

NOTICE OF THE PASSING OF A BY-LAW
BY THE CORPORATION OF THE TOWNSHIP OF WESTMEATH
TO REGULATE LAND USE PURSUANT TO
SECTION 39 OF THE PLANNING ACT R.S.O. 1980

TAKE NOTICE that the Council of The Corporation of the Township of Westmeath has passed By-Law No. 82-18 on the 10 day of May, 1982, pursuant to the provisions of Section 39 of The Planning Act R.S.O. 1980.

The following Schedules are attached hereto:

1. Schedule 1, being a copy of By-Law No. 82-18.
2. Schedule 2, consisting of the following:
 - i. An explanation of the purpose and effect of the By-Law.
 - ii. A key map which shows the location of the lands to which the By-Law applies.
3. Schedule 3, being a statement from the Clerk of the Township of Westmeath in which the land to which the By-Law applies is situate.

ANY PERSON INTERESTED MAY, within twenty-one days after the date of the mailing, personal service or publication of this notice, file with the Clerk of The Corporation of the Township of Westmeath notice of an objection to the approval of the said By-Law or part thereof together with details of all or that portion of the By-Law to which there is objection and detailed reasons thereof.

ANY PERSON wishing to support the application for approval of the By-Law may, within twenty-one days after the date of the mailing, personal service or publication of this notice, file with the Clerk of The Corporation of The Township of Westmeath notice of support of the application for approval of the said By-Law.

If no notice of objection has been filed with the Clerk of the Municipality within the time provided, the By-Law thereupon comes into effect and does not require the approval of the Ontario Municipal Board.

If a notice of objection has been filed with the Clerk of the municipality within the time provided, the By-Law shall be submitted to the Ontario Municipal Board and the By-Law does not come into effect until approved by the Ontario Municipal Board.

THE LAST DATE FOR FILING OBJECTION IS June 2, 1982

the objection must be received by this date in order to be valid.

DATED at the Township of Westmeath this 13 day of May, 1982.

Mrs. P. Burn,
Clerk-Treasurer,
Township of Westmeath,
R. R. #3,
Cobden, Ontario.
K0J 1K0

SCHEDULE 1

The following is a copy of By-Law No. 82-18.

THE CORPORATION OF THE TOWNSHIP OF WESTMEATH ENACTS
AS FOLLOWS:

SECTION 1 - TITLE

This By-Law may be cited as "The Sand Point Development Zoning By-Law".

SECTION 2 - DEFINITIONS

In this By-Law, the following definitions shall apply:

2.1. CORPORATION

"Corporation" means the Corporation of the Township of Westmeath.

2.2 COUNCIL

"Council" means the Council of the Corporation of the Township of Westmeath.

2.3 ALTER

"Alter" when used in reference to a building, structure or part thereof, means:

- (a) to change any one or more of the external dimensions of such building or structure; or
- (b) to change the type of construction of the exterior walls or roof of such building or structure; or
- (c) to change the use of such building or structure; or
- (d) to change the number of uses or dwelling units contained therein; or
- (e) to change the boundary of such lot with respect to a street or lane; or
- (f) to change any dimension or area, relating to such lot, which is covered herein by a zone provision; or
- (g) to change the use of such lot; or
- (h) to change the number of uses located thereon.

"Altered" and "alteration" shall have corresponding meanings.

2.4 BUILDING

"Building" means any structure, consisting of walls and a roof, which is used for shelter, accommodation or enclosure of persons, animals, equipment, goods or materials.

(a) ACCESSORY BUILDING:

"Accessory building" means a detached building which is incidental, subordinate and exclusively devoted to a main building or main use and located on the same lot therewith.

(b) MAIN BUILDING:

"Main building" means the building which contains the principal use of the lot on which such building is located.

2.5 BUILDING AREA

"Building area" means that portion of the lot area of a lot permitted to be covered by one or more building envelopes.

2.6 BUILDING BY-LAW

"Building By-Law" means any By-Law of the Corporation passed pursuant to Section 46 of The Planning Act (R.S.O. 1980) or The Building Code Act, 1974.

2.7 BUILDING ENVELOPE

"Building envelope" means the total horizontal area of a building calculated by perpendicular projection onto a horizontal plane. This definition shall not include:

- (a) sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters or similar ornamental structures unless such structure projects more than 1.0 metres horizontally from an exterior wall of the building; or
- (b) unenclosed porches, balconies or steps unless such structure projects more than 1.5 metres horizontally from an exterior wall of the building.

2.8 BUILDING HEIGHT

"Building height" means the vertical distance between the finished grade of the lot on which the building is situated and:

- (a) the highest point of the roof surface of a flat roof; or
- (b) the deck roof line of a mansard roof; or
- (c) the mean height between eaves and ridge of a gable, gambrel or hip roof.

2.9 BUILDING PERMIT

"Building permit" means a permit required by the Building By-Law.

