

# **Township of Prince**

## **Office Consolidation of Zoning By-law 77-7**

**August 2000**

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**BY-LAW NUMBER 77-7  
OF THE CORPORATION OF THE TOWNSHIP OF PRINCE**

Being a By-Law to provide for the zoning of the said Township of Prince pursuant to Section 35 of the Planning Act, R.S.O. 1970, Chapter 349 and amendments thereto,

Whereas the Corporation of the Township of Prince deems it desirable to enact a Zoning By-Law under the authority of the Planning Act, R.S.O. 1970;

Now therefore the Corporation of the Township of Prince enacts as follows:

**SECTION 1  
TITLE**

This By-Law shall be known and may be cited as the "Zoning By-law of the Township of Prince", It shall hereafter be referred to as "this By-Law".

**SECTION 2  
SCHEDULE**

Schedule "A", a zoning map, together with notations and references thereon is hereby declared to be part of this By-Law.

**SECTION 3  
ZONING MAP**

**I. ZONE SYMBOLS**

For the purposes of this By-Law, the Township of Prince is divided into the following zones, and their extent, location, and boundaries are shown on the Zoning Maps which form Schedule "A" to this By-Law.

S - Shield Zone  
RR - Rural Residential Zone  
RA - Rural Agricultural Zone  
SC - Summer Cottage Zone  
H - Hamlet Zone  
C - Commercial Zone

Wherever a symbol is used it shall be the same as if the name of the zone were written in full.

**II. BOUNDARIES OF THE ZONES**

Where any uncertainty exists as to the boundaries of any zone as shown in Schedule "A" the following provisions shall apply

1. Where a zone boundary is indicated as following a street or lane, or other-right-of-way boundary shall be the centre line of the street, lane or other right-of-way.
2. Where any zone boundary is indicated as following a shore line of any lake, stream or river, the boundary shall be interpreted as following the high water mark of such lake, river or stream, at a uniform distance from the front lot line except with respect to the shore of Lake Superior.
3. Where a zone boundary is indicated as approximately parallel to any street line or shore line of any lake, stream or river and the distance from the street line, lake, stream or river is not indicated such

district boundary shall be construed as being parallel to such street line, lake, stream or river and the distance therefrom shall be according to the scale shown on the Zoning Map.

4. Where zone boundaries are indicated as approximately following lot lines such lot lines shall be deemed to be the boundary.

#### **SECTION 4 DEFINITIONS**

1. *"Accessory Building - Agricultural"* shall mean a detached subordinate building, located on the same property as the main building and is not used or intended for human habitation. This includes such buildings as barns, stables and other agriculturally oriented buildings.
2. *"Accessory Building - Residential"* shall mean a detached subordinate building, located on the same lot as the main building and is not used or intended for human habitation. This shall include a private garage, if it is detached, greenhouses, bath houses, tool sheds and other similar use.
3. *"Accessory Use"* shall mean a use subordinate and naturally, customarily and normally incidental to and exclusively devoted to the main use of land or buildings on the same lot.
4. *"Agricultural Use"* means the use of land, buildings or structures for the growing of crops including field crops, truck gardening, flower gardening, and tree farming and for the raising of animals including dairy farming, horse farming, aviaries, apiaries, fish farming, and other forms of animal husbandry. It may also include a stand for the sale of farm products produced on the farm upon which the stand is located. The purpose of the agricultural use is to make a profit or financial gain from the activity.
5. *"Automatic Coin Wash"* shall refer to a self-serve laundromat.
6. *"Automatic Dry Cleaning Establishment"* shall refer to a self serve dry cleaners.
7. *"Building"* shall mean any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals or chattels.
8. *"Church"* shall mean a building for public worship and includes a church hall when accessory to a church building.
9. *"Common Driveway"* shall mean a driveway shared by more than one dwelling unit.
10. *"Council"* shall mean the Council of the Corporation of the Township of Prince.
11. *"Coverage"* shall mean that percentage of the lot area covered by the building.
12. *"Commercial Use"* shall mean the use of land, structures or buildings for the purposes of buying and selling of commodities and for supplying of services.
13. *"Corporation"* shall mean the Corporation of the Township or Prince.
14. *"District"* shall have the same meaning as zone.
15. *"Dwelling"* shall mean a building that contains a dwelling unit and is not an institution, hotel or commercial establishment.

16. *"Dwelling, Single-Family Detached"* shall mean a separate building accommodating a single-family only and having a front, rear and two side yards, and having one kitchen only.
17. *"Dwelling Unit"* shall mean one or more habitable rooms designed or intended for use by one person or single-family and provided with separate kitchen and sanitary conveniences for use exclusively by such person or family and a private entrance from outside the building or from a common hallway or inside stairway.
18. *"Existing"* shall mean existing as of November 30, 1967.
19. *"Family"* shall mean one or more persons living as a single housekeeping unit in a single dwelling unit and may include roomers or boarders not exceeding two in number.
20. *"Fence"* shall include a solid fence, a hedge and a solid or other wall erected in view of a fence and, in the case of agricultural property, a wire fence.
21. *"Floodplain"* means land subject to flooding from the Regional Design Storm (Timmins).
22. *"Floor Area"* shall mean the maximum habitable area contained within the inside walls excluding, in the case of a dwelling, a garage, porch, veranda, sunroom, unfinished attic, unfinished basement and interior balconies and mezzanines.
23. *"Farm"* shall mean an area of land which is used principally for agricultural uses by the owner, occupant or lessee and the purpose of this activity is profit or gain.
24. *"Garage, Private"* shall mean an accessory building which is intended or used for the sheltering of not more than three (3) non commercial motor vehicles.
25. *"Garage, Public"* shall mean a building or part thereof, designed or used for servicing, cleaning, repairing, equipping, hiring, selling or storing motor driven vehicles, but does not include a private garage, an automobile service station or an automobile washing establishment.
- 25a. *"Height or Building Height"*, when used in reference to a building or structure, means the vertical dimension or, where applicable, the total number of storeys between the finished grade of such building or structure and:
  - i) in the case of a flat roof or one - having a slope of less than 20% from the horizontal, the highest point of the roof surfaces;
  - ii) in the case of a mansard roof, the deck line;
  - iii) in the case of a gabled, hip or gambrel roof, or one-sloped roof having a slope of not less than 20% from the horizontal, the average level between the eaves and ridge;
  - iv) in the case of a structure not having a roof, the topmost part of the structure; or
  - v) where an exterior wall extends above the top of the roof of a building, the topmost part of such exterior wall.
26. *"Home For The Aged"* shall mean an institution to which the Homes for the Aged Act, R.S.O. 1970, Chapter 206 and amendments thereto applies.
27. *"Hospital, Private"* shall mean a private hospital as defined by The Private Hospital Act, R.S.O. 1970, Chapter 361 and amendments thereto.
28. *"Hospital, Public"* shall mean a public hospital as defined by The Public Hospitals Act, R.S.O. 1970, Chapter 378 and amendments thereto.

