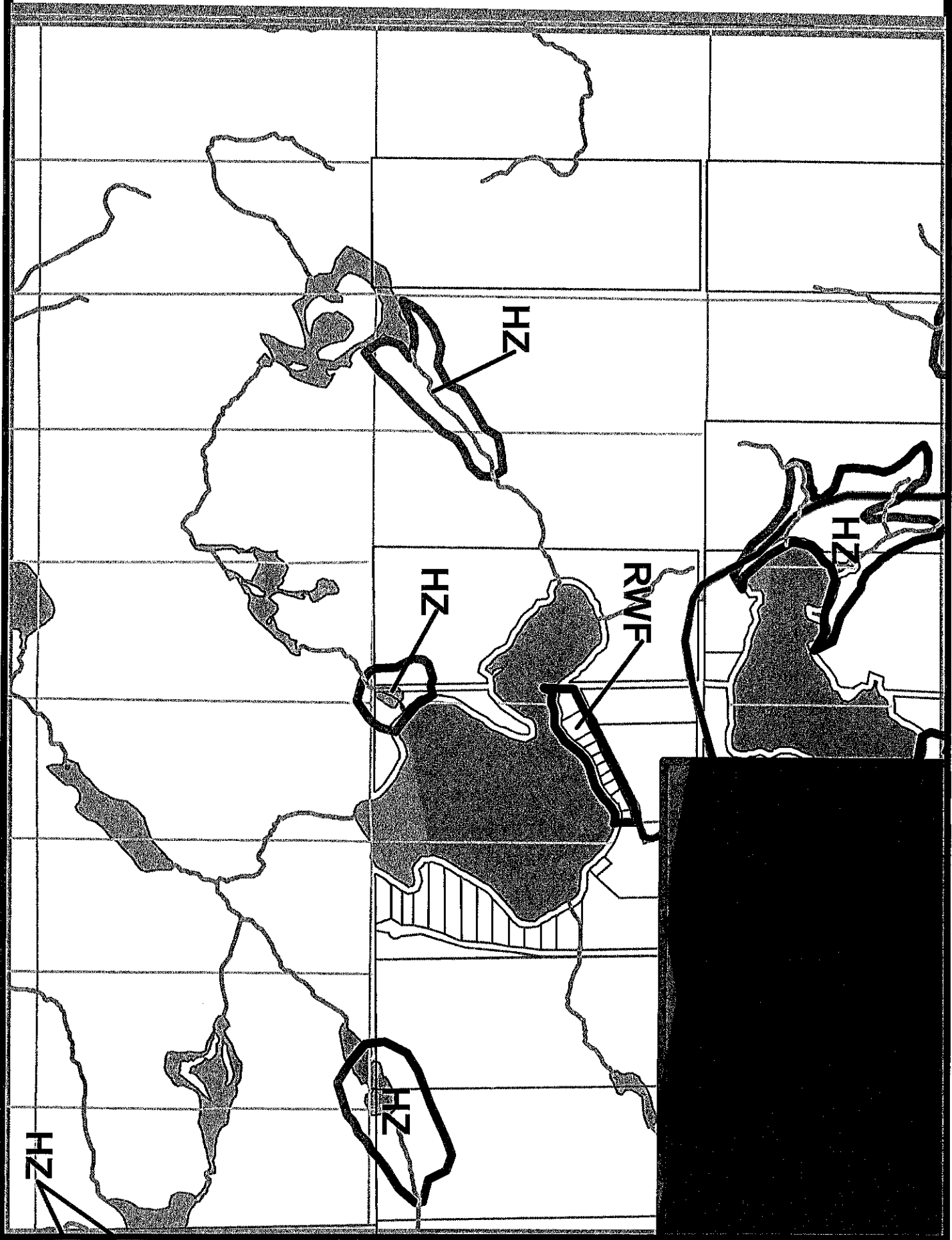


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VII



4.3 RURAL (RU) ZONE

No person shall within any Rural (RU) Zone use any land, erect, alter or use any building or structure except in accordance with the following provisions:

4.3.1 Permitted Uses

- i) conservation uses
- ii) farm
- iii) commercial nursery or greenhouse
- iv) home industry
- v) home occupation
- vi) hunting or fishing camp (private)
- vii) kennel
- viii) outdoor recreation
- ix) place of worship
- viii) portable asphalt or concrete batching plant
- ix) portable saw mill
- x) private recreational camp
- xi) public park
- xii) resource management use
- xiii) riding school or boarding stables
- xiv) single detached dwelling including a mobile home
- xv) veterinary hospital
- xvi) wayside pit or a wayside quarry

4.3.2 Regulations for Permitted Uses

- i) Minimum Lot Area 1.0 ha
- ii) Minimum Lot Frontage 50.0 m
- iii) Minimum Lot Requirements
 - a) Minimum Front Yard 7.5m
 - b) Minimum Interior Side Yard 7.5 m
 - c) Minimum Exterior Side Yard 7.5 m
 - d) Minimum Rear Yard 7.5 m
- iv) Maximum Lot Coverage 5.0 %

Where a building or structure is located on a lot having less than the minimum frontage and/or lot area, and/or having less than the minimum setback and/or side yard and/or rear yard required by this By-law, the said building or structure may be enlarged, reconstructed, repaired and/or renovated provided that:

- i) the enlargement, reconstruction, repair and/or renovation does not further reduce a front yard, and/or side yard and/or rear yard and/or lot coverage less than the minimum required by this By-law;
- ii) the building or structure is being used for a purpose permissible within the Zone in which it is located; and,
- iii) all other applicable Zone Provisions of this By-law are complied with.

