

5.0 COMMUNITY ZONES

- (1) Where permitted in Table 5.2.1 or 5.2.2, both one *dwelling unit* and one *single detached dwelling unit* are permitted as *Accessory Uses* provided that the provisions of Section 3.19 are adhered to for the *dwelling unit*.

5.2.3 Zone Requirements

No person shall within any of the Community Commercial Zones use any lot or erect, locate, alter or use any building or structure except in accordance with the following requirements as noted below in Table 5.2.3 and the applicable Special Provisions:

TABLE 5.2.3 – COMMUNITY COMMERCIAL ZONE PROVISIONS										
LOT REQUIREMENTS	ZONES (4)									
	C1A	C1B	C1C	C1D	C1CA (1)	C1DA (1)	C2 (2)	C3	C4	C5
Minimum Lot Frontage	99.1 m (325 ft.)	76.2 m (250 ft.)	152.4 m (500 ft.)	76.2 m (250 ft.)	152.4 m (500 ft.)	76.2 m (250 ft.)	61 m (200 ft.)	—	45.7 m (150 ft.)	45.7 m (150 ft.)
Minimum Lot Area	0.4 ha (1 ac.)	0.4 ha (1 ac.)	0.8 ha. (2 ac.)	0.8 ha. (2 ac.)	0.8 ha. (2 ac.)	0.8 ha. (2 ac.)	—	—	0.2 ha. (0.5 ac.)	0.2 (0.5 ac.)
Maximum Lot Coverage	35%	35%	15%	15%	15%	15%	35%	—	50%	50%
Minimum Front Yard Setback (3)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	—	3 m (10 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)
Minimum Interior Side Yard Setback	6.1 m (20 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)	3 m (10 ft.)	3 m (10 ft.)	6.1 m (20 ft.)	6.1 m (20 ft.)
Minimum Exterior Side Yard Setback	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	3 m (10 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)
Minimum Rear Yard Setback	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)	3 m (10 ft.)	7.6 m (25 ft.)	7.6 m (25 ft.)
Minimum Landscaped Area	30%	30%	30%	30%	30%	30%	30%	—	30%	30%
Maximum Height	13.7 m (45 ft.)	13.7 m (45 ft.)	13.7 m (45 ft.)	13.7 m (45 ft.)	13.7 m (45 ft.)	13.7 m (45 ft.)	10.7 m (35 feet)	12.2 m (40 ft.)	12.2 m (40 ft.)	12.2 m (40 ft.)

C1A, C1B Applies to Urban Centres of Bala and Port Carling

C1C, C1D Applies to the Communities of Foothills Bay, Glen Orchard, Milford Bay, Minett, Torrance and Windermere

- (1) See Section 5.2.4.1 (3) See Section 5.2.4.3
 (2) See Section 5.2.4.2 (4) See Section 5.2.4.4

5.2.4 COMMUNITY COMMERCIAL ZONE PROVISIONS

5.2.4.1 See Section 5.2.13

5.2.4.2 For lots zoned C2 on the date of passing of this By-law the minimum lot frontage requirement shall be 60.1 m (200 ft.) or the lot frontage which existed on the date of passing of this By-law, whichever is less.

5.2.4.3 For lots that abut the *high water mark*, the minimum *setback* from the *high water mark* shall be 20.1 m (66 ft.).

5.2.4.4 The *front yard setback* for each *building* and *structure* on a *lot*, which are considered legal *non-complying* due to an encroachment into the required 20.1m (66 ft.) *front yard setback*, shall be the *setback* which existed on that date, or a minimum of 7.6 m (25ft.) from the *high water mark*, or from the *front lot line* whichever is greater.

For the purposes of determining the existing *front yard setback*, it shall be calculated based on the *setback* for each type of *building* or *structure*.

In the case of a *sundeck*, which existed prior to the passing of this By-law, which is considered to be legal *non-complying* due to an encroachment into the required 15.2 m (50 ft.) *front yard setback*, the *front yard setback* for that *sundeck* shall be the *setback* which existed on that date or a minimum of 4.6 m (15 ft.) from the *high water mark*, whichever is greater.

5.2.5 FRONT YARD EXEMPTIONS

The following *buildings* and *structures* are exempted from the *front yard* requirements:

- i) *Sundecks, landings, ramps* and stairs
- ii) *Pumphouses, saunas and gazebos* not exceeding 4.6 m (15 feet) in height.
- iii) Notwithstanding subsection i), for a *lot* that abuts the *high water mark*, *sundecks* must have a minimum *setback* of 15.2 m (50 ft.) from the *high water mark*.