- 28a. *"Hunt camps" or "Wilderness Retreat"* means a single family detached dwelling that is not used as a permanent residence or domicile. The primary purpose of the structure is a seasonal shelter. Any such building may be of light frame construction without a basement, interior finish on its walls and ceiling, and any source of heat, but not without an adequate foundation.
- 28a *"Hunt camps"* means a single family dwelling that is not used as a permanent residence or domicile and shall also mean a wilderness retreat. The primary purpose of the structure is a seasonal shelter. Any such building may be of light frame construction without a basement, interior finish on its walls and ceiling, and any source of heat, but not without an adequate foundation.
30. *"Institutional Use"* means the use of land, buildings or structures for governmental, religious, educational, charitable or hospital purposes and involving activities and operations which are carried on for some public or social purpose and not for profit.
- 30a *"Kennel, Commercial"* means an establishment where dogs, cats or other small domestic animals or household pets are bred or raised primarily for the purpose of sale, or trained or boarded for gain or profit.
31. *"Lot"* shall mean a parcel of land or more than one parcel of land under one ownership and appropriated for the exclusive use of a group of buildings comprising one undertaking or enterprise, which said parcel or parcels abut upon a public street or road, and
- (a) *"Corner Lot"* shall mean a lot situated at the intersection of two or more streets having an angle of intersection of not more than one hundred and thirty- five degrees (135)
- (b) *"Interior Lot"* shall mean a lot other than a corner lot.
32. *"Lot Area"* shall mean the total horizontal area within the lot lines of a lot.
33. *"Lot Frontage"* means the horizontal distance between the side lot lines of a lot, such distance being measured;
- (a) along a line perpendicular to the side lot lines in the case of a lot either having parallel side lot lines or of a corner lot having a bent corner where the side lot lines are parallel except for such bend; or
- (b) along a line which is parallel to and a 6 metre distance from, the front lot line.
34. *"Lot Line"* shall mean a boundary of a lot, and
- (a) *"Front Lot Line"* shall mean the line that divides a lot from the street, provided that in the case of a corner lot the shorter lot line abutting upon a street shall be deemed to be the front lot line and the longer lot line that so abuts shall be deemed to be the side lot line of the lot.
- (b) *"Rear Lot Line"* shall mean a lot line opposite the front lot line; and
- (c) *"Side Lot Line"* shall mean a lot line other than a front lot line or a rear lot line.
35. *"Motels and Motor Hotels"* shall mean a building consisting of a number of individual dwelling units intended to be occupied by the travelling public for the purpose of temporary sleeping accommodation.
36. *"Non-Conforming Use"* shall mean any use of land or building that does not comply with this By-law and was legally used for a purpose prohibited by this by-law on the day of the passing of this Bylaw
37. *"One Summer Cottage Per Lot"* shall mean that there shall not be erected, constructed, or established more than one summer cottage dwelling on each lot or parcel.

38. *"Parking Space or Stall"* shall mean an area of not less than 18 Square metres and not less than 3 metres wide, which is accessible to the street, and which is reserved for the exclusive use of parking of motor vehicles.
39. *"Personal Service Shop"* shall mean a building in which persons are employed in furnishing services to the individual, and may include such uses as, barber shops, beauty parlours, shoe repairs or depots for collecting dry cleaning and laundry.
40. *"Recreational Use"* shall mean a use of land and building as a recreation area.
41. *"Residential Use"* shall mean the use of a building as a private dwelling only.
42. *"Retail Store"* shall mean a building where goods or merchandise are sold directly to the consumer.
42. *"Severance"* shall occur when a person who owns a parcel of land wishes to divide it into two or more lots. The size of lot and conditions under which a severance can take place are outlined in this zoning By-Law.
43. *"Sign"* means any sign or advertising device constructed in any manner that is used for the purpose of bringing the subject thereof to the attention of the public.
44. *"Single Housekeeping Unit"* shall mean a related family or not more than two unrelated people living together.
45. *"Street, Public"* shall mean a public way which affords access to abutting properties, and includes a road, public way or thoroughfare used by the public and which has been assumed for maintenance by the Corporation.
46. *"Structure"* shall mean anything built or constructed, any edifice or building of any kind composed of parts joined together in some definite manner.
47. *"Summer Cottage"* shall mean a detached single-family dwelling used as a secondary residence for recreational purposes such as vacationing, hunting, fishing and similar uses on a seasonal basis as opposed to permanent occupancy and shall be so used primarily only in the summer months, or, for clarity, shall not be used as a primary residence. Any such building may be of light frame construction without a basement, interior finish on its walls and ceiling and any source of heat, but not without an adequate foundation.
48. *"Township"* shall mean the Corporation of the Township of Prince.
49. *"Use"* shall mean the purpose for which land, or building or structure is arranged, designed or intended, or for which either land or a building or structure is or may be occupied or maintained.
- 50a *"Vehicle"* and *"Motor Vehicle"* shall mean a wheeled self propelled vehicle designed and constructed for the purpose of transporting passengers and/or goods and without limiting the generality of the foregoing includes automobiles, trucks, buses and motor homes.
- 50b *"Vehicle Commercial"* means a vehicle licensed by the Province of Ontario:
- (a) as a public vehicle pursuant to the provisions of The Public Vehicles Act, R.S.O. 1980, chapter 425; or
  - (b) as a public commercial vehicle, pursuant to the provisions of the Public Commercial Vehicles Act, R.S.O. 1980, chapter 407.