2.10 BUILDING SEPARATION

"Building separation" means the least horizontal distance permitted between the nearest portions of any building envelopes on a lot.

2.11 BUILDING SETBACK

"Building setback" means the least horizontal distance permitted between a lot line of a lot and the nearest portion of any building envelope or excavation on such lot.

(a) BUILDING SETBACK, FRONT:

"Front building setback" means the building setback on a lot measured from each front lot line of such lot.

(b) BUILDING SETBACK, FLANK:

"Flank building setback" means the building setback on a lot measured from each flank lot line of such lot.

(c) BUILDING SETBACK, REAR:

"Rear building setback" means the building setback on a lot measured from each rear lot line of such lot.

(d) BUILDING SETBACK, SIDE:

"Side building setback" means the building setback on a lot measured from each side lot line of such lot.

2.12 CARPORT

"Carport" means a roofed structure, supported by columns, piers or not more than 2 walls, which is used for the sheltering of permitted vehicles.

2.13 CONSERVATION USE

"Conservation use" means the maintenance of the natural environment for the purposes of preservation, research, observation and outdoor uses such as hiking, hunting, and fishing. This definition may include the erection and use of trail shelters and other similar structures ancillary to the foregoing uses but shall not include the use of a dwelling house, a mobile home, a tourist vehicle or a tourist trailer.

2.14 DETACHED

"Detached", when used in reference to a building, means a building which is not dependent on any other building for structural support or enclosure.

2.15 DRIVEWAY

"Driveway" means an unobstructed passageway used to provide vehicular access to a lot from a street or lane.

2.16 DWELLING HOUSE

"Dwelling House" means a detached building occupied or capable of being occupied as the home or residence of one or more persons. This definition shall not include any part of any vehicle as defined herein.

(a) SEASONAL DWELLING HOUSE:

"Seasonal dwelling house" means a dwelling house containing only one dwelling unit which is constructed and used as a secondary place of residence, for seasonal vacation and recreational purposes and not as the principal residence of the owner or occupant thereof.

2.17 DWELLING UNIT

"Dwelling unit" means a suite of 2 or more habitable rooms, in which sanitary conveniences are provided and in which no more than one kitchen is provided, such suite having an independent entrance either directly from outside the building or through a common corridor or vestibule inside the building. This definition shall not include any part of any vehicle as defined herein.

2.18 ERECT

"Erect" means to build, construct, place, reconstruct or relocate and, without limiting the generality of the word, also includes:

- (a) any preliminary operation such as excavating, filling or draining; and
- (b) altering any existing building or structure by an addition, enlargement, extension or other structural change; and
- (c) any work which requires a building permit.

"Erected" and "erection" shall have corresponding meanings.

2.19 EXISTING

"Existing" means existing on the date of passing of this By-Law.

2.20 FINISHED GRADE

"Finished grade" means the medium elevation between the highest and lowest points of the finished surface of the ground (measured at the base of a building or structure) but exclusive of any embankment in lieu of steps.

2.21 FLOOD DAMAGE REDUCTION MEASURES

"Flood damage measures" means a combination of structural changes and/or adjustments incorporated in the design and/or construction and alteration of individual buildings, structures or properties subject to flooding primarily for the reduction or elimination of flood damages, approved by the Ministry of Natural Resources.

2.22 FLOOR AREA

"Floor area" means the horizontal area of a storey, measured between the exterior faces of the exterior walls at the floor level of such storey.

(a) DWELLING UNIT AREA:

"Dwelling unit area" means the aggregate of the floor areas of all habitable rooms in a dwelling unit, excluding the thickness of any exterior walls and excluding any habitable room located in a basement or cellar.

2.23 GARAGE, PRIVATE

"Private garage" means an accessory building or portion of a dwelling house which is fully enclosed and used for the sheltering of permitted vehicles. This definition shall not include a carport or other open shelter.

2.24 GASOLINE PUMP ISLAND

"Gasoline pump island" means a structure which is an accessory use intended to provide gasoline for vehicles or aircraft.

2.25 HABITABLE ROOM

"Habitable room" means a room designed to provide living, dining, sleeping, or kitchen accommodation for persons. This definition may include a bathroom, den, library or enclosed sun room but shall not include any private garage, carport, porch, verandah, unfinished attic, unfinished basement or unfinished cellar.

2.26 IMPROVED STREET (See: STREET)2.27 LANDSCAPING AREA

"Landscaping area" means that portion of the lot area of a lot required for the growth and maintenance of grass, flowers, bushes, trees and other landscaping. This definition may include any planting strip, surfaced walk, surfaced patio, play facility, or similar area but shall not include any driveway or ramp (whether surfaced or not) nor any curb, retaining wall, parking area, loading space nor any open space beneath or within a building or structure.

