall mean build, construct, reconstruct, remove or relocate and shall include any preliminary physical operations such as cutting, grading, excavating, filling or draining, or any altering of an existing building by an addition, extension or other structural change.

**Establishment** shall mean a building and related land, a place or a premise in which or where a use occurs or an activity or event happens.[BL-2258-07]

5.43 **Existing** shall mean existing as of the date of final passing of this By-law.

**Existing Recreational Dwelling** shall mean a building that is in existence and used as a recreational dwelling at the time of passing of By-law 2038. [BL 2363-08]

5.44 **Finished Grade** shall mean when used with reference to a building or structure, the average elevation of the finished or proposed finished surface of the ground adjoining each exterior wall, excluding any localised depressions.

5.45 **Floor Area** shall mean the total area of all the floors contained within the outside walls of the building having a clear height of 2.1 m and except for an underground dwelling, shall exclude basements and cellars.

5.46 **Forestry Use** shall mean the planting, managing and/or harvesting of timber resources. [BL 2286-07]

5.47 **Garage, Commercial** shall mean a building or part of a building or place where any equipment or vehicles, including commercial motor vehicles and/or trailers may be serviced, washed or repaired and may also include auto body and fender repairs, painting and similar works.

5.48 **Garage, Private** shall mean a detached accessory building or portion of a main

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[BL-2476-10] General Amendment – add Duplex Dwellings
[BL 2296-07] OPA #2 – Provisions for Cottage Conversion
[BL-2258-07] General Amendment to regulate Adult Establishments
[BL 2363-08] New Definition
[BL 2286-07] Redefine Forestry Use

building used for the parking or storage of motor vehicles and household equipment incidental to the residential occupancy.

5.49 **Golf Course** shall mean a public or private area operated for the purpose of playing golf and includes a par-3 golf course or driving range, but does not include a miniature golf course or similar use. Accessory uses such as a pro shop, or a restaurant and/or tavern area shall be permitted.

5.50 **Greenhouse** shall mean a building or structure or part thereof where trees, shrubs or plants are grown and/or sold.

5.51 **Group Home** shall mean a single housekeeping unit in a residential dwelling in which three to ten residents, excluding staff of the receiving housekeeping unit, live as a housekeeping unit under responsible supervision consistent with the requirements of its residents; and which is licensed or approved under provincial statue and in compliance with municipal laws.

5.52 **Height of a building or structure** shall mean the vertical distance measured from the average finished grade, excluding any artificial embankment, to the highest point of the building or structure.

5.53 **High Water Mark** shall mean the mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on the other side of the mark.

5.54 **Highway** shall mean a public thoroughfare under the jurisdiction of the Province, intended for vehicular use by the general public.

5.55 **Home Occupation** shall mean an occupation, trade, business, profession or craft carried on by the resident or occupant as an accessory use to the use of a dwelling in conformity with the provision of Section 4.12 of this By-law, and involving:

a) instruction in or business involving music, academic subjects, religion, dancing, arts and crafts such as pottery, weaving, painting or sculpting, sewing, hair dressing or similar uses;
b) administration of a businesses involving work conducted primarily in other locations, such as those operated by electricians, plumbers, carpenters, or operators of school buses.
c) businesses involving the repair of small appliances, radios, televisions and similar items, skate or knife sharpening or similar uses;
d) an office used by a physician, dentist or other medical practitioner, an insurance agent, accountant, engineer, sales person or a person engaged in a similar occupation;
e) creation of crafts, items of clothing, foods, or similar preparation of small goods, carried out on the premises only by the owner, for use or consumption elsewhere; and
f) the conduct of in-house work involving computer based information exchange.
g) alteration of the above noted size limits shall be considered as commercial initiative and only be carried out as a commercial rezoning.

5.56 **Hotel, Motel** shall mean the use of land, buildings, and/or structures where guest rooms are provided for transient lodgers, except a bed and breakfast, with or without private cooking facilities and which may include dining other public rooms, but shall not include an adult entertainment establishment as a complimentary or accessory use unless specifically permitted by a zoning amendment.[BL-2258-07]

5.57 **Human Habitation** shall mean the occupancy and use of a room, building, structure or other space, in whole or in part, for one or more of living, cooking, eating, or sleeping.

5.58 **Industrial Centre** shall mean a group of two or more industrial establishments permitted in this zone that are conceived, designed, developed, and managed as an interdependent and interrelated unit whether by a single owner or tenant or by a group

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[BL-2258-07] Replaced to exclude Adult Entertainment use

of owners or tenants acting in collaboration.

5.59 **Industrial use** shall mean the use of lands, building, and/or structures for the purpose of manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, storing, or adopting for sale any goods, substance, article, or thing, and the storage of building and construction equipment and materials.

a) Light Industrial shall mean an industrial activity which is generally enclosed within a building and which does not constitute a nuisance to surrounding properties.
b) Heavy Industrial shall mean an industrial activity which is objectionable due to generation of one or more of noise, vibration, dust, smoke, odour, or particulate matter, heat, glare, or air or water pollution, or radiation hazard, and shall include but not be limited to an electrical generation or transmission station, a natural gas compressor station, pulp and paper mill, grain elevators, railway yard, chemical plants and/or storage, asphalt plants, and concrete plants, a commercial garage, a welding shop, woodland storage and/or pulp truck depot or yard area.

5.60 **Infill s**hall mean, for the purpose of lot area and/or lot width, for redevelopment or creation of up to 3 new lots where existing lots on one or both sides have been developed previously and a main building exists on such lots within 20 metres of the lot boundary.

5.61 **Kennel** shall mean a building or structure where cats and/or dogs are boarded or trained, or housed for similar purposes for which compensation may be paid, and shall include an animal shelter or pound.

**Landing** shall mean a platform, with or without a roof, having an area not exceeding 2.4 square metres and extending horizontally from the wall of a building no more than 1.25 metres, adjacent to a door, and providing direct access to the ground or to a stair, or a similar platform being situated between flights of stairs.
**BL 2363-08**

5.62 **Landscaping** shall mean an open area of land which is unoccupied by buildings and/or structures, situated at grade level and which is used or intended to be used for the growing of grass, flowers, shrubs, bushes, trees or other vegetation, and may include a privacy fence and surfaced paths, walkways, patios or retaining walls.

5.63 **Lane** shall mean a public thoroughfare owned by the Township, or an emergency access route or any other passageway or right of way which provides vehicular access to the general public to a street.

5.64 **Legal Non-complying** shall mean a use of land, building or structure which does not conform to one or more of the regulations of this by-law but which use, building or structure existed at the date of passing of this by-law.

5.65 **Legal Non-permitted** shall mean a use of land, building or structure which does not conform, comply or agree with or to any one or more of the uses that are permitted in the zone in which the lands, building or structure is located or which has been deemed by Section 5.66 to be non-permitted; but where such use legally existed on the date of the passing of this by-law.

5.66 **Legal Use** shall mean used in accordance with the provisions as set out in any and all previous zoning by-laws, and by this By-law, or as deemed to be legal by this By-law.

5.67 **Lot** shall mean one of:

a) an area of land that is described as a Lot or as a Block on a registered plan of subdivision, or that is a part described on a condominium plan that is capable of separate ownership, except where a registered plan has been deemed under the Planning Act not to be a registered plan of subdivision; or
b) an area of land that is held in unity of ownership described in a single registered

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BL 2363-08 New Definition

deed or other legal document, or more than one deed or other such document, that is capable of conveying title; or

c) an area of land held under the same name and interest and described in one or more registered deeds or other legal documents legally capable of conveying title, notwithstanding that the area of land is traversed by a railway or utility lands.

5.68 **Lot Area or Site Area** shall mean the total horizontal area within the lot lines of a lot.

5.69 **Lot Coverage** shall mean that percentage of the total lot area that is covered by buildings, structures or open space storage, including accessory buildings or structures that are above finished grade level, but shall not include window sills, cornices, eaves and similar architectural features, fire escapes, wheel chair ramps, stairs or landings, septic systems and/or uncovered swimming pools.

5.70 **Lot Line** shall mean any boundary of a lot or site, or the vertical projection thereof:

a) **Front Lot Line** shall mean:
   i) in the case of an interior lot, the lot line that divides the lot from the street or an approved private road.
   ii) in the case of a corner lot or through lot, the shorter lot line abutting a street or a private right of way shall be deemed to be the front lot line.
   iii) in the case of a corner lot or through lot, where the lot lines abutting the street or an approved private road are the same length, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.
   iv) in the case of a waterfront lot, in all Shoreline Residential or all Recreational Zones the lot line abutting the shoreline or the original shoreline road allowance shall be deemed to be the front lot line. In the case of a through water front lot, the shortest shoreline shall be deemed to the front lot line.

b) **Rear Lot Line** shall mean in the case of a lot having 4 or more lot lines, the lot line furthest from the opposite to the front lot line.

c) **Side Lot Line** shall mean any lot line other than the front lot line and the rear lot line.

5.71 **Lot of Record** shall mean a lot, the boundaries of which are definable by documents recorded in the Registry or Land Titles Office for the Municipality of Shuniah, which is held under unity of ownership from adjoining lands on January 1st, 1980.

5.72 **Lot Width or Site Width** including a mobile home site or an association cottage site shall mean the distance between the side lot lines, measured as a straight line as follows:

a) where a lot or site has more than three lot or site lines, between points in the relevant side lot lines located at a point equal to the depth of the required front yard in the particular zone in which the lands are located;

b) where a lot or site has three lot or site lines, the lot or site width shall be deemed to be the length of the front lot or site line abutting a street, and being the shortest of such lot lines abutting the street.

5.73 **Marina** shall mean a building, structure or place containing docking facilities where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where the facilities for the sale of marine fuels and lubricants may be provided.

5.74 **Medical Practitioner** shall mean a doctor, dentist, chiropractor, chiropodist, optometrist, oculist, etc., but shall not include a veterinarian.

5.75 **Mobile Home** shall mean any building that is designed to be made mobile and constructed or manufactured to provide a permanent residence for one or more persons and which meets current CSA (Canadian Standards Association) standards and/or the requirements of the Ontario Building Code but does not include a recreational vehicle, travel trailer, tent trailer or trailer otherwise designed.

5.76 **Mobile Home Park** shall mean a lot on which one or more mobile homes are to be located.

5.77 **Mobile Home Site** shall mean an area of land described in a lease, rental or other

such arrangement, or a mobile home lot within an appropriate plan of subdivision, within a mobile home park which is intended to be occupied by one mobile home, and including area used for yards and for accessory buildings and/or structures.

5.78 **Municipality** shall mean the Corporation of the Municipality of Shuniah.

**Natural Vegetative Buffer** shall mean an area of land the size of which is described in the relative zone and/or general regulation and containing trees, bushes, grasses, and other natural and existing vegetation. Such a buffer may be cut by a driveway or access route for connecting to a public road and/or for connecting to other properties abutting [BL 2286-07]

5.79 **Non-Complying Use** shall mean an existing use of land, building or structure permitted in the zone in which such land, building or structure is located, but which does not comply with one or more of the regulations of this by-law for the zone in which such use, building or structure is located, or with one or more of the general regulations of this By-law, provided that, where more than one dwelling unit is located on a lot for which only one main building or only one main use is permitted, such lot and buildings shall be deemed to be a non-permitted use.

5.80 **Non-Permitted Use** shall mean a use of land, building or structure which does not conform, comply or agree with or to any of the uses that are permitted in the zone in which such land, building or structure is located; or a use that is deemed under Section 5.66 to constitute a non-permitted use by virtue of having more dwelling units than is permitted in the zone in which the land is located.

5.81 **Office** shall mean a building or part of a building intended to be used in the performance and transaction of a service activity including related administrative and clerical activities as well as professional offices.

**Office/Mining Equipment Storage Buildings and Compound Use** shall mean the use of buildings constructed solely for the purposes of administration and/or storage of mineral exploration equipment and materials and shall include an external compound area for the purpose of storing larger materials and equipment related to mineral exploration, such as small vehicles, trenching or drilling equipment, but shall not include, anywhere on the property, the storage of any materials or substances that explode or may cause explosion or any other material that may be considered hazardous. [BL 2266-07]

5.82 **Open Storage** shall mean the storage of goods, merchandise or equipment outside of a building or structure on a lot or a portion of a lot, but does not include the outdoor display of goods, merchandise or equipment for the purpose of sales, advertisement or rental.

5.83 **Park** shall mean the use of land, buildings, and/or structures for passive or active recreational purposes.

**Parking Area** shall mean lands used for the parking of vehicles, including related aisle ways, where the total number of spaces is more than one. [BL 2363-08]

5.84 **Parking Lot** shall mean any open space other than a street used or intended to be used for the temporary storage of more than three motor vehicles or boats.

5.85 **Parking Space** shall mean a space for the temporary parking or storage of a motor vehicle or recreational vehicle and includes outdoor parking or spaces provided in a garage or carport.

**Patio** a platform or surfaced areas without a roof, the surface of which is not more than 0.6 metres above finished grade, and which is designed and intended to be

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BL 2286-07 To set regulations for forestry use
BL 2266-07 Site Specific for an Office Mining and Storage Use
BL 2363-08 New Definition

used as an accessory activity area to a dwelling or commercial/institutional activity. BL 2363-08

5.86 **Personal Service Establishment** shall mean a business which is associated with the grooming or health of persons or the maintenance or repair of personal wardrobe articles and accessories, and may include a barber shop, beauty parlour, shoe repair shop, self service laundry or dry cleaning distribution station.

**Pharmacy** shall mean a retail location which prepares and dispenses prescription drugs, medicines, non-prescription medicines, health and beauty products, and associated sundry items but does not include an inpatient or outpatient treatment facility or clinic. BL-2865-16

5.87 **Pit** shall mean any open excavation made for the removal of soil, earth, clay, mud, sand, gravel or unconsolidated rock or mineral in order to supply material for construction, manufacturing or industrial purposes, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Municipality, or an excavation incidental to the construction of any public works. This definition may include a wayside pit as defined herein.

5.88 **Portable Asphalt Plan** shall mean a plant transported to and temporarily established and operated on lands, used for the production of asphalt and surfacing material, and used specifically in conjunction with a defined and executed road construction contract.

5.89 **Post Office** shall mean the use of land, buildings and/or structures primarily for the mailing and/or picking up of personal mail and/or the selling of stamps, envelopes and similar articles, and shall not include a mail processing plant.

5.90 **Principal Residence** shall mean a dwelling unit occupied by an owner or a tenant as the primary location where such person typically and normally resides.

5.91 **Private, Non Profit Camp** shall mean the use of land, buildings and/or structures primarily as a recreational facility and operated by a non-profit corporation for a philanthropic purpose.

**Private Personal Recreation** shall mean use of land for private and not for profit recreational purposes and shall not include the gathering of spectators or the holding of events or where such recreational activities might cause noise or noises to disturb surrounding neighbours. BL 2407-09

5.92 **Private Right of Way** shall mean an access route from a lot over one or more private properties and which provides access to a public street.

**Propane Handling, Dispensing and Storage** shall mean a place for the storage and/or wholesale or retail distribution of propane. BL 2556-11

5.93 **Public Authority** shall mean the Municipality of Shuniah and any Boards or Commissions thereof, a telephone company, any company supplying natural gas or hydro to the community, and any Department of the Governments of Ontario and Canada, or other similarly recognized agencies.

5.94 **Public Recreation** shall mean the use of land, buildings and/or structures primarily used for recreation activity and which is owned by the Municipality of Shuniah by a local non-profit board, by the Provincial or Federal governments, or by agencies of such governments, and does not include activity or use specifically defined elsewhere in this by-law.

**Public Service Facility** shall mean the use of land, buildings, and/or structures by a public authority for the delivery of common good or public services. BL 2363-08

5.95 **Quarry** shall mean any open excavation made for the removal of any consolidated rock or mineral including limestone, sandstone, shale or granite in order to supply

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BL 2363-08 New Definition
BL-2865-16 New Definition
BL 2407-09 New Definition
BL 2556-11 KOA – Allow for Propane use
BL 2363-08 New Definition

material for construction industrial or manufacturing purposes, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Municipality, or an excavation incidental to the construction of any public works. This definition may include a wayside quarry as defined herein.

**Racetrack/Motocross** shall mean a purpose-built facility for the conducting of races for the racing of human-operated machines driven by other than muscular power and may feature spectating facilities such as grandstands or concourses. BL 2364-08

**Recreational Building or Use** shall mean a building or activity constructed and or utilized for the purpose recreation and may include activity or recreational areas or buildings, meeting facilities, play fields, tennis or basketball courts, or other such features. BL 2363-08

5.96 **Recreational Establishment** shall mean a building used or intended to be used for a theatre, bowling alley, curling rink, swimming pool, billiard parlour, health club, athletic club, assembly hall or similar use.

5.97 **Recreational Vehicle** shall mean any vehicle so constructed that it is not wider than 2.6 m and is suitable for being attached to a motor vehicle for the purpose of being drawn or is self propelled, even where jacked up or where the running gear has been removed, and is capable of being used on a short term recreational basis for living, sleeping or eating accommodation of persons. The term recreational vehicle includes motor homes, travel trailers, tent trailers and campers.

5.98 **Restaurant** shall mean a building, other than a tavern, where food is prepared and offered for sale to the public for immediate consumption either on or off the premises and where alcoholic beverages may be served with the meals, but shall not include an adult entertainment establishment as a complimentary or accessory use unless specifically permitted by a zoning amendment.[BL-2258-07]

5.99 **Retail Store** shall mean a building or part of a building, not exceeding 300 square metres in size, wherein goods, wares, merchandise, substances or articles are offered for sale directly to the general public and may include the storage of such goods, wares, merchandise, substances or articles.

**Retreat Centre** shall mean a use that is accessory to a main dwelling; and provides for the operation of spiritual, cultural or educational indoor and outdoor programs for single-day or in-residence multi-day guest use, including sleeping accommodation for a maximum of twelve (12) in-residence guests and two (2) staff which includes: one shared kitchen and eating area, meeting space, shared washroom facilities, and accessory buildings including one (1) studio building with a washroom and a maximum of 85 sq m of gross floor area. BL-3385-24

5.100 **Road - Private** shall mean a road or other access way that is not a public street; that is not maintained on a year round basis by the municipality or other appropriate roads authority having jurisdiction; or that is otherwise deemed at law to be a public highway, but that serves as a motor vehicle or pedestrian access route to a lot, and shall include Lambert Drive.

5.101 **Road – Public** shall mean the same as a street.

**Sale of Tourist Goods** shall mean the use of land, building, and/or structure or part thereof for the display and sale of crafts, goods and/or products targeted primarily for the travelling public as small gifts and/or mementos of their travel including Retail Sale of Tourist Goods. BL 2363-08

5.102 **Sauna** shall mean an accessory building, not exceeding 35 square metres in size,

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BL 2364-08 New Definition
BL 2363-08 New Definition
BL-2258-07 Replace to exclude Adult Entertainment Use
BL 2363-08 New Definition
BL-3385-24 New Definition

either free standing or attached to another building, that is primarily used as a bath house in which steam baths are taken; including an enclosed room containing a stove with provisions for rocks to be heated and upon which water may be applied; and may also include rooms for resting, changing, showering, and/or drying.

5.103 **School** shall mean a building or part of a building used for the purpose of teaching academic subjects and maintained for educational, philanthropic or religious purposes.

a) Private school shall mean any school other than a Public School.
b) Public school shall mean any school established and maintained at public expense.

5.104 **Setback** shall mean:

a) with reference to a street, the distance between the closest boundary line of a street allowance and the nearest building line;
b) with reference to a private right of way, the distance between the boundary of the right of way and the nearest building line;
c) with reference to a waterbody, the distance between the high water mark and the nearest building line;
d) with reference to a building:
   i) the minimum horizontal distance between a lot line and the nearest part of any building or structure exclusive of permitted projection
   ii) the minimum horizontal distance between buildings exclusive of permitted projections;
e) with reference to a boundary, the minimum horizontal distance between the centre line of the zone line and the nearest building line.

**Service/Repair Shop** shall mean the use of land, building, and/or structure for the servicing and/or repair of articles, small engines, appliances or other such goods or items. BL 2363-08

5.105 **Shopping Centre** shall mean a group of two or more establishments that are permitted in the zone, that are conceived, designed, developed, and managed as an interdependent and interrelated unit whether by a single owner or tenant or by a group of owners or tenants acting in collaboration, and may include units of ownership held in condominium tenure, and which in total does not exceed 2,000 square metres gross floor area, or one large commercial establishment that exceeds 300 square metres in gross floor area, but is less than 2,000 square metres. Where residential use is included as one of the permitted uses, it shall be in addition to the aforementioned size limitations. BL 2363-08

5.106 **Shore** shall mean the physical high water mark made by a waterbody or by a water course, and shall include beaches, exposed rock, and other features that are a part of a beach environment. Where the water's edge displays no such high water marks, the water's edge shall be the shore.

5.107 **Shoreline Allowance** shall mean the road allowance typically being one chain (20.1 metres) in width reserved along the edge of a lake or river.