5.2.6 LANDSCAPED BUFFER

Where a Commercial Zone (C1A, C1B, C1C, C1CA, C1D, C1DA, C2, C4, C5) abuts a *residential* Zone, 3 m (10 ft.) of the *required yard* abutting that zone shall be planted and maintained as a *landscaped buffer*.

5.2.7 STRUCTURES OVER WATER

A *boathouse, boatport, sun shelter, or dock* may be located in a Waterbody Open Space Zone (WOS) where it abuts a Community Commercial Zone or in a Community Commercial (C) Zone provided it is an *Accessory Use* to the main permitted *use*, and is subject to the following:

a. In the case of *docks*

- i. No part of any *dock* shall extend beyond 20.1 m (66 ft.) from the *high water mark* abutting the *lot*;
- ii. No part of any *dock* shall be *erected* within 4.6 m (15 ft.) from the *side* or *rear lot line* or any 30.5 metre (100 ft.) *straight line projection* thereof, from the *high water mark*;

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- iii. the total *cumulative width* of docks on a lot shall not exceed 25% of the *lot frontage*, excluding docks in a Community Commercial – *Marina* (C2) Zone which shall not exceed 75%; and,
- iv. The dock is permitted to extend from or to be located in the *front yard* of a lot, to a maximum distance of 3 m (10 ft).

b. In the case of a *boathouse*

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- i. No part of any *boathouse* shall extend beyond 15.2 m (50 ft.) from the *high water mark* abutting the lot;
- ii. The total cumulative dock and *boathouse width* shall not exceed 25 % of the *lot frontage* or 15.2 m (50 ft.), whichever is greater, excluding *boathouses* in a Community Commercial - *Marina* (C2) Zone, which shall be limited to 75%;
- iii. The *boathouse* shall not exceed a *height* of 7.6 m (25 ft.);
- iv. No part of any single *storey boathouse* shall be erected within 4.6 m (15 ft.) from the *side* or *rear lot line* or any 30.5 metre (100 ft.) *straight line projection* thereof, from the *high water mark*;
- v. For the purposes of this By-law a *boathouse* which has a second *storey* or any part thereof shall be deemed to be a two *storey boathouse* and no part of any two *storey boathouse* shall be erected within 9.1 m (30 ft.) of the *side* or *rear lot line* or any 30.5 metre (100 ft.) *straight line projection* of the *side* or *rear lot line*;
- vi. The lot must abut a Category 1, 2, or 4 Lake in accordance with Table 1 of Section 4.1;
- vii. A two *storey boathouse* is only permitted on a Category 1 Lake in accordance with Table 1 of Section 4.1 and on a lot with a minimum *lot frontage* of 91.4 m (300 ft.); and,
- viii. The *boathouse* is permitted to extend from or to be located in the *front yard* of the lot, to a maximum distance of 3 m (10 ft.).

c. In the case of a *sun shelter*:

- i. A *sun shelter* shall not contain *habitable floor area* or be screened or glassed;
- ii. The maximum permitted *gross floor area* shall be 18.6 m² (200 ft.²);
- iii. The *sun shelter* shall not exceed a *height* of 4.5 m (15 ft.);
- iv. No part of any *sun shelter* shall extend beyond 10.7 m (35 ft.) from the *high water mark*; and,
- v. A *sun shelter* shall comply with all other provisions regulating a *boathouse*.

- d. For those portions of land fronting onto a *restricted waterbody* and zoned with a “-R” suffix to the zone symbol, a dock, *boathouse*, *boatport*, or *sun shelter*

may be located in the abutting Waterbody Open Space (WOS) zone and subject to the following additional provisions:

- i. The maximum length of a *dock*, measured from the *high water mark*, is the lesser of 12.2 m (40 ft.) or 25% of the distance from shoreline to opposite shoreline as established by the Schedules to By-law 2014-14, measured from the subject *dock* to the closest shoreline of another *lot* opposite the subject *dock*;
- ii. The maximum length of a *boathouse*, *boatport* or *sun shelter*, measured from the *high water mark*, is the lesser of 10.7 m (35 ft.) or 25% of the distance from shoreline to opposite shoreline as established by the Schedules to By-law 2014-14, measured from the subject *boathouse* to the closest shoreline of another *lot* opposite the subject *boathouse*;
- iii. A two storey *boathouse* is not permitted; and
- iv. A single storey *boathouse*, *boatport* or *sun shelter*

where

the roof is capable of being used as a *sundeck* shall not be permitted.