- 50c "Vehicle, farm" means a piece of machinery exclusively used on the farm such as tractor or combine but does not include a passenger vehicle or piece of construction equipment.
- 50d "Vehicle, Non-Commercial" means a vehicle having a specified capacity of not more than one tonne or in the case of a passenger vehicle 12 persons but does not include a commercial vehicle or farm vehicle.
- 50. "Yard" shall mean an unoccupied space open to the sky on the same lot with a building or structure.
- 51. "Yard, Front" shall mean a yard extending across the full width of the lot between the front lot line and the nearest wall of any building or structure on the lot.
- 52. "Yard, Rear" shall mean a yard extending across the full width of the lot between the rear lot line and the nearest wall of any building or structure on the lot.
- 53. "Yard, Side" shall mean a yard extending from the front yard to the rear yard between the lot line and the nearest wall of any building or structure on the lot.
- 55. "Zoned" shall mean and include all those areas of the Township as shown on the maps appended to and forming part of this By-Law for which the requirements for the use of land and the use and spacing of buildings and structures are uniform.
- 56. "Home-based Business" is defined as an accessory business or occupation use conducted for gain or profit in a dwelling unit which is clearly subordinate to the primary residential use of that unit, and which does not create a public nuisance or adverse affect on the abutting lands and/or surrounding uses"

**SECTION 5  
GENERAL PROVISIONS FOR ALL ZONES**

No person shall within any zone in the Township of Prince change the use of any land, building or structure or erect any building or structure except in conformity with the provisions of this By-Law.

**I. RESTORATION TO A SAFE CONDITION**

This By-law shall not prevent the strengthening or restoration to a safe condition of any building or structure provided such alteration or repair does not increase the height or size or change the use of such building or structure.

**II. PARTIAL DESTRUCTION OF EXISTING BUILDINGS**

A building destroyed to the extent of more than sixty (60) per cent of its value (inclusive of walls below grade) as at the date of damage, and which does not conform with the requirements of this By-Law in respect to use, lot coverage or height, shall not be restored except in conformity with the regulations of the zone in which the said structure or building is located.

**III. DISCONTINUED USE**

Any non-conforming use of a building or structure which is discontinued or unused for more than twelve (12) consecutive months shall not be resumed, and no such non-conforming use shall be changed to any other non-conforming use.

#### **IV. FRONTAGE ON A STREET**

Notwithstanding any other provision in this By-Law, no person shall erect or use any building or structure on a lot which does not abut on a public street, with the exception of hunt camps, and wilderness retreats, as defined in Section 7, paragraph VI, 1.

#### **V. OBSTRUCTION OF YARDS**

No person shall obstruct in any manner whatsoever any front yard, side yard, or rear yard required to be provided by this By-Law, but this provision shall not apply to:

1. Main eaves, belt courses, chimney breasts, sills or cornices not projecting more than sixty (60) centimetres into any required yard.
2. Uncovered steps or platforms not exceeding one (1) metre in height above grade, and not projecting more than two metres into any required front or rear yard, and not more than sixty (60)cms. into any side yard.
3. Awnings, clothes poles, recreational equipment, garden trellises or similar accessories.
4. Fire escapes projecting not more than one (1) metre into a side or rear yard.
5. Fences provided they meet the criteria of SECTION 5-VI of this By-Law.
6. Accessory uses permitted by this By-Law.

#### **VI. FENCE REGULATIONS**

1. Fences are prohibited in all zones except as specifically permitted in this section.
2. Land may be used for erection, maintenance and display of fences in all zones only subject to the following conditions:
  - (a) Maximum heights in Rural Residential, Summer Cottage & Hamlet Zones:
    - In a yard abutting a street 1 metre
    - In any other yard 2 metres
  - (b) Maximum height in Rural Agricultural Zones
    - For residential use - in a yard  
Abutting the street 1 metre
    - in any other yard 2 metres
    - For agricultural use - 3 metres
  - (c) Maximum height in Commercial Zones
    - in a yard abutting a street 1 metre
    - in any other yard 3 metres
3.
  - (a) Electrified fences are permitted in R.R. zones provided that they are not used as a boundary fence and are located inside the boundary fence. These fences may only be used to contain livestock kept for the exclusive use of the owner.
  - (b) Barbed wire and electrified fences are permitted in the Rural Agricultural (R.A.) Zone.