3.14.2 Reconstruction of Existing Building

Nothing in this By-law shall apply to prevent the reconstruction of any permitted building which is accidentally damaged or destroyed by causes beyond the control of the owner. Such permitted building may be reconstructed in accordance with the previously existing standards, even if such did not conform with one or more of the provisions of this By-law, but the non-compliance may not be further increased. The reconstruction must occur within 12 months of the damage being done.

3.14.3 Existing Undersized Lots of Record

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lot size?

Where a lot, having a lesser lot area and/or lot frontage than required herein, existed on the date of passing of this By-law, or where such a lot is created by a public authority such smaller lot may be used and a permitted building or structure, may be erected, altered and/or used on such smaller lot provided that all other applicable Zone Provisions of this By-law are complied with.

Lots which have been increased in size following passing of this By-law may also be used in accordance with this provision.

These provisions do not apply to islands.

3.14.4 Existing Lots on Private Roads

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Where an existing lot of record is located on a private road, the said lot may be used for a purpose permitted in the zone in which it is located provided that the proposed use complies with all of the other requirements of this By-law.

3.15 NOXIOUS TRADE

Except as may otherwise be specifically permitted under this By-law, no use shall be permitted which, from its nature or the materials used therein, is defined as a

3.24 SPECIAL SETBACKS

3.24.1 Street Centre Lines

Where a lot abuts a road allowance less than 20 metres in width, the minimum setback from the street line shall be 10 metres from the centre line of the street plus the required front yard or exterior side yard within the zone.

3.24.2 Waste Disposal Areas

No habitable building or structure shall be located closer than 500 metres to any land zoned Waste Disposal Industrial (MD).

3.24.3 Watercourses

Unless otherwise permitted by this By-law, no building or leaching bed for a sewage system shall be located within 20 metres of the original, normal or controlled high water mark of any watercourse or lake.

May change to 30m setback

3.24.4 Hazard Lands

A 30 metre setback for all buildings, structures and septic facilities is required from the Hazard Lands Zone.

3.24.5 Critical Deer Habitat

Notwithstanding the zone regulations of Section 4, a minimum lot frontage of 120 metres and minimum lot depth of 90 metres shall be required for new lot creation proposed within areas identified as Deer Wintering Habitat on Schedule C to the Official Plan for the Town of Kearney. Lesser lot sizes may be considered pending an evaluation prepared by a qualified specialist indicating that deer wintering habitat does not exist.

3.25 TEMPORARY USES PERMITTED

A tool shed, construction trailer, scaffold or other building or structure incidental to construction is permitted in all Zones within the Town on the lot or in the case of a dock, appurtenant to where it is situated but 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 Section, abandoned shall mean the discontinuation of work for more than 90 consecutive days and/or the failure to maintain a current building permit.

Notwithstanding any other provision of this By-law to the contrary, where a dwelling is destroyed, and a Building Permit for reconstruction of the dwelling has been issued by the Town for the subject lands, the owner and family may occupy a trailer on a temporary basis but only during the period which the dwelling is being reconstructed.

Mason Lake

SRA

THE CORPORATION OF THE TOWN OF KEARNEY

BY-LAW NO. 1990- 37

To close, stop up and sell parts of the original road allowance laid out along the shore of Mason Lake in front of part of Lot 7, Concession 6, of the Township of Proudfoot, now in the Town of Kearney, in the District of Parry Sound, being designated as Part 1, according to Plan 42R-9046.

WHEREAS it is deemed expedient in the interest of the Corporation of the Town of Kearney, hereinafter called the Corporation, that the original unopened road allowance being designated as Part 1, according to Plan 42R-9046 be closed and stopped up, and thereafter be sold and conveyed to the adjacent owner;

AND WHEREAS the adjacent owner has made a request to the Corporation of the Town of Kearney for the purchase of part of the original unopened road allowance being designated as Part 1, according to Plan 42R-9046;

AND WHEREAS Notices of the intention of the Corporation to close, stop up, sell and convey the said portion of the said road allowance have been published once a week for four consecutive weeks in the Almaguin News a newspaper published once a week in the Village of Burk's Falls;

AND WHEREAS Notice of the intention of the Corporation to close, stop up, sell and convey the said portion of the said road allowance has been posted in six public places in the immediate neighbourhood of the said road allowance for one month;

AND WHEREAS the Council of the said Corporation has heard in person or by his counsel, solicitor or agent, all persons claiming that their land will be prejudicially affected by the closing, stopping up and selling of the said portion of the said road allowance and who applied to be heard;

NOW THEREFORE the Council of the Corporation of the Town of Kearney enacts as follows:

1. THAT upon and after the passing of this By-law that part of the original unopened road allowance in front of part of Lot 7, in Concession 6, of the Township of Proudfoot, now in the Town of Kearney, in the District of Parry Sound, being designated as Part 1 according to Plan 42R-9046 be and the same is hereby closed and stopped up and thereafter be sold and conveyed by the Corporation to the adjacent owner or owners forthwith after this By-law comes into effect for other lawful consideration and the sum of One Dollar (\$1.00).

2. THAT this By-law shall come into effect forthwith upon the approval of the Minister of Municipal Affairs.

3. THAT the Mayor and Chief Administrative Officer be and they are hereby authorized and directed to sign all such conveyances as may be necessary and expedient for carrying out the provisions of this By-law, and to affix to such conveyances the Corporate Seal of the Municipality.

READ a FIRST, SECOND and THIRD time and finally PASSED in Council this Seventeenth day of August, A.D. 1990.

Shirley Palmer
MAYOR

Marsha J. ...
CHIEF ADMINISTRATIVE OFFICER