5.108 **Sign** shall mean an advertisement by means of painting on, or attaching bills, letters, lights or numerals to any building, structure or device and shall include the structure or device upon which the advertisement is painted, placed or attached.

5.109 **Site Area or Lot Area** shall mean the total horizontal area within the lot lines of a lot.

5.110 **Site Width or Lot Width** including a mobile home site or an association cottage site shall mean the distance between the side lot lines, measured as a straight line as follows:

a) where a lot or site has more than three lot or site lines, between points in the relevant side lot lines located at a point equal to the depth of the required front yard in the particular zone in which the lands are located;

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BL 2363-08 New Definition
BL 2363-08 Updated Definition

b) where a lot or site has three lot or site lines, the lot or site width shall be deemed to be the length of the front lot or site line abutting a street, and being the shortest of such lot lines abutting the street.

5.111 **Ski Club, Ski Facility** shall mean the use of land, buildings, and/or structures for downhill skiing, and including one or more ski lifts, and/or for cross country skiing, and may also include passive summer use of the lifts(s) and/or trails for viewing and/or hiking. Buildings shall be limited to a main gathering area, which may also include accessory areas for ski storage, sale of skis and/or ski equipment, food/beverage and confectionary sales; and mechanical and/or equipment storage and/or maintenance to accessory buildings.

5.112 **Storey** shall mean that habitable portion of a building, other than a basement, cellar, or attic between the surface of any floor and the surface of the floor, ceiling or roof next above it. A first storey shall mean the lowest storey of a building, wherein the floor is generally at grade elevation.

5.113 **Street** shall mean a public thoroughfare under the jurisdiction of either the Municipality or the Province of Ontario, and that is open, travelled and maintained by such jurisdiction on a year round basis.

5.114 **Street Allowance** shall mean a road dedicated on a plan of subdivision or a road that has been surveyed and transferred to the municipality, whether or not such road is opened and maintained on a year round basis.

5.115 **Structure** shall mean anything constructed or erected, either permanent or temporary, the use of which requires location on the ground or attachment to something having location on the ground, excluding a subsurface sewage disposal system and a swimming pool, and shall include a vinyl temporary garage or vehicle shelter, and any deck that is separated by more than 0.2 metres from a building.

5.116 **Tavern** shall mean the use of land, building, and/or structures primarily for the sale of beer and liquor to be consumed on the premises, and may include incidental food sales, but shall not include an adult entertainment establishment as a complimentary or accessory use unless specifically permitted by a zoning amendment.[BL-2258-07]

5.117 **Tent and Trailer Park** shall mean a privately owned parcel of land which is used to provide temporary accommodation in tents, trailers or recreational vehicles whether or not a fee is charged or paid for such accommodation.

5.118 **Tent and Trailer Park Camp Site** shall mean a parcel of land within a Tent and Trailer Park occupied by a tent, trailer or recreational vehicle and may include storage of recreational vehicle.

[BL-2500-10] **Tent and Trailer Park Lodge/Administrative Building** shall mean the use of a building for the purpose of administrative functions associated with the maintenance and operation of a tent and trailer park; and for the purpose of recreation activities associated with the functioning of a tent and trailer park, including but not limited to indoor games and recreation areas; internet computer access; coffee shop; restaurant; tourist merchandise/gift shop retail area; and public washrooms.

**Tent and Trailer Park Waste Collection and Treatment Facility** shall mean an approved sewage collection and treatment facility for the treatment of sewage waste from recreational vehicles, travel trailers and/or tourist campers that are users of a particular tent and trailer park which may include an onsite sewage treatment facility or an alternative collection and storage facility with regular pump out to an offsite approved sewage treatment facility. [BL-2500-10]

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[BL-2258-07] Replaced to exclude Adult Entertainment Use
[BL-2500-10] New Definition
[BL-2500-10] New Definition

**Tourist Cabin** shall mean premises or buildings to be used for the purpose of sleeping accommodation on a temporary basis by tourists or vacationers. [BL 2363-08]

**Tourist Cabin Site** shall mean a parcel of land within a tent and trailer park, or otherwise located in a commercial tourist activity occupied by a tourist cabin, and the immediate land associated with such cabin which provides yards, amenity, and/or activity area. [BL 2363-08]

5.119 **Tourist Lodging Establishment** shall mean premises or buildings to be used for the purpose of sleeping accommodation on a temporary basis by tourists or vacationers and shall include the following: hotels, motels, motor inns, cabins, tourist homes, and/or a bed and breakfast.

**Trailer/Travel Trailer** shall mean a Recreational Vehicle. [BL 2363-08]

5.120 [BL 2363-08]Transportation ~~Terminal~~ or Truck Operation shall mean use of land, buildings, and/or structures where more than three vehicles licensed for a gross weight of 11,000 kilograms or greater are stored, parked, and/or maintained; loaded or unloaded; but shall not include use for display or sale or use directly associated with a construction yard.

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

5.122 **Utility** shall mean "a Public Utility" as defined by the Public Utilities Corporation Act.

5.123 **Variety Convenience Store** shall mean the use of land, buildings and/or structures primarily for the selling of food and small household items providing that the maximum gross floor area does not exceed 300 square metres.

5.124 **Vehicle** shall mean an automobile, boat, commercial motor vehicle, farm implement, motorcycle, recreational vehicle, snowmobile, or trailer, but shall not include a mobile home.

5.125 **Veterinary Clinic** means a building or a part of a building used by a Veterinary Surgeon for treating domestic animals, birds or other livestock but shall not include a commercial kennel or research facility.

5.126 **Video Store** shall mean the use of land, buildings and/or structures used primarily for the purpose of housing, storing, displaying of video cassette tapes and discs for rental and/or sale.

5.127 **Warehouse** shall mean a building used or intended to be used for the storage of goods, commodities, wares, merchandise or materials.

5.128 [BL 2363-08] **Waste Disposal** ~~Site~~ **Facility** shall mean a place where garbage, refuse, domestic or industrial waste is disposed of or dumped, excluding radioactive or toxic chemical wastes, and may include a sewage lagoon or sludge disposal area.

5.129 **Water's Edge** shall mean that point where land and water meet.

5.130 **Watercourse** shall mean natural stream, river, or canal including a drainage or irrigation channel.

5.131 **Wayside Pit or Wayside Quarry** shall mean a temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular road construction or construction project or contract.

5.132 **Weigh Station** shall mean the use of land, buildings, and/or structures primarily for the

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[BL 2363-08] New Definition
[BL 2363-08] New Definition
[BL 2363-08] New Definition
[BL 2363-08] Replace Definition
[BL 2363-08] Replace Definition

weighing of vehicles, and such use may be a main or an accessory use.

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

**Wind Farm** shall mean one or more wind turbines, which are connected to the transmission or local distribution grid. In addition to the wind turbines, wind farms may include, but are not limited to, temporary construction facilities, operations and maintenance buildings, meteorological towers, collector grids (above ground and below ground), roads (both public and private) and other civil works, communications equipment, substations, electrical pole lines, and interconnection facilities. [BL-2271-07]

**Wind Farm Sub-station** shall mean an electrical construction designed to collect and modify electrical energy produced by the wind turbines for the purpose of supplying it to the local electrical utility.

**Wind Tower** shall mean the tubular structure or solid structure, above grade, that supports the nacelle and rotor assembly. (Ventus wants to know if this covers a concrete tower or base - what if they decide to build concrete towers vs. steel towers)

**Wind Tower Foundation** shall mean the tower support structure, below grade, that supports the entire weight of the wind turbine.

**Wind Turbine** shall mean a Wind energy converter designed to extract kinetic energy from the wind and convert to electrical energy.

**Wind Turbine Blade** shall mean a component of a wind turbine, which acts as a part of an airfoil assembly, thereby extracting through rotation, kinetic energy directly from the wind.

**Wind Turbine Rotor** shall mean the rotating part of a wind turbine.

**Wind Turbine Total Height** shall mean the height from grade to the highest vertical point of the swept rotor arc. In the case of a wind turbine with a horizontal axis rotor, the total height includes the distance from grade to the rotor axis of rotation within the nacelle plus one-half the swept rotor diameter. [BL-2271-07]

**Wood Waste** shall mean the residual by-product wood waste, primarily bark, yard scrapings and randomly sized wood blocks that cannot be chipped or accommodated by sawmill machinery. [BL 2196-06]

**Wood Waste Disposal** Site shall mean a disposal area where wood waste only is disposed of. [BL-2196-06]

5.134 **Wrecking Yard** shall mean an establishment or premises where derelict, discarded, abandoned or inoperable motor vehicles and/or other goods, wares, merchandise, articles, or things are stored wholly or partly in the open. This definition shall include a junk yard, scrap yard, or an automobile wrecking yard.

5.135 **Yard**, front shall mean an area appurtenant to a building or structure, extending from a front, lot line into the lot a distance that is specifically defined in each zone for such front yard and is intended to be open, uncovered and free of buildings or structures, except as specifically permitted by other sections of this By-law to intrude or encroach. A front yard shall extend across the full width of a lot.

5.136 **Yard, interior side,** shall mean an area appurtenant to a building or structure, extending from a side lot line that does not abut a public road allowance, into the lot a

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[BL-2271-07] To include definitions re wind energy resources
[BL-2271-07] To include definitions re wind energy resources
[BL 2196-06] Include definitions re Wood Waste operations
[BL-2196-06] Include definitions re Wood Waste operations

distance that is specified in each zone for such interior side yard, and is intended to be open, uncovered and free of buildings or structures, except as specifically permitted by other sections of this By-law to intrude or encroach. A side yard shall extend from a front yard to a rear yard, or where there is no rear yard, to the rear lot line.

5.137 **Yard, exterior side**, shall mean an area appurtenant to a building or structure, extending from a side lot line that abuts a public road allowance, into the lot a distance that is specified in each zone for such exterior side yard, and is intended to be open, uncovered and free of buildings or structures, except as specifically permitted by other sections of this By-law to intrude or encroach. A side yard shall extend from a front yard to a rear yard, or where there is no rear yard, to the rear lot line.

5.138 **Yard, rear**, shall mean an area appurtenant to a building or structure, extending from a rear lot line into the lot a distance that is specified in each zone for such rear side yard, and is intended to be open, uncovered and fee of buildings or structures, except as specifically permitted by other sections of this By-law to intrude or encroach. A rear yard shall extend across the full width of a lot.

5.139 **Zone** shall mean either a land use category as defined and regulated in this By-law; or a designated area of land use shown on the Schedules to this By-law.

5.140 AMENDMENTS TO SECTION FIVE

# 6. ZONES AND CLASSIFICATIONS

## 6.1 ESTABLISHMENT AND CLASSIFICATION OF ZONES

For the purposes of this by-law all lands within the limits of the Municipality of Shuniah are divided into the following zones, which are identified on the attached maps that are Schedules to this by-law.

RESIDENTIAL ZONES

| | | |
|---|---|---|
| Section 9.0 | Community Residential | RC |
| Section 10.0 | Shoreline Residential | SR |
| Section 11.0 | Shoreline Residential – Black Bay | SR-BB |
| Section 12.0 | Shoreline Residential – Moonlight Bay | SR-MB |
| Section 13.0 | Shoreline Residential - Back Lots | SR-BL |
| Section 14.0 | Mobile Home Residential | MHR |
| Section 15.0 | Recreational – Cottage | REC |
| Section 16.0 | Recreational – Association | REC-A |
| Section 17.0 | Recreational – Lambert Island | REC-LB |
| Section 18.0 | Recreational – Bass Lake | REC-BL |
| Section 19.0 | Recreational – Black Bay | REC-BB |
| Section 20.0 | Recreational – White Birch Beach | REC-WB |
| Section 21.0 | Recreational - Remote | REC-RE |

OTHER ZONES

| | | |
|---|---|---|
| Section 22.0 | Rural | RU |
| Section 23 | Institutional | IN |
| Section 24.0 | Community Commercial | CC |
| Section 25.0 | Recreational Commercial | CR |
| Section 26.0 | Highway Commercial | CH |
| Section 27.0 | Light Industrial | LI |
| Section 28.0 | Heavy Industrial | HI |
| Section 29.0 | Aggregate Extraction | AG |
| Section 30.0 | Aggregate Extraction/Processing | AG-P |
| Section 31.0 | Mining Zone | MIN |
| Section 32.0 | Open Space | OS |
| Section 33.0 | Use Limitation | UL |

# 7. HOLDING ZONES

7.1 Any land in any zone may be further classified as a Holding Zone with the addition of the prefix "H-". The intent is to signify Council's approval in principal to future development.

7.2 Notwithstanding the list of otherwise permitted uses in any zone, where a holding zone applies, no land shall be used and no buildings or structures shall be erected or used for any purpose other than uses existing on the date of passing of this By-law, or an agricultural use, a conservation use or a forestry use and such uses shall continue to be the only legal uses of the lands until such time as the holding designation has been removed by by-law. Upon removal of the "H" prefix, all permitted uses listed in the zone shall thereafter be permitted uses.

7.3 A Holding designation may be removed by by-law where one or more of the following conditions have been introduced or otherwise provided to the lands;

a) where a holding provision is applied to lands that have been granted draft plan of subdivision approval, such provision may be removed where a subdivision agreement has been entered into and dully registered on title.
b) where a holding provision has been applied to lands for which a site plan designation has been enacted, such provision may be removed where a site plan agreement has been entered and duly registered on title.

7.4 AMENDMENTS TO SECTION SEVEN

OMB 1660 For Lands described as the Northeast Quarter of Concession A, Section 10, MacGregor Township the following shall apply upon removal of the Holding Zone placed. The holding provision will be lifted by the Municipality only when it is satisfied that access stop Parcel A is secured through lands to the west that are already zoned within the Aggregate Extraction – Processing [AG-P] Zone.
Once the above noted Holding Zone under Section 7.4.1 above, the following amendments shall apply;

"Notwithstanding Section 30.4.1 for the property described as the Northeast Quarter of Concession A, Section 10, MacGregor Township, no excavation, building or equipment or stockpiling of material shall be located within **50** metres of an abutting property used for residential, recreation, institutional, or commercial purposes."

"Notwithstanding Section 30.4.3 for the property described as the Northeast Quarter of Concession A, Section 10, MacGregor Township, A minimum **120** metre setback shall be maintained between a use in this zone and a residential dwelling."OMB 1660

BL-2266-07 OFFICE/MINING EQUIPMENT STORAGE BUILDINGS AND COMPOUND

For the lands and premises being a portion of Mining Location 1 Savigny's Survey, Township of MacGregor Part 3 of PAR 15R-Except Part 1 of 56R-694 TBR362073; Saving and Excepting Parts 1 and 2 of Reference Plan 55R12445, in addition to the requirements of section 7.3, the following shall apply;

A Holding Zone is hereby applied to the subject lands until such time as a Site Development Agreement has been entered into, and may not be removed until such time as the completion of registration of such agreement;
Notwithstanding the holding zone stated in subsection i) above the subject lands can be used for all permitted uses, except the office/mining equipment storage building and compound that is added by this amendment.

FURTHER to the zone designation of Highway Commercial as shown on the

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OMB 1660 Holding Zone changes Section 30 AG-P Zone – Site Specific – H Symbol not yet removed
OMB 1660 Holding Zone changes Section 30 AG-P Zone – Site Specific – H Symbol not yet removed
BL-2266-07 A by-law to set regulations re Mining Equipment Storage with H Symbol – Not yet Removed

"Zoning Maps" which form part of By-law No. 2038-00;

All and Singular that certain parcel or tract of land and premises situate, lying and being in the Township of MacGregor, in the District of Thunder Bay, and being composed of a portion of Mining Location 1 Savigny's Survey, Township of MacGregor Part 3 of PAR 15R-Except Part 1 of 56R-694 TBR362073; Saving and Excepting Parts 1 and 2 of Reference Plan 55R-12445, as outlined in Schedule "A" attached hereto, is hereby removed from the **Highway Commercial [CH] Zone** and designated as part of the **Highway Commercial Holding [CH-H] Zone** until such time as the Holding Zone is removed.

The Permitted Uses allowed in Zoning By-law No. 2038-00, Section 26.5 the Highway Commercial Zone – is hereby amended by the addition of the following at the end of the current section;

All and Singular that certain parcel or tract of land and premises situate, lying and being in the Township of MacGregor, in the District of Thunder Bay, and being composed of a portion of Mining Location 1 Savigny's Survey, Township of MacGregor Part 3 of PAR 15R-Except Part 1 of 56R-694 TBR362073; Saving and Excepting Parts 1 and 2 of Reference Plan 55R-12445 is amended by the following:

a) Office/Mining Equipment Storage Buildings and Compound shall be added to Section 26.1, permitted uses;
b) The following wording shall be deleted from the Section 26.1, permitted uses: "which may include an accessory dwelling".
c) Other Provisions – Holding Zone
d) Until such time as the Holding Zone is removed the lands and Office/Mining Equipment Storage Buildings and Compound will not be a permitted use.
e) The Holding Zone may be removed from the said zoning for the lands upon completion and registration of a Site Development Agreement.
f) Upon removal of the H – Holding Zone, the lands may thereafter by used as an Office/Mining Equipment Storage Buildings and Compound in accordance with the Site Development Agreement. [BL-2266-07]

[BL-2965-17] NOTWITHSTANDING the Zone designation shown on Schedule "B" of By-law 2038-00, the lands and premises as set out on Blocks 1, 2, 3, 4, 5, 6, 7, 8, 9 10, 11, 12 and 13 on Schedule "A" attached hereto and more particularly described as follows,;

Part of Mining Location 14 HP Savigney's Survey, MacGregor Township, now being the Municipality of Shuniah, ALL shown as "PROPERTY LOCATION" on "Schedule "A" to and forming part of this By-law, Are hereby removed from the "RC" Community Residential Zone and are hereby designated as "RC-H" Community Residential HOLDING Zone .

The holding symbol shall not be removed from a Block as described in this Bylaw until such time as the following items have been completed:

a) The provision of an individual and suitable driveway crossing from the lot to its associated Block across the CN rail right of way capable of passage for emergency services vehicles be completed to the satisfaction of the Municipality of Shuniah.
b) That an executed crossing agreement is issued by CN Rail providing for the crossing and building of a driveway across the CN rail right-of-way for the subject Block.
c) The completion of a hydro-geological report on the subject Block to the satisfaction of the Ministry of Environment and Climate Change.
d) The approval of a septic system to the satisfaction of the Thunder Bay District Health Unit for the subject Block.

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[BL-2266-07] A by-law to set regulations re Mining Equipment Storage with H Symbol – Not yet Removed
[BL-2965-17] Site Specific - Holding Symbol – Lakeshore Developments

e) The approval for an individual and suitable driveway crossing over the regulated area of Northstar Creek to the satisfaction of the Lakehead Region Conservation Authority for Blocks 3 to 12.

f) The provision of electrical and telephone services to the subject Block to satisfaction of Hydro One and TBaytel.

That all the terms as set out under Section 3 herein shall be completed to the satisfaction of the Municipality and may be completed on each individual Block.

BL-2965-17

# 8. BOUNDARIES TO ZONES

8.1 The location and boundaries of the zones established by this By-law are shown on the Zoning Schedules which form a part of this By-law.

8.2 Determination of Zone Boundaries:

8.2.1 When determining the boundary of any zone shown on the Zoning Schedules except the Use Limitation zone, the following shall apply:

a) where a zone boundary is located within a road allowance (except a shoreline road allowance), highway allowance, lane, easement, right of way, or a watercourse, the centre line of such feature shall be deemed to be the said boundary;
b) where a zone boundary is located within a road allowance, except a shoreline road allowance; highway allowance; or a lane which has been or is subsequently closed, the centre line of such closed feature is deemed to be such boundary;
c) where a zone boundary is indicated as following a lot line shown on a registered plan of subdivision, or other property line, such lot or property line shall be deemed to be the said boundary;
d) unless otherwise shown a street, lane, a closed street or lane, right of way or easement, creek or watercourse shall be included within the zone of the adjoining property on the side thereof;
e) where a boundary is indicated as following a shoreline, the boundary shall follow such shoreline, and in the event of a change in the shoreline the boundary shall be construed as moving with the actual shoreline;
f) where uncertainty exists as to the boundary of any zone, the location of the boundary shall be determined by the Chief Building Official by scale and where such measurement involves a zone line, it shall be made by reference to the middle of the width of the zone line shown on the zoning maps; and/or
g) where the location of a zone boundary as determined in accordance with the above continues to be uncertain or in dispute, Council shall make the final determination as to the location of the boundary.

8.2.2 When determining the boundary of the Use Limitation zone shown on the Zoning Schedules, the following shall apply:

a) where involving a watercourse, the dimension that is shown on the legend on the zoning map or as set out in Section 4.22.2 shall represent the width of the overall Use Limitation zone extending across a water course, and onto the abutting lands as measured from the centre line of the watercourse.
b) where involving a lake, or a wetland, or other waterbody, the dimension that is shown on the legend on the zoning map or as set out in Section 4.22.2 shall represent the width of the overall Use Limitation zone extending from the shore of the waterbody to the outer edge of the zone boundary.