#### **VII. REDUCTION OF LOT AREA**

No lot shall be reduced in area either by the conveyance or alienation of any portion thereof or otherwise so that any building or structure on such lot shall have a lot coverage that exceeds, or a front yard, rear yard, frontage or lot area that is less than that permitted by this By-Law for the zone in which such lot is located, except in accordance with decisions made under Section 41 of the Planning Act, R.S.O. 1970

## **VIII. HEIGHT REQUIREMENTS**

Except as otherwise provided nothing in this By-Law shall limit the height of any belfry, chimney, flag pole, church, ornamental dome, cupola, clock tower, water storage tank, wireless receiving or transmitting antennae, or any silo, windmill, or other farm building.

## **IX. SPECIAL USES PERMITTED**

Nothing in this By-Law shall prevent the use of land or the use or erection of a building or structure for:

1. Scaffold or other temporary building or structure incidental to construction in progress on the premises for which a building permit has been granted, until such time as the work has been finished or abandoned.
2. A sign having an area of not more than eighteen (18) square metres incidental to construction in progress on premises for which a building permit has been granted, until such time as the work has been finished or abandoned.
3. The structure and works of any power company or other utilities company supplying local servicing to the Township. Major utility installations are subject to approval by Township Council.
4. The use of land or right-of-way for any oil, gas or other liquid pipe line and appurtenances thereto.
5. The lands known as part of the broken northwest 1/4 of Section 31 in the Township of Prince, located at the end of the Second Line West (Highway #550), and commonly known as the "island" at the Gros Cap turn-around may be used for a water pumping station by the Public Utilities Commission.
6. That the part of the northeast 1/4 of Section 32, in the Township of Prince, located approximately 99.7 m north and to the rear of the property known as 32 Marshall Drive, may be used for a water pump control tank by the Public Utilities Commission.
7. Nothing in this By-law shall apply to prevent the Township or the Government of Canada or Government of Ontario the use of land for or as the site of:
  - (i) Public fire detection device or structure
  - (ii) Civic defence installation
  - (iii) Public lighting structure
  - (iv) Public memorial including but not to limit generality of the foregoing - a statue, monument, cenotaph, plaque or fountain
  - (v) Public park or cemetery
  - (vi) Museum
  - (vii) Recreation centre
  - (viii) Government office

## **X. SLOPE LANDS AND HAZARDOUS LANDS**

1. There shall be no building permitted on lands having a slope greater than 25%, and lands within a floodplain and Paragraph XI, Setbacks for lands abutting Lake Superior.
  - .1 For lands abutting Lake Superior, the following provisions will apply:
    - (a) Setback for a dwelling, and commercial buildings, excluding accessory buildings such as boat storage buildings, etc. but including garages, from the high water mark for lots fronting on Lake Superior, shall be 25 metres or 606 feet C.G.D. elevation, whichever is closer to the high water mark.
    - (b) No openings to dwellings or commercial buildings shall be below 606 feet C.G.D.

## **XI. USES RESTRICTED IN ALL ZONES**

### **1. EXTRACTIVE USES**

Notwithstanding any other provisions hereof to the contrary, the making or establishment of mines, pits and quarries, other than permitted wayside pits and quarries, shall be expressly prohibited throughout the zoned area except:

- (i) where licensed by the Province of Ontario under The Pits and Quarries Control Act, R.S.O. 1980, Chapter 378, or The Mining Act, R.S.O. 1980, Chapter 268; and
- (ii) where specifically permitted hereby.

## **2. DANGEROUS MATERIALS**

Notwithstanding any other provision hereof to the contrary, the refining, bulk storage or use in manufacturing of combustible, inflammable, volatile, explosive or otherwise dangerous solids, liquids or gases shall be expressly prohibited throughout the zoned area except:

- (I) in conjunction with a permitted industrial use, extractive use, forestry use, agricultural use, explosives depot or fuel depot or, in the case of vehicle fuels only, a permitted automotive use; and
- (ii) in accordance with any regulations lawfully imposed governing the safe handling and storage of such materials.

## **3. BUILDINGS ON UNSERVICED LOTS**

Notwithstanding any other provision hereof to the contrary, no building or structure requiring water or sewage facilities shall be erected, altered or used on an unserviced lot if for any reason approval is not first obtained, wherever applicable, of private water or sewage facilities for such lot from the Health Unit or any other public agency having jurisdiction from time to time under the Environmental Protection Act, R.S.O. 1980, Chapter 141.

## **4. OTHER RESTRICTED USES**

Notwithstanding any other provision hereof to the contrary, the following uses and activities shall be expressly prohibited throughout the zoned area except where specifically permitted hereby:

- (I) any offensive trade or other use or activity subject to Sections 130 and 131 of The Public Health Act, R.S.O. 1980, Chapter 409; and
- (ii) a stockyard or livestock exchange.

## **5. PROHIBITED USES**

In addition to the uses prohibited in Section 5 Subsection XI of this By-law, all uses of land and the erection or use of any building or structure for a purpose not permitted under the "Permitted Use" subsection of one or more Zones established by this By-law are and shall be deemed to be prohibited in each Zone, except for those uses of land and the erection or use of any building or structure for a purpose expressly permitted under the applicable provisions of Section 5 Subsection IX hereof.

## **XII. VEHICLE PARKING IN ALL ZONES**

### **1. VEHICLE PARKING HAMLET, AND RURAL RESIDENTIAL ZONES:**

No part of any lot in a Hamlet or Rural Residential Zone shall be used for the parking or storage outdoors of a commercial motor vehicle except for:

- (I) not more than one commercial vehicle in an interior side yard or rear yard provided that such vehicle:
  - (a) is owned or operated by the owner or occupant of such lot; and
  - (b) is designated for transporting passengers or things and has a rated capacity not exceeding 12 persons or 1 tonne whichever is applicable.
- (ii) not more than six motor vehicles one of which may be a commercial motor vehicle

### **2. VEHICLE PARKING IN A RURAL AGRICULTURAL AND COMMERCIAL ZONE:**

- 1. In the Commercial Zone a maximum of 6 vehicles including commercial vehicles may be stored on any property provided the rated capacity does not exceed 2 tonnes or 12 passengers
- 2. In a Rural Agricultural zone farm vehicles may be stored on the property provided the vehicles are used by the owner. A farm implement sales and service business is not permitted.