5.2.8 PARKING AND LOADING

See General Provision 3.28 and 3.29 for Parking and Loading Requirements

5.2.9 DWELLING UNIT

Where an *accessory Residential use* is permitted if it is located in a non-*residential* building it shall conform with General Provision 3.19.

5.2.10 SPECIAL PROVISIONS: RESORT COMMERCIAL (C1A, C1B, C1C, C1CA, C1D, C1DA)

The following specific requirement is applicable in these zones:

- a. For the purpose of calculating development density in all Community Resort Commercial zones all *accommodation units*, *housekeeping units*, and *dwelling units* shall be included in the calculation of the number of units per acre allowed.

5.2.11 SPECIAL PROVISIONS: RESORT COMMERCIAL (C1A, C1B)

The following specific requirements are applicable in these zones:

- a. In a Resort Commercial (C1A, C1B) zone the density of development shall not exceed 30 units per hectare (12 units/acre).
- b. Medium and High Density *residential* development shall comply with the provisions in Section 5.1.5 and 5.1.8.
- c. Where a resort development has a *residential* use, the commercial use must be constructed prior to the *residential* use.

- d. The number of *residential* units shall not exceed 50% of the *accommodation units, housekeeping units, and tourist resort units*.
- e. *Habitable buildings and structures* must be connected to municipal water and *sewer services*.

5.2.12 SPECIAL PROVISIONS: RESORT COMMERCIAL (C1C, C1D)

- a. In a Resort Commercial (C1C, C1D) zone the density of development shall not exceed 15 units per hectare (6 units/acre).

5.2.13 SPECIAL PROVISIONS: RESORT COMMERCIAL (C1CA, C1DA)

The following specific requirements are applicable in these zones:

- a. In a Resort Commercial (C1CA, C1DA) zone the density of development shall not exceed 15 units per hectare (6 units/acre).
- b. In a Resort Commercial (C1CA, C1DA) zone the *gross floor area* allowed for all permitted *uses* on a *lot* in a C1CA or C1DA zone shall be limited to 20% of the *lot area* zoned C1CA or C1DA.
- c. Where a Resort Commercial (C1CA, C1DA) zone abuts a *Residential* zone the minimum *required yard* shall be 12.2 m (40 ft.). 3 m (10 ft.) of the *required yard* shall be planted and maintained as a *landscaped buffer*.

5.2.14 SPECIAL PROVISIONS: MARINA COMMERCIAL (C2)

The following specific requirements are applicable in this zone:

- a. A detached *dwelling unit* may be located in a *Marina Commercial (C2) Zone* if it is a minimum of 20.1 m (66 ft.) from the *high water mark*.

5.2.15 SPECIAL PROVISIONS: COMMERCIAL ZONES (C3, C4, C5)

The following specific requirements are applicable in these zones:

- a. Despite the *front or rear yard* requirements of Section 3.23, a *building or structure* may be *erected or altered* to conform with the *established building line*.
- b.  Multiple *dwelling units* are permitted in a Community Commercial (C3 or C5) Zone provided that:
 - i. The *dwelling units* are connected to municipal *sewer and water services*;
 - ii. The units shall comply with the requirements of Section 5.1.5;
 - iii. The units shall comply with General Provision 3.19; and
 - iv. The maximum density of development shall not exceed – 30 units per hectare (12 units/acre).

c. Where a Community Commercial (C3) Zone is in Port Carling and fronts on District Road #43 between Lock Street and Ferndale Road or fronts on Lock Street or is in Bala and fronts of Provincial Highway #169 between Bala Falls Road and Gordon Street or fronts on Bala Falls Road, no *interior side yard* is required.

d. *Open storage* in a Community Commercial (C4) Zone.

No *open storage* of goods or materials is permitted unless the following provisions are complied with:

- i. such *open storage* is an *Accessory Use* to the main permitted *use* on the *lot*;
- ii. such *open storage* complies with the *required yards* of the applicable zone; and,
- iii. any portion of a *lot* used for such *open storage* is screened from adjacent *residential uses* and *streets* adjoining the *lots* and *buildings* or a *landscaped buffer*.