2.28 LOT

"Lot" means a parcel or tract of land which is a whole lot as shown on a Registered Plan of Subdivision.

(a) CORNER LOT:

"Corner lot" means a lot situated at the intersection of 2 street lines which contain an angle of not more than 135 degrees. Where such street lines are curved, the angle of intersection of the street lines shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the side lot lines. In the latter case, the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents.

(b) INTERIOR LOT:

"Interior lot" means a lot, other than a corner lot or a through lot, which has street access but has no water access.

(c) STANDARD WATERFRONT LOT:

"Standard waterfront lot" means a lot which has water access on one shoreline only.

(d) THROUGH LOT:

"Through lot" means a lot, other than a corner lot, which has street access on 2 or more street lines but has no water access.

(e) THROUGH WATERFRONT LOT:

"Through waterfront lot" means a lot which has water access on more than one shoreline.

2.29 LOT AREA

"Lot area" means the total horizontal area within the lot lines of a lot.

2.30 LOT FRONTAGE

"Lot frontage" means, in the case of a corner lot, an interior lot, a standard waterfront lot or a through lot, the horizontal distance between the 2 lot lines, which intersect the front lot line of the lot, such distance being measured along a line which is parallel to the front lot line and distant from the front lot line a distance equal to the minimum front building setback required herein for the specified use in the zone where such lot is located. In the case of a through waterfront lot, "lot frontage" means the straight line horizontal distance between the 2 most widely separated points on the front lot line.

2.31 LOT LINE

"Lot line" means any boundary of a lot or the vertical projection thereof,

(a) FRONT LOT LINE:

"Front lot line" means, in the case of an interior lot or standard waterfront lot, the line dividing the lot from the street or private road. In the case of a corner lot, the shorter lot line abutting a street shall be deemed to be the front lot line except where the lot lines abutting a street are the same length, the lot line used for the principal entrance to the lot shall be deemed to be the front lot line. In the case of a through lot, the lot line used for the principal entrance to the lot shall be deemed to be the front lot line. In the case of a through waterfront lot, the longest shoreline shall be deemed to be the front lot line.

(b) FLANK LOT LINE:

"Flank lot line" means any lot line, other than a front lot line, which is also a street line.

(c) REAR LOT LINE:

"Rear lot line" means any lot line which is not a front lot line, a flank lot line or a side lot line.

(d) SIDE LOT LINE:

"Side lot line" means a lot line which intersects a front lot line or a flank lot line provided that, if any side lot line or portion thereof is the rear lot line on an abutting lot, such lot line or portion thereof shall be deemed to be a rear lot line.

2.32 MARINA

"Marina" means an establishment or premises, containing docking facilities and located on a waterbody, where boats or boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided.

2.33 MARINE FACILITY

"Marine facility" means a building or structure which is used to place a boat into or take a boat out of a waterbody; or to moor, to berth or to store a boat. This definition may include a boat launching ramp, boat lift, dock, or boathouse, but shall not include any building used for human habitation or any boat service, repair or sales facility, or marina.

2.34 MOBILE HOME

"Mobile home" means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons. This definition shall not include any tourist vehicle nor any trailer as defined herein.

2.35 OPEN STORAGE AREA

"Open storage area" means land used for the outside storage of equipment, goods or materials. This definition shall not include a storage use located in a building, a salvage yard, a parking area, or a parking space nor an outside area on a permitted farm used for the storage of farm equipment.

2.36 PARK

"Park" means an area, consisting largely of open space, which may include a recreational area, playground, playfield or similar use, but shall not include a mobile home park or a tourist camp.

(a) PUBLIC PARK:

"Public park" means a park owned or operated by the Corporation, the County, any local board of the Corporation or the County, or any Authority, Board, Commission or Ministry established under any statute of Ontario or Canada.

(b) PRIVATE PARK:

"Private park" means a park other than a public park.

2.37 PARKING AREA

"Parking area" means an area or structure provided for the parking of motor vehicles and includes any related driveways and parking spaces, but shall not include any part of a street or lane. This definition may include a carport or private garage.

2.38 PARKING SPACE

"Parking space" means a portion of a parking area, exclusive of any driveways, which may be used for the temporary parking or storing of a motor vehicle.

2.39 PERMITTED

"Permitted" means permitted by this By-Law.

2.40 PERMITTED USES

"Permitted use" means a use which is permitted in the zone where such use is located.

2.41 PERSON

"Person" means any human being, association, firm, partnership, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

2.42 PRIVATE ROAD

"Private road" means a right-of-way that provides access from a street to a lot which does not abut a Street. This definition shall not include a Street as defined herein.

2.43 SHORELINE

"Shoreline" means any lot line or portion thereof which abuts a waterbody.

2.44 SIGHT TRIANGLE

"Sight triangle" means the triangular space on a lot formed by 2 intersecting street lines and a line drawn from a point in one street line across such lot to a point in the other street line, each such point being 9.0 metres from the point of intersection of the street lines (measured along the street lines).