## **XIII. OBNOXIOUS USE**

- 1. Notwithstanding anything contained herein, no land shall be used and no building or structure shall be erected, altered or used for any purpose which is obnoxious, and without limiting the generality of this subsection, for any purpose that creates or is likely to become a nuisance or offensive, or both:
  - (a) by the creation of noise or vibration, or

- (b) by reason of the emission of gas, fumes, smoke, dust or objectionable odour, except in the case of agricultural uses operating in compliance with the Agricultural Code of Practice, or,
- (c) by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, motor vehicles, trailers, or parts of vehicles or trailers, machinery or other such material, or,
- (d) by any combination of these things described in Clauses a, b, c, of this subsection.

**XIV. ACCESSORY BUILDING REGULATIONS**

1. (a) The following regulations apply to accessory buildings in all zones:

Zone	Accessory Buildings Permitted	Accessory Buildings Agricultural Permitted
R.R.	Yes	No
S.C.	Yes	No
R.A.	Yes	Yes
H	Yes	No
C	No	No
S	No	No

- (b) Accessory Buildings means private garages, greenhouses, swimming pools and tool sheds. No accessory building shall be used for commercial purposes.
- (c) Accessory Buildings Agricultural means barns, stables and agriculturally oriented buildings.

2. (a)(1) REGULATIONS FOR ACCESSORY BUILDINGS

	R.R.	R.A.	S.C.	H.
Lot area (minimum)	1,390 m <sup>2</sup>	12,140 m <sup>2</sup>	1,390 m <sup>2</sup>	1,390 m <sup>2</sup>
Maximum height	5.25 m.	5.25 m.	5.25 m.	5.25 m.
Minimum distance from dwelling unit	4 m.	4 m.	3 m.	3 m.
Minimum distance from dwelling unit on an abutting lot	7 m.	7 m.	3 m.	3 m.
Rear yard	2 m.	2 m.	2 m.	2 m.
Side yard	2 m.	2 m.	2 m.	2 m.
Maximum coverage	112 m <sup>2</sup>	112 m <sup>2</sup>	84 m <sup>2</sup>	84 m <sup>2</sup>

- (2) No accessory use or building shall extend forward of the established front building line (front yard setback) of the principal use.
- (b) Height is measured from the garage floor to the peak/top of the roof.

- (c) A second storey is prohibited.

3. (a) REGULATIONS FOR ACCESSORY BUILDINGS AGRICULTURE

	R.A.
Lot area (minium)	20,235 m <sup>2</sup>
Lot frontage	92 m.
Maximum height	7 m.
Minimum distance from dwelling unit	10 m.
Minimum distance from dwelling unit on an abutting lot	30 m.
Rear yard	15 m.
Front yard	15 m.
Side yard	6 m.
Side yard abutting a street	15 m.
Maximum coverage	372 m <sup>2</sup>

IV HOME BASED BUSINESS

Home-based businesses will be permitted in the Rural Residential, Rural Agricultural and Hamlet zones subject to the following restrictions

- a. The home-based business must be clearly subordinate to the primary residential use of a dwelling unit and shall not create a public nuisance or adverse affect on the abutting land and/or surrounding uses
- b. No outdoor storage or visible display relating to a home-based business is permitted.
- c. External changes or alterations required for or relating to a home-based business which would change the overall residential character of the dwelling are not permitted.
- d. The home-based business may not occupy more than 30% or 150 square metres of floor area in either an accessory or main building, whichever is less.
- e. **Employees**  
Employees shall be a resident in the home where the business is located.
- f. **Signage**  
A sign of .25 square metres is permitted to advertise the home based business only and not a product or service. The sign may be located on the residence or on a pole. No back lighting or apparent movement is permitted on the sign. The sign pole may be no more than 5 feet in height and must be located 3 feet from any lot line. No off site signage is permitted.
- g. **Parking**  
All vehicle parking associated with a home-based business must be located on the lot upon which the home-based business is operated, except for customer or client parking, and all vehicle parking must be in compliance with the applicable parking provisions.
- h. The selling of products assembled or developed on the premises is a permitted use in a home-based business, and the sale and distribution of catalogue items for the purposes of sale is a permitted home-based business provided that no catalogue items are stored on the premises.
- i. There shall be no pick-up or delivery associated with the home-based business to the dwelling unit between 8:00 p.m. and 6:30 a.m.
- j. The following specific uses are prohibited:

