

CORPORATION OF THE MUNICIPALITY OF HASTINGS HIGHLANDS

BY- LAW NO. 2010-012

(Being a By-law to amend By-law No. 35-2004 as amended as it relates to Housekeeping items in the, General Provisions and various Zone Provisions)

BEING A BY- LAW TO AMEND BY-LAW NUMBER 34-2005, AS AMENDED, THE MUNICIPALITY OF HASTINGS HIGHLANDS COMPREHENSIVE ZONING BY-LAW.

WHEREAS Zoning By-law No. 35-2004, as amended was passed under Section 34 of the Planning Act, R.S.O., 1990, as amended;

AND WHEREAS the Zoning By-law hereinafter set out is in conformity with the general intent of the approved Official Plan, in effect in the Municipality of Hastings Highlands;

AND WHEREAS the Council of the Corporation of the Municipality of Hastings Highlands conducted a public meeting on the 24 day of March 2010, as required by Section 34(12) of the Planning Act, R.S.O., 1990;

AND WHEREAS the Council of the Corporation of the Municipality of Hastings Highlands deems it advisable to amend Zoning By-law 35-2004, and under the provisions of the Planning Act, R.S.O., 1990 has the authority to do so.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF HASTINGS HIGHLANDS ENACTS AS FOLLOWS:

1. THAT By-law No. 35-2004, as amended, is hereby amended by the deletion of subsection 6.3(a) (ix) in its entirety and replace with the following:

“(ix) No accessory building or structure shall be greater than 4.5 metres (14.8 ft.) in height, notwithstanding the provisions of Section 5.40 to the contrary.”

2. THAT By-law No. 35-2004, as amended, is hereby amended by the deletion of subsection 3.23 in its entirety and replace with the following:

“3.23 BOAT HOUSE, PRIVATE

Shall mean a detached one level accessory building or structure which is designed or used for the sheltering of a boat, watercraft, or other form of water transportation located on a lot with access and frontage on a water body and must include an opening of an appropriate size to accommodate a boat and have a means of accessing the water, either by direct water access or by mechanical Means with a maximum of 29.7 sq. m. (320 sq. ft.). Shall not contain any sleeping, cooking facilities, septic or water hook ups.”

3. THAT By-law No. 35-2004, as amended, is hereby amended by the deletion of subsection 3.31 in its entirety and replace with the following:

“Section 3.31 “Cabin, Sleeping/Bunkie” shall mean an accessory and subordinate detached building or structure with a maximum of 29.7 sq. m (320 sq. ft.) designed as sleeping accommodation, to permit the better or more

convenient enjoyment of the principal seasonal residential dwelling. In no case shall the definition of a sleeping cabin be deemed to include a premises for the temporary accommodation of members of the public for a fee. In the case of a sleeping cabin to be located on a lot which is at least two times the minimum lot frontage and lot area required by this By-law, a maximum of 55.7 sq. m (600 sq. ft.) may be permitted. Shall not be a self-sufficient accommodation.”

4. **DELETED- THAT** By-law No. 35-2004, as amended, is hereby amended by the deletion of subsection 5.9.3 in its entirety and replace with the following:

