

Township of Terrace Bay Zoning By-law



Aguasabon Falls

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File P-2560

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Corporation of the Township of Terrace Bay

By-law No. 10 - 2016

Being a By-law to regulate the use of
lands, buildings and structures within
The Township of Terrace Bay

WHEREAS authority is granted pursuant to Section 34 of the Planning Act, R.S.O. 1990, c.13, to Councils of Municipalities to enact by-laws regarding the use of land and the erection, location or use of buildings or structures for such purposes as may be set out in the by-law;

AND WHEREAS the Council of the Corporation of the Township of Terrace Bay has adopted an Official Plan and deems it appropriate to implement the Plan;

NOW THEREFORE the Council of the Corporation of the Township of Terrace Bay enacts as follows:

1. That Schedule 'A' attached hereto and forming part of this by-law including the text and schedules shall be deemed to be the Zoning By-law of the Township of Terrace Bay.
2. That the said By-law shall come into force and take effect on the day of the passing thereof subject to the requirements of the Planning Act.

Read a first, second and a third time and adopted this 7th day of March, 2016

Mayor

CAO/Clerk

Certified that the above is a true copy of By-law No. _____ as enacted and passed by the Council of the Corporation of the Township of Terrace Bay on the _____ day of _____, 20.

CAO/Clerk

SECTION ONE GENERAL ADMINISTRATION

1.1 Repeal of Existing Zoning By-laws

All other By-laws that have been passed under Section 34 of The Planning Act or its predecessors, prior to the date of passing of this By-law, and in particular By-law Number 32/85 and amendments thereto are herein repealed.

1.2 Force and Effect

This By-law shall come into force and effect upon the date of approval of the Official Plan.

1.3 Title and Intent

This By-law shall be known as the "Zoning By-law". It is intended that this By-law set out appropriate zones describing desired and permitted uses of land and establishing minimum standards and requirements for such zones and the related uses in order to promote and achieve the health, safety, convenience and general welfare of the current and future inhabitants of the Township.

1.4 Scope

This By-law and all of the provisions that are contained herein shall apply to all lands that are within the boundary of the Township of Terrace Bay, as now and hereafter are legally constituted.

1.5 Conflict

The provisions and requirements and permitted uses contained in this By-law are in addition to all other lawful requirements of the Corporation of the Township of Terrace Bay. In the event of a conflict between this By-law and another by-law of the Township, the more restrictive by-law shall apply.

Nothing herein shall be construed or represented as replacing any otherwise relevant and lawful municipal or senior government requirement.

1.6 Application and Conformity

No lands shall be used and no buildings or structures shall be erected, altered, enlarged, or moved onto lands, in whole or in part, except in conformity with the requirements, provisions, and permitted uses of this By-law.

No person or corporation shall change the purpose for which any land, building, or structure is used or erect any new building, or sever any lands from any existing lot, except in conformity with this By-law.

No building or structure may be moved within the municipality or from outside the municipality except in conformity with this By-law.

No municipal permit, certificate, or licence shall be issued for a proposed use of land or proposed erection, alteration, enlargement, or use of any building or structure that is in contravention of this By-law.

1.7 Implementation

This By-law shall be administered by such person(s) and/or position(s) as Council may from time to time designate for such purpose.

Final interpretation or other determination of the meaning of any clause or text; or of the intent of any portion of this By-law shall be made by Council in the form of a resolution.

1.8 Certificate of Use Occupancy

No change in the use of land or of a building or structure without a “Certificate of Occupancy” being issued by the Township. Such Certificate of Occupancy may be withheld pending compliance with this By-law and/or with all applicable By-laws of the Township.

1.9 Violations and Penalties

Any person, corporation, or other legal entity who contravenes any of the permitted uses provision, or any other regulation or provision of this By-law; and who is an occupant of and/or an owner of land, buildings, or structures erected, altered, or used in contradiction with the permitted uses provisions or any other regulation or provision of this By-law, is guilty of an offence and is liable, upon summary conviction to a fine as set out and provided for in The Planning Act, as may be amended from time to time, and such fine and all related costs incurred by the Township shall be recoverable under the Provincial Offences Act; all of the provisions of which apply hereto. In particular, the fines currently defined in The Planning Act are as follows;

- a) For a person
 - (i) upon first conviction to a fine not more than \$ 25,000.00, and;
 - (ii) upon subsequent conviction to a fine not more than \$ 10,000.00 per day that the contravention continues.
- b) For a firm or a corporation
 - (i) upon first conviction to a fine not more than \$ 50,000.00, and;
 - (ii) upon subsequent conviction to a fine not more than \$ 25,000.00 per day that the contravention continues.
- c) Where a conviction has been entered under Subsection 1.9.a) above of this By-law, in addition to any other remedy or any other penalty provided, the Court in which the conviction has been entered, and any Court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.

1.10 Validity

Should any section, clause, or provision of this By-law be held by a Court of competent jurisdiction to be invalid, the validity of the remainder of this By-law shall not be affected.

1.11 Official Plan and Force and Effect

This By-law is in accordance with the Official Plan of the Township of Terrace Bay, as updated by By-law Number _____ .

This By-law shall come into force and effect upon completion of the legal notice and circulation provisions of the Planning Act, subject to appeal; and subject to approval of By-law Number _____, amending the official plan.

SECTION TWO GENERAL PROVISIONS

2.1 Application of this Section

The provisions and requirements set out in this Section of the By-law shall apply to all lands within the Township unless otherwise specified.

2.2 Uses Prohibited

All uses of land are prohibited unless specifically permitted in this By-law.

2.3 Continuing Use

Nothing herein shall prevent the continued use of any land, building, or structure for any purpose that prohibited by this By-law provided that:

- a) Such land, building, or structure was legally used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose; or
- b) A building permit has been issued and not revoked prior to the date of passing of this By-law, so long as the building or structure, when erected, is used and continues to be used in accordance with the purpose that was provided for in the building permit. Where such a building permit is revoked, the relief provided by this Section shall cease to apply.

Such land, building, or structure shall be considered to be a legally non-permitted use.

2.4 Non-Permitted Use

- 2.4.1 Should an existing legally non-permitted building, structure, or use be damaged or destroyed by accidental fire or natural disaster that is beyond the capacity of the owner/occupant to control, nothing shall prevent such building or structure from being restored, repaired, strengthened or reconstructed, provided that the height, size and/or volume of the building are not increased; that the building is reconstructed at its prior location on the lot; and provided further that the use is not altered or changed.
- 2.4.2 Except in the case where lands are taken by a public body for public purposes, the size of a legally non-permitted lot shall not be reduced. Where lands are taken by a public body, the residual lot shall not lose its legally non-permitted status through such action.
- 2.4.3 Except as provided for in this Section, so long as any land, building, or structure remains as a legally non-permitted use, none of the relevant zone regulations apply. Use will be limited entirely to those buildings and/or structures as they existed on the date of passing of this By-law, and such alterations as are provided for hereafter in this section, or as are approved by relevant zoning or variance decisions.

- 2.4.4 Where a non-permitted use is converted into a legally permitted use or where a non-permitted use has been abandoned or otherwise terminated; all future use of the lands, buildings, and/or structures shall be in accordance with this By-law, and any previous legally non-permitted status shall no longer exist. Where such conversion to a permitted use exists, any existing building or structure shall be deemed to be legally non-complying with respect to any discrepancy to any regulation or requirement that is not met at the date of such conversion.
- 2.4.5 Nothing herein shall prevent the maintenance, repair, or strengthening of a legally non-permitted use to a safe condition.
- 2.4.6 Nothing herein shall prevent the interior of any non-permitted use from being reconstructed or structurally altered for the existing purpose for which the building or structure is being legally utilized.
- 2.4.7 Where, in any zone a non-permitted residential use exists, nothing in this by-law shall prevent the construction of a detached accessory garage to such use provided that all yard and setback requirements are complied with.

2.5 Long Standing Uses

- 2.5.1 Where any land, building, or structure was used at January 1st, 1980 for a purpose that is permitted in the zone in which it was then located, such use is deemed to have been legally conforming use as at that date.
- 2.5.2 Where any land, building, or structure was used at January 1st, 1980 for a purpose that was not permitted in the zone in which the lands are located, such use is deemed to be a legally non-permitted use as at that date.

2.6 Undersized Lots

Where a vacant lot exists in separate ownership as of the date of passing of this By-law, and has a lesser lot width/frontage and/or a lesser minimum lot area than is required by this By-law, such deficiency shall not prevent the use of the lot for the erection, alteration, or use of buildings, structures consistent with all other regulations and requirements of the zone in which the land is located, provided that;

- a) A minimum of 6.0 metres of lot boundary is abutting and has direct access to a public road.
- b) Such lot is capable of supporting a private septic sewage system and a potable water supply, or is attached to municipal sewer and water.

For such undersized lots;

- a) The required side yards may be reduced to not less than 10 % of the lot width/frontage.
- b) Any such undersized lot may be increased in size and where the resulting new lot continues to be undersized, the relief, status, and rights bestowed by this Subsection shall continue to apply.

- c) In no instance shall an extension to a building on an undersized lot be closer than 0.6 metres to a lot line.

2.7 Non-Complying Use

- 2.7.1 Nothing in this By-law shall prevent the renovation, repair, expansion or rebuilding of a non-complying use, at the same location, provided in the case of reconstruction, that a minimum 0.6 metre setback is maintained between the building and any lot line.
- 2.7.2 Nothing in this By-law shall prevent the strengthening, repair, expansion, or enlargement of any non-complying use provided such works do not further contravene any of the regulations of this By-law.
- 2.7.3 For the purposes of this section, any expansion or addition that extends or continues further along the same building line of an existing non-complying situation shall be considered not to represent a further contravention of the relevant regulation or provision of this By-law. Notwithstanding, no such extension shall bring an expansion or addition to an existing building closer than 0.6 metres to a lot line.
- 2.7.4 Nothing herein shall prevent a non-complying lot from being increased in size, provided that such increase in size does not in any way further contravene any of the regulations of this By-law. Where such increase in size reduces the extent of an existing contravention or discrepancy, the resulting new lesser contravention or discrepancy is deemed to be legally non-complying.

2.8 Tolerance Provision

Any provision of this By-law that is followed by the words “metres, square metres, or hectares” shall be deemed to have a tolerance of plus or minus 3 cm, in the case of a linear measurement, and 0.1 m² in the case of an area expressed in square metres and 0.1 hectare in the case of an area expressed in hectares, unless specified otherwise in this By-law.