Where the 2 street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

2.45 STOREY

"Storey" means that portion of a building or structure between any floor level of such building or structure and the floor, ceiling or roof next above such floor level.

(a) FIRST STOREY:

"First storey" means the storey with its floor closest to finished grade and having its ceiling at least 1.5 metres above finished grade.

(b) ONE-HALF STOREY:

"One-half storey" means that portion of a building situated wholly or partly within the roof and in which there is a vertical dimension of at least 2.0 metres (measured from finished floor to finished ceiling) over a floor area equal to at least 50% of the floor area of the storey next below.

(c) ATTIC:

"Attic" means that portion of a building situated wholly or partly within the roof but which is not a one-half storey.

(d) BASEMENT:

"Basement" means any storey below the first storey which is at least 50% above finished grade (measured from finished floor to finished ceiling).

(e) CELLAR:

"Cellar" means any storey below the first storey which is more than 50% below finished grade (measured from finished floor to finished ceiling).

2.46 STREET

"Street" means a public thoroughfare under the jurisdiction of either the Corporation, the County, or the Province of Ontario. This definition shall not include a lane, a private road or an original shore road allowance.

"Street allowance" shall have a corresponding meaning.

2.47 STREET ACCESS

"Street access" means, when referring to a lot, that such lot has a lot line or portion thereof which is also a street line.

2.48 STREET LINE

"Street line" means the limit of a street allowance and is the dividing line between a lot and a street.

2.49 STREET SETBACK

"Street setback" means the least horizontal distance required between the centreline of a street allowance and the nearest part of any building envelope or excavation on a lot (measured at right angles to such centreline).

2.50 STRUCTURE

"Structure" means anything constructed or erected, the use of which requires location on or in the ground, or attached to something having location on or in the ground.

2.51 TOURIST CAMP

"Tourist camp" means any land used to provide temporary accommodation for the public, or members of an organization, in tents, tourist trailers or tourist vehicles whether or not a fee is charged or paid for such accommodation.

(a) PUBLIC TOURIST CAMP:

"Public tourist camp" means a tourist camp owned or operated by the Corporation, the County, any local board of the Corporation or the County, or any Authority, Board, Commission or Ministry established under any statute of Ontario or Canada.

(b) PRIVATE TOURIST CAMP:

"Private tourist camp" means a tourist camp other than a public tourist camp.

2.52 TRAILER

"Trailer" means any vehicle designed to be towed by a motor vehicle.

(a) TOURIST TRAILER:

"Tourist trailer" means a trailer capable of being used for the temporary living, sleeping or eating accommodation of persons (notwithstanding that its running gear is or may be removed). This definition shall not include a mobile home as defined herein.

2.53 TOURIST VEHICLE

"Tourist vehicle" means a self-propelled vehicle capable of being used for the temporary living, sleeping or eating accommodation of persons. This definition may include a bus, a motor home, truck or van.

2.54 USE

"Use", when used as a noun, means the purpose for which a lot, building or structure, or any combination thereof, is designed, arranged, occupied or maintained.

"Uses" shall have a corresponding meaning.

"Use" (when used as a verb), "used" and "to use" shall have corresponding meanings.

(a) ACCESSORY USE:

"Accessory use" means a use which is incidental, subordinate and exclusively devoted to a main building or main use and located on the same lot therewith.

(b) MAIN USE:

"Main use" means the principal use of a lot.

2.55 VEHICLE

"Vehicle" means an automobile, a boat, a commercial motor vehicle, a farm implement, a mobile home, a motorcycle, a snowmobile, a tourist vehicle or a trailer.

2.56 WATERBODY

"Waterbody" means any bay, lake, natural watercourse or canal, other than a drainage ditch or irrigation channel.

2.57 YARD

"Yard" means a space, appurtenant to a building, structure or excavation, located on the same lot as the building, structure or excavation, and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted.

(a) FRONT YARD:

"Front yard" means a yard located between the front lot line and the nearest part of any excavation or main building on the lot and extending across the full width of the lot.

(b) FLANK YARD:

"Flank yard" means a yard located between a flank lot line and the nearest part of any excavation or main building on the lot and extending for the full width of such flank lot line but excluding any front yard.

(c) REAR YARD:

"Rear yard" means a yard located between a rear lot line and the nearest part of any excavation or main building on the lot and extending for the full length of such rear lot line but excluding any front yard or flank yard.

(d) SIDE YARD:

"Side yard" means a yard located between a side lot line and the nearest part of any excavation or main building on the lot and extending for the full length of such side lot line but excluding any front yard, flank yard or rear yard.

2.58 ZONE

"Zone" means a designated area of land use shown on Schedule "A" hereto and includes any special zone used in this By-Law.