“5.9.3. The provisions of subsections 5.9.1 and 5.9.2 shall not apply to buildings, Structures and services requiring direct access to the water as an operational necessity such as a marina, marine facility, or other similar structure.”
 5. **THAT** By-law No. 35-2004, as amended, is hereby amended by the deletion of subsection 8(3)(b)(v) in its entirety.
 6. **DELETED -THAT** By-law No. 35-2004, as amended, is hereby amended by the addition of subsection 5.25.1 a) Notwithstanding the provisions of section 5.25.1 to the contrary for lands zoned the LSR, WR, and LSRI zones the maximum permitted total gross floor area for all accessory buildings on a lot shall not exceed 5% of the total lot area.
 7. **THAT** By-law No. 35-2004, as amended, is hereby amended as follows: in **Section 8.2(iii) & 9.2 (ii)** remove the words “including one sleeping cabin” and replace with “including a cabin, sleeping/Bunkie”.
 8. **THAT** By-law No. 35-2004, as amended, is hereby amended as follows: in **Section 10.2(iii)** remove the words “(may have a bunkhouse)” and replace with “, including a cabin, sleeping/Bunkie”.
 9. **THAT** Schedules 9i)–9xxi) reflect mapping errors that shall be revised to be in compliance to the Comprehensive zoning by-law.
- 9 (i) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 3, Concession 6, (Wicklów Ward) from Rural Residential (RR) to Marginal Agriculture (MA), shown on the map attached hereto as Schedule 9 (i) to the by-law.
 - ii) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 1, Concession 31, (Wicklów Ward) from Residential Second Density (R2) to Rural Commercial (RC), shown on the map attached hereto as Schedule 9 (ii) to the by-law.
 - iii) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 3, Concession 7, (Wicklów Ward) from Community Facility (CF), to Environmental Protective (EP) shown on the map attached hereto as Schedule 9 (iii) to the by-law.

- iv) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 10, Concession 10, (McClure Ward) from Community Facility (CF), to Residential Second Density (R2), shown on the map attached hereto as Schedule 9 (iv) to the by-law.
- v) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 10, Concession 10, (McClure Ward) from Residential Second Density (R2), to Community Facility (CF), shown on the map attached hereto as Schedule 9 (v) to the by-law.
- vi) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 10, Concession 12, (McClure Ward) from Environmental Protection (EP), to Marginal Agriculture (MA), shown on the map attached hereto as Schedule 9 (vi) to the by-law.
- vii) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lots 6 & 7, Concession 8, (McClure Ward) from Marginal Agriculture (MA) to Rural Residential (RR), shown on the map attached hereto as Schedule 9 (vii) to the by-law.
- viii) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 21, Concession 11, (McClure Ward) from Marginal Agriculture (MA) to Waterfront Residential (WR), shown on the map attached hereto as Schedule 9 (viii) to the by-law.
- ix) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 22, Concession 11, (Bangor Ward) from Marginal Agriculture (MA) to Waterfront Residential (WR), shown on the map attached hereto as Schedule 9 (ix) to the by-law.
- x) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 32, Concession 8, (Bangor Ward) from Marginal Agriculture (MA) to Limited Service Residential (LSR), shown on the map attached hereto as Schedule 9 (x) to the by-law.
- xi) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 6, Concession 3, (Herschel Ward) from Marginal Agriculture (MA) to Limited Service Residential (LSR), shown on the map attached hereto as Schedule 9 (xi) to the by-law.
- xii) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 2, Concession 12, (Wicklów Ward) from Limited Service Residential (LSR) to Waterfront Residential (WR), shown on the map attached hereto as Schedule 9 (xii) to the by-law.
- xiii) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 16, Concession 6, (Herschel Ward) from Rural Residential (RR) to Marginal Agriculture (MA), shown on the map attached hereto as Schedule 9 (xiii a, b, c) to the by-law.