- (i) adult entertainment parlour
  - (ii) animal hospital/veterinarian clinic
  - (iii) commercial-recreational establishment
  - (iv) dating/escort service
  - (v) funeral home or parlour
  - (vi) heavy machinery repair, sales, service
  - (vii) kennel/animal boarding service
  - (viii) place of amusement or entertainment
  - (ix) place of assembly
  - (x) public bath/whirlpool
  - (xi) restaurant, eating or drinking establishment
  - (xii) retail store
  - (xiii) taxi service
  - (xiv) vehicle (including vehicle audio) repair, sales, service, installations;
  - (xv) warehousing
  - (xvi) wholesaling.
- k. The following uses are expressly permitted:
- a. professional offices excluding veterinarian
  - b. personal services such as hairdresser, barber, beautician
  - c. instructional services, including teaching of individual students for music, crafts, tutoring based upon appointment only and not including a dance studio
  - d. home craft businesses
  - e. private/family day care
  - f. trades business (excluding manufacturing and retail sales)
  - g. bed and breakfast
  - h. repair services (excluding vehicles and recreational equipment)
- l. **Nuisance**  
Any use which constitutes a nuisance, or any use which is offensive or obnoxious in any way, but not limiting the generality of the foregoing, any use which creates an adverse effect through the generation of traffic, parking, noise, vibration, dust, fumes, gas, odour, waste, emissions, smoke, glare, radiation, electrical interference, or any use involving the use or storage of hazardous, toxic or contaminant substances which constitutes a threat to public health and safety, or any combination thereof, is prohibited in a home-based business.
- m. **Craft Sales/Shows**  
Craft sales or shows will be permitted at an individual property a maximum of three days in a calendar year. The home business owner shall take adequate steps to address parking and traffic issues.

## **SECTION 6 OFF-STREET PARKING AND LOADING**

### **I. OFF-STREET PARKING REQUIREMENTS - ALL ZONES**

Construction of a new building shall provide the parking spaces hereinafter set forth. Additions to existing buildings shall provide a proportionate number of parking spaces based upon the relationship of the area added to the total area but in no case less than one space except for a dwelling. The number of parking stalls or spaces shall be accessible from a common driveway. The dimension of a parking stall or space shall be at least 3 x 6 metres.

## II. SCHEDULE

Type or Nature of Building Usage	Minimum Required Parking Facilities
(a) A dwelling	1 parking space for each dwelling unit
(b) Church or other place of assembly	1 parking space for each 7 seats and 1 parking space for each 18 square metres of remaining floor space on which there are not fixed seats
(g) Golf course	4 parking spaces for each green and 1 parking space for each 9 square metres of gross floor area used for dining lounge or beverage room purposes
(h) Curling rink	8 parking space for each curling sheet and 1 parking space for each 9 square metres of floor area used for dining lounge or beverage room purposes
(l) Bowling alleys	5 parking spaces for each bowling lane
Type or Nature of Building Usage	Minimum Required Parking Facilities
(j) Motels and motor hotels	1 parking space for each guest room
(k) Personal service shops	1 parking space for each 5 square metres of gross space
(l) Restaurant, dining lounge, tavern	1 parking space for each 6 seats
(m) Retail stores and shops	1 parking space for each 27 square metres of floor space
(n) Automatic coin wash and automatic dry cleaning establishment	1 parking space for each 9 square metres of gross floor space
(o) Public garage	1 parking space for each employee 1 parking space for each repair bay for cars awaiting repair 1 parking space for each 27 square metres of floor space
(q) Any other use not specifically provided for	1 parking space for each 18 square metres of gross floor space
(r) Driving range	1.25 spaces per tee off

## II. OFF-STREET LOADING REQUIREMENTS:

Where any building or structure is used or intended to be used for any commercial use which involves the receipt, distribution, or dispatch of materials or merchandise or other commodities by motor vehicle, there shall be provided and maintained on the land appurtenant to such building or structure an off-street loading area which shall have the minimum dimension of 4 metres by 21 metres.



**1. SCHEDULE**

<b>Square feet of aggregate gross area devoted to such uses</b>	<b>Required number of off street loading areas</b>
(a) 500 to 3,700 square metres	1 space
(b) 3,700 to 9,300 square metres	2 spaces
(c) 9,300 to 23,00 square metres	3 spaces
(d) each additional 9,300 square metres	1 space

**SECTION 7  
ZONES**

**I. RURAL RESIDENTIAL (R. R.)**

The following provisions shall apply in all Rural Residential Zones (R.R.).

No person shall hereinafter use any land, building or structure and no person shall erect any building or structure except in accordance with the following provisions:

**1. PERMITTED USES:**

(a) RESIDENTIAL:

one single-family detached dwelling per residential lot.

(b) AGRICULTURAL USES AND FARM USES

The limited keeping of farm animals is permitted provided that the farm animals are for the exclusive use of the owner or lessee and do not constitute a nuisance.

Animal husbandry is permitted in accordance with the following restrictions:

One animal unit will be permitted on any property meeting the minimum requirements set out for this zone. An animal unit will be calculated using the following:

Animal	Unit
Horse and pony	0.5
Cow and calf	0.5
Sheep and lamb	0.25
Sow and piglet	0.25
60 chickens	0.5
15 turkeys	0.5
15 pheasants	0.5
15 geese	0.5
60 ducks	0.5
Goat and kids	0.25

Animal shall mean a variety of domestic, wild, or tame animal as set out in the animal unit schedule and shall not include a pet such as a dog or cat or other small animal when kept solely as pets on the premises actually occupied as a resident by the owner and not kept for profit but shall not include any horse, colt, cattle, mule, donkey, goat, sheep, swine, or pigeons. The enclosure for limited animal husbandry must be set back 30 m from any lot line.

**2. LOT REQUIREMENTS**

(a) RESIDENTIAL

Lot Frontage	Minimum 90 metres
Lot Area	Minimum 12140 square metres
Front Yard	Minimum 15 metres
Rear Yard	Minimum 15 metres
Side Yard	Minimum 7 metres
Height	Maximum 9 metres
Lot Coverage	Maximum 10%

(b) **ACCESSORY BUILDINGS:**  
See Section XIV. Accessory Building Regulations

**3. MINIMUM DISTANCE TO ANY RESIDENCE:**

No structure used for agricultural, recreational, or commercial purposes permitted in this Section shall be located less than 30 metres to any residence.