2.59 ZONE PROVISION

"Zone provision" means any provision of this By-Law which is listed under the heading "ZONE PROVISIONS" and includes anything contained in Section 5 hereof which is applicable to the zone or use.

2.60 ZONING ADMINISTRATOR

"Zoning Administrator" means the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-Law.

SECTION 3 - ADMINISTRATION

3.1 ADMINISTRATION

This By-Law shall be administered by a person designated by the Council as the Zoning Administrator or Building Inspector.

3.2 BUILDING PERMITS

After the date of the passing of this By-Law, no building permit shall be issued where the proposed building, structure or use violates the provisions of this By-Law.

3.3 APPLICATION FOR BUILDING PERMITS

Application for Building Permits shall be accompanied by the following:

3.3.1 Plans - drawn in duplicate (one copy of which shall be retained by the Zoning Administrator or Building Inspector) at a suitable scale showing:

- 3.3.1.1 the true shape and dimensions of the lot
- 3.3.1.2 the proposed location and dimensions of the building, structure or work in respect of which the permit is applied for
- 3.3.1.3 the location of every building or structure currently approved, erected or under construction.
- 3.3.1.4 such other information as the Zoning Administrator or Building Inspector considers necessary to determine whether every proposed structure, building or work conforms to the provisions of this By-Law.

3.3.2 Statement - A statement signed by the registered owner shall be required, setting forth in detail the exact use proposed for each structure, building or lot.

3.4 INSPECTION

The Zoning Administrator or Building Inspector is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purpose of carrying out his duties under this By-Law.

3.5 REMEDIES

Where a building, structure or use will be in contravention of any of the provisions of this By-Law, such contravention may be restrained by action at the insistence of any ratepayer or of the Corporation.

3.6 ENFORCEMENT

Any person convicted of a breach of any provision of this By-Law shall be guilty of an offence, and upon conviction therefore shall forfeit and pay a penalty not exceeding One Thousand Dollars (\$1,000.00) exclusive of costs for each offence, and every such penalty shall be recoverable under the Provincial Offences Act. Under this section, the Municipality has the right to have an offending use removed and to assess costs against the Owner's taxes.

SECTION 4 - INTERPRETATION

4.1 SCOPE

This By-Law applies to an area of land covered by a Plan of Subdivision (47T 79052) in part Lots 6, 7, 8 & 9 North Front A and Peninsula West Bellows Bay as shown on Schedule "A" attached hereto. No lands within the bounds of the Subdivision covered by this By-Law, shall be used and no buildings or structures shall be erected, altered or enlarged, or used (other than those exempt by the provisions of The Planning Act) except in conformity with the provisions of this By-Law. This By-Law shall not reduce or mitigate any restrictions lawfully imposed by an authority having jurisdiction to make such restrictions.

4.2 ZONES

For the purposes of this By-Law, the whole of the Plan of Subdivision is divided into the following zones:

<u>Zone</u>	<u>Symbol</u>
Seasonal Residential	RS
Marine Facility	M
Open Space	OS
Future Development	D

4.3 SCHEDULE 'A'

Schedule 'A' attached hereto, together with the notations, symbols and other information included thereon, are hereby included in and form part of this By-Law.

4.4 INTERPRETATION

The provisions of this By-Law shall be held to be the minimum requirements except where the word maximum is used in which case the maximum requirements shall apply.

In this By-Law the word "shall" is mandatory, words in the singular include the plural, words in the plural include the singular, words in the present tense include the future.

SECTION 5 - GENERAL PROVISIONS5.1 ACCESSORY USES(a) USES PERMITTED:

Any use, building or structure which is accessory to a permitted use in a zone shall be permitted in such zone except that none of the following accessory uses shall be permitted in any zone unless such accessory use is listed as a permitted use in such zone:

- i. a building or portion thereof used for human habitation;
- ii. a gasoline pump island;
- iii. a livestock building;
- iv. an occupation for gain or profit conducted within or accessory to a dwelling unit;
- v. an open storage area.

5.2 ACCESS AND DRIVEWAY REGULATIONS(a) STREET ACCESS:

No person shall erect any building or structure in any portion of the Zoned Area unless the lot upon which such building or structure is to be erected abuts an Improved Street as defined herein. This provision shall not apply to: a lot on a registered plan of subdivision registered subsequent to the date of passing of this By-Law; to a through waterfront lot; or, a lot located within an RS zone provided such lot has frontage on a Street or has frontage on an existing private road which abuts a Street.

(b) DRIVEWAYS:

- (i) The maximum width of any combined ingress and egress driveway or any abutting driveways along a common lot line, measured along the street line, shall be 9.0 metres,
- (ii) The minimum distance between two separate driveways on one lot, measured along the street line, shall be 8.0 metres,
- (iii) The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 8.0 metres for all residential uses in Residential zones and shall be 15.0 metres for all other uses,
- (iv) The minimum angle of intersection between a driveway and a street line shall be 60°.