- xiv) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 29, Concession 5, (Herschel Ward) from Marginal Agriculture (MA) to Rural Residential (RR), shown on the map attached hereto as Schedule 9 (xiv) to the by-law.
 - xv) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 3, Concession 16, (Monteagle Ward) from Marginal Agriculture (MA) to Rural Residential (RR) and Environmental Protection (EP), shown on the map attached hereto as Schedule 9 (xv) to the by-law.
 - xvi) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 14, Concession 8, (Monteagle Ward) from Marginal Agriculture (MA) to Waterfront Residential (WR) and Environmental Protection (EP), shown on the map attached hereto as Schedule 9 (xvi) to the by-law.
 - xvii) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 18, Concession 16, (Monteagle Ward) from Marginal Agriculture (MA) to Rural Residential (RR), shown on the map attached hereto as Schedule 9 (xvii) to the by-law.
 - xviii) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 11, Concession 4, (Herschel Ward) from Limited Service Residential (LSR) to Waterfront Residential (WR), shown on the map attached hereto as Schedule 9 (xviii) to the by-law.
 - xix) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 7, Concession 3, (Herschel Ward) from Rural Residential (RR) to Marginal Agriculture (MA), shown on the map attached hereto as Schedule 8 (xix) to the by-law.
 - xx) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 23, Concession 9, (McClure Ward) from Waterfront Residential (WR) to Limited Service Residential (LSR), shown on the map attached hereto as Schedule 9 (xx) to the by-law.
 - xxi) That By-Law 35-2004, as amended, is hereby further amended by rezoning Part of Lot 22, Concession 11, (Bangor Ward) from Marginal Agriculture (MA) to Waterfront Residential (WR), shown on the map attached hereto as Schedule 9 (xxi) to the by-law.
 - xxii) The subject lands shall be used only in accordance with the Comprehensive Zoning By-laws 35-2004 requirements of the aforesaid by-law, and such general provision of by-law 35-2004 as may apply.
10. THAT By-law No. 35-2004, as amended, is hereby amended by deleting in their entirety subsections 6.5, 7.5, 8.5, 9.5, 10.5, 11.5, 12.5, 13.5, 14.5, 15.5, 16.5, 17.5, 18.5, 19.5, 20.5, 21.5, 22.5, 23.5, 24.5, 25.5, 26.5.

11. THAT By-law No. 35-2004, as amended, is hereby amended by the addition of the following new section, entitled “**Section (27) Special Exception Zones**” immediately after item 26.4 thereof:

“Section 27 – Special Exception Zones

27.1 MA-1 (Pt Lot 30, Concession 5, Monteagle Ward 6.5.1)

Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on the lands zoned MA-1, the following special provisions shall apply:

- i) a provision to allow a boat storage.

All other provisions of this by-law should apply.

27.2 RR-2 (Pt Lot 3, Concession 10 Herschel Ward 7.5.1)

Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on the lands zoned RR-2, the following special provisions shall apply:

- i) a single detached dwelling shall be permitted use, despite the existence of a waste disposal site within 90 m (295.3 ft.) of the RR-2 zone

All other provisions of this by-law should apply.

27.3 RRh-3 (Pt Lot 20, Concession 14, Monteagle Ward 7.5.2)

Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on the lands zoned RR-3, the following special provisions shall apply:

- i) holding zone
- ii) Removal of Holding Zone

The holding zone provision shall be removed once the Municipality in consultation with the Ministry of Environment is satisfied that there is a sufficient on-site source of potable water which meets the Ontario Drinking Water Standards.

All other provisions of this by-law should apply.

27.4 RR-4 (Pt Lot 10, Concession 10, Lot 2 & 8 of Reg. Plan 2216 & Part 1 of Plan 21R20918 McClure Ward 2004-12)

Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on the lands zoned RR-4, the following special provisions shall apply:

- i) to recognize a frontage on a right-of-way

All other provisions of this by-law should apply.

27.5 RR-5 (Pt Lot 24 & 25, Concession 16, Monteagle Ward 2006-27)

Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on the lands zoned RR-5, the following special provisions shall apply:

- i) The special zone is to permit a single-family dwelling for the use of the owner, manager, caretaker or other similar person and his family, provided further that such person is employed on the lot on which h such dwelling is located.

All other provisions of this by-law should apply.

27.6 RR-6 (Pt Lot 29 & 30, Concession 3, Pt Lot 21R21029 Monteagle Ward 2004-31)

Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on the lands zoned RR-6, the following special provisions shall apply:

- i) All provisions of the Rural Residential Zone will apply except access. Access is a right-of-way over the Hastings Heritage trail that deemed it to comply with the zoning by-law 19-76 of Monteagle.

All other provisions of this by-law should apply.

27.7 LSRh-7 (Lot 6, Concession 3, Herschel Ward 8.5.1)

Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on the lands zoned LSRh-7, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) no habitable development is permitted except that which existed at the date of passage of this by-law.
- ii) no reconstruction is permitted.