8.3 More Than One Zone: Where a lot has more than one zone applying to it, then each portion of the lot shall be used in accordance with the relevant permitted uses and regulations of this By-law which are applicable to the zone wherein such portion of the said lot is located, provided however;

a) the total lot may be used to calculate and to maintain the regulations and requirements of the By-law;
b) in spite of the listed permitted uses in each of the relevant zones that apply to the lands, the total lot may be used for access, for parking and for loading related to the main use.

8.4 SCHEDULES

All Schedules and/or tables contained in or attached to this by-law, whether text or mapping, shall form a part of this By-law.

Schedules shall include:

Schedule A - List of Amendments
Schedule B - Zoning Map
Schedule C - Utility, Transportation Information

## 8.5 USE OF SYMBOLS

The Symbols that are listed in section 8.1 above may be used to refer to lots, buildings and structures permitted by this By-law in the said zones.

## 8.6 USE OF THE WORD “ZONE”

Whenever the word “Zone” is used in this By-law preceded by any of the said symbols, such zone shall mean and read as delineated on the Zoning Maps and as designated thereon by the said symbol.

## 8.7 AMENDMENTS TO SECTION EIGHT

# 9. COMMUNITY RESIDENTIAL [RC]

## 9.1 PERMITTED USES

No use of land, building, and/or structure shall be permitted within this zone except as follows:

. permanent dwelling
. church, school
. day nursery
. group home
. park
. home occupation

. accessory structures, building, and/or uses subordinate to, and exclusively devoted to a permitted main use.

BL 2514-11 For the lands and premises described as a portion of Mining Location 3A, Harts Survey being more particularly described ad Parts 1, 3, and 4 of Reference Plan 55R-2242, in the geographical Township of MacGregor, Municipality of Shuniah; in the District of Thunder Bay the following shall apply:
a) Notwithstanding Section 9.1 of By-law No. 2038-00, Forestry including. Related Equipment and Accessory Use shall be a permitted use."

BL-2893-16 …in the case of the lands and premises being more particularly described as follows, namely: All AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Municipality of Shuniah, Township of MacGregor in the District of Thunder Bay and more particularly described as Mining location 5E White's, E 825 CPR PCI; 8070 TBF in the Township of MacGregor, Municipality of Shuniah, 582 North Clover Road. the following provisions shall apply:
a. In addition to the uses permitted by Section 9 of By-law No. 2038-00, a Garden Suite shall also be a permitted use in accordance with Section 39 of the Planning Act, R.S.O. 1990.
b. This use shall be approved for a temporary period of time not to exceed twenty years from the date of the passing of this by-law.

BL-3013-18 1. For the lands and premises located within a portion of Mining Location 8 E PT N of Hwy S of CPR; PCL 10254 TBF, 652 Lakeshore Drive, Township of MacGregor, Municipality of Shuniah; the following shall apply:
a) Notwithstanding Section 9.1 of By-law No. 2038-00 a duplex dwelling shall be a permitted use."

## 9.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH | MINIMUM LOT AREA |
|---|---|
| 60 metres | 0.8 hectares |

## 9.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | | Minimum Separation Distance | |
|---|---|---|---|---|---|
| | | Exterior | Interior | Main | Accessory |
| 15.0 m. | 15.0 m. | 7.5 m. | 7.5 m. | N/A | 3.0 m. |
| Maximum Height | Maximum Lot Coverage | Maximum Number Of Main Uses | | Maximum Number of Main Buildings | |

BL 2514-11 Site Specific to permit Forestry Use & 10% lot coverage
BL-2893-16 Temporary – Site Specific to allow for a Garden Suite
BL-3013-18 Site Specific to permit a Duplex Dwelling
BL 2363-08 To Include wording “for a main building”

| | | | | |
|---|---|---|---|---|
| For a Main Building<br><br>10.0 m. | Total<br><br>35 % | Accessory<br><br>140 sq. m. | One | One |

9.4 REGULATIONS SPECIFIC TO THIS ZONE

9.4.1 This Section is deleted re OMB Case No. PL020379 and By-law No. 2093-02 see Section 4.26

9.4.2 ROAD SETBACK

Notwithstanding any other provision in this by-law, where a public road allowance is less than 20 metres in total width, a setback of 10 metres from the centre line of the existing road allowance or travelled road shall be added to the relevant minimum required yard provision.

9.4.3 ACCESSORY BUILDINGS

No accessory building shall be used for human habitation.

9.5 AMENDMENTS TO SECTION NINE

9.5.1 OMB PL020379 For the lands and premises being Lot 1, Registered Plan M-224, in the Township of MacGregor now the Municipality of Shuniah, District of Thunder Bay, known as 426 Clover Road, the following shall apply in addition to the zone provisions, and where in conflict, the following shall prevail;

9.5.1.1 In addition to the permitted uses and zone provisions of Section 9, the existing 14.6 metre by 15.8 metre commercial building located on Lot 1, Registered Plan M-224 Registered Plan M-224, in the Township of MacGregor now the Municipality of Shuniah, District of Thunder Bay, known as 426 Clover Road shall be recognized and permitted to continue use for any one of the following purposes;

a) the current use by the present and/or future owner/occupant of the dwelling and/or family members, totalling not more than three persons, for the care and/or servicing and repair of automobiles, watercraft, recreational trailers, and small to midsized construction equipment, which activity may include body work and welding as a function of such care and/or repair, but not as an individual free standing activity. All such activity carried on inside of the building except for washing and occasional and infrequent non-industrial sand blasting.
   i) Such activity shall specifically not include the painting of vehicles; the commercial care and/or repair of transportation trucks or their trailer units; or of large construction equipment such as graders or bulldozers; or the repair/care/service of equipment for the harvesting of timber, or the processing of aggregate. The servicing and/or repair and sale of up to five used automobiles at any one time.
b) Inside storage of boats and other watercrafts and/or marine equipment; snow machines, motor homes, and other such vehicles typically utilized only for a part of the year.
   - Greenhouse, nursery stock outlet.
   - Fishing, hunting, sporting goods store, including the keeping and sale of baits.

9.5.1.2 Outside storage of up to five client vehicles may be permitted in association with the use of the above noted building, provided that nothing within this clause shall be construed as permitting the storage of vehicles for the removal of parts and such use shall specifically not be permitted.

9.5.1.3 Each property line that abuts a residential land use shall be provided with a 1.5 metre buffer. Such buffer area shall include a privacy fence and/or a vegetation buffer of trees, hedges, or other such plants, being not less than 1.83 metres in height.

9.5.1.4 Direct access onto Clover Road by clients of the commercial building shall not be permitted, and all such access shall be from Lakeshore Drive.

9.5.1.5 Where commercial use of the existing building is abandoned, such building may be used as an accessory building to a dwelling unit on Lot 1, Registered Plan M-224, Registered Plan M-224, in the Township of MacGregor now the Municipality of Shuniah, District of Thunder Bay, known as 426 Clover Road and any discrepancies with respect to lot coverage and/or yards shall be deemed to be legal non-complying for such new use. OMB PL020379

BL-2476-10 For the lands and premises located within a portion of Mining Location 7E, White's Survey being more particularly described as Part 1 of 55R-12173 Township of MacGregor, Municipality of Shuniah; the following shall apply: Notwithstanding Section 9.1 of By-law No. 2038-00 a duplex dwelling shall be a permitted use."

Notwithstanding Section 9.2 of By-law No. 2038-00 the following lot requirements shall be allowed:

| MINIMUM LOT WIDTH | MINIMUM LOT AREA |
|---|---|
| 30 metres | 0.4 hectares |

Notwithstanding Section 9.3 of By-law No. 2038-00 the interior side yard for the main building shall be 0 metres. BL-2476-10

BL 2514-11 For the lands and premises described as a portion of Mining Location 3A, Harts Survey being more particularly described ad Parts 1, 3, and 4 of Reference Plan 55R-2242, in the geographical Township of MacGregor, Municipality of Shuniah; in the District of Thunder Bay the following shall apply:

a) Notwithstanding Section 9.1 of By-law No. 2038-00, Forestry including, Related Equipment and Accessory Use shall be a permitted use.
b) Notwithstanding Section 9.3 Maximum Lot Coverage of By-law No. 2038-00 the following lot requirements shall be allowed:
For Accessory buildings and structures the Maximum Lot Coverage shall be 10%.

BL-3012-18 1. NOTWITHSTANDING the Zone Provisions under Section 9.1 PERMITTED USES as to the lands and premises more particularly described as follows, namely; ALL and singular that certain parcel or tract of land and premises being comprised of Mining Locations 2A EPT Whites Survey, 55R-2387 Parts 1 to 4, 1562 Lakeshore Drive, MacGregor Township, now being the Municipality of Shuniah, ALL shown as "PROPERTY LOCATION" on "Schedule "A" to and forming part of this By-law,
The following shall apply in addition to the permitted sues and zone provisions of Section 9:

2. A commercial transportation or tractor trailer operation which shall be limited to no more than 3 commercial Tractor-Trailer Trucks or a combination of Tractor-Trailer or related equipment not totally more than 3 (three) pieces of equipment at the premises at one time.
3. The total number of employees shall not exceed 3 (three).
4. One only 46' x 32' Garage which shall permit the repair and maintenance of the operations' equipment as permitted in this by-law but shall not include the painting of vehicles, the commercial care and/or repair of transportation trucks or their trailer units; or of large construction equipment such as graders or bulldozers; or the repair/care/service of equipment for the harvesting of timber, or the processing of aggregate or other equipment not associated with the direct operation as allowed by this amendment.

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BL-2476-10 To allow Duplex Dwelling Site Specific
BL-2476-10 To allow Duplex Dwelling Site Specific
BL 2514-11 Site Specific to permit Forestry Use & 10% lot coverage
BL-3012-18 Site Specific to permit a Kennel

5. The hours of the transportation or tractor trailer operation shall be limited to between the hours of 5:00 am and 11:00 pm.
6. The idling of any motorized equipment shall be limited to no longer than a one }'2 hour period per day per truck and between the hours of 5:00 am to 11 :00 pm and shall only be within the "idle area" location as marked on Schedule A to this By-law.
7. One Animal Boarding Kennel which hereby limits the number of boarded animals on the property to 8 (eight) and shall not include a veterinary clinic.
8. The construction of the Animal Boarding Kennel and the operation of the Transportation Tractor Trailer Operation shall be constructed in a manner as to adequately control and prevent potential negative effects from noise, dust, air emissions and vibrations to acceptable standards as set out by the Ministry of the Environment and Climate Change (MOECC).
9. A minimum 60 metre setback shall be maintained between a kennel and any residential building located on an abutting lot.
10. The location of the kennel shall not be in front of the main dwelling.
11. The location of dog waste shall be stored in the "waste area" as marked on Schedule A to this By-law and shall be properly disposed of at a landfill facility according to landfill policies. BL-3012-18

BL-3494-26 For the lands and premisses described as 362 Lakeshore Drive, more particularly described as Plam M136, Part Lot 5, 55R755 Parts 1, 2 and 3 Township of MacGregor, Municipality of Shuniah, the following shall apply:
“Notwithstanding Section 9.3 of the Zoning by-law 2038-00 that the maximum lot coverage of accessory structures of 605 square metres is hereby permitted; as outlined in Schedule “A” attached hereto.”

# 10. SHORELINE RESIDENTIAL [SR]

## 10.1 PERMITTED USES

- recreational dwelling
- permanent dwelling
- home occupation
- park
- day nursery
- accessory structures, buildings and/or uses subordinate to, and exclusively devoted to a permitted main use.

10.1.1 Notwithstanding Section 10.1 Shoreline Residential, Permitted Uses, which is herein deleted and removed as it relates to Part 1, Plan 55R-10753, the following special provisions shall apply:

a) use shall be only for the purpose of providing pedestrian and/or vehicular ingress and egress to and from Mining Location 13Z and other lots directly abutting upon Part 1, Plan 55R-10753, and uses legally established thereupon;
b) no buildings, and no structures save only related ingress and egress structures of facilities shall be permitted;
c) no open parking and no storage of vehicles or of materials shall be permitted.

## 10.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH | | MINIMUM LOT AREA | |
|---|---|---|---|
| EXISTING AND INFILL | NEW SUBDIVISION | EXISTING AND INFILL | NEW SUBDIVISION |
| 30.0 m. | 40.0 m. | 1,800 sq. m. | 2,100 sq. m. |

## 10.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building[BL 2363-08] | | Rear Yard For a Main Building | Side Yards Exterior Interior For a Main Building | | Minimum Separation Distance | |
|---|---|---|---|---|---|---|
| Abutting Shoreline Allowance | Abutting Water | | | | Main | Accessory |
| 1.5 m. subject to 10.4.2 | 21.5 m. | 10.0 m. | 3.0 m. [BL 2363-08] | 3.0 m. | N/A | 3.0 m. |
| **Maximum Height For a Main Building** | | **Maximum Lot Coverage** | | **Maximum Number Of Main Uses** | **Maximum Number Main Buildings** | |
| 10.0 m. | | Total 35 % | Accessory 140 sq. m. | One | One | |

[BL-2087-02]NOTWITHSTANDING the provisions of Sections 10, of By-law 2038-00, Municipality of Shuniah, in the case of the lands and premises being more particularly described as follows, namely: ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Municipality of Shuniah, formerly the Township of MacGregor in the District of Thunder Bay and

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[BL 2363-08] To Include wording "for a main building"
[BL 2363-08] Removed New Subdivision set-backs
[BL-2087-02] Amendment specific to Plan 694 Lot 40 (Roll #5-165)

being composed of Lot 40, Registered Plan Number 694, Township of MacGregor, the following provisions shall apply:

(a) the Lot and/or dwelling therein may be used for a single dwelling
(b) Minimum Lot Area shall be 1219.3 Square Metres
(c) Minimum Lot Width shall be 15.24 Metres [BL 2087-02]

[BL-2177-05]Notwithstanding Section 10.3 that portion of Mining Location 1A, White's Survey, geographic Township of MacGregor, Municipality of Shuniah, more particularly described as Part 1, 2, 3, & 4, Reference Plan 55R-12336 the following shall apply: Side Yards interior shall be 7.6 metres.

Notwithstanding Sections 10.3. 10.4.2.1 or 10.4.2.2, no construction shall occur on the new lot, being Part 1, 2, 3, & 4, of Reference Plan 55R-12336 that is closer to the Front Lot Line than a line drawn between the corner of the existing residence located west of the new lot, being located on Part 1 of Reference Plan 55R-5765, that is closest to the east lot line of the property, and the corner of the existing residence located on the property east of the subject lands being 9.74 metres from the west lot line of the property described as Parts 2 and 3 of Reference Plan 55R-10049.[BL-2177-05]

[BL 2296-07] Except for those lands described in Subsection 10.5.1 and located within the Shoreline Residential Holding [SR-H] zone, lots abutting the south side of Cedar Bay Road, being a private road that is privately maintained, shall be considered appropriate for building and cottage conversion purposes.

[BL-3177-21] For the lands and premises described as 2673 Birch Beach Road, more particularly described as Lots 22 and 23 of Registered Plan 694, Part 2 of Reference Plan 55R-8654, Township of MacGregor, Municipality of Shuniah, the following apply:
d) Notwithstanding Section 10.3 the maximum lot coverage of accessory buildings shall be permitted at 213 sq. metres.
e) Notwithstanding Section 10.3 the required side yard on the east side of the main building shall be reduced to 2.28 metres.

[BL-3454-26] For the lands and premisses described as 2609 Birch Beach Road, more particularly described as Plan 55M585 Lot 4, Township of MacGregor, Municipality of Shuniah, the following shall apply:
"Notwithstanding Section 10.3 of the Zoning By-law 2038-00 the maximum lot coverage of accessory structures shall be permitted to be 144 square metres site specific as it applies to Plan 55M585, Lot 4, Township of MacGregor, now being the Municipality of Shuniah, known as 2609 Birch Beach Raod."

## 10.4 REGULATIONS SPECIFIC TO THIS ZONE

10.4.1 This Section is deleted re OMB Case No. PL020379 and By-law No. 2093-02 see - See Section 4.26.

10.4.2 INFILL CONSTRUCTION – FRONT YARD

10.4.3 Notwithstanding the required minimum front yard regulations that are set out above, where a main building is to be constructed or expanded on a lot where a main building exists on each of the immediately abutting lots where two or more existing dwellings situated less than 21.5 metres from the shoreline, within a distance of 15 metres of the side lot line, construction may occur closer to the front lot line than is otherwise permitted provided that such construction is not erected closer to the front lot line than a line between the closest front corner of each of the main buildings on such abutting lots.

10.4.4 Notwithstanding the required minimum front yard regulations that are set out above, where two or more existing dwellings situated in excess of 30 metres from the

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[BL 2087-02] Site specific for Lot 40 Plan 694
[BL-2177-05] Site Specific to Ptn ML 1A (Roll No. 4-196-20)
[BL-2177-05] Site Specific to Ptn ML 1A (Roll No. 4-196-20)
[BL 2296-07] OPA #2 Provisions Cottage Conversion
[BL-3177-21] Site specific for Lots 22 & 23 Plan 694
[BL-3177-21] Site specific for Lot4 Plan 55M585

shoreline, and where such dwellings are located within 15 metres of the side lot line, the following shall apply;

a) for lots that are internal to such a group, construction or expansion shall not occur closer to the front lot line than a line between the closest corner of each of the main buildings on such abutting lots adjoining.
b) for lots that are at the end of such a group, including vacant lots that are located abutting such a group, construction or extension shall not occur closer to the front lot line than the closest front corner of the building on the abutting lot that is a part of such group. Where more than one vacant lot exists abutting such a group, all such vacant lots shall be required to adhere to this regulation.

10.4.5 Council, and/or the Committee of Adjustment shall, in the consideration of applications for relief from this subsection, have regard for the protection of view of the water body for the property that is the subject of the application and for abutting and nearby lots.

10.4.6 Notwithstanding Section 10.3 - Front Yard, Sections 10.4.2.1 and 10.4.2.2 for the lands known as Lot 26, Plan 820 the minimum required front yard shall be no less than 40 metres.

10.4.7 ACCESSORY BUILDINGS

10.4.8 BOAT HOUSES: a boat house shall only be permitted in this zone by site-specific amendment to this by-law.

10.4.9 No accessory building, except an accessory bunk house shall be used for human habitation.

10.4.10 Where a lot has less than 23 metres of lot width, no accessory building shall be located in any portion of the side yard that is located between abutting main buildings on adjoining lots where the distance between the main buildings is less than 6 metres.

10.4.11 The maximum accessory building coverage as set out in section 10.3, shall not apply to Lots 32 and 33, RP 55R-8760 Parts 1 and 2 RP 55R-9947 Part 1 of Registered Plan 720 in the Township of MacGregor now Municipality of Shuniah District of Thunder Bay, known as 1441 Silver Harbour Drive, and the following shall instead apply:

a) the maximum accessory building coverage for one new building shall not exceed 160 square feet. Only one such new accessory building is permitted in addition to the existing buildings as of the date of the Ontario Municipal Board decision (January 21, 2003).

10.4.12 ACCESSORY BUNK HOUSE

An accessory bunk house:
a) shall not be established in association with a boat house, garage, or such other buildings where fuel, oil or other such products are stored;
b) shall be one only and shall not exceed 35.0 square metres in size;
c) shall not contain facilities for cooking or for serving of meals, and
d) shall not contain sanitary facilities.

10.4.13 ROAD SETBACK

Notwithstanding any other provision in this by-law, where a public road allowance is less than 20 metres in total width, a setback of 10 metres from the centre line of the existing road allowance or travelled road shall be added to the relevant minimum required yard provision.