2.9 Removal of Land by a Public Authority

Where the acquisition of land by a public agency or authority results in the creation of a deficiency with respect to one or more of the regulations that are set out in the general or in any specific portion of this By-law, such resulting condition shall be deemed to be legally non-complying.

2.10 Minimum Street Frontage

No main building or structure shall be erected in any zone for any purpose unless the lot upon which such building or structure is located abuts and has frontage and direct access of not less than 6.0 metres on an existing public road that is opened, travelled, and maintained by the Township or by any other appropriate public road authority, provided that this requirement shall not apply to;

- a) Lands for which a private road has been considered and accepted as a

component within an approved plan of condominium.

- b) A remote cottage or fishing/hunting camp accessed over private road crossing Crown Lands and/or involving private lands for which legal access has been arranged.
- c) Lands used for forestry purposes, including the harvesting of trees and secondary processing of woodland products, and/or for mining purposes, accessed over Crown Lands and/or involving private lands for which legal access has been arranged.
- d) A lot contained in a registered plan of subdivision where a properly executed subdivision agreement has been entered into with the Township, notwithstanding that the street(s) may not be accepted by the Township until the end of any maintenance period.
- e) The continued use; and the enlargement, extension, reconstruction, renovation, repair or maintenance of existing buildings and/or structures that are located upon a lot that utilizes private road access existing on the date of passing of this By-law.

2.11 Occupancy Restrictions

Except as specifically provided, human habitation shall not be permitted in any of the following buildings, structures, or parts thereof;

- a) A building which is an accessory building to a residential use, except a bunk house or a guest house where such is provided for in a specific zone.
- b) A truck, bus, coach, vehicle, or streetcar body whether mounted on wheels or not.
- c) In a recreational vehicle located outside of a campground or tent and trailer park, except for casual use or short term visitor accommodation.
- d) A dwelling for which the main side walls and roof have not yet been erected, and for which windows, external siding, roofing, have not yet been completed, and for which electrical, kitchen, heating and sanitary services and facilities/conveniences have not been installed and rendered useable.
- e) Notwithstanding d) above which shall otherwise continue to apply, a dwelling unit in a multiple residential building may be occupied provided that all of the conditions described in id) above are satisfied for such dwelling unit, whether or not one or more of the other dwelling units in the building have not been completed.

2.12 Accessory Buildings, Structures and/or Uses

2.12.1 Where this By-law provides that a lot may be used, or a building or structure may be erected or used, for a listed purpose such purpose shall include accessory uses, buildings, and/or structures that are related to, incidental to, and ancillary to the

said purpose, provided that;

- a) No use is made of such buildings or structures for use or gain, except as specifically provided for elsewhere in this By-law.
- b) Except in the case of a guest house, no such accessory building shall be utilized for human habitation unless specifically permitted elsewhere in this By-law.
- c) The main building, structure or use for the lot is already established and in existence on the lot, or a building permit has been issued for such main building.

2.12.2 Maximum height for any accessory building shall not exceed the height of 4.2 metres, except in the case of a bunkhouse or guesthouse which shall not exceed the height of the main building.

2.12.3 Accessory buildings or structures which are detached from the main building shall be erected and maintained in compliance with the yard and setback requirements of the zone in which such buildings or structures are located.

2.12.4 A detached garage or other accessory building or structure shall not be permitted in the front or exterior side/flank yards.

2.12.5 A garden suite may be permitted as an accessory dwelling unit where zoned as a temporary use under Section 39 of the *Planning Act* and any garden suite so zoned shall only be permitted in rear yard with a minimum setback of 5 metres from a lot line.

2.13 Encroachment into Yards

2.13.1 Notwithstanding the yard and setback provisions of this By-law to the contrary, drop awnings, clothes poles, garden trellises, retaining walls less than 1.5 metres above the average finished grade, fences, and landscaping and planting of all forms may be permitted in any required interior side yard or rear yard.

2.13.2 Notwithstanding the yard and setback provisions of this By-law to the contrary, sills, chimneys, cornices, eaves, gutters, parapets, pilasters, bay windows, and other ornamental structures may project into any required side yard a maximum distance of 0.6 metres.

2.13.3 Notwithstanding the yard and setback provisions of this By-law to the contrary, porches, balconies, decks, landings, steps and patios may project into any required front, rear, or exterior/flank side yard, but may not be closer than 1.2 metres from any lot line, or extend more than 3.6 metres into a front yard. Where a porch projects into a required front yard, such porch shall not exceed 6.0 m² in size, and such front porches shall not be permitted to be opened from the inside and integrated into the space of the main building.

2.13.4 No water circulating or pumping equipment for a swimming pool or hot tub shall

be located closer than 3.0 metres to any side or rear yard.

2.13.5 Notwithstanding the yard and setback provisions of this By-law to the contrary, an unenclosed fire escape, and/or an access ramp for handicap a or barrier-free access may be permitted to encroach into any required yard setback.

2.14 Gazebos/Saunas

2.14.1 Notwithstanding the yard provisions set out elsewhere in this By-law, a gazebo and/or a sauna may be permitted in a required front yard adjacent to a waterbody, provided that it:

- a) Is no larger than 14.0 m².
- b) Has a setback of at least 4 metres from the high water mark of the waterbody.
- c) Does not exceed a maximum height of 4.5 metres.
- d) Does not include a hot tub.

2.14.2 In all other situations, a gazebo and/or sauna shall not be permitted within the required front yard.

2.15 Outdoor Furnaces, Electrical Generation Wind Turbines, and Solar Collectors

2.15.1 Furnaces: an outdoor furnace used for the burning of wood, coal, and/or waste materials shall have a minimum setback of 10.0 metres from any lot line, and shall not be permitted in any yard area in front of the main building. Outdoor furnaces shall not be permitted in the settlement area, or within 150 metres of the settlement area, or on any lot that is less than 2.0 hectares in size.

2.15.2 Wind Turbines: where an individual wind turbine is proposed for a parcel of land of less than 0.5 hectares in size, in the settlement area or in a seasonal residential zone, the following shall apply;

- a) Location in yards – not in a front yard or, where a main building exists on an abutting lot and is within 5 metres of the lot line, not within a side yard.
- b) Minimum setback:
 - (i) from any property line, 5.0 metres.
 - (ii) from a main building, 5.0 metres.
 - (iii) from a power line, 10.0 metres.
- c) Noise standard -- turbine shall be described in corporate literature as not generating more than 55 dBA measured at the noise source.
- d) Rotor dimension – not exceeding 9.0 metres in diameter.
- e) The height of the mast/pole shall not exceed 12.0 metres, measured from the normal and unaltered surrounding ground level at a distance of 0.3 metres distant from the mast/pole.

- f) Must be equipped with an override mechanism or other such feature that is able to stop operation of the turbine in winds that are in excess of 65 km/hour.
- g) Turbine must not be located in a direct reception line of any existing external signal receiving device on an abutting lot.
- h) Device shall not be larger than what is necessary to service the main building, and shall service that building with power as the primary function, with distribution of surplus power as a secondary function only.

2.15.3 Wind Turbines – Rural Area: where an individual wind turbine is proposed on lands that are greater than 0.5 hectares in size, and/or in the Rural area, the following shall apply;

- a) Location in yards – not in a front yard or, where a main building exists on an abutting lot and is within 10 metres of the lot line, not within a side yard.
- b) Minimum setbacks:
 - (i) from any property line --- not less than the height of the wind turbine.
 - (ii) from a main building -- not less than the height of the wind turbine.
 - (iii) from a power line, -- not less than the height of the wind turbine.
- c) Noise standard -- turbine shall be described in corporate literature as not generating more than 65 dB(A) measured at the noise source, for any property of up to 3 hectares in size and not greater than 85 dB(A) measured at the source for any property greater than 3 hectares in size.
- d) Rotor dimension – not exceeding 12.0 metres in diameter for any property of up to 3 hectares in size, at a distance of 0.3 metres from the mast/pole.
- e) The height of the mast/pole shall not exceed 15.0 metres, measured from the normal and unaltered surrounding ground level.
- f) Must be equipped with an override mechanism or other such feature that is able to stop operation of the turbine in winds that are in excess of 65 km/hour.
- g) Turbine must not be located in a direct reception line of any existing external signal receiving device on an abutting lot.
- h) Device shall not be larger than what is necessary to service the main building, and shall service that building with power as the primary function, with distribution of surplus power as a secondary function only.

2.15.4 Where a wind farm is proposed, amendment to this zoning by-law shall be required, and appropriate studies, including a noise study shall accompany such application.

2.15.5 Solar Collectors

- a) Any commercial solar collector shall meet the requirements and regulations of the *Green Energy and Green Economy Act* and in addition shall be set back a minimum of 10 metres from any lot line.
- b) A ground-mounted solar collector shall not be permitted in a required front, exterior side or interior side yard and shall have a setback of 3 metres in a rear yard. Notwithstanding the above a solar cell with a production of 6-24 volts servicing a single light fixture may be installed in a required front, exterior side or interior side yard where the cell is pole mounted.
- c) Roof-mounted solar collectors shall be permitted on any building in a residential, commercial, institutional or industrial zone.

2.16 Boat Launching and/or Docking, Boat house

Notwithstanding the yard provisions set out elsewhere in this By-law, a boat dock and/or boat launching facility may be permitted as an accessory feature in the front or side yard of a lot adjacent to a waterbody, provided that such feature is located no closer than 3.0 metres from any side lot line.

Any existing boat house is deemed to be legal, and any new boat house shall only be permitted by rezoning.

2.17 Height Limitations

Height limitations/provisions set out in the general regulations or in specific zones of this by-law shall not apply to the following uses:

- a) Air conditioning ducts, antenna, belfry, bridge, chimney, bulk storage tank other than a propane tank, church spire, clock tower, communication tower, electric power facility other than a building, flag pole, lighthouse, railway signal or tower, skylight, stack, ventilator, water storage tank, or lighting used to as part of an airfield or emergency landing site.
- b) The maximum height for a propane bulk storage tank shall not exceed 6.2 metres.
- c) Height limitations/provisions for an individual wind turbine are set out in subsection 2.15.

