

**THE CORPORATION OF THE
MUNICIPALITY OF TRENT LAKES**

BY-LAW No. B2019-000

**A BY-LAW TO AMEND BY-LAW NO. B2014-070, AS
AMENDED OTHERWISE KNOWN AS “THE MUNICIPALITY
OF TRENT LAKES COMPREHENSIVE ZONING BY-LAW”
FOR THE PURPOSE OF CONSOLIDATING APPROVED
AMENDMENTS AND ENACTING CERTAIN HOUSEKEEPING
CHANGES**

WHEREAS the Council of the Corporation of the Municipality of Trent Lakes is empowered to pass By-laws to regulate the use of land pursuant to Section 34 of the Planning Act, 1990;

AND WHEREAS the Municipality’s new Comprehensive Zoning By-law is now in full force and effect as per Ontario Municipal Board approval June 30, 2015;

AND WHEREAS during the period since the last consolidation and housekeeping amendment the Municipality approved approximately 132 amendments to By-Law No. B2014-070, as amended and deem it advisable to amend By-Law B2014-070 for the purpose of consolidating approved amendments to the Comprehensive Zoning By-Law;

AND WHEREAS the Council of the Corporation of the Municipality of Trent Lakes deems it advisable to amend By-Law B2014-070, as amended, in order to delete, add and/or modify definitions as well as to clarify several current regulations and to provide administrative improvements;

AND WHEREAS a Public Meeting was held on _____;

AND WHEREAS the Council of the Corporation of Trent Lakes approved the recommendations of staff report dated _____;

NOW THEREFORE the Council of the Corporation of the Municipality of Trent Lakes enacts as follows:

1. Zoning By-law No. B2014-070, as amended, is hereby further amended in the following manner:
 - a) By amending Section 1 – By-Law Interpretation and Administration and adding a new sub-section 1.16

1.16 Technical Revisions to this By-Law

Provided that the purpose, effect, intent, meaning and substance of the By-Law are in no way affected, the following technical revisions to this By-Law are permitted without a Zoning By-Law Amendment:

- (a) changes to the numbering, cross-referencing, format and arrangement of the text, tables, schedules and maps;
 - (b) alterations of punctuation or language; and
 - (c) correction of grammatical, dimensional, boundary, mathematical or typographical errors.
-
- b) By amending Section 2 – Zone Classification, specifically sub-section 2.1 Zones by adding to the end of the paragraph “Should a property not have a zoning classification, it is not assumed to be a rural classification.”

- c) By amending Section 3 – Definitions by deleting, replacing, amending and/or adding and adding new definitions, as follows:

Adding the following new Definition:

Activity means a land use activity.

Deleting Definition 3.28 Boathouse and replacing with the following new definitions Boathouse Dryland, Boathouse In-water and Boatport:

Boathouse, Dryland means a single storey detached accessory building comprised of a roof and walls and/or posts and located within the water yard and used for the storage of watercraft and accessories and shall not contain habitable space or plumbing facilities. For the purpose of this definition a dryland boathouse shall include a boatport.

Boathouse, In-Water means a single storey detached accessory building comprised of a roof and walls and/or posts and projecting outward from the high water mark in whole or in part and used for the storage of watercraft and accessories and shall not contain habitable space, plumbing facilities or a roof top patio. For the purpose of this definition an in-water boathouse shall also include a boatport.

Adding the following new Definitions:

Boatport means a roofed accessory building or structure (without walls) which is designed and used for the berthing and sheltering of a boat and/or other watercraft and marine equipment.

Bulk Water Extraction Facility means an industrial use which extracts surface or ground water as a commodity to be processed on-site or transported off-site to a processing or distribution facility.

Deleting Definitions 3.41 Camp, Hunt and 3.42 Camp, Recreational Bush and replacing with following new Definition Camp, Hunt:

Camp, Hunt means a single storey building or structure having a floor area no larger than 65 sq. m consisting of one or more rooms which is at least partially furnished and may include facilities for the preparation of food and overnight accommodation on a temporary basis for use only during the hunting or fishing seasons but shall not include any other establishments or use as may be defined or classified in this By-Law. No permanent plumbing, no Class 4 septic system and no heating system, other than solid fuel appliance.