10.4.14 UNDERSIZED LOTS

~~An undersized lot in this zone may be used only for recreation purposes.~~ BL 2296-07

10.5 CEDAR BAY SPECIFIC PROVISIONS ~~BL 3157-21~~

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BL 2296-07 OPA #2 Provisions for Cottage Conversion
BL 3157-21 Remove Holding Symbol site specific

10.5.1 a) the lands and premises being a portion of Mining Location 5Z, Savigny's Survey, Township of MacGregor containing approximately 17 acres, shall be zoned as SR-H (Shoreline Residential – Holding Zone)

~~b) permitted uses during the duration of the Holding designation shall be:~~
~~i) legally existing uses a the date of passing of this by-law~~
~~ii) one permanent dwelling subject to the removal of an existing one foot reserve, and not more than two of the original ten cabins of which are to be converted to accessory buildings~~
~~c) Council may enact a by-law to eliminate the "H" holding provision on one or more properties to which the provision applies upon completion of the following:~~
- ~~construction to an acceptable municipal standard, and dedication to the Township of appropriate public road; or~~
- ~~the entering into of an agreement between the Township and acceptable minimum standard and dedication of the appropriate public road.~~ BL 3157-21

## 10.6 AMENDMENTS TO SECTION TENLOON LAKE BL 2296-07

For the lands and premises located on or within 300 metres of Loon Lake, the following shall apply;
Notwithstanding Section 10.1 Permitted Uses, which shall continue to apply, no building permit shall be issued for any new permanent residential dwelling or any converted dwelling unless it has been demonstrated that such construction will not cause the cumulative total phosphorous generated by all new construction since the date of passing of this amending by-law to exceed 224kg/year/lot total phosphorous. Calculation of the contribution of any new construction shall be based upon the following;

- 0.71kg/year/lot for a seasonal residential dwelling
- 1.33kg/year/lot for a converted dwelling or for a permanent residential dwelling replacing a seasonal residential dwelling that is being demolished.
- 2.04kg/year/lot for a permanent residential dwelling on a previously vacant property." BL 2296-07

BL-2345-08 Plan 764 Lot 24
ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Municipality of Shuniah, formerly the Municipality of McTavish in the District of Thunder Bay and being composed of Lot 24, Registered Plan Number 764. A "Boat House" shall be a permitted use located within the "Required Front Yard" and the following provisions shall apply:
PROVISIONS:
The Required Front Yard 2 metres
The Required East Side Yard 1.86 metres
Building Height 3.66 metres
Building Width 4.84 metres
Building Length 8.18 metres
Number of Rooms 12BL-2345-08

BL-2978-17 1. For the lands and premises described as 656 Duncan Ave. Lots 5, 6 and 7 Plan 759 the following shall apply:
"Notwithstanding Section 10.3 the Side Yard for a Main Building for the existing cottage on Lot 7 Plan 759 is reduced from 3m to 2.7 m.
"Notwithstanding Section 4.26.1 the setback to the railway right of way for the existing dwelling on lot 7 from 45 m to 20 m and the setback for any habitable structure on lots 5 and 6 from 45 m to 30m.
"Notwithstanding Section 4.3 the minimum frontage on an opened and maintained road is hereby deleted."
"Notwithstanding Section 10.2 that Lots 5, 6 and 7 shall become blended and divided into 2 lots having lesser minimum lot requirements than otherwise allowed."
2. That ingress, egress and any maintenance of the portions of road allowance abutting these lands not currently maintained by the Municipality shall be the responsibility of those owners of said lots and that this condition be stipulated as a Notification on title.

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BL 3157-21 Remove Holding Symbol site specific
BL 2296-07 OPA #2 Provisions Cottage Conversion
BL 2296-07 OPA #2 Provisions Cottage Conversion
BL-2345-08 Site Specific – Plan 764 Lot 24 - Boathouse
BL-2978-17 Site Specific allow less then minimum lot requirements

3. That a Notification Agreement attached hereto as Schedule 'B' be registered against the subject lands as a condition of this amendment pursuant to the Planning Act R.S.O. 1990 as amended Section 16.
4. That one additional new access to the subject lands shall be permitted only at the location as described in Schedule "A" attached hereto.
5. That any access to the subject lands over the unopened road allowance shall be no wider than 6 metres and approved by the Municipality.
6. No clearing of the unopened road allowance is permitted without consent of the Municipality.
7. That the Mayor and Clerk are hereby authorized to execute the Notification Agreement attached hereto as Schedule '8'.BL-2978-17

# 11. SHORELINE RESIDENTIAL – BLACK BAY [SR-BB]

## 11.1 PERMITTED USES

. recreational dwelling
. permanent dwelling
. home occupation
. park
. day nursery

. accessory structures, buildings and/or uses subordinate to, and exclusively devoted to a permitted main use.

## 11.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH | | MINIMUM LOT AREA | |
|---|---|---|---|
| EXISTING AND INFILL | NEW | EXISTING AND INFILL | NEW |
| 36.0 m. | N/A | 2,160 sq. m. | N/A |

## 11.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building[BL 2363-08] | | Rear Yard For a Main Building | Side Yards For a Main Building | | Minimum Separation Distance | |
|---|---|---|---|---|---|---|
| Abutting Shoreline Allowance | Abutting Water | | Exterior | Interior | Main | Accessory |
| 1.5 m. | 21.5 m. | 10.0 m. | 3.0 BL 2363-08 | 3.0 | N/A | 3.0 m. |

| Maximum Height For a Main Building | Maximum Lot Coverage | | Maximum Number Of Main Uses | Maximum Number Main Buildings |
|---|---|---|---|---|
| | Total | Accessory | | |
| 10.0 m. | 35 % | 140 sq. m. | One | One |

## 11.4 REGULATIONS SPECIFIC TO THIS ZONE

### 11.4.1 ACCESSORY BUILDINGS

11.4.1.1 BOAT HOUSES: a boat house shall only be permitted in this zone by specific amendment to this by-law.

11.4.1.2 No accessory building except a bunk house shall be used for human habitation

11.4.1.3 No accessory building shall be located in a required front yard.

### 11.4.2 ACCESSORY BUNK HOUSE

An accessory bunk house:

a) shall not be established in association with a boat house, garage, or such other buildings where fuel, oil or other such products are stored;
b) shall be one only and shall not exceed 35.0 square metres in size;
c) shall not contain facilities for cooking or for serving of meals; and
d) shall not contain sanitary facilities.

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BL 2363-08 To include wording "for a main building"
BL 2363-08 Removed New Subdivision set-backs

11.4.3 ROAD SETBACK

Notwithstanding any other provision in this by-law, where a public road allowance is less than 20 metres in total width, a setback of 10 metres from the centre line of the existing road allowance or travelled road shall be added to the relevant minimum required yard provision.

11.4.4 UNDERSIZED LOTS

~~An undersized lot in this zone may be used only for recreation purposes~~. BL 2296-07

11.4.5 ENVIRONMENTAL REGULATIONS

11.4.5.1 An environmental protection area shall include all portions of all lots and lands extending to the waters' edge located to the lake shore side of a line drawn parallel to and distant 15.0 metres inland from the 183.9 metre contour line .

11.4.5.2 Within the aforementioned Environmental Protection Area:

a) no natural shoreline vegetation shall be removed;
b) no lawns or gardens shall be developed;
c) no chemical fertilizers shall be used; and
d) no break walls, permanent docks or decks, or no fences shall be constructed, placed, moved or erected.

11.5 AMENDMENTS TO SECTION ELEVEN

# 12. SHORELINE RESIDENTIAL – MOONLIGHT BAY [SR-MB]

## 12.1 PERMITTED USES

- permanent dwelling
- recreational dwelling
- day nursery
- park
- home occupation
- accessory structures, buildings and/or uses subordinate to, and exclusively devoted to a permitted main use.

## 12.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH | | MINIMUM LOT AREA | |
|---|---|---|---|
| EXISTING AND INFILL | ~~Block 21 55M-530~~ | EXISTING AND INFILL | ~~Block 21 55M-530~~ |
| 30.0 m. | ~~160 m~~ BL 2315-08 | 1,800 sq. m. | ~~17500 sq.m.~~ BL 2315-08 |

## 12.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building BL 2363-08 | | Rear Yard For a Main Building | Side Yards For a Main Building | | Minimum Separation Distance | |
|---|---|---|---|---|---|---|
| Abutting Shoreline Allowance | Abutting Water | 10.0 m. | Exterior | Interior | Main | Accessory |
| 10. m. | 30.0 m. | | 3.0 BL 2363-08 | 3.0 | N/A | 3.0 m. |
| **Maximum Height For a Main Building 10.0 m.** | | **Maximum Lot Coverage** | | | **Maximum Number Of Main Uses** | **Maximum Number Main Buildings** |
| | | Total | Accessory | | One | One |
| | | 35 % | 140 sq. m. | | | |

## 12.4 REGULATIONS SPECIFIC TO THIS ZONE

### 12.4.1 ACCESSORY BUILDINGS

12.4.1.1 BOAT HOUSES: a boat house shall only be permitted in this zone by site-specific amendment to this by-law.

12.4.1.2 No accessory building, except an accessory bunk house shall be used for human habitation.

12.4.1.3 No accessory building shall be located in the front yard.

12.4.1.4 Where a lot has less than 23 metres of lot width, no accessory building shall be located in any portion of the side yard that is located between abutting main buildings on adjoining lots where the distance between the main buildings is less than 6 metres.

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BL 2315-08 To remove specifics regulations for Block 21 Plan M-530
BL 2315-08 To remove specifics regulations for Block 21 Plan M-530
BL 2363-08 To include wording “for a main building”
BL 2363-08 Remove New Subdivision set-backs

12.4.2 ACCESSORY BUNK HOUSE

An accessory bunk house:

a) shall not be established in association with a boat house, garage, or such other buildings where fuel, oil or other such products are stored;
b) shall be one only, and shall not exceed 35.0 square metres in size;
c) shall not contain facilities for cooking or for serving of meals; and
d) shall not contain sanitary facilities.

12.4.3 ROAD SETBACK

Notwithstanding any other provision in this by-law, where a public road allowance is less than 20 metres in total width, a setback of 10 metres from the centre line of the existing road allowance or travelled road shall be added to the relevant minimum required yard provision.

12.4.4 UNDERSIZED LOTS

~~An undersized lot in this zone may be used only for recreation purposes.~~ BL 2296-07

12.4.5 ENVIRONMENTAL REGULATIONS

12.4.5.1 An environmental protection area being lands located between the side lot lines and the legal high water mark, which is the front lot line, and a line drawn parallel thereto and distant 30 metres inland therefrom, and the lands under the waters of Lake Superior lying in front of the lands contained in this zone, shall exist for the purpose of protection of fish spawning beds in Lake Superior.

12.4.5.2 No building or structure (which term shall include but not be limited to shore-line protective works, break walls, docks, wharves, boat houses, boat storage devices, saunas, utility buildings, pump houses) shall be erected or located in, under, on or over the top of the waters or bottom of, or, within 30 metres of Lake Superior.

12.4.5.3 No person shall remove, cut or destroy standing trees of the poplar, black spruce, white spruce, and ash species without the prior approval of the Ontario Ministry of Natural Resources; each purchaser may contact the Ministry to obtain approval for such activities; the Ministry will allow clearing of tag alders, brush and minor tree trimming to allow purchasers to view Lake Superior from their recreation dwellings; lawns are not to be established, and the use of fertilizers shall be prohibited.

12.4.5.4 There shall be no dredging, altering, and/or disturbing of the lake bed .

12.4.5.5 No person shall use their lands to establish lawns or utilise fertilizers on their lands.

12.5 AMENDMENTS TO SECTION TWELVE

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BL 2296-07 OPA #2 Provisions for Cottage Conversion

# 13. SHORELINE RESIDENTIAL – BACK LOTS [SR-BL]

## 13.1 PERMITTED USES

### 13.1.1 ELDORADO BEACH

. recreational dwelling
. permanent dwelling
. home occupation
. park
. day nursery
. accessory structures, buildings and/or uses subordinate to, and exclusively devoted to a permitted main use.

### 13.1.2 LOON LAKE

. existing recreational dwellings
. park
. accessory uses in conjunction with Lots 7 to 38; Lots 43 to 72; and Block E, Plan M-80, but shall not include an accessory bunk house.
. accessory uses in conjunction with Lots 4 to 97 Registered Plan 590, but shall not include an accessory bunk house.

## 13.2 LOT REGULATIONS

### 13.2.1 ELDORADO

| MINIMUM LOT WIDTH | | MINIMUM LOT AREA | |
|---|---|---|---|
| EXISTING AND INFILL | NEW | EXISTING AND INFILL | NEW |
| 30.0 m. | N/A | 1,800 sq. m. | N/A |

### 13.2.2 LOON LAKE

| MINIMUM LOT WIDTH AND LOT AREA |
|---|
| the minimum lot area and lot width shall be the size of the existing lots |

## 13.3 OTHER STANDARD REGULATIONS

### 13.3.1 ELDORADO

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | Minimum Separation Distance |
|---|---|---|---|
| 15.0 m. | 10.0 m | Exterior 3.0 BL 2363-08<br>Interior 3.0 | Main N/A<br>Accessory 3.0 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | **Maximum Number Of Main Uses** | **Maximum Number Main Buildings** |
| 10.0 m. | Total 35 %<br>Accessory 10% | One | One |

### 13.3.2 LOON LAKE

BL 2363-08 To include wording "for a main building"
BL 2363-08 Removed New Subdivision set-backs

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | Minimum Separation Distance |
|---|---|---|---|
| 10.0 m. ~~subject to 13.4.2~~ 13.3.2.1 | 5.0 m. | Exterior 3.0 m. / Interior 3.0 m. | Main N/A / Accessory 3.0 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | **Maximum Number Of Main Uses** | **Maximum Number Main Buildings** |
| 10.0 m. | Total 35 % / Accessory 10 % | One | One |

13.4 REGULATIONS SPECIFIC TO THIS ZONE

13.4.1 This Section is deleted re OMB Case No. PL020379 and By-law No. 2093-02 see Section 4.26.

13.4.2 INFILL CONSTRUCTION – FRONT YARD .[BL 2363-08] *(Section entirely deleted)*

13.4.3 ACCESSORY BUILDINGS

13.4.3.1 No accessory building except a bunk house where permitted, where permitted shall be used for human habitation.

13.4.3.2 Where a lot has less than 23 metres of lot width, no accessory building shall be located in any portion of the side yard that is located between abutting main buildings on adjoining lots where the distance between the main buildings is less than 6 metres.

13.4.4 ACCESSORY BUNK HOUSE

An accessory bunk house:

a) shall not be established in association with a boat house, garage, or such other buildings where fuel, oil or other such products are stored;
b) shall be one only and shall not exceed 35.0 square metres in size;
c) shall not contain facilities for cooking or for serving of meals; and
d) shall not contain sanitary facilities.

13.4.5 ROAD SETBACK

Notwithstanding any other provision in this by-law, where a public road allowance is less than 20 metres in total width, a setback of 10 metres from the centre line of the existing road allowance or travelled road shall be added to the relevant minimum required yard provision.

13.4.6 UNDERSIZED LOTS

~~An undersized lot in this zone may be used only for recreation purposes~~.[BL 2296-07]

13.5 AMENDMENTS TO SECTION THIRTEEN

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[BL 2363-08] To include wording "for a main building"
[BL 2363-08] Deleted entire Infill Section as Back Lots not along the shoreline
[BL 2296-07] OPA #2 Provisions Cottage Conversion

# 14. MOBILE HOME RESIDENTIAL ZONE [MHR]

## 14.1 PERMITTED USES

. mobile homes in a mobile home park, on individual mobile home sites as defined herein
. home occupation in a mobile home only
. office, administration area related to the operation of the mobile home park
. buildings, structures, and/or uses accessory to the operation of the mobile home park, or devoted to the recreational or social needs of the residents of the mobile home park
. buildings, structures, and/or uses accessory to a mobile home

## 14.2 LOT REGULATIONS

### 14.2.1 FOR A MOBILE HOME PARK

| MINIMUM LOT WIDTH | MINIMUM LOT AREA |
|---|---|
| 60.0 m | Existing Lot Area |

### 14.2.2 FOR AN INDIVIDUAL MOBILE HOME SITE

| MINIMUM SITE WIDTH SINGLE | MINIMUM SITE WIDTH DOUBLE | MINIMUM LOT AREA |
|---|---|---|
| 13.0 m. | 15.0 m | 540.0 sq. m. |

## 14.3 OTHER STANDARD REGULATIONS

### 14.3.1 FOR A MOBILE HOME PARK

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | | Minimum Separation Distance | |
|---|---|---|---|---|---|
| | | Exterior | Interior | Main | Accessory |
| 10.0 m. | 7.5 m. | 7.5 m. | 7.5 m. | N/A | 3.0 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | | **Maximum Number Of Main Uses** | **Maximum Number Of Mobile Homes** | |
| | Total | Accessory | | | |
| 10.0 m. | 55 % | 15 % | One | Longhouse<br>Dukes | 49 units<br>13 units |

### 14.3.2 FOR EACH MOBILE HOME SITE

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | | Minimum Separation Distance | |
|---|---|---|---|---|---|
| | | Exterior | Interior | Main | Accessory |
| 5.0 m. | 5.0 m. | 3.0 m. | 3.0 m. | N/A | 3.0 m. |

BL 2363-08 To include wording “for a main building”
BL 2363-08 To include wording “for a main building”

| Maximum Height For a Main Building | Maximum Lot Coverage | | Maximum Number Of Main Uses | Maximum Number Of Mobile Homes Per Individual Mobile Home Site |
|---|---|---|---|---|
| | Total | Accessory | | |
| 10.0 m. | N/A | 10 % | One | One |

14.4 REGULATIONS SPECIFIC TO THIS ZONE

14.4.1 ROAD ACCESS TO INDIVIDUAL SITES

14.4.1.1 Notwithstanding any other provision in this by-law, individual mobile home sites may abut a private road and not a public road.

14.4.1.2 A mobile home park must abut an open and travelled public road allowance, with a minimum of 6.0 metres of lot line abutting the open portion of such road.

14.4.2 ACCESSORY BUILDINGS FOR A MOBILE HOME SITE

14.4.2.1 Accessory buildings shall not exceed a dimension of 3.6 metres by 3.6 metres and shall have fireproof cladding.

14.4.2.2 One only accessory building shall be permitted on each mobile home site.

14.4.3 MOBILE HOME PARK INTERNAL ROADS

Roads within a mobile home park s hall not be less than 15.0 metres in width.

14.4.4 MOBILE HOME PARK INTERNAL OPEN SPACE

In addition to all of the regulations set out previously for this zone, an area equal to not less than 5% of the total area of the mobile home park shall be devoted to open space and play space for children.

14.4.5 OUTDOOR STORAGE

No outside storage of furniture, domestic equipment, or seasonally used equipment shall be permitted on individual mobile home sites.

14.4.6 REPLACING A TRAILER UNIT

Where an existing trailer is legal non-complying, and such trailer is removed, or replaced with another trailer at the same location, non-complying status is deemed to continue.

14.5 AMENDMENTS TO SECTION FOURTEEN

# 15. RECREATIONAL COTTAGE ZONE [REC]

## 15.1 PERMITTED USES

No use of land building, building, or structure shall be permitted within this zone except as follows;

. recreational dwelling
. private, non-profit camp
. park
. buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use.

## 15.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH | | MINIMUM LOT AREA | |
|---|---|---|---|
| EXISTING AND INFILL | NEW | EXISTING AND INFILL | NEW |
| 40.0 m. | 40.0 m. | 2,160.0sq. m. | 2,160.0 sq. m. |

## 15.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building BL 2363-08 | | Rear Yard For a Main Building | Side Yards For a Main Building | | Minimum Separation Distance | |
|---|---|---|---|---|---|---|
| Abutting Shoreline Allowance | Abutting Water | 10.0 m. | Exterior | Interior | Main | Accessory |
| 1.5 m. subject to 15.4.3 | 21.5 m. | | 3.0 BL 2363-08 | 3.0 | N/A | 3.0 m. |
| **Maximum Height For a Main Building** | | **Maximum Lot Coverage** | | | **Maximum Number Of Main Uses** | **Maximum Number Main Buildings** |
| 10.0 m. | | Total | Accessory | | One | One |
| | | 35 % | 140 sq. m. | | | |

## 15.4 REGULATIONS SPECIFIC TO THIS ZONE

15.4.1 This Section is deleted re OMB Case No. PL020379 and By-law No. 2093-02 see - See Section 4.26.

### 15.4.2 FRONT LOT LINE

Notwithstanding the definition set out elsewhere in this by-law, the front lot line shall mean that lot line that abuts a waterbody or watercourse or a shoreline reserve that abuts a waterbody or watercourse.

### 15.4.3 INFILL CONSTRUCTION - FRONT YARD

15.4.3.1 Notwithstanding the required minimum front yard regulations that are set out above, where a main building is to be constructed or expanded on a lot where a main building exists on each of the immediately abutting lots where

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BL 2363-08 To include wording “for a main building”
BL 2363-08 Removed New Subdivision set-backs

two or more existing dwellings situated less than 21.5 metres from the shoreline, within a distance of 15 metres of the side lot line, construction may occur closer to the front lot line than is otherwise permitted provided that such construction is not erected closer to the front lot line than a line between the closest front corner of each of the main buildings on such abutting lots.

15.4.3.2 Notwithstanding the required minimum front yard regulations that are set out above, where two or more existing dwellings situated in excess of 30 metres from the shoreline, and where such dwellings are located within 15 metres of the side lot line, the following shall apply;

a) for lots that are internal to such a group, construction or expansion shall not occur closer to the front lot line than a line between the closest corner of each of the main buildings on such abutting lots adjoining.
b) for lots that are at the end of such a group, including vacant lots that are located abutting such a group, construction or extension shall not occur closer to the front lot line than the closest front corner of the building on the abutting lot that is a part of such group. Where more than one vacant lot exists abutting such a group, all such vacant lots shall be required to adhere to this regulation.

15.4.3.3 Council, and/or the Committee of Adjustment shall, in the consideration of applications for relief from this subsection, have regard for the protection of view of the water body for the property that is the subject of the application and for abutting and nearby lots.

15.4.4 ROAD SETBACK

Notwithstanding any other provision in this by-law, where a public road allowance is less than 20 metres in total width, a setback of 10 metres from the centre line of the existing road allowance or travelled road shall be added to the relevant minimum required yard provision.

15.4.5 ACCESSORY BUNK HOUSE

An accessory bunk house:

a) shall not be established in association with a boat house, garage, or such other buildings where fuel, oil or other such products are stored;
b) shall be one only, and shall not exceed 35.0 square metres in size;
c) shall not contain facilities for cooking or for serving of meals; and
d) shall not contain sanitary facilities.