2.18 Home Occupation

Where a home occupation/profession is permitted in association with a dwelling unit that is not a seasonal dwelling, the following provisions shall apply:

- a) A home occupation shall be secondary to the principal residential use, and shall not change the residential character of the property.
- b) One only home occupation shall be permitted in conjunction with a single detached dwelling.
- c) No person, other than a person living in the dwelling shall be involved in the

conduct of the home occupation within the dwelling unit,

- d) There shall be no outside storage of goods, materials, containers, or other materials used in conjunction with the home occupation.
- e) The home occupation shall not cause or generate noise, dust, air pollution, or involve the storage of chemicals that are likely to cause air emissions that are noticeable at the property boundary.
- f) Not more than 25 % of the gross floor area of the dwelling shall be committed to a home occupation.
- g) The home occupation shall be carried out entirely within the dwelling except for required parking and a sign as provided for herein.
- h) A home occupation shall not include a beauty salon, hair dressing shop, barber shop, boarding, rooming or lodging house, any eating establishment, or a bed and breakfast establishment. In addition, the delivery, storing, and/or cutting of logs for fire wood for subsequent resale is not permitted as a home occupation.
- i) A non-illuminated sign, with a maximum size of 0.2 m² shall be permitted.

2.19 Bed and Breakfast Establishment

A Bed and Breakfast establishment shall be permitted in association with a single detached, semi-detached or a duplex dwelling, in accordance with the following regulations:

- a) Operation of the Bed and Breakfast establishment shall be incidental and secondary to the main use as a dwelling unit, and shall not change the character or the exterior appearance of the dwelling.
- b) Operation of a Bed and Breakfast establishment shall be by person(s) whose principal residence is the dwelling unit containing the Bed and Breakfast establishment.
- c) Meals may be provided to the Bed and Breakfast establishment guests, but such service shall not be extended to the general public.
- d) Not more than four bedrooms for guests shall be allowed and a minimum of one additional bedroom for the occupant of the dwelling shall be required to be provided.
- e) The maximum length of stay for a guest shall not exceed four (4) days.
- f) The operation of a Bed and Breakfast shall not be permitted in conjunction with rental of accommodation of rooms to boarders or roomers.
- g) A non-illuminated sign with a maximum size of 0.2 m² shall be permitted.

2.20 Loading Space

- 2.20.1 Loading spaces are required and shall be provided under this By-law in accordance with the standards and regulations set out herein.
- 2.20.2 Each required loading space shall be not less than 15.0 metres in length; 3.5 metres in width; and have a vertical clearance of at least 4.3 metres.
- 2.20.3 Loading spaces shall not include any area that is committed to the calculation and provision of require parking spaces.
- 2.20.4 For residential buildings containing more than 10 dwelling units, one loading space shall be provided and maintained.
- 2.20.5 For non-residential uses, the following spaces shall be required and maintained:
- a) Building less than 500 m²: no spaces required.
 - b) Buildings of 500 to 2,500 m²: one space required
 - c) Buildings in excess of 2,500 m²: two spaces required
- 2.20.6 Access to any loading space shall be by means of a driveway of at least 3.5 metres in width contained on the lot on which the loading space is required and leading to an improved road, either directly or through aisle ways and/or driveways elsewhere on the lot.
- 2.20.7 Any required loading space shall be located in a side yard or rear yard; or in a front yard where such space or spaces are removed from the street or highway a minimum of fifteen (15) metres.
- 2.20.8 Where any non-residential building in existence at the date of passing of this By-law does not provide loading space in accordance with the requirements set out herein, expansion of such building may occur, provided that such expansion does not exceed 300 m², without the need for such loading space to be provided. Where expansion exceeds the said 300 m² size, loading space shall be provided for building in accordance with the requirements set out in 2.20.5 above.
- 2.20.9 Where any residential building in existence at the date of passing of this By-law does not provide loading space in accordance with the requirements set out herein, expansion of the number of units may occur within the existing gross floor area of the building without the need to provide a loading space. Where expansion of the gross floor area of such a building is involved in order to facilitate new dwelling units, a loading space shall be provided.

2.21 Parking for Motor Vehicles and Bicycles

- 2.21.1 Permanently maintained off street parking spaces are required and shall be provided under this By-law in accordance with the standards and regulations set out herein.

2.21.2 Parking spaces shall be provided in accordance with the following table and where the calculation of the number of required spaces exceeds a whole space by more than 0.4 the required spaces shall be the next whole number.

2.21.3 The number of parking spaces required for types of land uses shall be as set out in the following Table:

Table of Parking Space Requirements	
Single/seasonal detached, semi-detached, duplex dwelling	1.0 space per dwelling unit
Senior Citizen dwelling	0.5 spaces per dwelling unit
Lodging, boarding, rooming house	1.0 spaces per unit
All other residential dwelling units	1.5 spaces per dwelling unit
Combined commercial or institutional	1 space per 20 m ² of gross floor area
Hotel, motel	1 space per guest room or suite and 1 space per five persons that can be accommodated at dining, banquet, meeting room, lounge or other such facilities
Automotive gas bar, service station	In addition to 1 fueling and 1 queuing space at each pump, 1 space per service bay and 1 space per 40 m ² of accessory office, retail or storage space
Home Occupation/Profession	1 space minimum and three maximum in addition to the required parking for the dwelling
Restaurant, tavern	1 space per 10 m ² of gross floor area or 1 space per 6 persons legally accommodated
Hardware store	1 space per 55 m ² of gross floor area
Personal service shop	1 space per 20 m ² of gross floor area
All other commercial or service uses	1 space per 30 m ² of gross floor area
Arena, curling rink, auditorium, bowling alley, community centre	2 spaces per designed activity area (i.e. per bowling lane, curling sheet) and 1 space per 6 persons legally accommodated
Church, private club, theatre	1 space per 6 fixed seats
Golf course Mini golf, driving range	15 spaces per 3 holes minimum of 10 spaces each

Table of Parking Space Requirements	
School	1 space for each teaching area (i.e. classroom)
Hospital	1 space per 2 beds
Warehouse	1 space per 55 m ² of gross floor area
Industrial use	1 space per 150 square metres of gross floor area
Auto body repair shop	1 space per bay or 1 space per 150 square metres of gross floor area
Tourist cabins	1 space per cabin
RV campsite	1 space per individual RV site
Marina	Minimum of 10 spaces for vehicle parking Plus 1 space per 6 persons
All other permitted uses	1 space per 30 m ² of gross floor area
Barrier-free parking spaces	1 space for any use requiring 10 or more spaces plus 1 space for each 25 standard

2.21.4 Every lot shall have one or more unobstructed driveways not exceeding 9.0 metres in width, providing that no lot shall have more than two driveways for the first 30.0 metres of street line thereof + one more driveway for each additional 30.0 metres of street line.

2.21.5 The width of a driveway leading to any parking area shall be a minimum of 3.0 metres for one-way traffic and a minimum of 6.0 metres for two-way traffic, except in the case of a duplex dwelling in which case the width of a driveway for one or two way traffic shall be not less than 3.0 metres.

2.21.6 Where more than three parking spaces are provided at one location, such parking spaces shall have direct and unobstructed access to an aisle way, which aisle way may also be a part of the driveway. The size of such aisle way shall be as follows:

- a) Up to and including 45 degrees - 4.6 metres
- b) Over 45 and up to 70 degrees - 5.4 metres
- c) Over 70 degrees - 6.7 metres

2.21.7 Each required parking space shall have rectangular dimensions of not less than 2.8 metres by 6.0 metres, except:

- a) Where the parking space abuts an obstruction, the width shall be increased to 3.0 metres
- b) Where principal access is provided along the longest dimension of the parking space, then the minimum space shall be 2.4 metres by 6.7 metres.

- c) Barrier-free parking spaces shall have a rectangular dimension of 3 metres by 6 metres.
- 2.21.8 Where an existing building or structure has insufficient parking spaces on the effective date of this By-law, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition or a change of use, provided that any additional parking spaces required for such addition shall be provided in accordance with all regulations herein respecting parking spaces.
- 2.21.9 Parking spaces may be provided on the same lot as the main use, or on additional owned lands within 40.0 metres of the closest boundary of the lot containing the main use.
- 2.21.10 Where there is more than one use on the lot, the parking space calculation for the whole building may be either of;
- a) The sum of the parking space requirements for each separate use, applied to that specific portion of the building containing or to contain such use, or
 - b) The parking requirement set out for combined uses applied to the whole of the building.
- 2.21.11 Parking spaces shall be permitted in all yards, except as specifically regulated elsewhere in this By-law.
- 2.21.12 Any building, (except an existing building) with a net floor area of 250 m² used for a commercial use shall install a bicycle storage rack designed to securely store a minimum of 10 bicycles and such bicycle storage rack shall be located within 15 m of the main entrance of the building.

2.22 More than One Zone on a Lot/Split Zoning

- 2.22.1 Where a lot has more than one zone applying to it, then the regulations of the zone where 50 % or more of the use, buildings, or structures are, or are intended to be located shall apply, except in the case where one of the zones is a Use Limitation zone in which instance the regulations of the next largest zone shall apply.
- 2.22.2 In such situations, regardless of the number of zones that might apply to a lot, the total lot may be used to satisfy the minimum lot area or frontage requirements of this By-law.

2.23 Temporary Uses

- 2.23.1 A tool shed, construction trailer, scaffold or other such building or structures incidental to construction are permitted in all zones so long as necessary for work in process until such work is abandoned and/or the building permit for such work is revoked.
- 2.23.2 Notwithstanding any other provision of this By-law to the contrary, where a dwelling is destroyed, and a building permit has been issued for the same lands, the owner and family may occupy a temporary trailer during the period

within which the dwelling is being reconstructed.

- 2.23.3 A vinyl, temporary vehicle shelter or other similar portable building may be erected on any residential lot to provide shelter to a private vehicle, provided that all of the requirements of the particular zone for yards are complied with.

2.24 Motor Homes/Campers/Recreational Vehicles

- 2.24.1 A maximum of one trailer, camper, recreational vehicle, motor home, boat or skidoo may be stored when not licensed and/or not in season, in any Residential zone, where a dwelling is in existence on the same lot, provided that such vehicle shall not be stored in a required front yard.

- 2.24.2 A recreational vehicle that is licensed, in season, and in regular use or an boat trailer, skidoo trailer or any other such vehicle may be parked in any rear or side yard, or may be parked in any front yard provided that the area used for parking is not less than 3.0 metres from a side lot line, and the entire vehicle can be parked on the lot without overhang onto the public road allowance. Where a recreational vehicle is parked in the front yard in accordance with the 3.0 metre setback, no other vehicle shall be parked within the first 1.5 metres from the front lot line, within the said 3.0 metre recreational vehicle setback area.

- 2.24.3 For the purposes of this subsection, “in season” for a recreational vehicle shall be defined to be the period between April 15th and October 15th of any given calendar year.