Adding the following new Definition:

Cannabis Operation Facility means a facility utilizing land and/or structures for the purpose of cultivation, propagating, growing, processing, storing and/or distributing marihuana (cannabis) or related products used for medicinal or recreational purposes in accordance to Federal/Provincial law and regulation. A Marihuana (Cannabis) Facility shall not be permitted in a dwelling unit.

Amending Definition 3.53 Commercial Recreation Establishment by deleting “tourist trailer” and replacing with recreational vehicle and adding tourist in front of “trailer park”.

Amending Definition 3.54 Commercial Use by deleting “tourist trailer” and replacing with recreational vehicle and adding tourist in front of “trailer park”.

Adding the following new Definitions:

Dock means a platform without a roof or walls, attached to a shoreline and/or marine facility on a permanent or seasonal basis, which is located on a waterbody,

and has a finished surface elevated above the level of the water, and which is used primarily for the mooring/dockage of watercraft and to provide access from water to land and vice-versa. A dock may either be floating, have a fixed foundation, or be cantilevered over the water.

Dock Ramp mean the part or component of a dock designed to secure a dock to land and provide a stable, accessible and safe means of access between land and dock.

Dwelling, Horizontally or Vertically Connected means a horizontally or vertically attached dwelling or where habitable rooms are connected by hallways, breezeways or rooflines.

Amending Definition 3.77 Dwelling by deleting “tourist trailer, camper, mobile home” and replacing with recreational vehicle.

Deleting Definition 3.90 Farmer.

Adding the following new Definitions:

Gazebo means a framed, accessory, free-standing, roofed structure with open or screened walls that is used as a sheltered, outdoor sitting area located on a deck, or as a detached accessory structure, but shall not be located on a dock or dock ramp or attached to a building.

Hobby Farm means the keeping of no more than five (5) domestic livestock such as sheep, horses, ponies, cows, goats or similar domestic animals for recreational purposes or for personal consumption by the occupant (s) of a dwelling on the same lot. The keeping of up to twenty (20) poultry shall be considered a hobby farm, but may be subject to other regulations in the Zoning By-Law. The keeping of exotic or wild animals shall not be considered a hobby farm.

Amending Definition 3.118 Home Industry, by replacing the comma after “a nursery greenhouse” with a period and deleting “and a bus-truck parking and maintenance facility”

Adding the following new Definitions:

Inflatable Raft means a seasonal in-water and non-motorized recreational apparatus or platform that is fixed to the lakebed on a seasonal basis.

Made Land (made ground) means an area of land that has been man-made, generally through the reclamation of marshes, lakes, or shorelines. An artificial fill is used, consisting of natural materials, refuse, etc.

Manufactured Home means a dwelling (Factory-Built Home, Modular Home) that is constructed off-site in one or multiple sections to be transported to the permanent site where final assembly occurs. Manufactured Homes are governed by ‘CSA A277’, ‘CSA Z240 MH Series’ and the Ontario Building Code. They are self-contained and are designed for year round use.

Amending Definition 3.158 Marine Facility by deleting “boathouse”.

Deleting Definition 3.164 Mobile Home Park and replacing with the following new Definition:

Mobile Home Park means the land on which one or more occupied park model trailers and recreational vehicles are located and includes the rental units and the land, structures, services and facilities of which the landlord retains possession and that are intended for the common use and enjoyment of the tenants of the landlord.

Add the following new Definitions:

Municipal Drinking Water System means a drinking water system or part of a drinking water system.

Non-Agricultural Source Material includes a variety of material that may be sources of nutrients or pathogens and are intended to be applied to land as nutrients, but are not necessarily produced on a farm. Such materials may include pulp and paper biosolids; sewage biosolids; anaerobic digestion output; and, materials from dairy product or animal food manufacturing.

Paintball Facility means premises or a commercial business that provides land, building, structures, facilities and accessories for participants to engage in recreational games of combat using paintball pellets ejected from air rifles or pistols.

Delete Definition 3.189 Park Model Trailer and replacing with the following new Definition:

Park Model Trailer means a recreational unit that meets the following criteria:

- a) It is built on a single chassis mounted on wheels;
- b) It is designed to facilitate relocation from time to time;
- c) It is designed as living quarters for seasonal camping and may be connected to those utilities necessary for operation of installed fixtures and appliances; and
- d) It has a gross floor area, including lofts, not exceeding 50 sq. metre when in the set-up mode and has a width greater than 2.6 metre in the transit mode.