Removal of Holding ('h') Symbol

The holding ('h') symbol may be removed upon amendment to this by-law, once Council

is satisfied that provision have been made to ensure that no building opening to habitable residential building shall be below 330.31 metre GSC datum, subject to NHA floodproofing criteria, where appropriate, and that all other flood drainage reduction measures required by Council are satisfactorily addressed, and where permanent legal access is available from a registered right-of-way, a minimum of 6 metres (20 ft.) in width and where an agreement has been entered into pursuant to which the owner shall assume all responsibility for the maintenance of the said right-of-way.

All other provisions of this by-law shall apply.

27.8 LSRh-8 (Part Lot 31, Concession 6, Herschel Ward8.5.2)

Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on the lands zoned LSRh-8, the following special provisions shall apply:

Removal of Holding ('h') Symbol

The holding ('h') provision shall be removed once Council is satisfied that floodproofing to the 353.1 metre GSC datum has been incorporated into construction plans.

All other provisions of this by-law shall apply.

27.9 WR-9 (Lot 30, Concession 7, Herschel Ward 10.5.1)

Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on the lands zoned WR-9, the following special provisions shall apply:

- i) All provisions of the Rural Residential Zone will apply except access. Access is a right-of-way over the Hastings Heritage trail that deemed it to comply with the zoning by-law 19-76 of Monteaagle.

All other provisions of this by-law should apply.

27.10 R2-10 (PT Lot 12, Concession EHR, Monteaagle Ward 13.5.1)

Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on the lands zoned R2-10, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) two apartments;
- ii) a storage/workshop structure.

All other provisions of this by-law shall apply.

27.11 R2-11 (Lot 15, Concession 3, Monteaagle Ward 13.5.2)

Notwithstanding any provision of By-law No. 35-2004, as amended, to the contrary, on the lands zoned R2-11, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) detached dwelling containing 5 guest rooms, in addition to the host family.

Zone Provisions

- i) number of guest rooms (maximum) 5

All other provisions of this by-law shall apply.

27.12 R2h-12 (Part Lot 20, Concession 4, Herschel Ward 13.5.3)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned R2h-12, the following special provisions shall apply:

Removal of Holding ('h') Symbol

The holding ('h') symbol may be removed when Council is satisfied that there is a sufficient on-site supply of potable water that meets the Ontario Drinking Water Standards.

All other provisions of this by-law shall apply.

27.13 UC-13 (Part Lots 6 and 7, Birds Creek, West Hastings Road, Herschel Ward 15.5.1)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UC-13, the following special provisions shall apply:

Permitted Uses

The following shall be permitted in addition to the uses permitted in the Urban Commercial (UC) Zone:

- i) a place of worship and assembly hall.

All other provisions of this by-law shall apply.

27.14 UC-14 (Lot 17 and 18, Concession East Hastings Road, Monteagle Ward 15.5.2)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UC-14, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) meat cutting and wholesale business.

All other provisions of this by-law shall apply.

27.15 UC-15 (Lots 13 and 14, Concession East Hastings Road, Monteagle Ward 15.5.3)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UC-15, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) miniature golf course;
- ii) one building.

All other provisions of this by-law shall apply.

27.16 RC-16 (Lot 6, Concession 8, McClure Ward 16.5.1)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-16, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) retail outlet, specifically a convenience store.

All other provisions of this by-law shall apply.

27.17 RC-17 (Lot 17, Concession 6, Bangor Ward 16.5.2)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-17, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) an automobile service station and retail store (general store).

All other provisions of this by-law shall apply.

27.18 RC-18 (Lot 24, Concession 7, Bangor Ward 16.5.3)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-18, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) a retail store (gift shop).

All other provisions of this by-law shall apply.

27.19 RC-19 (Part Lot 5, Concession 3, Herschel Ward 16.5.4)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-19, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) a self-storage building.

Zone Provisions

- i) number of units (maximum) 4

All other provisions of this by-law shall apply.

27.20 RC-20 (Lot 9, Concession 3, Monteagle Ward 16.5.5)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-20, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) automobile repair.