5.3 FLOOD PROTECTION

- (a) In any zone no buildings or structures shall be permitted below the annual floodline of 109.8m Canadian Geodetic datum, with the expressed exception of those structures associated with a communal docking facility as permitted under Section 7 of this By-Law.
- (b) Notwithstanding Section 5.2(a) any building or structure located above the annual floodline but below the 1:100 year floodline of 112.9m Canadian Geodetic datum shall be provided with flood protection.
- (c) In any zone no building openings shall be permitted below the 1:100 year floodline. All structures below the 111.9 metre contour elevation shall have flood damage reduction measures in accordance with accepted engineering principles and approved by a qualified engineer.
- (d) No buildings or structures shall be permitted in Blocks B, C, and Q as shown on Schedule "A" attached hereto.
- (e) Placement or removal of fill shall not be permitted in any zone other than that as prescribed in the site plan.

5.4 EXTERNAL DESIGN

The following building materials shall not be used for the finished exterior vertical facing of any building or structure:

- (a) Asphalt roll-type siding
- (b) Building paper or tar paper

5.5 FRONTAGE ON A STREET

With the exception of the Marine Facility Zone (M), all lots shall front on a street.

5.6 KEEPING OF ANIMALS

No animals other than household pets, shall be kept in the Seasonal Residential Zone (RS).

5.7 PARKING AREA REGULATIONS

(a) SIZE:

Each parking space shall be at least 6.0 metres long, 3.0 metres wide and have a vertical clearance of at least 2.0 metres.

(b) LOCATION:

The required parking area shall not form a part of any street, lane, driveway or loading space. The required parking area shall be provided on the lot occupied by the building, structure or use for which the said parking area is required, except where such lot is a through waterfront lot.

(c) RESTRICTIONS IN RESIDENTIAL ZONES:

- (i) Where a parking lot or parking space is permitted or required by this By-Law in any Residential zone, except for a parking area or parking space within a private garage, no persons shall use such parking area or parking space for parking any motor vehicle unless such vehicle is used in operations incidental to the permitted uses in respect to which such parking area or parking space is provided and bears a vehicle license plate or sticker which is valid for part or all of the current calendar year.
- (ii) Notwithstanding (i) hereof to the contrary, one motor vehicle not bearing a vehicle license plate or sticker may be permitted in a rear yard of a lot in a Residential zone.

5.8

PUBLIC USES

(a) STREETS AND INSTALLATIONS:

Nothing in this By-Law shall prevent the use of land for a street or prevent the installation of a watermain, sanitary sewer main, storm sewer main, gas main, pipeline, lighting fixture, or overhead or underground electrical, telephone or other supply of communication line, or structure clearly ancillary to the foregoing, provided that the location of such street, main, line, fixture or structure has been approved by the Corporation. Notwithstanding the preceding sentence, this approval by the Corporation shall not be required for the location of any public works project authorized pursuant to the Environmental Assessment Act, 1975.

(b) ZONES WHERE PERMITTED:

Except as provided in clause (a) hereof, the only public use permitted in a specific zone shall be those public uses listed as permitted uses in the said zone. Wherever "a public use" is listed as a permitted use, then any public use shall be permitted in such zone.

(c) REGULATIONS:

- (i) the lot coverage, setback and yard requirements prescribed for the zone in which such building or structure is located shall be complied with; and
- (ii) no goods, material or equipment shall be stored in the open except in accordance with the zone provisions.
- (iii) any building or structure erected in a Seasonal Residential Zone (RS) under the authority of this paragraph shall be designated and maintained in general harmony with the residential buildings.

5.9 TEMPORARY USES PERMITTED

The following uses shall be permitted in the Seasonal Residential (RS) and Open Space Zones (OS): any temporary construction facility such as sheds, scaffolds, sales offices, and equipment incidental to building on the premises for so long as work is in progress.

5.10 MOBILE HOMES

This By-Law shall not be construed to permit a mobile home.

5.11 SIGHT TRIANGLES(a) USES PROHIBITED:

Within any area defined as a sight triangle, the following uses shall be prohibited:

- (i) a building, structure or use which would obstruct the vision of drivers of motor vehicles;
- (ii) a fence, tree, hedge, bush or other vegetation, other than agricultural crops, the top of which exceeds 1.0 metres in height above the elevation of the street;
- (iii) any portion of a loading space or parking space;
- (iv) a berm or other ground surface which exceeds the elevation of the street by more than 0.6 metres.

SECTION 6 - SEASONAL RESIDENTIAL ZONE (RS)

No person shall within the Seasonal Residential Zone (RS) as shown on Schedule "A" attached hereto, use any lot or erect, alter or use any building or structure for any purpose except in accordance with the provisions of this section and any other relevant section of this By-Law.