Park Model Trailers are governed by 'CSA Z241' and the Ontario Building Code. They generally require special permits for highway operation.

Deleting Definition 3.199 Pit or Quarry and replacing with the following:

Pit Or Quarry, Wayside (Above Ground) means a temporary pit or quarry, that **does not** interrupt the established ground water table, opened under the authority of a wayside permit issued under the Aggregate Resources Act and used by or for a public authority solely for the purposes of a particular project or contract of road construction, and not located on the road right-of-way.

Pit Or Quarry, Wayside (Below Ground) means a temporary pit or quarry, that **does** interrupt the established ground water table, opened under the authority of a wayside permit issued under the Aggregate Resources Act and used by or for a public authority solely for the purposes of a particular project or contract of road construction, and not located on the road right-of-way.

Delete Definitions 3.163 Mobile Home, 3.167 Motor Home, 3.256 Tourist Trailer and 3.258 Tourist Vehicle and replacing with the following new Definition:

Recreational Vehicle means a vehicle (Travel Trailer, Tourist Trailer, Camper or Motorhome) that is either self-propelled or towed by another vehicle and meets the following criteria:

- a) it is built on a single chassis mounted on wheels;
- b) it is designed to facilitate relocation;
- c) it contains sleeping accommodations and may include self-contained fixtures and appliances; and
- d) it has a width less than 2.6 metre in the transit mode.

Recreational vehicles are governed by 'CSA Z240 RV Series' and Transport Canada – 'Motor Vehicle Safety Regulation'. They are designed for operation on highways without special permits.

Adding the following new Definitions:

Risk Management Official means the risk management official appointed under Part IV of the *Clean Water Act 2006*.

Risk Management Plan means a plan for reducing a risk prepared in accordance with the regulations prescribed under the *Clean Water Act 2006*.

Scrap Metal Dealer or Recycler means the business of purchasing, trading or bartering scrap metal and includes employees of the business.

Sensitive means in regard to surface water features and ground water features, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and addition of pollutants.

Amending 3.237 Sensitive Land Uses in paragraph a) by adding “tourist” in front of “trailer parks” and deleting recreational bush camps.

Amending Definition 3.241 Sewage System Leaching Bed by adding in the last sentence “or area bed” between the words “filter bed and which”.

Adding the following new Definitions:

Shipping Container means an intermodal freight container manufactured to the ISO 668 or 1496 standards, that is used for the transportation and storage of goods and materials which are loaded onto trucks, trains or ships for the purpose of moving of goods and materials. A Shipping Container shall not include the body of a transport trailer or a straight truck and any other prefabricated portable metal storage unit. For the purpose of this definition, a Shipping Container does not have wheels or include a motor vehicle or a transport trailer.

Significant drinking water threat, Existing means:

- i) An activity that has been engaged in prior to January 1, 2015;
- ii) An agricultural activity (as defined by TSPP) that has been engaged in at some time since January 1, 2005;
- iii) An activity that is related to a development proposal where an application was made under the Planning Act, Condominium Act, or Building Code Act prior to January 1, 2015; or
- iv) An activity that is related to an application made for the issuance or amendment of a prescribed instrument prior to January 1, 2015.

Significant drinking water threat, Expansion means an increase in the scale of an activity already taking place on a property. The increase in scale may include, but not limited to:

Significant drinking water threat, Future means an activity that is to commence after January 1, 2015.

Amending Definition 3.251 Structure to delete “tourist trailer, or mobile home” and replacing with recreational vehicle.

Adding the following new Definition:

Swim Raft means a seasonal in-water and non-motorized floating platform fixed to the lake bed on a seasonal basis and used for swimming and recreational purposes.

Delete Definition 3.257 Tourist Trailer Park and replace with the following new Definition:

Tourist Trailer Park means a tourist establishment consisting of camping sites and comprising of land used or maintained as grounds for camping or temporary parking of recreational vehicles or tents, but does not include parks or camping grounds maintained by any department of the Government of Ontario or of Canada; or any crown corporation, commission or board.

