

Section 18 – Waterfront/Resort Commercial (WRC)

18.1 Preamble

Within a Waterfront/Resort Commercial Zone (WRC), no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

18.2 18.2.1. Permitted Principal Uses

- a) An eating establishment;
- b) A marina, including a boat sales and service establishment and the sale of parts and petroleum products incidental thereto;
- c) A miniature golf course, driving range or other similar recreationally oriented use;
- d) A public or private park;
- e) A resort including a health spa;
- f) A tourist accommodation use, including hotels, lodges, tourist homes, tourist establishments and bed and breakfast establishments; and/or
- g) A travel trailer park

18.2.2. Permitted Accessory Uses

- a) Accessory building(s) to the above principal uses;
- b) A convenience retail store;
- c) A gift shop;
- d) One accessory dwelling or dwelling unit as an accessory use for the owner or operator of a principal use, in accordance with the provisions of Section 5.19; and/or
- d) Shipping containers where a building permit has been issued.

18.3 Zone Regulations

18.3.1. For the property

- a) Lot Area: 4,000 square metres (0.99 acres) minimum;
- b) Lot Frontage: 45 metres (147.6 feet) minimum;
- c) Lot Coverage (all buildings): 40% maximum;
- d) Off-street parking shall be provided in accordance with Section 5.35 and 5.36; and
- e) All means of ingress and egress shall have a minimum width of 6 meters (19.7 feet) and in the case of a corner lot, no means of ingress or egress shall be located within 15 meters (49.2 feet) of the intersection of the street lines, or, where a corner is rounded, the points at which the extended street lines meet.

18.3.2. For Principal Building

- a) Front Setback: 8 metres (26.2 feet) minimum;

- b) Rear Setback: 8 metres (26.2 feet) minimum;
- c) Interior Side Setback: 3 metres (9.8 feet) minimum;
- d) Exterior Side Setback: 8 metres (26.2 feet) minimum; and
- e) Building Height: 11 metres (36.1 feet) maximum.

18.3.3. For Accessory Buildings

- a) Front Setback: 8 metres (26.2 feet) minimum;
- b) Rear Setback: 1.5 metres (4.9 feet) minimum;
- c) Interior Side Setback: 1.5 metres (4.9 feet) minimum;
- d) Exterior Side Setback: 8 metres (26.2 feet) minimum;
- e) Building Height: 4.5 metres (14.8 feet) maximum;
- f) Gross Floor Areas shall be:
 - i. The minimum gross floor area in accordance with the Ontario Building Code.
 - ii. The maximum gross floor area shall not exceed 98 square metres (1,055 square feet); and
- g) Access to an accessory dwelling unit shall be separate from access to a commercial use.

18.3.4 For land abutting a Residential zone or Residential use

Notwithstanding the provisions of subsection 18.3, where a rear yard and/or an interior side yard abuts a residential zone or any existing residential use, then such interior side yard shall be a minimum of 5 metres (16.4 feet) and such rear yard shall be a minimum of 10 metres (32.8 feet). The 3 metre (9.8 feet) strip immediately adjacent to the rear and/or interior side lot lines shall be landscaped.

Water oriented commercial uses such as marinas or docks shall be located a minimum of 60 metres (196.9 feet) from the nearest residential zone or use.

18.3.5 Additional Zone Regulations for Marina's

Notwithstanding the provisions of subsection 18.3, a marina use shall be subject to the following special provisions in addition to all other applicable provisions of this By-law.

Where a rear yard and interior side yard abuts a navigable body of water, then such rear yard and/or interior side yard may be reduced to zero metres.

No entrance channel, turning basin, dock or boat mooring area shall be located closer than 60 metres (196.9 feet) to a residential zone, a residential use or a street line.

Facilities for the refuelling of marine craft shall be provided at a separate pier or dock area from boat mooring facilities.

Catwalks shall have a minimum width of 0.6 metres (2 feet) and boat mooring docks shall have a minimum width of 1.2 metres (3.9 feet).

A minimum of one parking space shall be provided for every two boat slips.