All other provisions of this by-law shall apply.

27.21 RC-21 (Lot 26, Concession 16, Monteagle Ward 16.5.6)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-21, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) snowmobile repair.

All other provisions of this by-law shall apply.

27.22 RC-22 (Lot 10, Concession 11, McClure Ward 16.5.7)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-22, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) retail establishment including a gas bar.

All other provisions of this by-law shall apply.

27.23 RRC-23 (Lots 23 and 24, Concession 5, Herschel Ward 17.5.1)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RRC-23, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) a tourist establishment.

Zone Provisions

- i) number of persons to be accommodated (maximum) 48

All other provisions of this by-law shall apply.

27.24 RRC-24 (Lot 20, Concession 4, Herschel Ward 17.5.2)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RRC-24, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) a marina;
- ii) automobile parking.

Zone Provisions

- i) parking spaces (minimum) 29 (for the exclusive use of the RRC-25 zone)

All other provisions of this by-law shall apply.

27.25 RRC-25 (Part Lots 12, 13 and 14, Concession West Hastings Road, Herschel Ward 17.5.3)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RRC-25, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) a tourist establishment (tent and trailer park);
- ii) a garden centre.

All other provisions of this by-law shall apply.

27.26 RRC-26 (Part Lots 18 and 19, Concession 4, Herschel Ward 17.5.4)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RRC-26, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) a tourist establishment;
- ii) a workshop/garage.

Zone Provisions

- i) number of cabins (maximum) 4
- ii) setback from all lot lines (cabins) (minimum) 6.1 m (20 ft.)

All other provisions of this by-law shall apply.

27.27 RRC-27 (Part Lot 34, Concession 6, Herschel Ward 17.5.5)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RRC-27, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) a tourist establishment consisting of a tent and trailer park.

All other provisions of this by-law shall apply.

By-Law 63-2004 Rezoned to Marginal Agriculture**27.28 RRC-28 (Lot 31, Concession 8, Herschel Ward 17.5.6)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RRC-28, the following special provisions shall apply:

Zone Provisions

- i) front yard (minimum) 12 m (39.4 ft.)
- ii) exterior side yard (minimum) 12 m (39.4 ft.)
- iii) interior side yard (minimum) 6 m (19.7 ft.)
- iv) rear yard (minimum) 7.5 m (24.6 ft.)

All other provisions of this by-law shall apply.

27.29 RRC-329(Lot 13, Concession 9, Herschel Ward 17.5.7)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RRC-29, the following special provisions shall apply:

Zone Provisions

- i) number of tourist cabins (maximum) 1

All other provisions of this by-law shall apply.

27.30 UI-30 (Lot 3, Concession 1, Herschel Ward 18.5.1)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UI-30, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) garage/workshop,
- ii) tub grinder.

Zone Provisions

- i) area of garage/workshop (maximum) 297.78 sq. m (3,200 sq. ft.)

All other provisions of this by-law shall apply.

27.31 UI-31 (Lot 3, Concession 1, Herschel Ward 18.5.2)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UI-31, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) bark storage and processing;
- ii) accessory garage/repair shop for equipment associated with principal use.

All other provisions of this by-law shall apply.

27.32 UI-32 (Lot 16, Concession 2, Monteagle Ward 18.5.3)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UI-32, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) a machine shop.

All other provisions of this by-law shall apply.

27.33 UI-33 (Lot 18, Concession East Hastings Road, Monteagle Ward 18.5.4)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UI-33, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) a machine shop.

All other provisions of this by-law shall apply.

27.34 RI-34 (Lot 11, Concession East Hastings Road, Wicklow Ward 19.5.1)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RI-34, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) a welding shop.

All other provisions of this by-law shall apply.

27.35 RI-35 (Lot 25, Concession 16, Monteagle Ward)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RI-35, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) a sawmill, lumberyard, planing mill, dry kiln, chipper and repair depot.