6.1 PERMITTED USES

6.1.1 A seasonal dwelling house.

6.1.2 A building accessory to a seasonal dwelling house, but excluding a marine facility.

6.2 ZONE PROVISIONS

Lot Area (minimum)	3,000.0 sq. metres
Lot Frontage (minimum)	30.0 metres
Dwelling Units Per Lot (maximum)	1.0
Building Area (maximum)	33%
Building Setback, Front (minimum)	12.0 metres
Building Setback, Flank (minimum)	12.0 metres
Building Setback, Rear (minimum)	7.5 metres
Building Setbacks, Side (minimum)	
1. main building	6.0 metres
2. accessory building	1.0 metres
Building Separation (minimum)	1.0 metres
Building Heights (maximum)	
1. main building	10.0 metres
2. accessory building	5.0 metres
Dwelling Unit Area (minimum)	55.0 sq. metres
Landscaping Area (minimum)	30%

Parking Spaces (minimum)

- 1. dwelling house 1 for each dwelling house

Parking Space Location:

No part of any parking space shall be located closer than 6.0 metres to any street line.

SECTION 7 - MARINE FACILITY ZONE (M)

No person shall within the Marine Facility Zone (M) as shown on Schedule "A" attached hereto, use any lands, or erect, alter, enlarge or use any building or structure, except in accordance with the provisions of this section and any other relevant section of this By-Law.

7.1 PERMITTED USES

7.1.1 A Marine Facility

7.1.2 Buildings Accessory to a Marine Facility

7.2 ZONE PROVISIONS FOR PERMITTED USES IN SECTION 7.1.1

Minimum Lot Area	5,000 sq. metres
Minimum Lot Frontage	30 metres
Minimum Side Yard	1.0 metres
Minimum Rear Yard	3.0 metres

7.3 ZONE PROVISIONS FOR PERMITTED USES IN SECTION 7.1.2

Minimum Front Yard	7.5 metres
Minimum Side Yard	1.0 metre
Minimum Rear Yard	3.0 metres

SECTION 8 - OPEN SPACE ZONE (OS)

No person shall within the Open Space Zone (OS) as shown on Schedule "A" attached hereto, use any lands or erect, alter, enlarge or use any building or structure, except in accordance with the provisions of this section and any other relevant section of this By-Law.

8.1 PERMITTED USES

8.1.1 A Conservation Use

8.1.2 A Forestry Use

8.1.3 A Park

8.1.4 A Building or structure accessory to a Permitted Use in Sections 8.1.1, 8.1.2 and 8.1.3.

8.2 ZONE PROVISIONS

Building Separation (minimum)	1.0 metre
Building Height (maximum)	5.0 metres
Minimum Front Yard	7.5 metres
Minimum Side Yard	1 metre
Minimum Rear Yard	3 metres

SECTION 9 - FUTURE DEVELOPMENT ZONE (D)

No person shall within the Future Development Zone (D) as shown on Schedule "A" attached hereto, use any lands, or erect, alter, enlarge or use any building or structure, except in accordance with the provisions of this section and any other relevant section of this By-Law.

9.1 PERMITTED USES

9.1.1 An existing use on the date of passing of this By-Law.

9.1.2 An accessory building or use to an existing use on the date of passing of this By-Law.

9.2 ZONE PROVISIONS FOR USES PERMITTED IN SECTIONS 9.1.1 AND 9.1.2

9.2.1 Minimum Lot Area, Frontage, Building Setbacks, Building Separation, and Maximum Building Height shall be as existing on the date of the passing of this By-Law.

SECTION 10 - VALIDITY AND EFFECTIVE DATE

10.1 VALIDITY

Every provision of this By-Law is declared to be severable from the remainder of the By-Law, and if any provision of this By-Law shall be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder.

10.2 EFFECTIVE DATE

If no notice of objection is filed with the Clerk within the time provided, this By-Law shall become effective on the date of passing.

If a notice of objection is filed with the Clerk, the By-Law shall become effective on the date of passing thereof subject to receiving the approval of the Ontario Municipal Board.

Read a FIRST time this 10 day of May 1982

Read a SECOND time this 10 day of May 1982

Read a THIRD time and finally passed this 10 day of May 1982, and given By-Law No. 82-18

Leon White
Reeve

Pat Burn
Clerk

I, P. Burn , Clerk of the Corporation of the Township of Westmeath, do hereby certify that the foregoing is a true copy of By-Law No. 82-18 passed by the Council of the said Corporation on the 10 day of May 1982.