- 2.24.4 For the lands and premises being Lot 279, Plan M-329 (74 Eastgrove), a recreational vehicle shall be permitted to be parked in accordance with the aforementioned 3.0 metre setback, and to overhang onto the public road allowance abutting the front yard of the said lands to a distance of no more than 0.6 metres.

2.25 Provincial Highway

Where any development is adjacent to any Provincial Highway, access approval and or building permit controls may be applicable. Compliance with such controls will be required to be demonstrated prior to the issue of a building permit by the Township.

2.26 Noxious Uses

Except as may otherwise be specifically permitted in this By-law, no use shall be permitted which, by virtue of its nature or the materials used or produced, is defined as a noxious trade, business, or manufacture under the Health Protection and Promotion Act, S.O. 1983, as amended, and the regulations relating thereto.

2.27 Use of Streets for Services

Nothing in this By-law shall prevent land from being used for a street or highway, or shall prevent the installation of sewer or water services, storm sewer, gas main or feeder line, pipeline, overhead or underground hydro, communication line, or electrical high voltage facilities.

2.28 Public Service Use

2.28.1 The Provisions of this By-law shall not apply to prohibit the use of any lot or the erection of any building or structure for the purposes of public use by the Township, or by any public authority, agency or level of government for the purposes of carrying out their mandate. Nothing herein shall prevent the use of land as a public road, lane or sidewalk, or prevent the installation of water, sewer, or storm sewer main, or of underground or overhead hydro, telephone, or communication lines; or of any natural gas distribution system operated by a company that has obtained and possesses all necessary rights, licenses and franchises.

2.28.2 Where a public use is specifically mentioned as a permitted use within a specific zone, then such public uses shall only be permitted in that zone.

2.29 Sight Triangles

2.29.1 Within any area defined as a sight triangle, the following uses shall be prohibited:

- a) A building, structure, or use which would obstruct the vision of drivers of motor vehicles.
- b) A fence, tree, hedge, bush or other vegetation, other than agricultural crops.
- c) Any portion of a delivery space, loading space, driveway or parking space.
- d) A berm or other ground surface which exceeds the elevation of the street by more than 0.6 metres.

2.29.2 For the purposes of this By-law, the following sight triangle distances shall apply:

- a) 15 metres in all commercial and industrial zones.
- b) 5 metres in all other zones.

2.30 Special Setbacks

2.30.1 Street Less Than Twenty Metres

Where a lot abuts a road allowance that is less than 20 metres in width, the minimum setback from the street line shall be ten (10.0) metres from the centre line of the travelled street, plus the required front yard or exterior side yard as set out within the relevant zone.

2.30.2 Waste Disposal Site

No habitable building shall be located closer than 500 metres to any zone boundary that includes a landfill site as a permitted use.

2.30.3 Watercourse, Waterbody, Flood Plain

Unless otherwise permitted by this By-law, no building or structure, and no leaching bed

for a sewage system shall be located within twenty (20.0) metres of the normal high water mark of any watercourse or lake

No building or structure shall be constructed below the regulatory flood elevation of 185.1 metres CGD of Lake Superior which includes a 1 meter wave uprush, or within 15 m of the flood elevation except for flood or erosion control facilities, infrastructure incidental to a water supply or sewage disposal service, or a permitted dock or boat house or marina.

2.30.4 Pits, Quarries, Asphalt Plants

- a) No sensitive land use shall be permitted within 70 metres of a pit measured from the lot line of the sensitive land use and the lot line of the pit.
- b) No sensitive land use shall be permitted within 300 metres of a quarry measured from the lot line of the sensitive land use to the lot line of the quarry.
- c) Notwithstanding any other provision of this By-law, no mineral aggregate extraction or wayside pit or quarry shall be established or operated within 90 metres of a dwelling, or within 300 metres of Lake Superior.

2.30.5 Industrial Uses

- a) Class I Industrial Use: The minimum separation distance from a sensitive land use and a Class I Industrial use shall be 20 metres and shall be measured from the lot line of the sensitive land use to the lot line of the Class I Industrial Use.
- b) Class II Industrial Use: The minimum separation distance from a sensitive land use and a Class II Industrial use shall be 70 metres and shall be measured from the lot line of the sensitive land use to the lot line of the Class II Industrial Use.
- c) Class III Industrial Use: The minimum separation distance from a sensitive land use and a Class III Industrial use shall be 300 metres and shall be measured from the lot line of the sensitive land use to the lot line of the Class III Industrial Use.

2.30.6 Agricultural setbacks

All development shall comply with the Minimum Separation Distances I and II as set out in the Ministry of Food and Agriculture's *Minimum Distance Separation (MDS) Guidelines*.

2.31 Group Homes

A Group Home shall be permitted in any residential zone.

2.32 Mobile Homes

Mobile homes are not permitted in residential or seasonal residential zones.

2.33 Water and Sewage Disposal Systems

No person shall erect or use in whole or in part, any building or structure unless the use, building or structure is properly connected to an approved water supply and sewage disposal system under the Ontario Water Resources Act or the Building Code Act unless

the use is exempted under the Building Code Act or prohibited or regulated by this by-law.

SECTION THREE DEFINITIONS

Accessory use, building, structure

Means a use, separate building and/or structure, which is usually incidental, subordinate, and exclusively devoted to a main use, and is located on the same lot as such main use.

Aggregate

Means gravel, sand, clay, earth, shale, limestone, dolostone, sandstone, marble, granite, rock other than metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act* or the *Aggregate Resources Act*.

Agricultural use

Means a use of land, buildings, and/or structures for the raising of animals and/or birds; the growing of agricultural crops, including turf, grass, greenhouse crops, mushrooms and nursery stock, and shall include value added agricultural products from the farm operation of a property.

Airport

The use of land, building, and/or structure for facilitating the landing and handling of aircraft and their passengers and/or freight.

Aisle

Means the travelled way by which motor *vehicles* enter and depart *parking spaces* and a *parking area*.

Alter

- a) When used with reference to a building or structure, or part thereof, means to change any one or more of the external dimensions of the building or structure, or to change the type of construction of the exterior walls or roof.
- b) When used with reference to a lot, to change the area, frontage, or depth thereof; to change the width, depth or area of any required yard, landscaped open space, or parking area; or to change the location of any boundary of such lot.
- c) When used with reference to use, shall mean to discontinue and/or replace a use with another use that is distinct from the discontinued use.

Assembly Hall/Place of Assembly

Means a use of land, building, and/or structure or part thereof in which facilities are provided for meetings for civic, educational, political, recreational, or social purposes and may include facilities for a banquet hall.

Ambulance Service

Means the use of land, building, and/or structure as a base for the parking, storage,

servicing, and/or dispatching of ambulance vehicles, and including the accommodation of drivers, paramedics or other such persons involved in the delivery of service.

Areas of Scientific Interest (ANSI)

Means lands designated by Ontario as having significant value relating to natural heritage or scientific interest.

Asphalt Plant

Means an industrial facility used for the production of asphalt for immediate use in the paving of roads and driveways and the damp-proofing of buildings or structures.

Attached

Means a building or structure otherwise complete in itself, which depends for structural support or complete enclosure, upon a division wall or walls shared in common with an adjacent building or structure or adjacent buildings or structures.

Automobile Service Station

Means the use of land, buildings, and/or structures where gasoline, propane and/or diesel fuels, oil, antifreeze, tires, automobile parts and/or equipment/accessories are kept for retail sales and where motor vehicles may be serviced, maintained and repaired, but excluding an auto body shop.

Automobile Body Shop

Means an establishment where vehicle cleaning, polishing, painting, body or frame re- alignment or repair is carried out.

Automobile Gas Bar

Means a premises where gasoline, propane and/or diesel fuels, oil, anti-freeze, tires, and/or parts and/or equipment/accessories are kept for retail sale, but where only minor service, maintenance, or repair of automobiles is carried on, including such activities as adding oil, adding washer fluid, or changing windshield wiper blades.

Automobile Wrecking Establishment

The use of land, building, and/or structure for the wrecking or dismantling of motor vehicles and for the storage and sale of scrap material, salvage and/or parts obtained therefrom.

Balcony

Means a structure without a roof attached to and extending horizontally from a wall or walls of a main building and having no separate foundation on the ground and no direct access from the ground.

Basement

Means that portion of a building, which shall include a cellar, below the first floor, and which is more than 50 % below ground level at the exterior walls (see diagram).

Bed and Breakfast Establishment

Means that portion of a single dwelling, being not more than four bedrooms, and being one less bedroom than the total number of bedrooms provided in the dwelling, is used to supply overnight accommodation to the travelling or vacationing public, for profit or gain, and may include the provision of meals to such guests only, but not to the general public; and where the bed and breakfast operation is secondary to the main residential use.

Boarding House, Rooming House

Means a dwelling in which the proprietor supplies sleeping accommodation for a fee to at least three persons and not more than ten persons exclusive of the proprietor and his family, but does not include a hostel, or a bed and breakfast.

Boathouse

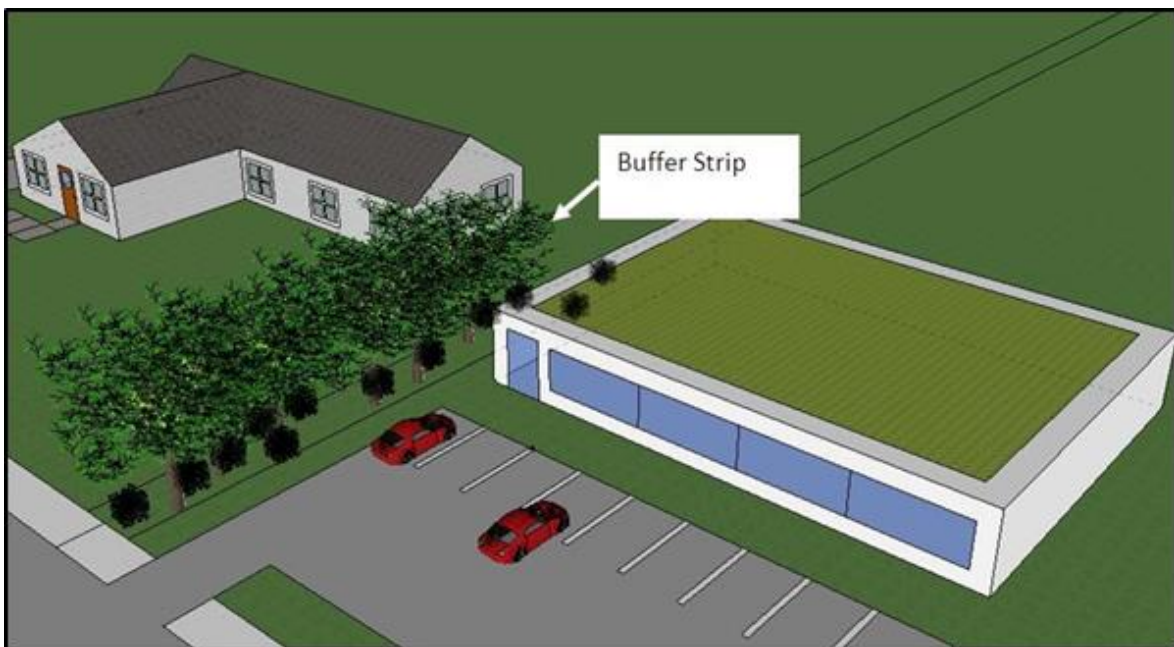
A building used for the storage of boats and other water crafts, excluding aircraft.