18.3.6 Additional Zone Regulations for a Tent and/or Travel Trailer Park

Notwithstanding the provisions of subsection 18.3, a tent and/or travel trailer park use shall be subject to the following special provisions in addition to all other applicable provisions of this By-law:

- a) Lot Area: 4.0 hectares (9.9 acres) minimum;
- b) Setback from all lot lines (all buildings or structures on a tent or travel trailer site): 15 metres (49.2 feet) minimum;
- c) Setback from centreline of road allowance (all buildings or structures on a tent or travel trailer site): 25 metres (82.0 feet) minimum;
- d) Travel Trailer Park Density: 30 trailers/gross hectare maximum;
- e) Travel Trailer Site Area: 100 square metres (1,076.4 square feet) minimum;
- f) Travel Trailer Site Frontage (on internal road system): 6 metres (19.7 feet) minimum;
- g) Building Height: 4.5 metres (14.8 feet) maximum;
- h) Number of Travel Trailers (on a Travel Trailer Site): 1 maximum;
- i) Lot Coverage: 25% maximum; and
- j) No campsite, building or structure, except a marine facility for launching and/or servicing of boats or a water pump house, is permitted within 50 metres (164 feet) of the highwater mark of any water body.

18.3.7 Additional Zone Regulations for Hotels, Motels & Rental Cabins

- a) Lot Area: 2.0 hectares (4.9 acres) minimum;
- b) Density: 1 unit/2,000 square metres (21,528.5 square feet) to a maximum of 50 units maximum; and
- c) No campsite, building or structure, except a marine facility for launching and/or servicing of boats or a water pump house, is permitted within 50 metres (164 feet) of the highwater mark of any water body.

18.4 General Provisions

All other special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land lot, building, structure or use within the Waterfront/Resort Commercial Zone (WRC).

18.5 Special Waterfront/Resort Commercial Zones (WRC)

All other provisions of the By-law shall apply except as specified by each special zoning requirement.

18.5.1 Special Waterfront/Resort Commercial-1 (WRC-1)

The lands subject to this By-law amendment are described as follows:

- Part Lot 33, Concession VIII
- Plan 30, Block L, Part Lots 2-4
- 4992 Rice Lake Drive

That Section 18.5.1 be added to the By-law to regulate the use of the land with respect to the following provisions.

18.5.1.1 Permitted Uses

Notwithstanding the uses permitted in the Waterfront/Resort Commercial Zone, as amended, within the Waterfront/Resort Commercial Zone WRC-1, warehouse storage including outside storage, a retail store and service shop exclusively devoted to sporting goods and gift shop shall be additional permitted non-residential uses.

For purposes of this By-law the following definitions shall apply:

- a) Sporting Goods - shall included but not be limited to camping, hunting, biking, hiking, archery, skiing.
- b) Gift shop - shall mean a building or part of a building where crafts, souvenirs, gifts or similar items are offered or kept for sale at retail to the public.
- c) Warehouse storage - shall mean an establishment used for storage and distribution of goods, wares, merchandise, substances, articles or things any may include an accessory retail use but does not include a cartage or express truck terminal.

18.5.2 Special Waterfront/Resort Commercial-2 (WRC-2) By-law 2015-18

The lands subject to this By-law amendment are described as follows:

- Part Lot 6, Concession 9
- Being Part 2 on RP 39R-13149
- 5988 Rice Lake Scenic Drive, Harwood

That Section 18.5.2 be added to the By-law to regulate the use of the land with respect to the following provisions.

18.5.2.1 Permitted Uses

a) The following are the only permitted uses in the WRC-2 zone:

- i. 1 single detached dwelling as the principal use of the property;
- ii. 1 accessory dwelling unit within or attached to the principal use;
- iii. 1 seasonal dwelling in the existing cabin with a minimum gross floor area of 459 square feet (unit 235); and
- iv. Accessory building, structure or use to the above uses.

18.5.2.2 Zone Regulations

a) For All Principal Uses:

- i. Lot Area - 0.43 hectares (1.07 acres) minimum;
- ii. Lot Frontage - 42.67 metres (140 feet) on County Road 18 minimum;
- iii. Gross Floor Area - 89 square metres (958.0 square feet) minimum.

b) For Existing Buildings Not Attached to the Principal Building (unit 235 and 235A)

- i. Setback from the high-water mark 15.1 metres (49.54 feet) to cabin minimum;
- ii. Setback from the top-of-bank as existing on the date of the passage of this By-law.

That prior to the issuance of any building permits for new construction within either zone a detailed storm water management plan shall be submitted for review and found to be satisfactory to the needs of the Township of Hamilton as per Section 12.4 of the Township Official Plan, being By-law 2003-51 as amended by By-law 2010-24.