15.4.6 OTHER ACCESSORY BUILDINGS

15.4.6.1 BOAT HOUSES: a boat house shall only be permitted in this zone by specific amendment to this by-law.

15.4.6.2 No accessory building except a bunk house shall be used for human habitation.

15.4.6.3 Where a lot has less than 23 metres of lot width, no accessory building shall be located in any portion of the side yard that is located between abutting main buildings on adjoining lots where the distance between the main buildings is less than 6 metres.

15.5 AMENDMENTS TO SECTION FIFTEEN

# 16. RECREATIONAL ASSOCIATION ZONE [REC-A]

## 16.1 PERMITTED USES

a) on an association cottage site: recreational dwelling
b) on association residual lands excluding the cottage sites: recreational buildings and uses associated with association cottage activities
c) on either association residual lands or on cottage sites: buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted main building, but excluding an accessory bunk house

## 16.2 LOT REQUIREMENTS

### 16.2.1 FOR AN ASSOCIATION COTTAGE SITE

| MINIMUM LOT WIDTH | MINIMUM LOT AREA |
|---|---|
| Existing lot width | Existing lot area |

### 16.2.2 FOR AN ASSOCIATION RESIDUAL LANDS

| MINIMUM LOT WIDTH | MINIMUM LOT AREA |
|---|---|
| Existing lot widths | Existing lot areas |

## 16.3 OTHER STANDARD REGULATIONS

### 16.3.1 FOR AN ASSOCIATION COTTAGE SITE

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | Minimum Site Separation Distance Main buildings |
|---|---|---|---|
| BL-2194-06 10 m. subject to 16.4.6 | 10.0 m. | 3.0 m. | Main bldg 3.0 m. / Accessory 3.0 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | **Maximum Number Of Main Uses** | **Maximum Number Main Buildings** |
| 10.0 m. | Total 35 % / Accessory 140 sq. m | One | One |

### 16.3.2 FOR AN ASSOCIATION RESIDUAL LANDS

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | Minimum Separation Distance |
|---|---|---|---|
| 15.0 m. subject to 16.4.6 | 15.0 m. | 5.0 m. | Main building and defined Lot Line 6.0 m. / Accessory 1.5 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | **Maximum Number Of Main Uses** | **Maximum Number Main Buildings** |
| 10.0 m. | Total N/A / Accessory N/A | One | N/A |

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BL 2363-08 To include wording “for a main building”
BL-2194-06 Amend Front Yard re Association Lands
BL 2363-08 To include wording “for a main building”

## 16.4 REGULATIONS SPECIFIC TO THIS ZONE

### 16.4.1 DEFINITIONS OF LOTS AND SITE

In the case of lands that are in the Association Zone:

a) ASSOCIATION COTTAGE SITE: an area that is part of a larger property owned by the said cottage association and ;

iv) Is under the exclusive use and enjoyment of a particular member of the said cottage association;

v) Is described in a drawing acknowledged and agreed to with respect to boundaries by the specific members of the association enjoying similar exclusive use and enjoyment of abutting lands on each side, and by the association; and

vi) Has frontage on a waterbody or on a shoreline allowance abutting a waterbody, except for the existing back lots at Pebbly Beach and East Green Bay.

b) ASSOCIATION RESIDUAL LANDS shall mean the property owned by a cottage association in a cottage association zone, exclusive of all Association cottage sites.

### 16.4.2 MAXIMUM NUMBER OF RECREATIONAL DWELLING PER ASSOCIATION

Notwithstanding any other provision contained in this By-law, the maximum number of recreational dwelling per Association shall be as follows;

| | |
|---|---|
| Ishkibbible Beach Limited | 59 |
| Clover Beach Limited | 47 |
| Floral Beach | 70 |
| Green Point Campers' Association | 55 |
| West Green Bay/Pebbly Beach Association | 73 |
| East Green Bay Campers' Association | 48 |
| BL 2363-08 Wild Goose Bay ~~Trust Association~~ Beach Campers | 38 |

### 16.4.3 This Section is deleted re OMB Case No. PL020379 and By-law No. 2093-02 see - See Section 4.26.

### 16.4.4 ASSOCIATION ROAD

Notwithstanding any other provision of this by-law, no building shall be erected or uses where a lot (a) does not abut an Association road defined and approved as such by Council, or (b) where an Association road cannot abut a lot due to a railway location or to topographical restrictions, a nearby Association road that is defined and approved as such by Council.

### 16.4.5 FRONT LOT OR SITE LINE

Notwithstanding the definition set out elsewhere in this by-law, the front lot or site line for an association cottage site shall mean that lot or site line that abuts a waterbody or a shoreline reserve that abuts a waterbody. For the residual association lands, the front lot line shall be the shortest lot line abutting a public, open and travelled road, or where no such condition exists, shall mean the lot line abutting or closest to the association cottage sites.

### 16.4.6 INFILL CONSTRUCTION – FRONT YARD

16.4.6.1 Notwithstanding the required minimum front yard regulations that are set out above, where a main building is to be constructed or expanded on a lot where a main building exists on each of the immediately abutting lots where two or more existing dwellings situated less than 10 metres from the shoreline, within a distance of 15 metres of the side site line, construction may occur closer to the front lot line than is otherwise permitted provided that such construction is not erected closer to the front lot line than a line between the closest front corner of each of the main buildings on such abutting lots. BL 2363-08

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BL 2363-08 Change Association Name

BL 2363-08 Replaced to deal with 10 m front yard for Association Lands and not 21.5 as for Freehold lands

16.4.6.2 Notwithstanding the required minimum front yard regulations that are set out above, where two or more existing dwellings situated in excess of 30 metres from the shoreline, and where such dwellings are located within 15 metres of the side lot line, the following shall apply;

~~a) for lots that are internal to such a group, construction or expansion shall not occur closer to the front lot line than a line between the closest corner of each of the main buildings on such abutting lots adjoining.~~

~~b) for lots that are at the end of such a group, including vacant lots that are located abutting such a group, construction or extension shall not occur closer to the front lot line than the closest front corner of the building on the abutting lot that is a part of such group. Where more than one vacant lot exists abutting such a group, all such vacant lots shall be required to adhere to this regulation.~~ [BL 2363-08]

16.4.6.3 Council, and/or the Committee of Adjustment shall, in the consideration of applications for relief from this subsection, have regard for the protection of view of the water body for the property that is the subject of the application and for abutting and nearby lots.

16.4.7 ACCESSORY BUILDINGS

16.4.7.1 BOAT HOUSES: a boat house shall only be permitted in this zone by site-specific amendment to this by-law.

16.4.7.2 Where a cottage site has less than 23 metres of lot width, no accessory building shall be located in any portion of the side yard that is located between abutting main buildings on adjoining lots where the distance between the main buildings is less than 6 metres.

16.4.8 ACCESSORY BUNK HOUSE

An accessory bunk house:

a) shall not be established in association with a boat house, garage, or such other buildings where fuel, oil or other such products are stored;
b) shall be one only, and shall not exceed 35.0 square metres in size;
c) shall not contain facilities for cooking or for serving of meals; and
d) shall not contain sanitary facilities.

16.4.9 ASSOCIATION LOTS SEPARATED BY RAILWAY TRACKS

16.4.9.1 An individual association lot may be separated from parking and road access by railway tracks.

16.4.9.2 Where parking is provided on lands separated from an individual association lot by railway tracks, a temporary parking shelter shall be permitted, but not a permanent garage, shed or other such building.

16.5 AMENDMENTS TO SECTION SIXTEEN

[BL 2335-08] NOTWITHSTANDING THE PROVISIONS OF SUBSECTION 16.4.9.2 of By-law Number 2038-00, Zoning By-law for the Municipality of Shuniah, in the case of the portion of the Floral Beach Campers' Association property more particularly described as follows:

"the Association Cottage Site located within the Floral Beach Campers' Association land in the Township of MacGregor, now the Municipality of Shuniah, in the District of Thunder Bay being more particularly described as Part 32 of Reference Plan Number 55R-12293, known as 431 West Floral Beach; THAT SUBSECTION 16.4.9.2 SHALL NOT APPLY."

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[BL 2363-08] Delete Infill for 30 metres
[BL 2335-08] Delete Infill for 30 metres

# 17. RECREATIONAL COTTAGE ZONE -- LAMBERT ISLAND [REC-LB]

## 17.1 PERMITTED USES

No use of land building, building, or structure shall be permitted within this zone except as follows;

- recreational dwelling
- permanent dwelling BL 2296-07
- buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use.

## 17.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH EXISTING | MINIMUM LOT AREA |
|---|---|
| 30.0 m. | 1,800 sq. m. |

## 17.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | Minimum Separation Distance |
|---|---|---|---|
| Abutting Shoreline Allowance / Abutting Water | | Exterior / Interior | Main / Accessory |
| 1.5 m / 21.5 m. subject to 17.4.2 | 10.0 m. | 4.5 m. / 4.5 m. | N/A / 3.0 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | **Maximum Number Of Main Uses** | **Maximum Number Main Buildings** |
| | Total / Accessory | | |
| 10.0 m. | 35 % / 140 sq. m. | One | One |

## 17.4 REGULATIONS SPECIFIC TO THIS ZONE

### 17.4.1 FRONT LOT LINE

Notwithstanding the definition set out elsewhere in this by-law, the front lot line shall mean that lot line that abuts a waterbody or a shoreline reserve that abuts a waterbody.

### 17.4.2 INFILL CONSTRUCTION - FRONT YARD

17.4.2.1 Notwithstanding the required minimum front yard regulations that are set out above, where a main building is to be constructed or expanded on a lot where a main building exists on each of the immediately abutting lots where two or more existing dwellings situated less than 21.5 metres from the shoreline, within a distance of 15 metres of the side lot line, construction may occur closer to the front lot line than is otherwise permitted provided that such construction is not erected closer to the front lot line than a line between the closest front corner of each of the main buildings on such abutting lots.

17.4.2.2 Notwithstanding the required minimum front yard regulations that are set out above, where two or more existing dwellings situated in excess of 30 metres from the shoreline, and where such dwellings are located within 15 metres

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BL 2296-07 OPA #2 Provisions Cottage Conversion
BL 2363-08 To include wording “for a main building”

of the side lot line, the following shall apply;

a) for lots that are internal to such a group, construction or expansion shall not occur closer to the front lot line than a line between the closest corner of each of the main buildings on such abutting lots adjoining.
b) for lots that are at the end of such a group, including vacant lots that are located abutting such a group, construction or extension shall not occur closer to the front lot line than the closest front corner of the building on the abutting lot that is a part of such group. Where more than one vacant lot exists abutting such a group, all such vacant lots shall be required to adhere to this regulation.

17.4.2.3 Council, and/or the Committee of Adjustment shall, in the consideration of applications for relief from this subsection, have regard for the protection of view of the water body for the property that is the subject of the application and for abutting and nearby lots.

17.4.3 PRIVATE ROAD

17.5 Lots in this zone may abut a private travelled road allowance on a side and/or rear yard, with a minimum of 6.0 metres of lot line abutting such road.

BL 2296-07 Lots in this zone may abut a public road allowance that is privately maintained under private arrangements as set out in a subdivision agreement and shall be considered appropriate for building and cottage conversion purposes.

17.5.1 ACCESSORY BUNK HOUSE

An accessory bunk house:
a) shall not be established in association with a boat house, garage, or such other buildings where fuel, oil or other such products are stored;
b) shall be one only, and shall not exceed 35.0 square metres in size;
c) shall not contain facilities for cooking or for serving of meals; and
d) shall not contain sanitary facilities.

BL-2867-16 1. For the lands and premises described as Lot 5 Plan 55M 505 Township of MacGregor. Now being the Municipality of Shuniah; the following shall apply: "Notwithstanding Section 17.4.4 c) of By-law No. 2038-00 that an accessory bunkhouse be permitted to contain a toilet and sink on the main level and a bar sink on the second level and; Notwithstanding Section 17.4.4 b) that the existing 96 $m^2$ bunkhouse is hereby recognized and permitted."

17.5.2 OTHER ACCESSORY BUILDINGS

17.4.5.1 BOAT HOUSES: a boat house shall only be permitted in this zone by specific amendment to this by-law.

17.4.5.2 No accessory building except a bunk house shall be used for human habitation

17.4.5.3 Where a lot has less than 23 metres of lot width, no accessory building shall be located in any portion of the side yard that is located between abutting main buildings on adjoining lots where the distance between the main buildings is less than 6 metres.

17.5.3 ROAD SETBACK

Notwithstanding any other provision in this by-law, where a public or private road allowance is less than 20 metres in total width, a setback of 10 metres from the centre line of the existing road allowance or travelled road shall be added to the relevant minimum required yard provision.

17.6 AMENDMENTS TO SECTION SEVENTEEN

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BL 2296-07 OPA #2 Provisions Cottage Conversion
BL-2867-16 To allow plumbing in a bunkhouse

# 18. RECREATIONAL COTTAGE ZONE -- BASS LAKE [REC-BL]

## 18.1 PERMITTED USES

No use of land building, building, or structure shall be permitted within this zone except as follows;

. recreational dwelling
. buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use.

BL 2280-07 ~~Notwithstanding the above permitted uses, Lots 21 and 22 of Plan M-218 shall be used only for park purposes~~.

## 18.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH EXISTING | MINIMUM LOT AREA |
|---|---|
| 30.0 m. | 1,800 sq. m. |

## 18.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | | Minimum Separation Distance | |
|---|---|---|---|---|---|
| Abutting Shoreline Allowance | Abutting Water | Exterior | Interior | Main | Accessory |
| 1.5 m. subject to 18.4.2 | 21.5 m. | 4.5 m. | 4.5 m. | N/A | 3.0 m. |
| 10.0 m. | | | | | |

| Maximum Height For a Main Building | Maximum Lot Coverage | | Maximum Number Of Main Uses | Maximum Number Main Buildings |
|---|---|---|---|---|
| | Total | Accessory | | |
| 10.0 m. | 35 % | 140 sq. m. | One | One |

## 18.4 REGULATIONS SPECIFIC TO THIS ZONE

### 18.4.1 FRONT LOT LINE

Notwithstanding the definition set out elsewhere in this by-law, the front lot line shall mean that lot line that abuts a waterbody or a shoreline reserve that abuts a waterbody.

### 18.4.2 INFILL CONSTRUCTION - FRONT YARD

18.4.2.1 Notwithstanding the required minimum front yard regulations that are set out above, where a main building is to be constructed or expanded on a lot where a main building exists on each of the immediately abutting lots where two or more existing dwellings situated less than 21.5 metres from the shoreline, within a distance of 15 metres of the side lot line, construction may occur closer to the front lot line than is otherwise permitted provided that such construction is not erected closer to the front lot line than a line between the closest front corner of each of the main buildings on such abutting lots.

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BL 2280-07 Allow Los 21 & 22 to be developed
BL 2363-08 To include wording “for a main building”

18.4.2.2 Notwithstanding the required minimum front yard regulations that are set out above, where two or more existing dwellings situated in excess of 30 metres from the shoreline, and where such dwellings are located within 15 metres of the side lot line, the following shall apply;

a) for lots that are internal to such a group, construction or expansion shall not occur closer to the front lot line than a line between the closest corner of each of the main buildings on such abutting lots adjoining.
b) for lots that are at the end of such a group, including vacant lots that are located abutting such a group, construction or extension shall not occur closer to the front lot line than the closest front corner of the building on the abutting lot that is a part of such group. Where more than one vacant lot exists abutting such a group, all such vacant lots shall be required to adhere to this regulation.

18.4.2.3 Council, and/or the Committee of Adjustment shall, in the consideration of applications for relief from this subsection, have regard for the protection of view of the water body for the property that is the subject of the application and for abutting and nearby lots.

18.4.3 MUST ABUT OPEN AND TRAVELLED ROAD

All lots in this zone must abut an open and travelled public road allowance on a side and/or rear yard, with a minimum of 6.0 metres of lot line abutting the open portion of such road.

18.4.4 ACCESSORY BUNK HOUSE

An accessory bunk house:

a) shall not be established in association with a boat house, garage, or such other buildings where fuel, oil or other such products are stored;
b) shall be one only, and shall not exceed 35.0 square metres in size;
c) shall not contain facilities for cooking or for serving of meals; and
d) shall not contain sanitary facilities.

18.4.5 OTHER ACCESSORY BUILDINGS

18.4.5.1 BOAT HOUSES: a boat house shall only be permitted in this zone by specific amendment to this by-law.

18.4.5.2 No accessory building except a bunk house shall be used for human habitation

18.4.5.3 Where a lot has less than 23 metres of lot width, no accessory building shall be located in any portion of the side yard that is located between abutting main buildings on adjoining lots where the distance between the main buildings is less than 6 metres.

18.4.6 ROAD SETBACK

18.5 Notwithstanding any other provision in this by-law, where a public road allowance is less than 20 metres in total width, a setback of 10 metres from the centre line of the existing road allowance or travelled road shall be added to the relevant minimum required yard provision.

18.6 AMENDMENTS TO SECTION EIGHTEEN

# 19. RECREATIONAL COTTAGE ZONE -- BLACK BAY [REC-BB]

## 19.1 PERMITTED USES

No use of land building, building, or structure shall be permitted within this zone except as follows;

Lots 1 to 41, Registered Plan 55M-563
. recreational dwelling
. buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use.

Blocks 42 and 43, Registered Plan 55M-563
. conservation use only – no buildings

Blocks 44 and 45, Registered Plan 55M- 563
. parks, forestry – no buildings

## 19.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH EXISTING | MINIMUM LOT AREA |
|---|---|
| 30.0 m. | 1,800 sq. m. |

## 19.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS FOR LOTS 1 TO 41

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | Minimum Separation Distance |
|---|---|---|---|
| Abutting Shoreline Allowance: 1.5 m.<br>Abutting Water: 21.5 m. subject to 19.4.2 | 10.0 m. | Exterior: 4.5 m.<br>Interior: 4.5 m. | Main: N/A<br>Accessory: 3.0 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | **Maximum Number Of Main Uses** | **Maximum Number Main Buildings** |
| 10.0 m. | Total: 35 %<br>Accessory: 140 sq. m. | One | One |

## 19.4 REGULATIONS SPECIFIC TO THIS ZONE

### 19.4.1 FRONT LOT LINE

Notwithstanding the definition set out elsewhere in this by-law, the front lot line shall mean that lot line that abuts a waterbody or a shoreline reserve that abuts a waterbody.

### 19.4.2 INFILL CONSTRUCTION - FRONT YARD

19.4.2.1 Notwithstanding the required minimum front yard regulations that are set out above, where a main building is to be constructed or expanded on a lot where a main building exists on each of the immediately abutting lots where two or more existing dwellings situated less than 21.5 metres from the

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BL 2363-08 To include wording "for a main building"

shoreline, within a distance of 15 metres of the side lot line, construction may occur closer to the front lot line than is otherwise permitted provided that such construction is not erected closer to the front lot line than a line between the closest front corner of each of the main buildings on such abutting lots.

19.4.2.2 Notwithstanding the required minimum front yard regulations that are set out above, where two or more existing dwellings situated in excess of 30 metres from the shoreline, and where such dwellings are located within 15 metres of the side lot line, the following shall apply;

a) for lots that are internal to such a group, construction or expansion shall not occur closer to the front lot line than a line between the closest corner of each of the main buildings on such abutting lots adjoining.
b) for lots that are at the end of such a group, including vacant lots that are located abutting such a group, construction or extension shall not occur closer to the front lot line than the closest front corner of the building on the abutting lot that is a part of such group. Where more than one vacant lot exists abutting such a group, all such vacant lots shall be required to adhere to this regulation.

19.4.2.3 Council, and/or the Committee of Adjustment shall, in the consideration of applications for relief from this subsection, have regard for the protection of view of the water body for the property that is the subject of the application and for abutting and nearby lots.

19.4.3 ACCESSORY BUNK HOUSE

An accessory bunk house:

a) shall not be established in association with a boat house, garage, or such other buildings where fuel, oil or other such products are stored;
b) shall be one only and shall not exceed 35.0 square metres in size;
c) shall not contain facilities for cooking or for serving of meals; and
d) shall not contain sanitary facilities.

19.4.4 OTHER ACCESSORY BUILDINGS

19.4.4.1 BOAT HOUSES: a boat house shall only be permitted in this zone by specific amendment to this by-law.

19.4.4.2 No accessory building except a bunk house shall be used for human habitation

19.4.4.3 Where a lot has less than 23 metres of lot width, no accessory building shall be located in any portion of the side yard that is located between abutting main buildings on adjoining lots where the distance between the main buildings is less than 6 metres.

19.4.5 ROAD SETBACK

Notwithstanding any other provision in this by-law, where a public road allowance is less than 20 metres in total width, a setback of 10 metres from the centre line of the existing road allowance or travelled road shall be added to the relevant minimum required yard provision.