**4. EXCEPTIONS FOR RESIDENTIAL USE:**

Where a lot having a lesser frontage or area than is required herein is held under distinct and separate ownership from adjoining lands recorded with the Lands and Titles or Registry Office on or prior to November 30, 1967 provided such division of land has been carried out in accordance with the provisions of the Subdivision Control By-Law No. 312 of the Township of Prince as amended, a lot may be used for the permitted use provided that all other requirements of this By-Law are complied with.

(a) **LOT REQUIREMENTS:**

Lot Area	Minimum 1390 square metres
Lot Frontage	Minimum 24 metres
Lot Coverage	Maximum 25%

(b) **YARD REQUIREMENTS:**

Front Yard	Minimum 15 metres
Side Yard	Minimum 3 metres
Rear Yard	Minimum 10 metres

## **II. SUMMER COTTAGE (S.C.)**

The following provisions shall apply in all Summer Cottage Zones (S.C.):

No person shall hereafter use any land, building or structure and no person shall erect any building or structure except in accordance with the following provisions.

### **1. PERMITTED USES:**

#### **(a) SUMMER COTTAGES:**

One Summer Cottage per lot, and any accessory buildings such as "steam bath huts", "boat houses", "laundry huts", tool and wood sheds, and similar type accessory uses.

### **2. LOT REQUIREMENTS:**

Lot Frontage	Minimum 24 metres
Lot Area	Minimum 1390 square metres
Side Yard	Minimum 6 metres
Front Yard	Minimum 7 metres from the high water mark
Rear Yard	Minimum 10 metres
Lot Coverage	Maximum 35% for all buildings

#### **MAXIMUM HEIGHT PRINCIPAL BUILDINGS**

Boat house may be built in front of the principal building but must retain a minimum side yard of 3 metres.

#### **ACCESSORY BUILDINGS**

See Section XIV. Accessory Building Regulations

### **3. EXCEPTIONS:**

Where a lot having a frontage or area less than is required herein was held under a title separate from the title of adjoining lands prior to November 30, 1967 with respect to lot frontage and lot area, the provisions of this By-Law shall not apply with respect to Lot Frontage and area.

## **IIA SUMMER COTTAGE - PRINCE LAKE**

All of the uses, standards and requirements of the Summer Cottage (SC) zone apply except that the maximum area of living space shall be 95 square metres.

**III. RURAL AGRICULTURAL ZONE (R.A.)**

The following provisions shall apply in all Rural Agricultural zones (R. A.).

No person shall hereafter use any land, building or structure and no person shall erect any building or structure except in accordance with the following provisions:

**1. PERMITTED USES:**

(a) AGRICULTURAL USE.

(b) RESIDENTIAL:

One single-family dwelling per farm unit is allowed.

**3. LOT REQUIREMENTS:**

(a) RESIDENTIAL USE:

Lot Frontage	Minimum 90 metres
Lot Area	Minimum 12140 square metres
Front Yard	Minimum 15 metres
Rear Yard	Minimum 15 metres
Side Yard	Minimum 6 metres
Height	Maximum 9 metres
Lot Coverage	Maximum 20%

(b) AGRICULTURAL USE ONLY:

Lot Area (Total)	Minimum 12140 square metres
i) Yard Requirements:	
Front Yard	Minimum 15 metres
Rear Yard	Minimum 15 metres
Side Yard	Minimum 6 metres

#### **IV. HAMLET ZONE (H)**

The following provisions shall apply to all Hamlet Zones (H):

No person shall hereafter use any land, building, or structure and no person shall erect any building or structure except in accordance with the following provisions:

##### **1. PERMITTED USES:**

###### **(a) RESIDENTIAL:**

One single-family detached dwelling per lot.

No accessory building shall be erected nearer than three (3) metres from the principal building, or nearer than three (3) metres from a building on an adjoining lot.

###### **(b) ACCESSORY BUILDINGS AND USES (RESIDENTIAL):**

See Section XIV. Accessory Building Regulations

##### **2. LOT REQUIREMENTS:**

Lot Frontage	Minimum 30 metres - Maximum 45 metres
Lot Area	Minimum 1390 square metres - Maximum 4045 square metres
Front yard	Minimum 12 metres
Rear Yard	Minimum 10 metres
Side Yard	Minimum 5 metres
Height	Maximum 2 storeys or 8 metres
Lot Coverage	Maximum 15%

##### **3. ACCOMMODATION OF LIVESTOCK**

- (a) No building or structure for the housing or sheltering of a farm animal, poultry, or a bird other than a pigeon registered with the Canadian Racing Pigeon Union, shall be located in the Hamlet Zone.

Notwithstanding the definition of non conforming use contained in Section 4, Subsection 36, any use that existed in this zone on the date of the passing of this By-Law shall be deemed to be a non conforming use.

**V. COMMERCIAL ZONE (C)**

The following provisions shall apply in all Commercial zones (C):

No person shall hereafter use any land, building or structure and no person shall erect any building or structure except in accordance with the following provisions:

**I. PERMITTED USES:**

**(a) COMMERCIAL:**

Commercial uses providing services for resident population may include the following:

- automatic coin wash and dry cleaning establishments
- bake shops, confectionery stores, general food stores, general stores which could sell varied products from hardware to clothing to food
- personal service shops, including beauty shop and barber shop
- coffee shop, lunch stand and restaurant including drive-in restaurants
- tourist resort, hotel and motel
- marina, which may include motor boat fuels and oils, marine suppliers, and other sporting equipment
- entertainment uses including either indoor or outdoor theatres, bowling alleys, skating arena, and riding stables

**(b) RESIDENTIAL:**

Dwelling unit attached to the predominant commercial use and restricted to the owner or employees, provided that the lot is in compliance with the provisions of this section.