Boat launch

The use of land and water for the purpose of floating or launching, and recovery of small pleasure boats and other water crafts, excluding aircraft, and related parking area for vehicles and boat trailers; and may include a dock.

Buffer, Buffer Strip

Means an area of land the size of which is defined in a regulation or requirement in the relevant zone, and containing fencing, grass, shrubs, bushes, berms, trees, or other vegetation (see diagram).



Building

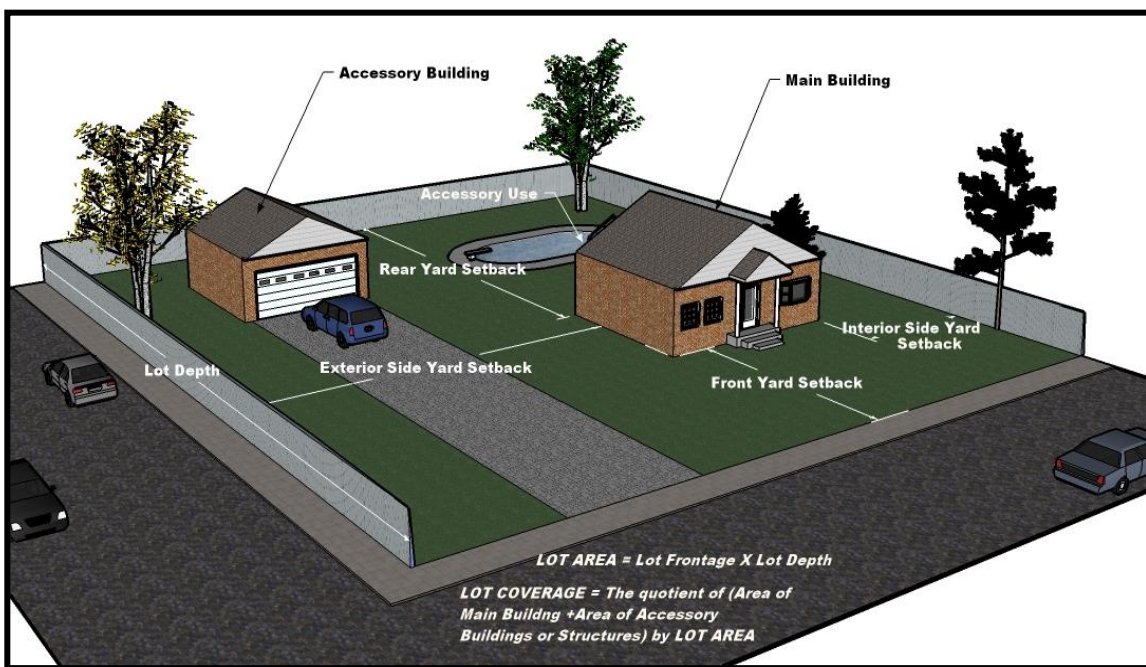
Means a structure consisting of a floor, walls and a roof and used for the shelter and/or accommodation of persons, animals, or goods, and shall include a deck that is attached or

that otherwise supported by a building or that is closer than 0.2 metres to a building.

Main Building: means the building serving the principal or primary use of the lot on which it is situated (see diagram).

Accessory Building Means a detached building located on the same lot as an existing main building, the use of which is incidental or secondary to that of the main building (see diagram).

Mixed Use Building: means a building containing more than one land use category (e.g., retail commercial and residential, office and residential, industrial and retail, etc.) that are designed and constructed as a single structure.



Building supply and lumber outlet

Means the use of land, building(s) and/or structure(s) for the storing and sale of lumber, building supplies, construction and home improvement materials, and construction tools are kept for sale at retail, and may include the cutting of lumber or other wood products to length.

Bulk fuel depot

Means the use of land, building(s), and/or structure(s) for the storage and distribution of fuels but not including retail sales except key lock operation.

Bulk fuel storage tank

Means a tank for the bulk fuel storage of petroleum, petroleum products, chemicals, gases or other similar substances.

Building line

Means a line within a lot drawn parallel to a lot line, or connecting a part of buildings on abutting properties, which establishes the minimum distance between that lot line and any part of a building or structure which may be erected.

Bunk house, guest house

Means an accessory building, or part of a building no greater than 50 m² in size, which is maintained for the temporary accommodation of individual(s) in association with a main building, and which contains no cooking facilities.

Canine Day-Care Service (Doggie Day-Care)

Mean the use of land, building(s) and/or structure(s) for a business in which dogs are cared for individually or allowed to mingle and interact with other dogs in one or more playgroups under supervised conditions and may include outdoor dog runs and exercise areas. The day-care service shall not include overnight accommodation or boarding of dogs.

Carport

Means a partially enclosed structure which is primarily intended and uses for the storage of one or more automobiles and in which no business, occupation or service, and no other storage is conducted.

Campground

Means the use of land, building(s) and/or structure(s) for the parking and temporary use for at least ten campsites, occupied by tents, trailers, motor homes, recreational vehicles, or truck campers, which may also include an administrative office, sanitary facilities, recreational facilities, and a convenience store.

Campsite

Means a portion of a lot that is contained within an RV/tent and trailer park that is maintained for use as the location for temporary occupancy of a tent, travel trailer, motor home, recreational vehicle, or truck camper, but shall not include a mobile home.

Cellar

Means the portion of a building between two floors, which is partly underground and which has more than one-half of its height from floor to ceiling below the finished grade (see also Basement).

Cemetery

Means the use of land, building, and/or structure for the burial of the dead, and may include crematoriums, mausoleums, mortuaries, or other such activities operated in conjunction and within the boundaries of such lands. Cemetery may also include lands, building and/or structures utilized for the burial of pets, where operated as a separate and distinct function.

Clinic

Means the use of land or building for the professional practice of medical practitioners, and including drugless practitioners, for the purpose of consultation, diagnosis, and/or office treatment, and may include a pharmacy, optical dispensary, X-ray facility and/or laboratory or other similar features.

Club

Means a building or part thereof used as a meeting place or place of assembly for members of a chartered organization, and may include a social service club, lodge, fraternal organization, sorority house, or union hall, and similar uses, but shall not include a church.

Combined Use Facility

Means a group of two or more establishments that are permitted in the zone, that are conceived, designed, developed, and managed as an interdependent and interrelated unit whether by a single owner or tenant or by a group of owners or tenants acting in collaboration, and may include units of ownership held in condominium tenure, and which, except for any existing situation, in total do not exceed 2,100 m² gross floor area.

Commercial use

Means the use of land, building(s) and/or structure(s), not exceeding a gross floor area of 300 m² for a purpose not defined or listed elsewhere, of buying and selling of commodities, supplies, goods, wares of all kinds, including but not limited to department store, food store, tourist trade store, electronics and/or furniture or appliance drug store; and the delivery of all legal forms of individual services including but not limited to travel agencies, photography, consulting services, laundromat, public sauna, and personal services. Shall also include a post office, video sales/rental store, theatre, taxi stand, bake shop and a funeral home, and accessory area for installation and/or maintenance of product sold.

Commercial school

Means the use of land, building, and/or structure for the giving of instruction and/or the teaching of information, knowledge, skill, trade, or other such facilitation of learning, where conducted for a profit or gain.

Communication facility

Means the use of land, building(s) and/or structure(s) for the transmission, reception and/or relaying of information and communication, and may include a microwave tower, telephone, telegraph, radio, television, or satellite station or similar facilities.

Community facility

Means any facility, place or building which is maintained and operated to provide public service for the residents of the community.

Conservation Use

Means the use of lands which are intended to remain open in character with the priority use given to preservation of their ecological uniqueness, wildlife production and their natural features and may include non-commercial recreational uses only if conservation of the

resource is not jeopardized.

Contractor’s yard

Means the use of lands, building(s) and/or structure(s) where vehicles, equipment and/or materials used in the undertaking of construction and similar work are stored, serviced, and/or maintained, or where a contractor performs shop or assembly work, or the maintenance of equipment owned by the contractor; and may include an accessory office. Where service and/or maintenance is involved, such activity shall be limited to the vehicles and/or equipment of the contractor.

Convenience Store

Means a building or part thereof used primarily for the sale of grocery and confectionary items and incidentally for the sale of such other merchandise as is required to fulfill the day-to-day needs of a surrounding community. For the purposes of this By-law, a convenience store shall not be considered a retail store

Conversion

Conversion shall mean the change or transformation of a single detached seasonal dwelling and land use to a permanent residential dwelling and land use, in accordance with the polices set out therefore in the Official Plan, and documented by the obtaining of a certificate of conversion from the Township.

Corporation

Means the Corporation of the Township of Terrace Bay.

Crisis Care Facility

Means a building or part thereof which is used to provide for the supervised residency of persons requiring immediate emergency shelter temporarily and without limiting the generality of the foregoing, includes a facility for battered or abused adults and/or children and/or elderly persons.

Day Nursery/Day Care Facility

Means the use of land, building, and/or structure or part thereof for profit, for the temporary care of children by licensed or otherwise certified staff in accordance with Provincial legislation established therefore, and where more than four children exclusive of the host family are involved.

Deck

Means structure, without a roof, located above ground, attached and cantilevered from a dwelling unit and/or supported by the ground or support by a foundation, with or without direct access to the ground, the floor or which is greater than 0.6 metres above finished grade and shall not include a landing or stairs.

Density

Means the ratio of the number of dwelling units or the number of campsites to the total lot area of a property.

Detached

When used in reference to a building or structure, means a building or structure which is physically separated and not dependent on any other building or structure for structural support or enclosure.

Development

Means the creation of a new *lot*, a change in land *use*, or the construction of buildings and structures requiring approval under the *Planning Act* and shall be taken to include redevelopment, but does not include activities that create or maintain infrastructure authorized under an environmental assessment process, works subject to the *Drainage Act*, or underground or surface mining of minerals or advanced exploration on mining lands.