19.5 AMENDMENTS TO SECTION NINETEEN

# 20. RECREATIONAL COTTAGE ZONE – WHITE BIRCH BEACH [REC-WB]

## 20.1 PERMITTED USES

No use of land building, building, or structure shall be permitted within this zone except as follows;

. 18 only existing recreational dwellings, which may be repaired, or replaced to the same size as what exists plus 10%

. buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use, but shall not include an accessory bunkhouse.

## 20.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH | MINIMUM LOT AREA |
|---|---|
| N/A | All lands in the zone |

## 20.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | | Minimum Separation Distance Between Buildings | |
|---|---|---|---|---|---|
| | | Exterior | Interior | Main | Accessory |
| Existing building location | Existing Location | N/A | N/A | 3.0 m. | 3.0 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | | | **Maximum Number Of Main Uses** | **Maximum Number Main Buildings** |
| | Total | Accessory | | | |
| 10.0 m. | Existing Plus 10% | Existing Plus 10% | | One | 18 Existing cottages |

## 20.4 REGULATIONS SPECIFIC TO THIS ZONE

### 20.4.1 FRONT LOT LINE

Notwithstanding the definition set out elsewhere in this by-law, the front lot line shall mean that lot line that abuts a waterbody or a shoreline reserve that abuts a waterbody.

### 20.4.2 DEEMED LOT

Notwithstanding any provision to the contrary contained elsewhere in this By-law, all of the lands that are shown upon the Zoning Schedule as being in this zone are deemed to be one lot.

### 20.4.3 PRIVATE ROAD

The lands that are zoned in this zone may abut a private road.

### 20.4.4 ACCESSORY BUILDINGS

20.4.4.1 BOAT HOUSES: a boat house shall only be permitted in this zone by site-specific amendment to this by-law.

20.4.4.2 No accessory building shall be used for human habitation.

## 20.5 AMENDMENTS TO SECTION TWENTY

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BL 2363-08 To include wording “for a main building”

# 21. RECREATIONAL COTTAGE ZONE -- REMOTE [REC-RE]

## 21.1 PERMITTED USES

No use of land building, building, or structure shall be permitted within this zone except as follows;

. recreational dwelling
. buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use.

## 21.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH | MINIMUM LOT AREA |
|---|---|
| Existing Parcel Size | Existing Parcel Size |

## 21.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | Minimum Separation Distance |
|---|---|---|---|
| Abutting Shoreline Allowance: 1.5 m.<br>Abutting Road Water: 21.5 m. | 10.0 m. | Exterior: 4.5 m.<br>Interior: 4.5 m. | Main: N/A<br>Accessory: 3.0 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | **Maximum Number Of Main Uses** | **Maximum Number Main Buildings** |
| 10.0 m | Total: 35 %<br>Accessory: 140 sq. m. | One | One |

## 21.4 REGULATIONS SPECIFIC TO THIS ZONE

### 21.4.1 FRONT LOT LINE

Notwithstanding the definition set out elsewhere in this by-law, the front lot line shall mean that lot line that abuts a waterbody or a shoreline reserve that abuts a waterbody.

### 21.4.2 PRIVATE ROAD

21.4.2.1 Lots in this zone may abut a private road secured by easement or a road that is constructed on Crown Land.

21.4.2.2 Where this zone is applied to lands that are islands within Lake Superior, lots shall not be required to abut any road, public or private, however, such lots shall be required, in order to be considered as buildable lots, to have access to a parking area located on the mainland, owned or described in a registered easement, and being in the same name and interest as the island lot.

### 21.4.3 ACCESSORY BUNK HOUSE

An accessory bunk house:

a) Shall not be established in association with a boat house, garage, or such other buildings where fuel, oil or other such products are stored;
b) shall be one only and shall not exceed the lesser of 35.0 square metres in size;
c) shall not contain facilities for cooking or for serving of meals; and

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BL 2363-08 To include wording “for a main building”

d) shall not contain sanitary facilities.

21.4.4 OTHER ACCESSORY BUILDINGS

21.4.4.1 BOAT HOUSES: a boat house shall only be permitted in this zone by site-specific amendment to this by-law.

21.4.4.2 No accessory building except a bunk house shall be used for human habitation.

21.5 AMENDMENTS TO SECTION TWENTY-ONE

# 22. RURAL ZONE – [RU]

## 22.1 PERMITTED USES

No use of land building, building, or structure shall be permitted within this zone except as follows;

. agriculture, which may include one only permanent dwelling
. conservation use
. forestry harvesting
. park
. one only permanent dwelling
. wayside pit, quarry
. home occupation
. accessory sale of fish baits
. buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use, which may include a kennel, riding academy or stable.
. on properties that front onto Highway 527 only, up to three pulp trucks, or other such large commercial vehicles shall be permitted to be maintained and operated in association with a permitted residence.

BL-2084-02 For the lands and premises being Mining Location 13Z Savigny's Survey less Part 1 of RP 55R-11620 and a Portion of Mining Location 11Z Savigny's Survey being Part 1 of RP 55R-10753 MacGregor geographical township, Municipality of Shuniah; the following shall apply:

22.1 Permitted Uses – Rural Zone

No use of land, building, or structure shall be permitted within this zone except as follows;

. one only permanent dwelling
. conservation use
. buildings, structures, and/or uses accessory to a listed permitted use
. home occupation
. Private Road – Rural Zone

Notwithstanding that the lands zoned Rural within Mining Location 13Z are not directly provided for as a private road within an approved condominium plan, where a legal easement has been issued to such lands to utilize an abutting condominium private road, such lands shall be deemed to be in compliance with Section 4.3.1 and shall be a buildable lot. BL 2084-02

BL 2408-09 NOTWITHSTANDING the provisions of Sections 22.1, of By-law No. 2038-00, in the case of the lands and premises being more particularly described as For the lands and premises being a Portion of Mining Location 8 Herrick's Survey, described as Part 1 of Reference Plan 55R-11373 and Part 1 of Reference Plan 55R-11829, Township of MacGregor, Municipality of Shuniah in the District of Thunder Bay that By-law No. 2038-00 is hereby amended by the following:

a) "In addition to the permitted uses set out in Subsection 22.1 Private Personal Recreation use of land shall be allowed for the above noted property.. BL 2408-09

BL-3302-23 For the lands and premises describes as 411 Otte Road more particularly described as Concession A, Part SW1/4 Section 9, 55R9190 Parts 1 & 2, Township of MacGregor, Municipality of Shuniah, the following shall apply:

a) The permitted uses in Section 22 of the Zoning By-law 2038-00 which apply to this property shall include "one additional residential dwelling unit in and subordinate to the main dwelling".

BL-3385-24 For the lands and premises described as 2230 Amethyst Avenue, more particularly described as Part Mining Location AB Scott's Survey, Township of MacGregor, Municipality of Shuniah, the following shall apply: Notwithstanding

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BL-2084-02 Site Specific Amendment for Mickelson Vacant Land Development
BL 2084-02 Site Specific Amendment to Mickelson Vacant Land Development
BL 2408-09 Site Specific Amendment for 327 Highway 527
BL 2408-09 Site Specific Amendment for 327 Highway 527
BL-3302-23 Site Specific – allow for one additional dwelling
BL-3385-24 Site Specific add permitted use of Retreat Centre

Section 22.1 of the Zoning By-law 2038-00 to add the permitted use of "Retreat Centre". BL-3385-24

## 22.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH | MINIMUM LOT AREA |
|---|---|
| 120.0 metres | 4.0 hectares |

BL 2525-11 For the lands and premises described as PIN 62495~0134 being located within a portion of Mining Location 1B McNab's Survey, Township of MacGregor, Municipality of Shuniah in the District of Thunder Bay, the following shall apply: Notwithstanding Section 22.2 of By-law No. 2038-00 that the Minimum Lot Area required for the above noted property is 2.7 hectares".

BL-3354-24 For the lands and premises described as 2389 Lakeshore Drive, more particularly described as Part 5, Plan 55R1378, Part Mining Location 14 in the Township of MacGregor, Municipality of Shuniah, the following shall apply: Notwithstanding Section 22.2 of the Zoning By-law no. 2038-00 to allow for a reduction of the lot area from 4 hectares to 2.03 hectares for each proposed lot for the lands shown as “Property Location 1” as shown on Schedule “A”.

BL-3385-24 For For the lands and premises described as 2230 Amethyst Avenue, more particularly described as Part Mining Location AB Scott's Survey, Township of MacGregor, Municipality of Shuniah, the following shall apply:

- Notwithstanding Section 22.2 of the Zoning By-law 2038-00 to allow for a reduction of minimum lot width from 120 metres to 107 metres for the lands shown as property location 2 as indicated in Scheduled "A".
- Notwithstanding Section 22.2 of the Zoning By-law 2038-00 to allow for a reduction of minimum lot width from 120 metres to 61 metres for each proposed lot for the lands shown as property location 1 as indicated in Schedule "A".
- Notwithstanding Section 22.2 of the Zoning By-law 2038-00 to allow for a reduction of minimum lot area from 4 hectares to 2.35 hectares for each proposed lot for the lands shown as property location 1 as indicated in Schedule "A".

## 22.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | | Minimum Separation Distance | |
|---|---|---|---|---|---|
| | | Exterior | Interior | Main | Accessory |
| 15.0 m. | 15.0 m. | 7.5 m. | 7.5 m. | N/A | 3.0 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | | **Maximum Number Of Main Uses** | **Maximum Number of Main Buildings** | |
| | Total | Accessory | | | |
| 10.0 m. | N/A | 10% | One | One | |

BL 2525-11 Site Specific to reduce minimum lot area
BL 2363-08 To include wording “for a main building”
BL 3354-24 Site Specific to reduce minimum lot area
BL-3385-24 Site Specific to reduce minimum lot area and minimum lot width

## 22.4 REGULATIONS SPECIFIC TO THIS ZONE

### 22.4.1 ROAD SETBACK

Notwithstanding any other provision in this by-law, where a public road allowance is less than 20 metres in total width, a setback of 10 metres from the centre line of the existing road allowance or travelled road shall be added to the relevant minimum required yard provision.

### 22.4.2 ADDITIONAL SETBACKS

A minimum 15 metre setback shall be maintained between a kennel and any residential building located on an abutting lot.

### 22.4.3 ACCESSORY BUILDINGS

22.4.3.1 BOAT HOUSES: a boat house shall only be permitted in this zone by site-specific amendment to this by-law.

22.4.3.2 Maximum height for an accessory building set out above shall not apply to an agricultural use, a stable or a riding academy use.

22.4.3.3 For an Agricultural activity, the dwelling unit shall be viewed as an accessory use and building, and therefore agricultural buildings may be constructed prior to a dwelling.

### 22.4.4 PORTABLE ASPHALT PLANT

22.4.4.1 A portable asphalt plant shall not be located closer than 500 metres to an existing residential building.

### 22.4.5 AGRICULTURAL SETBACKS

22.4.5.1 Minimum Separation Distance Formulas

All development will comply with the Minimum Separation Distance formula as outlined in Schedule "D1" "Minimum Distance Separation I" and Schedule "D2" "Minimum Distance Separation II" as contained in and being a part of this By-law.

22.4.5.2 Minimum Distance Separation I (MDS I)

Notwithstanding any other provisions of this By-law to the contrary, lands to be rezoned from a Rural Zone, to a Zone to permit a residential, institutional, commercial, industrial or recreational use, will comply with the MDS I calculated using "Schedule D1" to this By-law.

Notwithstanding any other provisions of this By-law to the contrary, a residential use to be located upon an existing lot of record greater than 1.0 hectares in size and permitted by a Rural Zone, will be required to comply with the MDS I calculated using "Schedule D1" to this By-law.

Notwithstanding any other provision of this by-law to the contrary, a residential use to be located upon an existing lot of record 1.0 hectares or less in size and permitted by a Rural Zone, will not be required to comply with the MDS I calculated using "Schedule D1" to this By-law.

22.4.5.3 Minimum Distance Separation II (MDS II)

Notwithstanding any other provisions of this By-law to the contrary, a new or expanding livestock facility permitted by a Rural Zone, will comply with the MDS II calculated using "Schedule D2" to this By-law.

Notwithstanding any other provisions of the By-law to the contrary, the MDS II calculated separation distances will be measured from the nearest point of an existing vacant lot of record 1.0 hectares in size or less to the nearest point of the proposed livestock facility. The existing lot of record is permitted by a Rural Zone and the proposed livestock facility is permitted by a Rural Zone.

## 22.5 AMENDMENTS TO SECTION TWENTY-TWO

BL 2286-07 Commercial Harvesting of Timber

Where lands are to be commercially harvested for timber, and such lands abut a Municipal road, and/or where such lands contain an existing commercial, institutional, or residential (permanent or seasonal) building, a natural vegetative buffer shall be established and maintained as follows;

a) A 20 metre buffer is needed along all Municipal roads.
b) Where the Rural zone abuts another zone, except the Aggregate Zone, Mining Zone, an Industrial Zone, or the Use Limitation Zone, a natural vegetative buffer in the Rural Zone being not less than 50 metres shall be established, set aside, provided and maintained and no commercial harvesting shall occur within such buffer.
c) Notwithstanding a) and b) above, a 150 metre natural vegetative buffer from the shoreline of Bass Lake, Loon Lake, Sparks Lake and the Bay known as Thunder Bay on Lake Superior shall be required for any commercial timber harvesting operation that is involved with Rural zoned lands that abut on or are within the vicinity of these lakes.

BL 3385-24 For the lands and premises described as 2230 Amethyst Avenue, more particularly described as Part Mining Location AB Scott's Survey, Township of MacGregor, Municipality of Shuniah, the following shall apply:

Notwithstanding any other provision of the Zoning By-law 2038-00, no new buildings shall be constructed within a 30m buffer from the edge of the wetlands or highwater mark of the stream on the subject property, as shown in Schedule "B".

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BL 2286-07 To set regulations for forestry use

BL 3385-24 Site Specific to set buffer from edge of wetlands

# 23. INSTITUTIONAL – [IN]

## 23.1 PERMITTED USES

No use of land building, building, or structure shall be permitted within this zone except as follows;

. cemetery
. community centre
. government building or facility
. marina
. school
. church
. fire station
. group home
. park

. buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use.

## 23.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH | MINIMUM LOT AREA |
|---|---|
| 60.0 metres | 0.8 hectares |

## 23.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | | Minimum Separation Distance | |
|---|---|---|---|---|---|
| | | Exterior | Interior | Main | Accessory |
| 20.0 m. | 15.0 m. | 5.0 m. | 5.0 m. | 6.0 m. | 3.0 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | | **Maximum Number Of Main Uses** | **Maximum Number of Main Buildings** | |
| | Total | Accessory | | | |
| 10.0 m. | 35 % | 10 % | One | One | |

## 23.4 REGULATIONS SPECIFIC TO THIS ZONE

### 23.4.1 ROAD SETBACK

Notwithstanding any other provision in this by-law, where a public road allowance is less than 20 metres in total width, a setback of 10 metres from the centre line of the existing road allowance or travelled road shall be added to the relevant minimum required yard provision.

### 23.4.2 MINIMUM LANDSCAPING

A minimum of 10% of the total lot area shall be provided and maintained as landscaped area.

## 23.5 AMENDMENTS TO SECTION TWENTY-THREE

BL 2363-08 To include wording “for a main building”

# 24. COMMUNITY COMMERCIAL [CC]

## 24.1 PERMITTED USES

No use of land building, building, or structure shall be permitted within this zone except as follows;

. a commercial use (not exceeding 300 square metres)
. an automobile gas bar or automobile service station excluding the storage and/or sale of propane and diesel fuel
. a hotel, motel, restaurant, tavern
. automobile rental and/or sales
. any use listed in the Institutional Zone
. a shopping centre
. a commercial garage[BL-2252-07]
. buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use, which may include an accessory dwelling, which dwelling may continue to be used legally as a permitted use where the primary commercial use is terminated.

## 24.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH | MINIMUM LOT AREA |
|---|---|
| 60.0 metres | 0.8 hectares |

## 24.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | | Minimum Separation Distance | |
|---|---|---|---|---|---|
| | | Exterior | Interior | Main | Accessory |
| 20.0 m. | 15.0 m. | 5.0 m. | 5.0 m. | N/A | 3.0 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | | **Maximum Number Of Main Uses** | **Maximum Number of Main Buildings** | |
| | Total | Accessory | | | |
| 10.0 m. | 35 % | 10 % | One | One | |

## 24.4 REGULATIONS SPECIFIC TO THIS ZONE

### 24.4.1 ROAD SETBACK

Notwithstanding any other provision in this by-law, where a public road allowance is less than 20 metres in total width, a setback of 10 metres from the centre line of the existing road allowance or travelled road shall be added to the relevant minimum required yard provision.

### 24.4.2 MINIMUM LANDSCAPING

A minimum of 10% of the total lot area shall be provided and maintained as landscaped area.

### 24.4.3 AUTOMOBILE RENTAL/SALES ESTABLISHMENT

An automobile rental/sales establishment may include open storage and/or display of vehicles.

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BL-2252-07 To add Commercial Garage to the permitted uses
BL 2363-08 To include wording “for a main building”

### 24.4.4 SETBACK FROM ABUTTING RESIDENTIAL DWELLING

A minimum 15 metre setback shall be maintained between a use in this zone and an abutting residential dwelling.

## 24.5 AMENDMENTS TO SECTION TWENTY-FOUR

[BL-2124-04]FISH BAIT SHOP STANDARDS – MITCHELL ROAD

PERMITTED USES - Fish Bait Shop Standards – Mitchell Road

NOTWITHSTANDING the permitted uses within the Commercial Recreational Zone as outlined within By-law No. 2038-00, the Zoning By-law, the following permitted uses only shall apply to that portion of Concession C Section 17 being more particularly described as Part 3 of Reference Plan 55R-2484, Township of MacGregor, Municipality of Shuniah, District of Thunder Bay:

- a fish bait shop including retail sale of associated goods and wares
- buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use, which may include an accessory dwelling, which dwelling may continue to be used legally as a permitted use where the primary commercial use is terminated.

NUMBER OF PARKING SPACES REQUIRED Fish Bait Shop Standards

NOTWITHSTANDING the provisions of Section 4 general provisions, as outlined within By-law No. 2038-00, in the case of this portion of Concession C Section 17 being more particularly described as Part 3 of Reference Plan 55R-2484, Township of MacGregor, Municipality of Shuniah, District of Thunder Bay, the following shall also apply:

| USE OF BUILDING OR LOT | PARKING SPACES REQUIRED |
|---|---|
| Fish Bait Shop | 1 parking space for every 27.8 $m^2$ of floor area; minimum 3 parking spaces |
| Accessory Dwelling | 2 spaces[BL-2124-04] |

[BL-2250-07] Change HC to CC - Green Bay Auto, 677 Lakeshore Drive Mapping

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[BL-2124-04] Site Specific – Fish Bait Shop (Roll #1-089—30 Matheson)

[BL-2124-04] Site Specific for a portion of Concession C Section 17 being more particularly described as Part 3 of Reference Plan 55R-2484

[BL-2250-07] Site Specific change HC to CC for 677 Lakeshore Drive (Green Bay Auto)

# 25. RECREATIONAL COMMERCIAL – [CR]

## 25.1 PERMITTED USES

25.1.1 No use of land building, building, or structure shall be permitted within this zone except as follows;

- a golf course
- marina
- retail sale of tourist goods and wares
- ski club, ski facility
- tourist cabins, tent and trailer park
- buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use, which may include an accessory dwelling, which dwelling may continue to be used legally as a permitted use where the primary commercial use is terminated.

25.1.2 For Silver Lake – in addition to 25.1.1 above, 25 existing cottages shall be permitted subject to section 25.4.6

25.1.3 For Blocks 8 and 9 of Registered Plan M403 section 25.1.1 shall not apply permitted uses shall be:

i) variety convenience store
ii) boat storage not within a building
iii) an accessory dwelling attached to the main building and where commercial use of the property ceases, continued use of the dwelling as a residence shall be deemed to be legal.
iv) Notwithstanding the definition of Home Occupation shall include real estate sales and the sale of pre-packaged dwellings, excluding storage, inventory or display of units for this property.

BL 2556-11 NOTWITHSTANDING the provisions of Sections 25.1 of By-law No. 2038-00, in the case of the lands and premises being more particularly described as being a Portion of Mining Location 2 Savigny's Survey, described as Part 2 of Reference Plan 56R-694 and Part 1 of Reference Plan 56R-720, Township of MacGregor, Municipality of Shuniah in the District of Thunder Bay that By-law No. 2038-00 is hereby amended by adding the following:

a) In addition to. the permitted uses set out in Subsection 25.1, Propane Handling, Dispensing and Storage shall be allowed on the above noted property. BL 2556-11

## 25.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH | MINIMUM LOT AREA |
|---|---|
| 90.0 metres | 2.0 hectares |

## 25.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | | Minimum Separation Distance | |
|---|---|---|---|---|---|
| | | Exterior | Interior | Main | Accessory |
| 20.0 m. | 15.0 m. | 5.0 m. | 5.0 m. | 5.0 m. | 3.0 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | | **Maximum Number Of Main Uses** | **Maximum Number of Main Buildings** | |
| 10.0 m. | Total 35 % | Accessory N/A | One | N/A | |

BL 2556-11 KOA – Allow for Propane Use
BL 2556-11 KOA – Allow for Propane Use
BL 2363-08 To include wording "for a main building"

## 25.4 OTHER STANDARD REGULATIONS AND REQUIREMENTS

25.4.1 BOAT HOUSES: a boat house shall only be permitted in this zone by site-specific amendment to this by-law.

25.4.2 ROAD SETBACK

Notwithstanding any other provision in this by-law, where a public road allowance is less than 20 metres in total width, a setback of 10 metres from the centre line of the existing road allowance or travelled road shall be added to the relevant minimum required yard provision.