**(c) SIGNS:**

No advertising signs shall be permitted in the Township other than those used in connection with undertakings in commercial zones which shall be confined within the lot used for such commercial purposes. The maximum area of such a sign shall be 9 square metres.

**2. AREA REQUIREMENTS:**

**(a) COMMERCIAL:**

Lot Frontage	Minimum 30 metres
Lot Area	Minimum 4045 square metres
Front Yard	Minimum 15 metres
Rear Yard	Minimum 10 metres
Side Yard	Minimum 5 metres
Lot Coverage	Maximum 35%
Height	Maximum 2 storeys or 8 metres

**3. SPECIAL VEHICLE PARKING REQUIREMENT**

(a) In addition to the required parking for a commercial use may store out of doors a maximum of 6 commercial vehicles. Subject to the following:

- (i) The vehicle storage shall not be in a front yard.
- (ii) The vehicle storage must be for vehicles associated with the use of the property.

## **VI. SHIELD**

The following provisions shall apply in all shield zones:

No person shall hereafter use any land, building or structure, and no person shall erect any building or structure except in accordance with the following provisions:

### **1. PERMITTED USES:**

#### **(a) RECREATIONAL:**

Passive or active recreational activities such as hiking, cross-country skiing, fishing, limited hunting, bird watching and any other similar use are allowed.

No building or structures are allowed except hunt camps and wilderness retreats not exceeding 65 sq. metres in area.

#### **(b) AGRICULTURAL:**

Agricultural use: where soil conditions and slope allow, agricultural uses are permitted subject to the following special provision - where lands zoned "S" (Shield) abut lands zoned R.R. (Rural Residential), the agricultural provisions for the R.R. Zone will apply to the said lands.



**SECTION 8  
NON-CONFORMING USES**

**I. NON-CONFORMING USES:**

Nothing in this By-Law shall apply:

1. To prevent the use of any land, building or structure for any purpose prohibited by this By-Law if such land, building, or structure was lawfully used for such purpose on the day of the passing of the By-Law so long as it continues to be used for that purpose, or
2. To prevent the erection or use for a purpose prohibited by this By-Law, of any building or structure the plans for which have, prior to the day of the passing of this By-Law, been approved by the Building Inspector, so long as the Building or structure, when erected, is used and continues to be used for the purpose for which it was erected, and provided the erection of such building or structure is commenced within two years after the day of the passing of this By-Law and such building or structure is completed within a reasonable time after erection thereof is commenced.

**SECTION 9  
ADMINISTRATION**

**I. INSPECTION OF LAND, BUILDING AND STRUCTURES:**

The By-Law Enforcement Officer is hereby authorized to enter at all reasonable hours for purposes of inspection upon any property or premises for the purposes of the provisions of this By-Law.

**II. APPLICATION AND PLANS:**

In addition to the requirements of the Building By-Law, every application for a building permit shall be accompanied by plans, in duplicate, drawn to a scale of either 1:100 or 1:200, based upon an actual survey by an Ontario Land Surveyor, showing the true shape and dimensions of the lot to be used or upon which it is proposed to erect any building or structure, in respect of which the permit is applied for, and the location of every building or structure already erected on, or partly on such lot, together with a block plan and a statement signed by the owner or his duly authorized agent, in writing and filed with the Inspector of Buildings, which statement shall set forth in detail the current and intended use of each building and structure or part thereof, and all information necessary to determine if every such building or structure conforms with the requirements of this By-Law. Approval for a potable water supply and waste disposal system from the AHU are necessary before a building permit may be issued.

**III. CHANGE IN USE:**

No person shall change the type of use of any land or of any building or structure without having first applied for and obtained a certificate of occupancy from the Inspector of Buildings.

**IV. CERTIFICATE OF OCCUPANCY**

1. No building erected hereafter shall be occupied or used until a certificate of occupancy has been issued by the Inspector of Buildings, and this provision shall apply to any addition to an existing building.
2. An application for a certificate of occupancy shall be made on a form to be furnished by the Inspector of Buildings.

3. A certificate of occupancy shall be issued after the request for same has been made in writing to the Inspector of Buildings, after the erection or structural alteration of such building or part thereof has been completed in conformity with the provisions of this By-Law, and such certificate shall state that the building or proposed use thereof complies with the provisions of this By-Law.
4. A record of all certificates shall be kept on file in the office of the Inspector of Buildings, and copies shall be furnished on request to any person having an interest in the building affected. A charge of \$2.00 shall be made for each original certificate of occupancy and a charge of \$1.00 for each duplicate copy of a certificate.

#### **V. ZONING ADMINISTRATION**

This By-Law shall be administered by the person designated by the Council as the By-Law Enforcement Officer.

#### **VI. PENALTY**

Any person convicted of a breach of any provision of this by-law shall be liable to a fine not to exceed the maximum amount stipulated in the Planning Act exclusive of costs, for each offense, and every such penalty shall be recoverable under the Provincial Offenses Act, R.S.O. 1980 as amended from time to time.

#### **VII. REPEAL AND CONTINUATION OF EXISTING REGULATIONS**

By-law 383 passed pursuant to Section 35 of the Planning Act insofar as it is inconsistent with this by-law is hereby repealed but subject to the foregoing, such by-law remains in full force and effect.

#### **SECTION 10 CONFLICT AND VALIDITY**

##### **I. CONFLICT WITH OTHER BY-LAWS:**

In the event of conflict between this By-Law and any other By-Law, this By-Law shall prevail.

##### **II. EFFECTIVE DATE:**

This By-Law shall not come into force without the approval of the Ontario Municipal Board, but, subject to such approval, shall take effect from the passing thereof.

READ A FIRST SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL

THIS IITH DAY OF OCTOBER, 1977.