Dock

Means an accessory structure used in conjunction with a main use for the mooring of boats and/or other water craft, attached to or forming part of the mainland.

Drive-Through Facility

Means a premise used to provide or dispense products or services through an attendant or a window or an automated machine, to persons remaining in vehicles that are in a designated queuing space; and may be in combination with other land uses. Kiosks within a parking structure necessary for the operation of the parking facility or kiosks associated with a surface parking area are not considered drive-through facilities.

Driveway

Means a vehicular access connected to a public street or private road or thoroughfare, which provides ingress to and/or egress from a lot, and may include a shared driveway but shall not include a lane as defined herein.

Dry Cleaning Establishment

Means a building wherein the business of dry cleaning, stain removal and/or pressing of articles and/or goods of fabric is carried on.

Dwelling Unit

Means a building or part of a building occupied or capable of being occupied by one or more persons as an independent and separate housekeeping establishment for the purpose of residing, sleeping, eating, and containing separate cooking, sleeping and sanitary facilities for the exclusive use of such person(s), with a private entrance from outside of the building or from a common hallway or stairway inside the building ; but excluding a motel, hotel, or a group home.

- a) **Dwelling – Accessory:** Means a dwelling which is incidental, subordinate and exclusively devoted to a main use and is located on the same *lot* therewith.
- b) **Apartment Building:** means a residential building other than a townhouse, lodging house, or a boarding house, containing more than three (3) dwelling units, located on a single lot, being held under unity of ownership, or under a condominium tenure pursuant to The Condominium Act.

- c) **Single detached dwelling:** means one dwelling unit which is freestanding and detached from other main buildings or structures on a lot and shall include a modular home and/or a double wide mobile home when located on a foundation, but not a single wide mobile home.
- d) **Duplex Dwelling or Building:** means residential building that other than a townhouse, lodging or boarding house, or a semi- detached building, containing two separate dwelling units separated horizontally, and located on a single lot being held under unity of ownership or under condominium tenure pursuant to The Condominium Act.
- e) **Semi-detached Dwelling or Building:** means a residential building that other than a townhouse, lodging or boarding house, or a duplex building, containing two separate dwelling units separated vertically by a party wall, and located on a single lot being held under unity of ownership or under condominium tenure pursuant to The Condominium Act.
- f) **Townhouse/row house Dwelling or Building:** means a residential building containing more than three (3) residential dwelling units attached together in whole or in part above and/or below ground and divided vertically from each other by a party wall, located on a single lot being held under unity of ownership or under condominium tenure pursuant to The Condominium Act.
- g) **Triplex Dwelling or Building:** means a residential building containing three (3) dwelling units divided horizontally or vertically, located on a single lot being held under unity of ownership or under condominium tenure pursuant to The Condominium Act.
- h) **Quadruplex Dwelling or Building:** means a residential building containing four (4) dwelling units divided horizontally or vertically, located on a single lot being held under unity of ownership or under condominium tenure pursuant to The Condominium Act.
- i) **Seasonal dwelling:** means a *dwelling* constructed as a secondary place of residence and is not the principal place of residence of the owner or occupier thereof (e.g., cottage).
- j) **Secondary Unit:** means a self-contained residential units with kitchen and bathroom facilities within dwellings or within structures which are accessory to the main dwelling (e.g. an apartment-in-a-house, in-law suite, secondary suite).
- k) **Retirement residence:** means the use of land, building(s) and/or structure(s) to provide accommodation primarily for retired persons, where separate and independent residential units are provided, but where common dining areas, lounges, and/or recreation rooms are provided; and where personal care staff may also be provided and individual care programs are arranged and delivered

on an individual basis, but does not include a hospital, group residence, crisis residence, or rooming/lodging/boarding house.

Equestrian facility

Means the use of land, building, and/or structure for the purpose of providing a commercial business involving riding of horses, and including the use of lands owned by the business or operation, and lands not specifically owned by the business but for which passage has been arranged, and may include a dwelling unit for the owner/operator of the business, which dwelling may contain a bed and breakfast in accordance with the provisions set out elsewhere in this By-law therefore.

Erect

Means to build, construct, reconstruct, alter or relocate, including any preliminary physical activity such as excavating, grading, piling, cribbing, filling, draining; or structurally altering an existing building or structure by an addition, deletion, enlargement, or extension.

Existing

Means legally in existence as at the date of passing of this By-law, or where construction has not commenced, a use documented by the issuance of building permit.

Financial Institution

Means an establishment for the keeping, lending, exchanging of money; the selling of mutual funds, stocks and/or bonds; insurance and other such services; and the delivering of investment and/or financial advice.

Finished Grade

Means the average elevation of the natural surface of the ground adjoining each exterior wall excluding any localized depressions for windows or other such building features,

First Storey

Means the storey with its floor closest to but not under finished grade.

Fitness Center

Means a premise or place of business with equipment and facilities for exercising and improving physical fitness.

Flea market

Means the use of land, building, and/or structure or part thereof for the occasional rental or other allocation of space and subsequent sales of crafts, garden products; second hand goods.

Flood Control Features

Means the use of land along a watercourse or waterbody to control the elevation of water, including a dam, rip-rap, and walls and may include accessory features including a fish ladder.

Flood Elevation

Means the elevation above sea level established by a one-in-one-hundred year storm as established by *flood plain* mapping or by the appropriate authority.

Floor area

Means the total area of all floors contained within the outside walls of a building having a clear height of 2.1 metres, and shall include basements and cellars, but shall not include attached garage, carport, porch, veranda, or sunroom unless such is habitable for the entire year.

Food store

Means the use of land, building(s) and/or structure(s) for the retail selling of food and associated household items, and may include a butcher shop, bakery, and other such areas where food is prepared or cooked for sale, and areas for loading and/or receiving of product; where the minimum gross floor area of the building exceeds 300 m² in size.

Forestry use

Means the harvesting, planting, and/or managing of timber resources, including tree farming.

Fuel Island

Means a structure that is intended to house fuel pumps that dispense fuel for motor vehicles.

Funeral Parlor

Means a building or part of a building wherein undertaking services are offered and may include accessory activities such as the sale of caskets and funeral accessories, a chapel or parlor provided such activities are clearly secondary and incidental to the main undertaking service.

Garden suite

Means a free standing dwelling having a maximum floor area of 40 m² situated on a lot upon which a single family detached residential dwelling exists. A garden suite shall only be occupied by an immediate family member of the occupant of the existing main dwelling.

Garage

Private Garage: shall mean a detached building or a part of a main building used for the parking and storage of motor vehicles and household items, equipment, or supplies incidental to the main use.

Commercial garage: shall mean a detached building or a part of a main building used for the storage, maintenance/servicing, washing, and/or repair of any vehicle, but may not include the painting of vehicles and the conduct of body shop repairs.

Gazebo

Means a freestanding roofed accessory structure which is not enclosed, except by screening or by glass, and which is utilized for the purpose of relaxation in conjunction

with a main use that typically provided accommodation or commercial service.

Golf Course

Means the use of land, building and/or structure for the purpose of playing golf and includes a driving or practice range, putting greens, and miniature golf course, and accessory clubhouse, pro shop, restaurant, and tavern, and administration area for golf related club or management.

Miniature golf course: shall mean the use of land, building and/or structure or part thereof for the playing of miniature golf, and may include accessory administration area, and area used for sale of non-alcoholic beverages and small food items.

Greenhouse

Means the use of buildings, structures and lands, or part thereof for the growing and sale of trees, shrubs, and/or plants, and may also include the accessory sale of garden equipment, fertilizers, seeds, decorative pools, lawn ornaments, soils and other garden or landscaping related items.

Group home

Means a single housekeeping unit in a residential dwelling, which is registered with the Municipality, in which three (3) to ten (10) persons (excluding supervisory or operating staff) live together under responsible supervision consistent with the requirements of its residents for a group living arrangement and which is licensed and/or approved under Provincial Statutes and in compliance with municipal by-laws.

Guest Room

Means a room or suite of rooms, which contains no facilities for cooking and which is used or maintained for gain or hire by providing accommodation.

Habitable Room

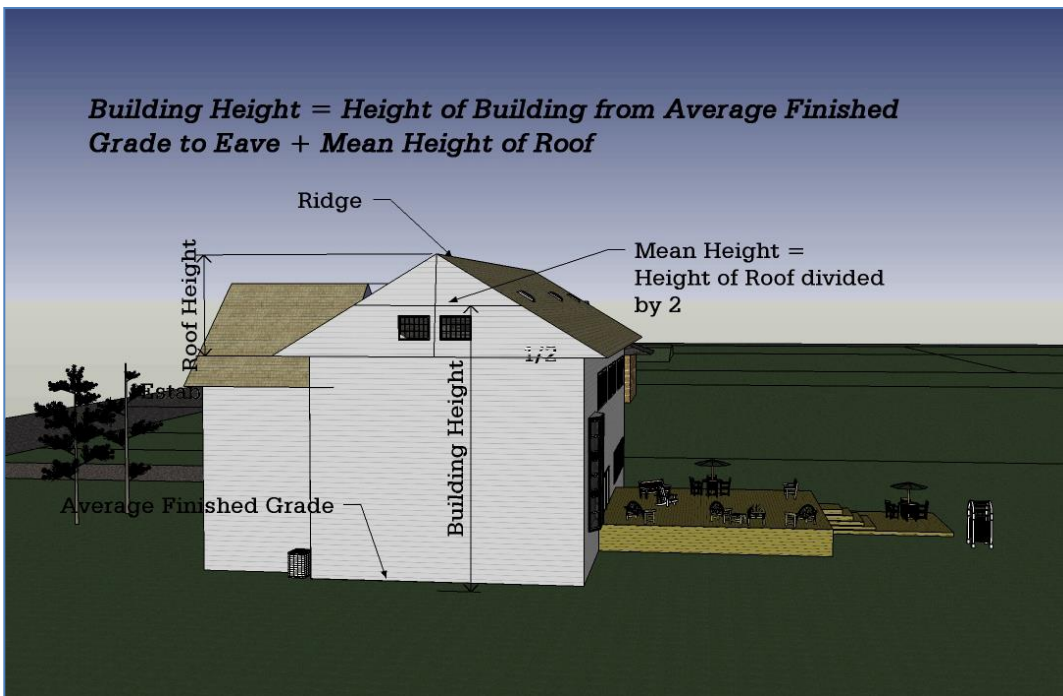
Means a room in a dwelling used or intended to be used primarily for human occupancy.