25.4.3 MINIMUM LANDSCAPING

A minimum of 10% of the total lot area shall be provided and maintained as landscaped area.

25.4.4 SETBACK FROM ABUTTING RESIDENTIAL DWELLING

A minimum 15 metre setback shall be maintained between a use in this zone and an abutting residential dwelling.

25.4.5 SILVER LAKE STANDARDS

a) the maximum number of cottages shall not exceed 25
b) cottage buildings shall be limited to their present locations provided that any existing dwelling may be relocated further distant from the lakeshore;
c) existing cabins may be reconstructed but the size is not to exceed 150% of the existing size of the building being replaced (based on the size at the date that this by-law was passed).

## 25.5 AMENDMENTS TO SECTION TWENTY-FIVE

BL-2112-03 WALLER LAKE STANDARDS

NOTWITHSTANDING the zone designation thereof as shown on the "Zoning Maps", that portion of Concession 3 Section 16 in the Township of MacGregor and more particularly shown as outlined on a plan attached hereto as Schedule "A", are hereby deleted and removed from the (REC-RE) RECREATIONAL ZONE and be designated as part of the RECREATIONAL COMMERCIAL (CR) ZONE.

MINIMUM FRONTAGE ON A STREET Waller Lake

Notwithstanding Section 4.3 of By-law No. 2038-00 the property described in this by-law may abut a private road secured by easement or a road that is constructed on Crown Land.

MAXIMUM NUMBER OF TENT AND TRAILER CAMPSITES Waller Lake

Notwithstanding any other provision contained in this By-law, the maximum number of tent and trailer camp sites shall be sixty (60).

NUMBER OF PARKING SPACES REQUIRED – Waller Lake

Notwithstanding the provisions of Section 4.9.1.1 General Provisions, in the case of this portion of Concession 3 Section 16 Township of MacGregor, the following shall also apply:

USE OF BUILDING OR LOT PARKING SPACES REQUIRED Waller Lake

| | |
|---|---|
| Accessory Dwelling | 2 spaces |
| Tent and Trailer Park Camp Site | 1 parking space per site |
| Other Parking | 1 parking space for use by visitors for each five camp sites |

BL-2112-03 Site Specific Waller Lake (Roll 1-120)

OTHER PROVISIONS Waller Lake [BL 2112-03]

(a) No Tent and Trailer Park Camp Sites shall be used, maintained or operated unless an adequate water supply and adequate sewage disposal facilities are provided and such water supply and sewage disposal facilities shall comply with all Statutes, Regulations and By-laws governing same.

(b) No part of any accessory building or structure, other than an accessory dwelling shall be used for human habitation.

(c) The existing two storey, 6.096 metres by 9.144 metres accessory building shall be recognized.[BL-2112-03]

[BL-2500-10]Superior Shores RV Park – Set Regulations for RV Park – H Symbol

Notwithstanding the Permitted Uses allowed in Zoning By-law No. 2038-00, under Section 25.1 the Recreational Commercial Zone, that in addition to the permitted use of Tourist Cabins/Tent and Trailer Park for the lands located within Mining Location 17, Donnelly's Survey, Township of McTavish, Municipality of Shuniah, in the District of Thunder Bay, the following accessory uses are hereby allowed:

- Tent and Trailer Park Lodge/Administrative Building,
- Tent and Trailer Park Waste Collection and Treatment Facility,
- Boat and/or water equipment rental, boat launching facilities, docking facilities,
- Recreational Activity/Games Areas, which may include but not limited to mini-putt or similar activities;
- program/activity area related to the Lake Superior National Marine Conservation Area
- a coffee shop and/or restaurant; tourist retail sales/gift shop;
- Winter Storage of Recreational Vehicles;
- public restrooms/washrooms;
- structures for the storage and dispensing of firewood;
- maintenance buildings not to exceed a total of 400 square metres in total size for all maintenance buildings;
- accessory dwelling for manager/caretaker which may not continue to be used where the primary commercial use is terminated.

Notwithstanding any other provision contained in this By-law, the following provisions shall apply:

the maximum number of tourist cabins allowed shall be twenty (20)

the maximum number of tent and trailer camp sites shall be four hundred (400); and

a tent and trailer camp site shall:

have a minimum area of 200 square metres, and a minimum of 10 metres in width;

shall have access from a private driveway of not less than 7.5 metres in width accessing the site; and shall include parking spaces as regulated.

[BL-3217-22] Phase 1 Stage 4 remove portion of Hold Symbol

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BL 2112-03 Site Specific – Rezone to Recreational Commercial – Waller Lake

BL-2112-03 Site Specific or a portion of Mining Location 11E, White's Survey to be designated as part of the Recreational Commercial (CR) Zone.

BL-2500-10 Set Regulations for RV Park – H Symbol

BL-3217-22 Remove Portion of Hold Symbol

# 26. HIGHWAY COMMERCIAL – [CH]

## 26.1 PERMITTED USES

No use of land building, building, or structure shall be permitted within this zone except as follows;

- automobile car wash
- automobile gas bar and/or automobile service station which may include propane or diesel fuel
- restaurant, coffee shop
- variety store, convenience store
- shopping centre
- bus depot
- liquor or beer store
- hotel, motel
- post office
- video store
- a weigh station
- sale of tourist goods including the production of crafts; smoking of meat, fowl and/or fish; the embroidering of tourist wares; taxidermy; and/or the production and/or sale of amethyst based tourist related goods
- buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use, which may include an accessory dwelling, which dwelling may continue to be used legally as a permitted use where the primary commercial use is terminated.

BL-2839-15 1. Notwithstanding Section 26 of By-law 2038-00 and Schedule "B" the Zoning Map, the lands described as part of Mining Location 11 E Part South of Highway RP 55R-10763 Part 2, 815 Lakeshore Drive shown on Schedule A to this Bylaw, shall be corrected from HC on Schedule "B" to CH and the following permitted uses added applying only to the subject lands:

• Church
• Manse

2. In the case of this amendment a "Manse" shall mean the living quarters of the Minister or Preacher or head of the Church and shall be contained within the main structure and shall not be an accessory dwelling without a further amendment to the Zoning By-law 2038-00. BL-2839-15

BL-2865-16 1. Notwithstanding the permitted uses under By-law 2038-00 Section 26.1 , Highway Commercial [CH] Zone, and only for the lands described as part of Mining Location 7Z South Part of Savigny's Survey, 2001 Lakeshore Drive shown on Schedule A to this By-law, shall be hereby amended to include the following permitted use:

• "Pharmacy" BL-2865-16

## 26.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH | MINIMUM LOT AREA |
|---|---|
| 60.0 metres | 0.8 hectares |

## 26.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | | Minimum Separation Distance | |
|---|---|---|---|---|---|
| | | Exterior | Interior | Main | Accessory |
| 20.0 m. | 15.0 m. | 5.0 m. | 5.0 m. | 5.0 m. | 3.0 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | | **Maximum Number Of Main Uses** | **Maximum Number of Main Buildings** | |
| | Total | Accessory | | | |
| 10.0 m. | 35 % | N/A | One | One | |

BL-2839-15 To allow for a Church and Manse Site Specific
BL-2865-16 To allow for a Pharmacy Site Specific
BL-2865-16 To allow for a Pharmacy Site Specific
BL 2363-08 To include wording "for a main building"

## 26.4 REGULATIONS SPECIFIC TO THIS ZONE

### 26.4.1 ROAD SETBACK

Notwithstanding any other provision in this by-law, where a public road allowance is less than 20 metres in total width, a setback of 10 metres from the centre line of the existing road allowance or travelled road shall be added to the relevant minimum required yard provision.

### 26.4.2 MINIMUM LANDSCAPING

A minimum of 10% of the total lot area shall be provided and maintained as landscaped area.

### 26.4.3 SETBACK FROM ABUTTING RESIDENTIAL DWELLING

A minimum 15 metre setback shall be maintained between a use in this zone and an abutting residential dwelling.

## 26.5 AMENDMENTS TO SECTION TWENTY-SIX

## 26.6 BL-2250-17 Change HC to CC – 677 Lakeshore Drive (Green Bay Auto)[5]

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BL-2250-07 Site Specific change HC to CC for 677 Lakeshore Drive (Green Bay Auto)

# 27. LIGHT INDUSTRIAL – [LI]

## 27.1 PERMITTED USES

No use of land building, building, or structure shall be permitted within this zone except as follows;

- automobile gas bar and/or automobile service station which may include the sale of propane or diesel fuel
- building supply outlet, hardware store
- equipment rental
- light industrial use operating totally contained within a building
- public service facility
- service or repair shop, commercial garage
- transportation or truck operation
- body repair shop
- car wash
- construction yard
- greenhouses
- kennel, veterinary clinic
- lumber yard
- industrial centre
- weigh station
- the existing woodlands operation located north of the Expressway and SW of Highway 527, so long as such use continues to exist
- buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use, which shall not include a dwelling unit.

## 27.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH | MINIMUM LOT AREA |
|---|---|
| 60.0 metres | 0.8 hectares |

## 27.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | | Minimum Separation Distance | |
|---|---|---|---|---|---|
| | | Exterior | Interior | Main | Accessory |
| 20.0 m. | 15.0 m. | 5.0 m. | 5.0 m. | 5.0 m. | 3.0 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | | **Maximum Number Of Main Uses** | **Maximum Number of Main Buildings** | |
| | Total | Accessory | | | |
| 10.0 m. | 35 % | N/A | One | One | |

## 27.4 REGULATIONS SPECIFIC TO THIS ZONE

### 27.4.1 ROAD SETBACK

Notwithstanding any other provision in this by-law, where a public road allowance is less than 20 metres in total width, a setback of 10 metres from the centre line of the existing road allowance or travelled road shall be added to the relevant minimum required yard provision.

### 27.4.2 MINIMUM LANDSCAPING

A minimum of 10% of the total lot area shall be provided and maintained as landscaped area.

### 27.4.3 SETBACK FROM ABUTTING RESIDENTIAL DWELLING

A minimum 20 metre setback shall be maintained between a use in this zone and an abutting residential dwelling.

## 27.5 AMENDMENTS TO SECTION TWENTY-SEVEN

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BL 2363-08 To include wording “for a main building”

# 28. HEAVY INDUSTRIAL – [HI]

## 28.1 PERMITTED USES

No use of land building, building, or structure shall be permitted within this zone except as follows;

- asphalt plant
- bulk fuel storage and distribution
- public utility
- transportation or truck operation
- salvage yard, automobile scrap yard or wrecking yard
- service, repair shop, commercial garage
- ~~sewage disposal for the existing McTavish Landfill Site only~~
- waste disposal facility BL 2363-08
- buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use, which shall not include a dwelling unit.
- open storage
- heavy industrial use
- industrial centre
- truck depot

BL-2196-06 Notwithstanding Section 28.1 for land described as: All and Singular that certain parcel or tract of land and premises situate, lying and being in the Township of MacGregor, in the District of Thunder Bay, and being composed of portions of Concessions I and II Sections 15 and 16, being a rectangular parcel of land, measuring 375 metres wide by 630 metres long oriented with its long axes at 11.5 degrees east of north and its northwest corner located 370 metres form the intersection at Concession I and II and Section 15 and 16 4.5 degrees west of north, the following use is permitted

- wood waste disposal site BL-2196-06

## 28.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH | MINIMUM LOT AREA |
|---|---|
| 120.0 metres | 8.0 hectares |

## 28.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | | Minimum Separation Distance | |
|---|---|---|---|---|---|
| | | Exterior | Interior | Main | Accessory |
| 25.0 m. | 20.0 m. | 15.0 m. | 15.0 m. | 5.0 m. | 3.0 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | | **Maximum Number Of Main Uses** | **Maximum Number of Main Buildings** | |
| | Total | Accessory | | | |
| 10.0 m. | 35 % | N/A | One | One | |

## 28.4 OTHER STANDARD REGULATIONS AND REQUIREMENTS

### 28.4.1 ROAD SETBACK

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BL 2363-08 Update permitted use to match Waste Management By-law terminology
BL-2196-06 Site Specific to allow a Wood Waste Disposal Site on Hwy 527
BL-2196-06 By-law Number 2196-06 amending By-law No. 2038-00 for a portion of Concession D Section 16, Township of MacGregor.
BL 2363-08 To include wording "for a main building"

Notwithstanding any other provision in this by-law, where a public road allowance is less than 20 metres in total width, a setback of 10 metres from the centre line of the existing road allowance or travelled road shall be added to the relevant minimum required yard provision.

28.4.2 MINIMUM LANDSCAPING

A minimum of 10% of the total lot area shall be provided and maintained as landscaped area.

28.4.3 SETBACK FROM ABUTTING RESIDENTIAL DWELLING

A minimum 30 metre setback shall be maintained between a use in this zone and an abutting residential dwelling.

28.5 AMENDMENTS TO SECTION TWENTY-EIGHT

# 29. AGGREGATE EXTRACTION – [AG]

## 29.1 PERMITTED USES

No use of land building, building, or structure shall be permitted within this zone except as follows;

- pits and/or quarries for extracting sand, clay, gravel, earth, soil, stone, shale, or peat
- stockpiling of excavated materials
- screening, sorting, and washing or other processing of excavated material, excluding crushing
- wayside pits and/or quarries
- buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use, which shall not include a dwelling unit.

## 29.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH | MINIMUM LOT AREA |
|---|---|
| 120.0 metres | 8.0 hectares |

## 29.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | | Minimum Separation Distance | |
|---|---|---|---|---|---|
| | | Exterior | Interior | Main | Accessory |
| 30.0 m. | 30.0 m. | 30.0 m. | 30.0 m. | 5.0 m. | 3.0 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | | **Maximum Number Of Main Uses** | **Maximum Number of Main Buildings** | |
| | Total | Accessory | | | |
| 10.0 m. | 35 % | N/A | N/A | N/A | |

## 29.4 REGULATIONS SPECIFIC TO THIS ZONE

### 29.4.1 ABUTTING A RESIDENTIAL ZONE

No excavation, building or equipment or stockpiling of material shall be located within 120 metres of an abutting property used for residential, recreational, institutional, or commercial purposes.

OMB 1660 Notwithstanding Section 29.4.1.1., for the lands described as the north half of the Southeast Quarter of Concession A Section 10, Township of MacGregor the following shall apply:

"No excavation building of equipment or stockpiling of material shall be located within 30 metres of an abutting property used for residential, recreational, institutional, or commercial purposes."

### 29.4.2 BLASTING

No blasting shall take place within 450 metres of any building except on-site buildings.

### 29.4.3 SETBACK FROM ABUTTING RESIDENTIAL DWELLING

A minimum 30 metre setback shall be maintained between a use in this zone and an abutting residential dwelling.

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BL 2363-08 To include wording "for a main building"
OMB 1660 OMB Decision Site Specific

[OMB 1660] Notwithstanding Section 29.4.3., for the lands described as the north half of the Southwest Quarter of Concession A Section 10, Township of MacGregor the following shall apply:
"A minimum 120 metre setback shall be maintained between a use in this zone and an abutting residential dwelling.

## 29.5 AMENDMENTS TO SECTION TWENTY-NINE

[3227-22] By-law No. 3227-22 hereby amends By-law 2038-00 rezone a portion of AG to RU for Township of MacGregor, now being the Municipality of Shuniah. (Part of Mining Location 2B McNabb's Survey) Mapping

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[OMB 1660] OMB Decision Site Specific
[3227-22] Rezone AG to RU Mapping

# 30. AGGREGATE EXTRACTION – PROCESSING – [AG-P]

## 30.1 PERMITTED USES

No use of land building, building, or structure shall be permitted within this zone except as follows;

. pits and/or quarries for extracting sand, clay, gravel, earth, soil, stone, shale, or peat
. stockpiling of excavated materials
. screening, sorting, and washing or other processing of excavated material
. crushing of excavated material
. wayside pits and/or quarries
. buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use, which shall not include a dwelling unit.

## 30.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH | MINIMUM LOT AREA |
|---|---|
| 120.0 metres | 8.0 hectares |

## 30.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | | Minimum Separation Distance | |
|---|---|---|---|---|---|
| | | Exterior | Interior | Main | Accessory |
| 30.0 m. | 30.0 m. | 30.0 m. | 30.0 m. | 5.0 m. | 3.0 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | | **Maximum Number Of Main Uses** | **Maximum Number of Main Buildings** | |
| | Total | Accessory | | | |
| 10.0 m. | 35 % | N/A | N/A | N/A | |

## 30.4 REGULATIONS SPECIFIC TO THIS ZONE

### 30.4.1 ABUTTING A RESIDENTIAL ZONE

No excavation, building or equipment or stockpiling of material shall be located within 120 metres of an abutting property used for residential, recreational, institutional, or commercial purposes.

### 30.4.2 BLASTING

No blasting shall take place within 450 metres of any building except on-site buildings.

### 30.4.3 SETBACK FROM ABUTTING RESIDENTIAL DWELLING

A minimum 50 metre setback shall be maintained between a use in this zone and an abutting residential dwelling.

## 30.5 AMENDMENTS TO SECTION THIRTY

BL 2363-08 To include wording “for a main building”

# 31. MINING ZONE – [MIN]

## 31.1 PERMITTED USES

No use of land building, building, or structure shall be permitted within this zone except as follows;

. pits and quarries for mineral extraction
. processing of minerals found on site
. accessory selling of minerals found on site
. administration facilities for mining activities on site
. accessory selling of food and/or beverage
. parking area
. staff housing for an employee/caretaker working on the site
. mining theme centre
. mining tourist facilities, mine tour operation
. buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use.

## 31.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH | MINIMUM LOT AREA |
|---|---|
| 120.0 metres | 8.0 hectares |

## 31.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | | Minimum Separation Distance | |
|---|---|---|---|---|---|
| | | Exterior | Interior | Main | Accessory |
| 30.0 m. | 30.0 m. | 30.0 m. | 30.0 m. | 5.0 m. | 3.0 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | | **Maximum Number Of Main Uses** | **Maximum Number of Main Buildings** | |
| | Total | Accessory | | | |
| 10.0 m. | N/A | N/A | N/A | N/A | |

## 31.4 REGULATIONS SPECIFIC TO THIS ZONE

### 31.4.1 ABUTTING A RESIDENTIAL ZONE

No excavation, building or equipment or stockpiling of material shall be located within 120 metres of an abutting property used for residential, recreational, institutional, or commercial purposes.

### 31.4.2 BLASTING

No blasting shall take place within 300 metres of any building except on-site buildings.

### 31.4.3 SETBACK FROM ABUTTING RESIDENTIAL DWELLING

A minimum 50 metre setback shall be maintained between a use in this zone and an abutting residential dwelling.

## 31.5 AMENDMENTS TO SECTION THIRTY-ONE

BL 2363-08 To include wording “for a main building”

# 32. OPEN SPACE – [OS]

## 32.1 PERMITTED USES

No use of land building, building, or structure shall be permitted within this zone except as follows;

. conservation use
. marina, boat launching and related parking
. park
. public recreation
. buildings, structures, and/or uses accessory, subordinate, and exclusively devoted to a permitted use, which shall not include a dwelling unit

## 32.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH | MINIMUM LOT AREA |
|---|---|
| N/A | N/A |

## 32.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard For a Main Building BL 2363-08 | Rear Yard For a Main Building | Side Yards For a Main Building | | Minimum Separation Distance | |
|---|---|---|---|---|---|
| | | Exterior | Interior | Main | Accessory |
| 7.5 m. | 7.5 m. | 5.0 m. | 5.0 m. | 5.0 m. | 3.0 m. |
| **Maximum Height For a Main Building** | **Maximum Lot Coverage** | | | **Maximum Number Of Main Uses** | **Maximum Number of Main Buildings** |
| | Total | Accessory | | | |
| 10.0 m. | 35 % | N/A | | N/A | N/A |

## 32.4 REGULATIONS SPECIFIC TO THIS ZONE

### 32.4.1 ROAD SETBACK

Notwithstanding any other provision in this by-law, where a public road allowance is less than 20 metres in total width, a setback of 10 metres from the centre line of the existing road allowance or travelled road shall be added to the relevant minimum required yard provision.