Zone Provisions

i) No portion of the subject premises shall be used other than to accommodate the sawmill and lumberyard and other uses usual and ancillary to a sawmill and lumberyard, including, without limiting the generality thereof, a planing mill, dry kiln, chipper and a repair depot for the equipment of the property owner used in the operation of the aforesaid undertakings.

- ii) No portion of the subject premises shall be used for burning of sawdust or other waste.

iii) Except for a single entrance not more than 9.1 m (30 ft.) in width under permit from the Ministry of Transportation and located in the westerly half of the northerly boundary of Lot 25, Concession 16, no portion of the subject premises shall be used to provide direct access to Highway No. 62. Any further entrance required is to be made to the Moxam side road.

iv) No portion of the subject premises lying within 518.2 m (1,700 ft.) of the south limit of Highway 62 shall be used for the open storage of sawdust, bark or any other waste.

v) No portion of the subject premises lying within 91.4 m (300 ft.) of the south or the west limits of Lot 25, Concession 16 shall be used for the storage of sawdust, bark or any other waste.

vi) No portion of the subject premises presently occupied by bush and located between a refuse disposal site thereon and the west limit of Lot 25 shall be cleared of such growth.

vii) No portion of the subject premises lying within 91.4 m (300 ft.) of its perimeter shall be used as a roadway, unless such roadway has been constructed or treated so as to eliminate dust from passing vehicles.

All other provisions of this by-law shall apply.

27.36 RI-36 (Lot 32, Concession 6, Bangor Ward 19.5.3)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RI-36, the following special provisions shall apply:

Permitted Uses

The following shall be permitted in addition to other permitted uses in the RI Zone:

- i) sale of new and used automobiles.

All other provisions of this by-law shall apply.

27.37 RI- 37 (Lot 25, Concession 7, Bangor Ward 19.5.4)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RII-37, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) a sawmill.

All other provisions of this by-law shall apply.

27.38 RI-38 (Lot 18, Concession 4, Herschel Ward 19.5.5)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RI-38, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) telecommunications facilities and equipment.

All other provisions of this by-law shall apply.

27.39 RI-39(Lot 34, Concession 4, Herschel Ward19.5.6)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RI-39, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) telecommunications facilities and equipment.

All other provisions of this by-law shall apply.

27.40 RI-40 (Lot 20, Concession 1, Herschel Ward 19.5.7)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RI-40, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) communications tower and equipment building.

All other provisions of this by-law shall apply.

27.41 RI-41 (Lot 21, Concession 1, Herschel Ward 19.5.8)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RI-41, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) telecommunications tower and accessory buildings.

All other provisions of this by-law shall apply.

27.42 RI-42 (Lot 30, Concession 7, Monteagle Ward 19.5.10)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RI-42, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) repair workshop and office.

All other provisions of this by-law shall apply.

27.43 RI-43 (Lot 11, Concession 8, Monteagle Ward 19.5.11)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RI-43, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) manufacturing.

All other provisions of this by-law shall apply.

27.44 RI-44 (Lot 62, Concession West Hastings Road, Monteagle Ward 19.5.12)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RI-44, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) communications tower.

All other provisions of this by-law shall apply.

27.45 WD-45 (Lot 14, Concession 1, Wicklow Ward and Lot 11, Concession 7, Monteagle Ward 22.5.1)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned WD-45, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) salvage yard for the purpose of wrecking or dismantling automobiles for the purpose of sale of part or other disposal.

All other provisions of this by-law shall apply.

27.46 CF-46 (Part Lots 31 and 32, Concession 4, Herschel Ward 23.5.1)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned CF-46, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) a recreational complex for seniors.

Zone Provisions

- i) number of persons to be accommodated (maximum) 10

All other provisions of this by-law shall apply.

27.47 OS-47 (Lot 12, Concession 11, McClure Ward 24.5.1)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned OS-47, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) private open space.

All other provisions of this by-law shall apply.

27.48 OS-48 (Lots 17 and 18, Concession 6, Bangor Ward 24.5.2Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned OS-48, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) there shall be no development permitted on Block A, Lots 17 and 18, Concession 6.

All other provisions of this by-law shall apply.