Hardware Store

Means the use of land, building, and/or structure or part thereof for the purpose of the storage, display, and sale of goods and products used in general maintenance, renovation, repair and construction of buildings and/or properties.

Height (of building or structure)

Means the vertical distance measured from the average finished grade, excluding any artificial embankments, to the highest point of the building or structure, excluding chimneys, towers, steeples, or antenna, and excluding necessary electrical, ventilation, or mechanical components of the building (see diagrams).



High water mark

Means the normal mark made by the action of water under natural conditions on the shore or bank of a body of water, or a watercourse, where the action has been so common and usual, and so long continued that it has created a difference between the character of the soil and/or vegetation on one side of the mark relative to the other side.

Home Occupation

Means the conduct of an occupation, trade, business, profession, or craft carried on by the resident or occupant of a dwelling as an accessory use to the main residential use of such dwelling, involving:

- a) Instruction in or business involvement in music, academic subjects, dancing, arts and crafts, photography, painting, sewing, massage therapy, or up to two taxis, or similar activities.
- b) Administration of a business involving work conducted primarily in other locations, such as electricians, plumbers, carpenters, where there is no storage of materials, supplies, inventory or equipment on the lot of the dwelling.
- c) Business involving the repair of small appliances, knife sharpening, etc., but not including the repair of small motors.
- d) An office used by a single medical practitioner, insurance agent, accountant, lawyer, consultant, or similar activity.
- e) Creation and sale of crafts, items of clothing, or preparation of small goods carried on the premises for consumption elsewhere.
- f) Conduct of in-house work involving computer based information.
- g) Pet grooming.

Typically, where scale is important to the determination of the activity as a home occupation, Council will not encourage amendment to the regulations to facilitate enlargement of the activity. Rather, Council will encourage home occupations that grow to larger scale activities to seek out new accommodation that is more commercial or otherwise in character with the activity at a larger scale. (See also Section 2.18 – Home Occupation)

Hospital

Means the use of land, building, and/or structure for the treatment of persons affected with or suffering from sickness, disease, or injury or for the treatment of convalescent or chronically ill persons, as authorized by Ontario legislation, and may include a heliport, ambulance service, and such accessory uses as a coffee shop and/or gift shop.

Hotel/Motel

Means a building or part of a building containing more than three suites that are rented for profit to the travelling, transient, or visiting public for short term accommodation, which suites typically contain no cooking facilities.

Human Habitation

Means the occupancy and use of a room, building, structure or other space in whole or in part for one or more of living, cooking, eating or sleeping.

Hunting/fishing/remote camp

Means a building having a maximum floor area of 45 m² consisting of one or more rooms, and may include facilities for the preparation of food and overnight accommodation on a temporary basis; and located on the whole of a parcel of land distant from existing public road at the time of passing of this By-law by more than 2.0 kilometres.

Industrial Uses, Light - Class I Industry

Means a place of business for a small scale, self-contained plant or building which produces, manufactures, assembles or stores a product which is contained in a package and has a low probability of fugitive emissions such as noise, odour, dust and vibration. Such industries operate in the daytime only with infrequent movement of products and/or heavy trucks and no outside storage. Examples include: electronics manufacturing and repair, high technology industries, furniture repair and refinishing, beverage bottling, package and crafting services, small scale assembly, auto parts supply. 'Light Industrial Uses' or 'Class I Industry' is a classification and other uses defined in this By-law may be classified as such.

Industrial Uses, Medium - Class II Industry

Means a place of business for medium scale process and manufacturing with outdoor storage of wastes or materials and where there are periodic or occasional outputs of fugitive emissions e.g., noise, odour, dust and/or vibration. Shift operations occur and there is frequent movement of products and /or heavy trucks during daytime hours. 'Medium Industrial Uses' or 'Class II Industry' is a classification and other uses defined in this By-law may be classified as such.

Industrial Uses, Heavy - Class III

Means a place of business for uses characterized as having emissions such as noise, smoke, odour, fumes or vibrations or extensive outside storage as part of their normal operations. Such uses include sawmills, pulp and paper mills, forest products industries, refineries, smelting operations and similar uses which are intended to be secluded from residential or other sensitive land uses in order to limit any potential adverse effects on the environment or the surrounding areas and public health. 'Heavy Industrial Uses' or 'Class III Industry' is a classification and other uses defined in this By-law may be classified as such.

Institutional Use

Means the use of land, buildings and structures used by an organized body, religious group or society for a non-profit, non-commercial purpose. This definition may include a library, school, college, university, hospital, place of worship, community centre or similar use.

Interpretive Centre

Means the use of land, building, and/or structure or part thereof for the purpose of providing data, information, history, and for facilitating learning thereof, specifically

related to tourism and Lake Superior and the local area and municipality.

Kennel

Means the commercial use of land, building, and/or structure or part thereof within which four or more domesticated animals of more than 4 months of age are bred and/or raised, and/or boarded or kept for sale and sold. (See also Canine Day Care Service, Pet Grooming, and Veterinary Clinic).

Laboratory

Means the use of land, building and/or structure or part thereof for the conduct of scientific research, study and/or testing of substances or materials.

Landscaped open space/buffer

Means the obstructed space from ground to sky, save for the growth of grass, flowers, shrubs, trees, bushes and/or natural vegetation, and may include surface patios, walkways, necessary retaining walls, but not driveways, aisle ways, ramps, roads, parking areas, or overhanging buildings or structures.

Landing

Means a platform with or without a roof, having an area not exceeding 2.4 m², and extending horizontally from the wall of a building no more than 1.25 metres, adjacent to a door, and providing direct access to the ground or to a stair; or a similar platform being situated between flights of stairs.

Laundromat

Means a building or part of a building containing one or more clothes washing machines, each having a capacity of not greater than 23 kilograms, drying, ironing, or other such treatments for clothing, provided that only soaps or detergents are used and provided that such operation shall not emit noise or vibration which causes a nuisance or inconvenience within or external to the operation.

Legal use

Means the use of land, building(s) and/or structure(s) for one or more of the permitted uses set out in the relevant permitted uses section of the zone governing the lands, or determined to be a legally non-permitted use.

Livestock Facility

Means one or more barns or permanent *structures* with livestock-occupied portions, intended for keeping or housing of livestock. A livestock facility also includes all manure or material storage and anaerobic digesters.

Loading space

Means an off street space on the same lot as a building, or contiguous to a group of buildings, for the temporary parking of a delivery vehicle/commercial vehicle while loading or unloading merchandise, product, supplies, inventory, furniture, or other materials and which abuts a street, lane, or appropriate driveway and/or aisle ways.

Lot

Means a parcel or tract of land held as a unity of ownership in the same name and interest, distinct and separate from other lands, described in a deed or other legal document which is legally capable of conveying title to land, and:

- a) Which is the whole of a lot or block within a Registered Plan of Subdivision, or a separate lot or unit within Condominium, excluding any Subdivision that has been deemed under the provisions of the Planning Act not to be a registered plan, except where such lot or block constitutes a part of the lands needed in order to comply with the lot area requirements of any zone herein.
- b) Which is a legally separated parcel of land in existence on the date of passing of this By-law?

Where patent, private lands and Crown Lands are held and utilized for the conduct of one land use, such Crown Lands shall be deemed to be a part of the private lands and included within the definition of lot for the purposes of considering the various regulations and requirements of this By-law, including the listed permitted uses.

Where Crown Lands are held under a land use permit or other such non-patent arrangements, the lands that are described within the arrangement are considered to be a lot for the purposes of considering the various regulations and requirements of this By-law, including the listed permitted uses.

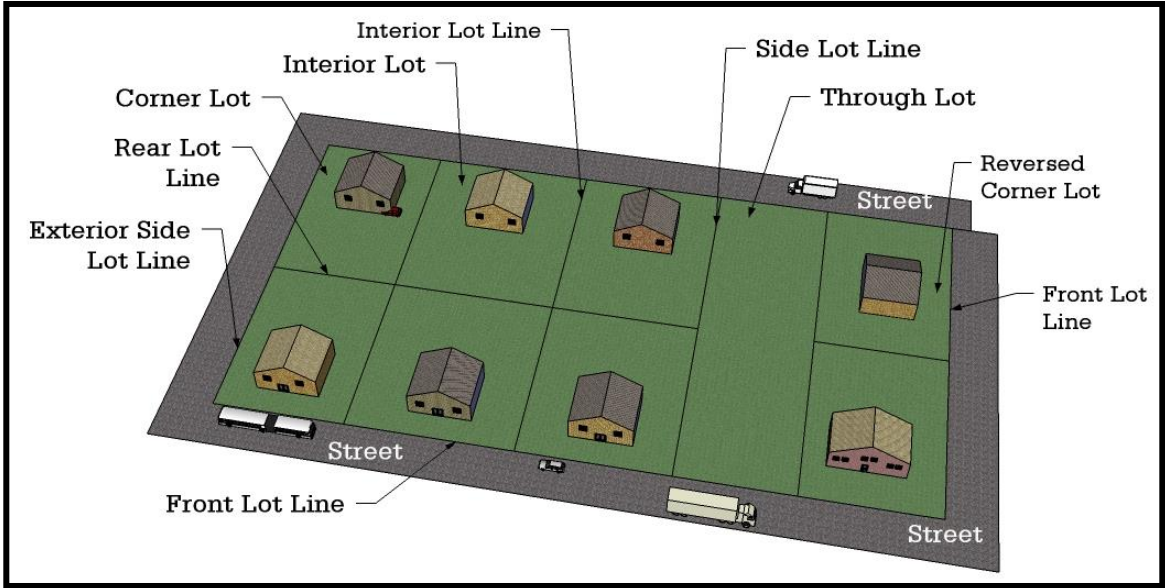
Notwithstanding a) above, which shall otherwise continue to apply, where a parcel of land held in the same name and interest involves more than one Lot in a registered plan of subdivision the sum total of all of the lands shall be considered to be the relevant lot, and any building or use of land that straddles the interior lot lines within such holding shall not be illegal by virtue of straddling such lot line.