Amend Definition 3.260 by deleting “mobile home dwelling” and replacing with “recreational dwelling”.

Delete Definition 3.261 Trailer Site and replacing with the following new Definition:

Trailer Site means a part of a mobile home park or tourist trailer park that is or intended to be occupied by a single park model trailer, recreational vehicle or a tent and shall abut upon any part of an internal roadway system of driveway which shall have unobstructed access to a public street or highway.

Add the following new Definition:

Transportation pathway means a condition of land resulting from human activity that increases the vulnerability of a raw water supply of a drinking water system contained in the Trent Source Protection Plan. Transport pathways any include, but not limited to, the following:

Delete Definition 3.263 Vehicle Recreation and replacing with the following new Definition:

Vehicle, Sport and Leisure means a vehicle designed primarily for off-road or water sport purposes and includes a snowmobile, boat, boat trailer, off-road vehicle and all-terrain vehicle, but does not include a recreational vehicle as defined herein.

Add the following new Definitions:

Vulnerable Area means areas around municipal drinking water sources where activities may be a significant drinking threat now or in the future. These areas are shown on the applicable Official Plan Schedules.

Wellhead Protection Area means the vulnerable area delineated around groundwater wells that supply municipal drinking water systems and is comprised of subareas. The WHPA-A (subarea) is the area that is closest to the municipal wellhead and is considered the most vulnerable area due to its proximity to the municipal wellheads.

- d) By deleting Section 4.2.9 Pump House or Dock, and replacing with it with the following Section:

4.2.9 Shoreline Accessory Structures

Notwithstanding any other provision of this By-law to the contrary, a pump house may be erected and used in the yard of a lot fronting on a navigable waterway, provided the pump house is no larger than 2 metres by 2 metres, no higher than 1 metre and located no closer than 1.5 metres (4.9 ft.) to the side lot line.

4.2.9.1 In-water Structures

Notwithstanding any other provision of this By-Law to the contrary, a dock or marine railway or boat lift or personal watercraft port or like facility may be erected and used in the water yard and may project into the abutting waterbody of a lot fronting on a navigable waterway, provided such structures comply with the following:

- (1) 5 metre from the side lot line or straight line extension of a side lot line;
- (2) Extend no more than 12 m into waterway from current or active water level; and
- (3) Extend no more than 5 m in-land past the current water level and shall be no

more than 3 m in width on any portion extending in land.

4.2.9.2 Swim Raft

A swim raft shall be permitted as an accessory use to any lot zoned Shoreline Residential (SR) or Shoreline Residential-Private Access (SR-PA), provided the swim raft is no larger than 5 sq. m and is in compliance with Section 4.2.9.1 (1) and (2).

- e) By deleting Section 4.2.12 Temporary Buildings and Structures for Construction Uses, and replacing it with the following Section:

4.2.12 Temporary Buildings and Structures for Construction Uses

A construction trailer, shipping container, scaffold or other building or structure incidental to construction is permitted in all Zones within the Corporation on the lot where construction is being undertaken, for up to 12-months, or only for so long as it is necessary for the work in progress and until the work is completed or abandoned. For the purpose of this By-law, “abandoned” shall mean the failure to proceed expeditiously with the construction work.

- f) By deleting Section 4.2.15 Boathouses and replacing it with the following new Section:

4.2.15 Boathouses

Where permitted by this By-Law, a dryland boathouse may be erected adjacent to a lot line when said lot line is on a body of water and is subject to the following:

- a) may not be located any closer than 15 m (49 ft.) from a side lot line;
- b) shall not exceed a maximum height of 4.9 m (16 ft.) as measured horizontally from the elevation of the high water level;
- c) shall not exceed a maximum total floor area of 74 sq. m (796.5 sq. ft.);
- d) a loft is not permitted within a boathouse;
- e) and in no case shall any portion of said boathouse encroach or extend over any lot line.
- g) By amending Section 4.8 Dwelling Unit Under Construction and deleting “mobile home or a tourist trailer” in both paragraphs and replacing with recreational vehicle.
- h) By amending Section 4.12.4 b) and adding “and Tourist Commercial (TC) Zone” after Island Residential (IR) Zone.
- i) By amending Section 4.22 Minimum Distance Separation Requirements – Agricultural Uses, in the first paragraph by removing from paragraph one “Publication 707, Ministry of Agriculture, Food and Rural Affairs, Queen’s Printer, Toronto, 2006,”