Pat Burn
Clerk

SCHEDULE 2

1. By-Law No. 82-18 has the following purpose and effect:

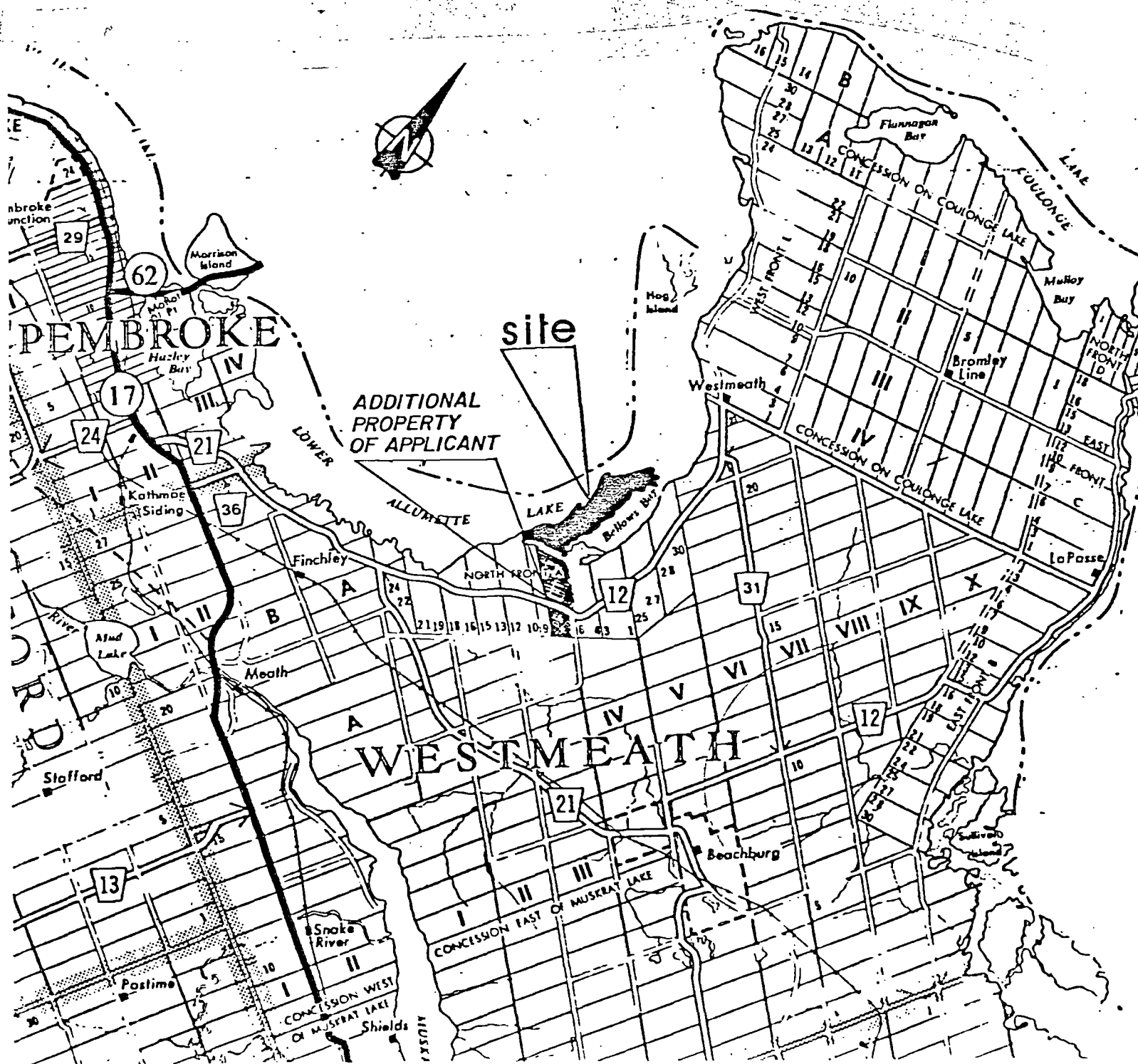
This By-Law has the effect of zoning part of Lots 6,7,8 and 9 North Front A and Peninsula West Bellows Bay as shown on Schedule "A" to permit the development of seasonal single family residential lots.

One private beach block, 5 private open space blocks, 10 walkway blocks and 2 future development blocks have also been zoned in the By-Law.

This property is being developed in accordance with a draft plan of subdivision, File No. 47T-790/52, which has been approved by the Minister of Municipal Affairs and Housing.

By-Law No. 82-17 removes the zoning placed upon the subject property in By-Law 81-9 as amended, and is attached hereto for your information.

2. Key map showing the location of the lands to which By-Law No. 82-18 applies:



SCHEDULE 3

STATEMENT OF CONFORMITY TO THE OFFICIAL PLAN FOR THE
WESTMEATH PLANNING AREA.

I, P. Burn , the Clerk-Treasurer of the Corporation of
the Township of Westmeath have reviewed By-Law No. 82-18
of the Corporation of the Township of Westmeath.

I am of the opinion that the By-Law is in conformity with
the Official Plan in effect for the Westmeath Planning Area.

Pat. Burn
Clerk-Treasurer