## 32.5 AMENDMENTS TO SECTION THIRTY-TWO

BL 2363-08 To include wording “for a main building”

# 33. USE LIMITATION – [UL]

## 33.1 PERMITTED USES

No use of land building, building, or structure shall be permitted within this zone except as follows;

. park, excluding any building
. conservation use, excluding any building
. flood control
. structures accessory to a permitted use as provided for in Section 4.22.1

## 33.2 LOT REQUIREMENTS

| MINIMUM LOT WIDTH | MINIMUM LOT AREA |
|---|---|
| N/A | N/A |

## 33.3 OTHER STANDARD REGULATIONS AND REQUIREMENTS

| Front Yard | Rear Yard | Side Yards | | Minimum Separation Distance | |
|---|---|---|---|---|---|
| | | Exterior | Interior | Main | Accessory |
| N/A | N/A | N/A | N/A | N/A | 3.0 m. |
| **Maximum Height** | **Maximum Lot Coverage** | | **Maximum Number Of Main Uses** | **Maximum Number of Main Buildings** | |
| | Total | Accessory | | | |
| N/A | N/A | N/A | N/A | N/A | |

## 33.4 REGULATIONS SPECIFIC TO THIS ZONE

### 33.4.1 ROAD SETBACK

Notwithstanding any other provision in this by-law, where a public road allowance is less than 20 metres in total width, a setback of 10 metres from the centre line of the existing road allowance or travelled road shall be added to the relevant minimum required yard provision.

### 33.4.2 WATER COURSE

See General Provisions Section 4.22.2.

## 33.5 AMENDMENTS TO SECTION THIRTY-THREE

READ A FIRST TIME THIS 13th DAY OF December 2001

"Maria Harding"
Reeve

"Wendy Hamlin"
Clerk

READ A SECOND TIME THIS 13th DAY OF December 2001

"Maria Harding"
Reeve

"Wendy Hamlin"
Clerk

READ A THIRD TIME AND FINALLY PASSED THIS 24th DAY OF January 2001

"Maria Harding"
Reeve

"Wendy Hamlin"
Clerk

| Schedule "A" of By-law No. 2038-00 the Zoning By-law<br>List of Amending By-laws | |
|---|---|
| **By-law No.** | **Description of Amendment** |
| **OMB 0184** | Ontario Municipal Board Order on **Appeal** to By-law No. **2038-00** |
| **2084-02** | A By-Law to amend By-Law No. 2038-00, the Zoning By-Law of the Corporation of the Township of Shuniah. (Mickelson **Vacant Land Condominium** - ML 13Z Savigny's Survey less Part 1 of RP 55R-11620 and a Portion of ML 11Z Savigny's Survey being Part 1 of RP 55R-10753 MacGregor) Text |
| **2087-02** | Being a By-Law to amend By-Law No. 2038-00 The Zoning By-Law **to reduce lot area & width for permanent dwelling** (Lot 40, Registered Plan Number 694, Township of MacGregor)Text |
| **2092-02** | A By-law to amend By-law Number By-law No. 2038-00, the Zoning By-law of the Corporation of the Township of Shuniah.( **Rezone** West Subdivision of Lot Number (16) in Conc "D" Township of MacGregor **to AG-P Zone)** Mapping |
| **2093-02** | A By-law to amend By-law Number By-law No. 2038-00, the Zoning By-law of the Corporation of the Township of Shuniah (Set Railway setbacks) Text |
| **2094-02** | A by-law to amend By-law NO. 2038-00 to **rezone properties from Aggregate Extraction to Rural Zone** Mapping |
| **OMB 1660** | Ontario Municipal Board **Decision** on By-law No. 2094-02 |
| **2096-03** | Mining Location 12E and 15E White's Survey, being more particularly described in Schedule 'A' attached to this by-law, Township of MacGregor the **height of the existing 9.14 x 15.24 metres garage only be 9.1 metres**. Text |
| **2101-03** | Being a by-law to amend by-law 2038-00 s**ection 4.26.1.1 railway setback.** (ML 6Z Savigny's 1207 Sunrise Beach Drive) Text |
| **2106-03** | A by-law to amend by-law 2038-00 and **remove from the Rural [RU] Zone and designated as part of the Recreational Cottage Zone-Remote** [REC-RE] a certain tract of land.( NW 1/4 of Lot Number 16 in Concession 3 Township of MacGregor rezone to Remote Cottage Zone) Mapping |
| **2112-03** | Being a by-law to delete and remove from the (REC-RE) **RECREATIONAL ZONE and designated as part of the RECREATIONAL COMMERCIAL (CR) ZONE** ) portion of Concession 3 Section 16. MacGregor Waller Lake) Text |
| **2124-04** | A by-law to amend 2038-00 and rezone Con C Section 17 Part 2 of Plan 55R-2484 **from Rural to Recreational Commercial w**ith a permitted use of a fish bait shop including retail sale of associated goods and wares etc. Mapping and Text |
| **2125-04** | A by-law to amend 2038-00 and rezone ML 8 Herrick's Survey being Part 1 of Plan 55R-11829 and Part 1 of Plan 55R-11373 **from Light Industrial to Rural Zone**. Mapping |
| **2129-04** | To Amend 2038-00 with respect to Cottage Conversion Policy OPA No. Two **REPEALED BY BY-LAW no. 2296-07** |
| **2136-04** | A by-law to amend By-law No. 2038-00, the Zoning By-law (**Temporary Zoning** for **Garden Suite** for a portion of Mining Location 5E, White's Survey MacGregor Text |
| **2150-05** | A by-law to amend By-law No. 2038-00(Cedar Bay area) from **Recreational Cottage Zone to Shoreline Residential [SR] Zone** Mapping |
| **2177-05** | A by-law to amend by-law 2038-00 **Notwithstanding** Section 10.3 the **side yard interior shall be 7.6 metres**. (ML 1A Whites MacGregor GAMBLE) Text |

| Schedule "A" of By-law No. 2038-00 the Zoning By-law<br>List of Amending By-laws | |
|---|---|
| **By-law No.** | **Description of Amendment** |
| **2194-07** | General amendment with respect to **Accessory buildings and regulations for Association areas** Text |
| **2196-06** | A by-law to Amend By-law No. 2038-00 to allow a Wood Waste Facility off Hwy 527 Text |
| **2250-07** | Amend by-law 2038 **rezone from HC to CC** Mining Location 9E, White's Survey, Township of MacGregor Mapping |
| **2252-07** | Amend By-law 2038 to add the permitted us of **a Commercial Garage in the Community Commercial Zone** Text |
| **2258-07** | A by-law to **regulate Adult Entertainment Establishments** Text |
| **2266-07** | A by-law to amend by-law 2038 to allow **for mining equipment and storage** and to the CH zone and add **Holding Zone** for site plan Text and Mapping |
| **2271-07** | A by-law to amend 2038-00 **to regulate for a wind farm use** Text. |
| **2280-07** | A by-law to amend by-law 2038-00 section 18.1 **to delete the text** "Notwithstanding the above permitted uses, Lots 21 & 22 of Plan M-218 **shall be used only for park purposes**." Text |
| **2286-07** | A by-law to **regulate Forestry and Commercial Timber Harvesting** Text |
| **OMB Order** | **OMB Appeal** on By-law No. **2286-07** |
| **2287-07** | Remove a portion of the SW ¼ of Con 3 Section 15 from **Rural to Recreational Cottage Zone Remote** [REC-RE] Mapping |
| **2296-07** | To Amend 2038-00 with respect to **Cottage Conversion Policy OPA No. Two** Text |
| **2315-08** | Being a by-law to amend By-law No. 2038-00 the Zoning By-law **reduce lot size** for Block 21 Plan M-530 - Annala Text |
| **2335-08** | A site specific by-law to amend by-law 2038-00 to **allow for an accessory garage on residual property within an association**. Floral Text |
| **2345-08** | Amend By-law 2038-00 to **allow for a Boat House** in Plan 764 lot 24 Text |
| **2363-08** | Being a by-law to amend 2038-00 **to clarify, reword text** |
| **2364-08** | Being a by-law to amend 2038-00, **new regulation re racetrack, parking** etc. Text |
| **2392-09** | Being a by-law to amend By-law No. 2038-00 with **various general amendments** Text |
| **2406-09** | Amend By-law 2038-00 for **Temporary Zoning to Aggregate** Extraction Portion of Mining Location 8, Herrick's Survey being Part 2 of Reference Plan 55R-7823 Mapping |
| **2407-09** | Amend By-la No. 2038-00 to define Personal Recreational Use Text |
| **2408-09** | Amend By-law No. 2038-00 to **regulate personal recreational use** Portion of ML 8 Herrick's Survey, for Part 1 of RP 55R-11373 and Part 1 of RP 55R-11829, Township of MacGregor off Hwy 527 Text |
| **2461-10** | Amend By-law No. 2038-00 to rezone portion of East Half of Concession 2 Section 11, McTavish **to Open Space Zone** Mapping |
| **2462-10** | Amend By-law No. 2038-00 to **allow a sauna in front of cottage** Lot 19 Plan M-563 Text |
| **2470-10** | Amend By-law No. 2038-00 to **allow a sauna in front of cottage** Lot 15, Plan M-563 Text |
| **2474-10** | Amend By-law No. 2038-00 as it applied to Lot 6 Plan 55M-563 to |

| Schedule "A" of By-law No. 2038-00 the Zoning By-law<br>List of Amending By-laws | |
|---|---|
| **By-law No.** | **Description of Amendment** |
| | **allow a B&B** Text |
| **2476-10** | Amend By-law No. 2038-00 as it applies to property located within ML 7E Whites Survey to **allow for a duplex dwelling** Text |
| **2482-10** | Amend By-law No. 2038-00 to **recognize various properties** with existing developed lots **for building and planning purposes** Text |
| **2483-10** | Amend By-law No. 2038-00 recognize **various properties** with existing developed lots **for building and planning purposes** Text |
| **2500-10** | Amend By-law No. 2038-00 to allow and **regulate a tent and trailer park** Text and Mapping |
| **2513-11** | A By-law to amend By-law No. 2038-00, the Zoning By-law, as it applies to Lot 8 Plan 787, Township of McTavish **sauna in front yard** Text |
| **2514-11** | A By-law to amend By-law No. 2038-00, the Zoning By-law, as it applies to a Portion of Mining Location 3A Harts Survey, Township of MacGregor. **Forestry equipment** Text |
| **2525-11** | A by-law to amend By-law No. 2038-00 site specific **reduce the lot area** requirement for property located in Mining Location 1 B, McNab's Survey, Township of MacGregor Text |
| **2531-11** | A By-law to amend By-law No. 2038-00, the Zoning Bylaw, as it applies to a Portion of Concession 3 North Part Section 1, Township of Macgregor - Pass Lake Truck Stop **rezone to Highway Commercial** Map |
| **2556-11** | Being a by-law to amend By-law No. 2038-00 to allow for propane handling, dispensing and storage as an accessory use site-specific. (KOA) Text |
| **2562-11** | Amend 2038-00 site specific second story on accessory building Lot 2 Plan 590 (Smith & Young) Text |
| **2563-11** | Amend 2038-00 site specific second story on accessory building Lot 15 Plan 812 (Dougall) Text |
| **2617-12** | By-law to amend By-law No. 2038-00 site-specific as it applies to Lot 24 Plan 756, Township of MacGregor Text |
| **2618-12** | A By-law to amend By-law No. 2038-00 site-specific as it applies to Lot 23 Plan 808, Township of McTavish. Text |
| **2643-12** | A By-law to amend By-law 2038-00 with respect to development to a nearby railway right of way that is no longer operational or has been officially decommissioned. Text |
| **2658-13** | Being a by-law to amend By-law No. 2038-00 the<br>33.5.1 Zoning By-law with general accessory amendments Text |
| **2694-13** | By-law Number 2694-13 By-law No. 2038-00 for Lot 1 of Plan 751 and Lot 15 B of Plan 759, East Loon Lake, Township of McTavish, Municipality of Shuniah.<br>That the subject lands be recognized as undersized lots as set out on Schedule "A" to by-law 2694-12. Text |
| **2765-14** | THAT the accessory boathouse located on Lot 41, Registered Plan 55M563 is hereby temporarily allowed to remain without a main use dwelling being establish Reapplied for another 3 years By-law 2932-17 – Built residence in 2019 |

| Schedule "A" of By-law No. 2038-00 the Zoning By-law<br>List of Amending By-laws | |
|---|---|
| **By-law No.** | **Description of Amendment** |
| 2766-14 | THAT one accessory garage located at ML 3A Hart's Plan 55R 2242 Part 3 and 6, is hereby allowed to be constructed without a main use building being establish. Text |
| 2786-14 | A By-law to amend By-law No. 2038-00 site-specific as it applies to 230 Bass Lake Rd, Lot 5 Plan M 218, Township of McTavish. Text |
| 2799-15 | Being a by-law to amend By-law 2038-00 to rezone Property from the Rural Zone [RU] to Highway Commercial Zone [CH]. Mapping |
| 2810-15 | A By-law to amend the Zoning By-law (By-law No. 2038-00) as it applies to Concession 1, NE Y4 Section 2 Township of McTavish, Municipality of Shuniah Mapping |
| 2821-15 | A By-law to amend the Zoning By-law (By-law No. 2038-00) as it applies to Mining Locations 4H, 5H and 6H, in Reid's Survey and the NW 1/4 and SW ¼ Section 13, Concession B, Township of MacGregor. Rezone to Aggregate Extraction Holding Zone Mapping By-law No. 2948-17 passed to remove Holding Symbol. |
| 2838-15 | A By-law to amend By-law No. 2038-00 site specific as it applies to Lot 19 Plan, 55M 560 Township of McTavish. Text |
| 2839-15 | Being a by-law to amend By-law 2038-00 for the addition of site specific Permitted Uses to the Highway Commercial Zone [CH] to include a Church and Manse and to correct the Mapping Schedule from [HC] to [CH] Text and Mapping |
| 2865-16 | A By-law to amend By-law No. 2038-00 to define and add a Pharmacy as a permitted use to a portion of Mining Location 7Z Text |
| 2867-16 | A Site Specific By-law to amend By-law No. 2038-00 as it applies to Lot 5, Plan 55M 505. Text |
| 2893-16 | Being a Temporary Use By-law to amendment the Zoning By-law No. 2038-00 site specific to allow for a Garden Suite see Text |
| 2902-16 | A By-law to amend By-law No. 2038-00 site specific as it applies to Plan 758 Lots 23 and 24 Municipality of Shuniah. Text |
| 2903-16 | A By-law to amend By-law No. 2038-00 site specific as it applies to Mining Location 11 E Part of Whites Survey RP-55R 10517 Pt 3 Municipality of Shuniah. Text |
| 2911-16 | A By-law to amend By-law No. 2038-00 site-specific as it applies to Lot 25 Plan 808, Municipality of Shuniah. Text |
| 2932-17 | Extend Temporary By-law No. 2675-14 for a further 3 years - Built residence in 2019 |
| 2948-17 | Being a By-law to Remove a Holding Symbol re By-law No. 2821-15 – Aggregate Extraction Processing Zoning Remains Mapping |
| 2951-17 | Temporary zoning to allow accessory use without main use – Walkinshaw Road - Now Expired Reapplied Public Meeting Jan. 26/21 |
| 2965-17 | Place Holding Symbol Portion ML 14E White's Survey – Lakeshore Development – Zanette Text |

| Schedule "A" of By-law No. 2038-00 the Zoning By-law<br>List of Amending By-laws | |
|---|---|
| **By-law No.** | **Description of Amendment** |
| 2978-17 | A By-law to amend By-law No. 2038-00 site-specific as it applies to Plan 759 Lots 5, 6 and 7. Text |
| 2994-17 | To Remove Holding Symbol Phase 1 & 2 of Tent and Trailer Park Development re By-law No. 2500-10 Mapping |
| 3012-18 | Being a by-law to amend By-law 2038-00 site specific for the addition of 2 permitted uses to the Community Residential to allow for a dog kennel and a commercial transportation or tractor trailer operation. Text |
| 3013-18 | Being a by-law to amend By-law No. 2038-00 as it applies to property located within a portion of Mining Location 8 E PT N of Hwy S of CPR; PCL 10254 TBF, 652 Lakeshore Drive, Township of MacGregor Text |
| 3018-18 | A By-law to amend By-law No. 2038-00 site-specific as it applies to Lot 4 Plan 787 570 E Loon to allow for a sauna to be located in front of the main dwelling. Text |
| 3060-19 | By-law No. 3060-19 To Remove Holding Symbol Phase 1, Stage 3 of Tent and Trailer Park Development re: By-law No. 2500-10 Mapping |
| 3062-19 | A by-law to amend the zoning by-law to rezone certain lands to Open Space Mapping |
| 3155-21 | Being a Temporary Use By-law to amendment the Zoning By-law No. 2038-00 site specific to allow for a Garden Suite. |
| 3156-21 | Being a by-law to allow the temporary use of an Accessory Buildings on a Property without a main use dwelling. |
| 3157-21 | Being a by-law to remove an (H) Symbol from property located within Mining Location 5Z Savigny's Survey. Text |
| 3177-21 | Being a By-law to amend By-law 2038-00 site-specific as it applies to Lots 22 and 23 Plan 694 Part 2 of Reference Plan 55R-8654 being 2673 Birch Beach Road. Text |
| 3191-21 | By-law Number 3191-21 amending By-law No. 2038-00 for West Part Lot 5, Plan 787, Township of McTavish, now being the Municipality of Shuniah. Text |
| 3192-21 | By-law Number 3192-21 amending By-law No. 2038-00 for a Portion of Mining Location 13E, being Parts 2 and 3 of Reference Plan 55R-13875, Township of MacGregor, now being the Municipality of Shuniah. Text |
| 3199-21 | By-law No. 3199-21 hereby amends By-law 2038-00 for the Township of MacGregor, now being the Municipality of Shuniah. Text |
| 3217-22 | By-law No. 3217-22 To Remove Holding Symbol Phase 1, Stage 4 of Tent and Trailer Park Development re: By-law No. 2500-10 Mapping |
| 3227-22 | By-law No. 3227-22 hereby amends By-law No. 2038-00 rezone a portion of AG to RU for Township of MacGregor, now being the Municipality of Shuniah Mapping |
| 3237-22 | By-law No. 3237-22 hereby amends By-law No. 2038-00 for Township of McTavish, now being the Municipality of Shuniah. Text |

| Schedule "A" of By-law No. 2038-00 the Zoning By-law<br>List of Amending By-laws | |
|---|---|
| **By-law No.** | **Description of Amendment** |
| 3253-22 | By-law Number 3253-22 amending By-law No. 2038-00 to allow a sauna in front of main dwelling of McGregor Part Shore Road Allow; Plan M100 Lots 4 to 6; Part Lots 40 and 41 and Reference Plan 55R9242 Parts 1 to 4 and 12 to 15 and Reference Plan 55R14700 Part 1 Municipality of Shuniah, Township of McGregor in the District of Thunder Bay Text |
| 3302-23 | By-law Number 3302-23 amending By-law No. 2038-00 to allow one additional dwelling s. 22, second floor in accessory building s. 4.6.2 and bathroom in accessory building 4.6.4 e, site specific for Concession A, Part S/W Section 9, 55R9190, Part 1 & 2, Township of MacGregor. Text |
| 3354-24 | By-law No. 3354-24 hereby amends By-law 2038-00 for Township of MacGregor, now being the Municipality of Shuniah. Text |
| 3385-24 | By-law No. 3385-24 hereby amends By-law No 2038-00 for Township pf MacGregor, now being the Municipality of Shuniah. Text |
| 3384-24 | By-law No. 3384-24 hereby amends By-law No. 2038-00, section 4.6.2 Township of MacGregor, now being the Municipality of Shuniah. Text |
| 3388-24 | By-law No. 3388-24 hereby amends By-law No. 2038-00, section 4.6.2 site specific as it applies to Plan 834 Lot 2 and Part Road Allowance 55R10680 Part 1 Township of MacGregor, now being the Municipality of Shuniah. Text |
| 3447-25 | By-law No. 3447-25 amending By-law No. 2038-00 section 4.6.2 to allow a sauna in front of the main dwelling of Thunder Bay Condo Plan 39; Level 1 Unit 8, Township of MacGregor, Municipality of Shuniah, in the District of Thunder Bay. Text |
| 3448-25 | By-law No. 3448-25 hereby amends the 'MHR' marked on the Schedule "B" of By-law 2038-00, the Zoning Map, shown as being located within Mining Location 7E, White's Survey, South of CP Rail be removed and replaced with the 'RC' Community Residential designation. Mapping |
| 3454-26 | By-law No. 3454-26 hereby amends By-law No. 2038-00, section 4.6.2 to allow a sauna in front of the main dwelling and 10.3 to increase total lot coverage of accessory structures to 144 square metres, and is site specific as it applies to Plan 55M585, Lot 4, Township of MacGregor, now being the Municipality of Shuniah, known as 2609 Birch Beach Road. |
| 3455-26 | Temporary zoning to allow accessory use without main use – 711 Road 5 South - Expires January 13, 2029 |
| 3494-26 | "By-law No. 3494-26 hereby amends By-law No. 2038-00, sections 4.6.2 a), 4.6.2 d) and 9.3, to allow for a large accessory structure; site specific as it applies to Plan M136, Part Lot 5, 55R755 Parts 1, 2 and 3, Township of MacGregor, now being the Municipality of Shuniah." – 362 Lakeshore Drive Text |