In the second paragraph by removing the remainder of the sentence after “this By-Law” and adding a period.
- j) By amending Section 4.25 Parking Area Requirements by deleting “Tourist Trailer” and replacing with Recreational Vehicle and at the end of the Parking Space Requirements Table adding the following:

Accessible Parking Spaces

- k) By amending Section 4.28 Prohibitions – Other and deleting “recreation trailer, tent trailer, recreational motorhome” and replacing with recreational vehicle.

- q) By removing from Section 5 – Rural (RU) Zone, sub-section 5.2.8 Minimum Floor Area for dwelling and replace with the following:
- 5.2.8** Minimum Floor Area 46.5 sq. m (500 sq. ft.)
- r) Deleting Section 5.4 Farmer Retaining Lot
- s) By removing from Section 6 – Rural Residential (RR) Zone, sub-section 6.2.9 Minimum Floor Area for dwelling.
- t) By removing from Section 7 – Hamlet Residential (HR) Zone sub-section 7.2.7 Minimum Dwelling Floor Area
- u) By removing from Section 8 – Shoreline Residential (SR) Zone sub-section 8.2.9 Minimum Dwelling Floor Area and amending sub-section 8.5.13 b) xiii by deleting “tourist trailer” and replacing with “recreational vehicle”.
- v) By removing from Section 9 - Shoreline Residential-Private Access (SR-PA) Zone sub-section 9.2.10 Minimum Floor Area and deleting sub-section 9.2.1 and replacing with:
- 9.2.1 Minimum Lot Area 0.4 ha (1.0 ac)
- w) By removing from Section 10 - Rural Residential-Private Access (RR-PA) Zone subsection 10.2.10 Minimum Floor Area
- x) By removing from Section 11 – Island Residential (IR) Zone sub-section 11.2.9 Minimum Floor Area
- y) By adding to sub-section 14.8.1 ix. “tourist” between “licensed and park”.
- In sub-section 14.8.2.2 iii. Delete “minimum” and replace with Maximum.
- In sub-section 14.8.3 second paragraph deleting “tourist trailer” and replace with recreational vehicle.
- In sub-section 14.8.4 in the title add “Tourist” before Trailer Parks and in the first paragraph delete Tourist Trailer and replace with Recreational Vehicle.
- z) By deleting in sub-section 14.9.1 a) ii. “travel trailers” and replace with recreational vehicles.
- aa) By removing from Section 15 - General Industrial (GI) Zone sub-section 15.2.8 Minimum Accessory Dwelling Floor Area
- bb) By removing from Section 18 – Community Facility (CF) Zone sub-section 18.2.7 Minimum Accessory Dwelling Floor Area
- cc) By removing from Section 20 – Development (D) Zone sub-section 20.2.7 Minimum Floor Area
- dd) By amending Section 22 Crown Land (CL) Zone sub-section 22.1 and adding the following after the last sentence in Note:
 “The Municipality of Trent Lakes has the authority to regulate land uses and activities by individuals and groups but not Provincial agencies.”

2. That Schedule "A" Map 5 of Zoning By-Law B2014-70 is hereby amended by zoning of the lands identified as Lot 51 Plan 42 Pirates Glen Plan of Subdivision to Rural Residential (RR) as shown on Schedule "A" attached hereto and forming part of this By-Law.
3. That Schedule "A" Maps 1, 5 and 6 of Zoning By-Law B2014-70 are hereby amended by adding Wellhead Protection Areas as shown on Schedules "B", "C" and "D" attached hereto and forming part of this By-Law.
4. In all other respects, the provisions of By-law B2014-070 shall apply.
5. This By-law shall come into force on the date it is passed by the Council of the Municipality of Trent Lakes, subject to the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, as amended.
6. The Clerk is hereby authorized and directed to proceed with the giving of notice under Section 34 (18) of the *Planning Act*, R.S.O. 1990, as amended.

Read a first, second and third time and passed this th day of , 2019.

Janet Clarkson, Mayor

Jessie Clark, Acting Clerk