27.49 OS-49 (Part Lot 17, Concession 5, Herschel Ward 24.5.3)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned OS-49, the following special provisions shall apply:

Permitted Uses

- i) no buildings or structures shall be permitted;
- ii) a woodlot shall be the only permitted use.

All other provisions of this by-law shall apply.

27.50 OS-50 (Lots 7, 8 and 9, Concession 5, and Lot 9, Concession 6, Herschel Ward 24.5.4)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned OS-50, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) passive recreational uses;
- ii) no development shall be permitted.

All other provisions of this by-law shall apply.

27.51 LSR-51 (Lots 32, Concession 8, Bangor Ward 20-2004)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned LSR-51, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) serviced by a private right-of-way.

All other provisions of this by-law shall apply.

27.52 RRC-52 (Lots 10, Concession 10, McClure Ward 12-2004)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RRC-52, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) recognize frontage on a private right of way.

All other provisions of this by-law shall apply.

27-53 RR-53 (Lots 16, Concession 4, Herschel Ward 41-2004)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-53, the following special provisions shall apply:

Permitted Uses

- i) Reduced lot area on both the severed (.62 acres + or -) and retained lot (.08 acres + or -).
- ii) Side yard set backs less than standard (Gazebo)
- iii) Front yard set backs less than standard (dwelling units)
- iv) Less frontage than required on a fully maintained municipal road on the severed lot. (51.88 feet)

All other provisions of this by-law shall apply.

27-54 RI-54 (25, Concession 16, Monteagle Ward)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RI-54, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:
 permit a single-family dwelling for the use of the owner, manager, caretaker or other similar person and his family, provided further that such person is employed on the lot on which such dwelling is located.

All other provisions of this by-law shall apply.

27-55 RR-55 (Lot 15, Concession 3, Herschel Ward 58-2009)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-55, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:
 Shall acknowledge the close proximity of the pit to the new lot.

All other provisions of this by-law shall apply.

27-56 MA & EP -56 (Lot 14, Concession 3, Herschel Ward 75-2009)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned Ma & EP-56, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:
 Shall acknowledge an area of influence with in 500 m.

All other provisions of this by-law shall apply.

27-57 WR & EP -57 (Lot 14, Concession 3, Herschel Ward 75-2009)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MA & EP-57, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:
 Shall acknowledge an area of influence with in 500 m.

27-59 RRC – 59 (Pt Lot 9, Concession 10, McClure Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RRC-59, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:
 Shall acknowledge site specific site plan and to allow 5 cabins, 1 house, 1 shed, and 2 outhouses on smaller then allowable lot.

All other provisions of this by-law shall apply.

12. THAT SCHEDULES 'A' to 'G' inclusive, to By-law No. 35-2004, as amended, are hereby amended by changing the zone category thereon in accordance with Schedules '9i) to '9viii)' and '27.1to '27.57' attached hereto;

13. THAT Schedules '9i)' to '9viii)' and '27.1 to 27.57' attached hereto forms part of this By-law;

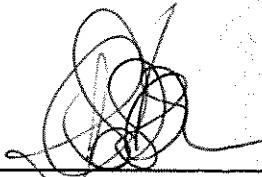
14. THAT Zoning By-law No. 34-2005 is hereby amended to give effect to the foregoing, that Comprehensive Zoning By-law No. 35-2004, as otherwise amended, shall in all other respects remain in full force and effect save as it may otherwise be amended or hereinafter dealt with.

15. THAT this By-law shall come into force on the date it is passed by the Council of the Corporation of the Municipality of Hastings Highlands subject to the applicable provisions of the Planning Act, R.S.O., 1990.

BY- LAW 2010-~~22~~READ A FIRST, SECOND AND THIRD TIME THIS 21 DAY OF MARCH , 2010.



MAYOR



CAO/CLERK-TREASURER

I hereby certify that the foregoing is a true copy of By-law No. 2010-012 as enacted by the Council of the Corporation of the Municipality of Hastings Highlands.

24 day of March, 2010.