18.5.3 Special Waterfront/Resort Commercial-3 (WRC-3) By-law 2015-18

The lands subject to this by-law amendment are described as follows:

- Part Lot 6, Concession 9
- Being Part 1 on RP 39R-13149
- 5988 Rice Lake Scenic Drive, Harwood

That Section 18.5.3 be added to the by-law to regulate the use of the land with respect to the following provisions:

18.5.3.1 Permitted Uses

a) The following are the only permitted uses in the WRC-3 zone:

- i. 1 single detached dwelling as the principal use of the property;
- ii. 1 accessory dwelling unit within or attached to the principal use;
- iii. 4 seasonal dwellings in the existing cabins with the respective gross floor areas of;
 - 49.8 square metres (536 square feet) minimum (unit 220);
 - 61.3 square metres (660 square feet) minimum (unit 205);
 - 46.5 square metres (500 square feet) minimum (unit 195);
 - 55.3 square metres (595 square feet) minimum (unit 150);
- iv. Accessory building, structure or use to the above uses.

18.5.3.2 Zone Regulations

a) For All Principal Uses:

- i. Lot Area - 1.48 hectares (3.67 acres) minimum;
- ii. Lot Frontage - 94.79 metres (311 feet) on County Road 18 minimum;
- iii. Gross Floor Area - 89 square metres (958.0 square feet) minimum.

b) For Existing Buildings Not Attached to The Principal Building:

Units 205 and 205A:

- i. Setback from the high-water mark - 17.2 metres (56.43 feet) to cabin minimum;
- ii. Setback from the top-of-bank as existing on the date of the passage of this By-law.

Unit 195 and 195A:

- i. Setback from the high-water mark - 7.6 metres (24.93 feet) to cabin 13.1 metres (42.97 feet) to frame shed minimum;
- ii. Setback from the top-of-bank as existing on the date of the passage of this By-law.

Unit 150:

- i. Exterior Side Yard - 4.5 metres (14.76 feet) to cabin minimum.

That prior to the issuance of any building permits for new construction within either zone a detailed storm water management plan shall be submitted for review and found to be satisfactory to the needs of the Township of Hamilton as per Section 12.4 of the Township Official Plan, being By-law 2003-51 as amended by By-law 2010-24.

18.5.4 Special Waterfront/Resort Commercial Zone-4 (WRC-4) By-law 2015-47

That the lands subject to this by-law amendment are described as follows:

- Part Lot 34 & 35, Concession 9, more particularly described as
- Part 1 on RP 39R-304, Parts 1 & 2 on RP 39R-12634 and Part 3 on RP 39R- 13252,
- known locally as 5273 Rice Lake Drive North, Bewdley

That Section 18.5.4 be added to the by-law to regulate the use of the land with respect to the following provisions:

18.5.4 Zone Provisions

18.5.4.1 For the existing development on the land

- a) Lot area: 5.5 hectares (13.59 acres) minimum;
- b) Lot frontage: 198.12 metres (650 feet) minimum;
- c) Setback (all lot lines): As existing on date of this by-law;
- d) Density: 30 sites/hectare (12/acre) maximum;
- e) Setback of each site from centerline of road As existing on date of this by-law;
- f) Site area: As existing on date of this by-law;
- g) Site frontage: As existing on date of this by-law; and
- h) Lot Coverage: 25% maximum.

18.5.4.2. Any and all future development on the property must be in compliance with provisions of Section 18.3 and may be subject to a Site Plan Agreement with the Township.

18.5.5 Special Waterfront/Resort Commercial Zone-5 (WRC-5) By-law 2021-12

The lands subject to this By-law amendment are the described as:

- 5988 Rice Lake Scenic Drive, Unit 175, Harwood
- Pt Lot 5 & 6, Con 9, Being Part 1 on RP 39R-8726

That Section 18.5.5 be added to the By-law to regulate the use of the land and buildings with respect to the following provisions:

18.5.5.1 Zone Provisions

- a. Lot area: 0.06 hectares (0.16 acres);
- b. Lot frontage: 17.37 metres (57 feet) as per RP 39R-8726:
- c. Principal building setbacks: As existing on date of passage of by-law; and
- d. Accessory building setbacks: As existing on date of passage of by-law.