Lot area

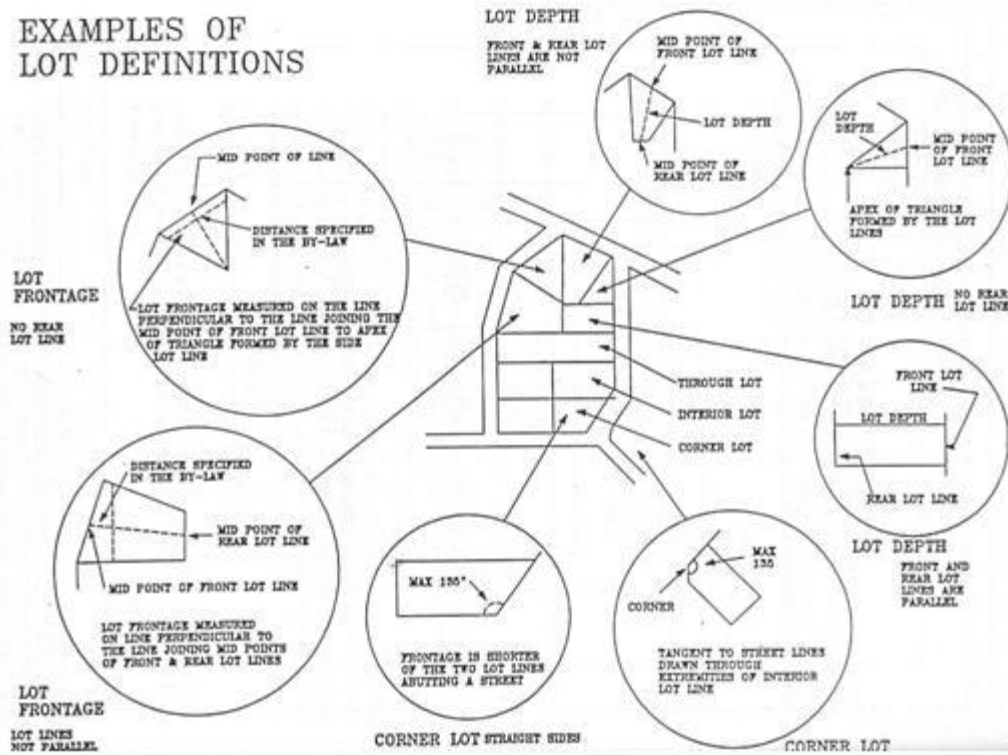
Means the total horizontal area within the lot lines of a lot or if an island or water lot, the area of land above the normal high water mark.

Lot coverage

Means the percentage of lot area that is covered by buildings and/or structures.



EXAMPLES OF LOT DEFINITIONS



Lot Frontage

Means the horizontal distance between the side lot lines. Where such side lot lines are not parallel, it shall be the width of a lot measured between the intersections of the side lot lines with a line 7.5 metres back from and parallel or concentric to the front lot line. Arc distances shall apply on curved lines.

Lot, interior/exterior (see diagrams)

- a) Interior lot shall mean a lot for which the side lot lines abut another lot.
- b) Exterior lot shall mean a lot for which one or more of the side lot lines abuts a public street or highway.

Lot Line

Means any boundary of a lot. Where a lot line changes direction by less than 45 degrees, it shall be considered to be one lot line. Where a lot line changes direction by 45 degrees or more, it shall be considered to be a separate lot line.

- a) **Lot line, front:** means the shortest lot line that abuts a road, except in the case of a lot that abuts a waterbody or watercourse, or a shoreline allowance abutting such feature, whereupon the front lot line shall be the lot line abutting the high water mark of the waterbody or watercourse or shoreline allowance.
- b) **Lot line, rear:** means the lot line furthest from and opposite to the front lot line, except that where a lot has less than four lot lines, there shall be no rear lot line.

Main Wall

Means the exterior front, side or rear wall of a building, and all structural members essential to the support of a fully enclosed space or roof.

Main Use

Means one or more uses of land, buildings and/or structures listed as permitted in the relevant zone.

Marina

Means the use of land, building(s) and/or structure(s), including docking and mooring facilities, where boats and other watercraft are launched or recovered, berthed, stored, serviced, repaired, or kept for sale or rent, and may include the sale of marine fuels and/or lubricants.

Mine

Means a mine as defined in the *Mining Act*. Mining shall have a similar meaning.

Mineral Exploration, mining

Means the searching for minerals in their natural setting, including delineation and staking of mining claims, aircraft survey, field sampling, trenching, exploratory

drilling, confirmation drilling and the construction of shafts and other features necessary to the proving up of an ore body to commercial quality, or subsequent extraction.

Mobile Home

Means any dwelling that is designed to be transient or mobile and is constructed or manufactured to provide a permanent residence for one or more persons, in accordance with CSA standards, but not including a motor home, travel trailer, tent trailer or other such trailer.

Mobile Home Park

Means land which has been provided and designed for the location thereon of two (2) or more occupied mobile homes.

Mobile Home Site

Means a part of a lot that is serviced and utilized as a mobile home park, which has been established and set aside for the exclusive use of one mobile home and its occupants.

Mobile Home Yard

Means a line similar to a front yard, rear yard, interior side yard or exterior side yard as applied to a mobile home site.

Motor Vehicle

Means any automobile, truck, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but excluding a railway train, motorized snow machine, farm equipment, road building machinery, aircraft, boats, and other watercraft.

Non-complying use

Means a building, structure or use of land that is in compliance with the permitted uses as set out in the particular relevant zone governing the lands, but which does not comply with or meet one or more of the regulations of this By-law, as set out in the particular zone; as set out in the general regulations; or as set out elsewhere in this By-law. Where more than one dwelling is located on a lot for which only one dwelling is permitted such lot shall not be considered to be non-complying, but rather shall be deemed to be a non-permitted use.

Non-Conforming

Means any existing use, building, structure or lot which does not conform with the permitted use provisions of any zone in this By-law

Office

Means a building or part of a building used or intended to be used in the performance and transaction of service activity, including related administration and clerical activities.

Open storage

Means the storage of goods, merchandise, equipment, or not currently utilized vehicles

outside of a building or structure on a lot or a portion of a lot, but does not include outdoor display for the purpose of sale, advertisement or rental.

Park

Means the use of land, building, and/or structure for open space, recreational activity areas, sports or recreational facilities, conservation area, or playground.

Parking Area

Means a lot or portion thereof required in accordance with the provisions of this By-law for the temporary storage or parking of motor vehicles, boat trailers, snowmobiles, all-terrain vehicles and recreational equipment that are accessory or incidental to uses in all zones, and shall not include a parking lot or a lot for the sale or lease of motor vehicles or the storing of impounded or wrecked vehicles.

Parcel of land

Means an area of land that is held in unity of ownership, separate and distinct from other lands.

Party wall

Means wall of a building or structure that is jointly owned and/or jointly used by two or more parties or an extension of such a wall, which is erected on a lot line separating two parcels of land each of which is or is capable of being held in unity of ownership.

Parking lot

Means a commercially operated open area within a lot that is used or intended to be used for the temporary parking of more than three motor vehicles.

Parking space

Means an open area within a lot that is used or intended to be used for the temporary parking of motor vehicles, and may include such space that is set out within a garage or carport.

Patio

Means a platform without a roof, with or without a foundation, attached to or abutting one or more walls of a building or constructed separate from a building, with or without direct access to the ground; the floor of which is not more than 0.6 metres above finished grade, but shall not include a landing or stair.

Personal Service Shop

Means the use of land, building(s) and/or structure(s) for a business which is associated with the grooming or health of persons, or the maintenance or repair of personal wardrobe articles and/or accessories; and may include a barber shop, beauty parlour, hairdressing, shoe repair, photography shop, or similar activities.

Pet Grooming

Means the use of land, building(s) and/or structure(s) for a business which involves the cleaning and grooming of pets including services such as bathing pets, trimming fur and nails and the incidental sale of retail pet care grooming products, but shall not include a kennel or canine day-care service. Pet grooming shall comply with any Health Unit regulation or directive governing public health and safety

Pit

Means any open excavation made for the removal of earth, clay, mud, sand, soil, gravel, or unconsolidated rock in order to supply material for construction, manufacturing, or industrial activity, but shall not include any excavation that is incidental to the construction of a building or structure.

Place of amusement

Means the use of land, building(s) and/or structure(s) or part thereof for profit or gain, for a movie theatre, covered arena, auditorium, dance hall, music hall, video arcade, billiard or pool room, bowling alley, miniature golf course, driving range, rink, curling rink, or similar use, but shall not include a race track.

Place of Worship

Means a *building* or an open area dedicated to religious worship, but does not include a manse or rectory where established on a separate *lot*.

Portable asphalt plant

Means a plant transported to and temporarily established and operated as part of the production of asphalt and surfacing material, used in conjunction with a defined and executed road construction contract.

Principle residence

A dwelling unit occupied by an owner or a tenant as the primary location where such person typically and normally resides.

Private right of way

Means an access route from lands over one or more private properties and which ultimately provides access to a public street.

Private road

Any private access route that crosses private property or a forest access road over Crown Lands which affords access to abutting lots and is not maintained by a public body.

Public Service Use

Means a building, structure or lot used for public services by the Township of Terrace Bay and any Ministry or Commission of the Governments of Ontario and Canada, any communication facility, any telephone, telecommunications or railway company, any company supplying natural gas, Hydro One, any conservation authority, public utilities company or similarly recognized agencies.

Quarry

Means land or land under water from which unconsolidated aggregate such as soil, earth, clay, marl, sand, gravel or consolidated rock or mineral is being or has been excavated in order to supply material for construction, manufacturing or industrial purposes but shall not include rehabilitated land or an excavation incidental to the erection of a building or a structure for which a building permit has been granted by the Corporation, or an excavation incidental to the construction of any public works.

Recreational Vehicle

Means any vehicle so constructed that it is not wider than 2.6 metres and is suitable for being attached to a motor vehicle for the purpose of being transported, and is used or capable of being used for the short term living, eating, sleeping of persons, including a motor home, travel trailer, tent trailer and camper, but excluding any commercial tractor that may have sleeping accommodation.

Recycling Depot

Means a waste management facility which serves as a temporary storage site for clean materials such as glass, paper, cardboard, plastic, metal and other similar products which will be transferred to another location for reuse. This definition does not include any other type of waste management system such as composting or recycling of leaf and yard wastes.

Refreshment Vehicle

Means a commercial vehicle or trailer which has a valid vehicle license from which food and/or refreshments are sold for consumption by the public and without limiting the foregoing may include a chip wagon, mobile canteen or cart.

Residential use

Means the use of land, building and/or structure or parts thereof as a dwelling.

Resort/ tourist establishment/lodge

Means the use of land, building(s) and/or structure(s) for the provision of accommodation throughout all or part of the year, and may include the serving of meals, and the furnishing of supplies, services and equipment to persons in connection with angling, hunting, camping or general recreational activity, and may include a liquor licensed area and assembly area. Shall include such activity where the facility is owned and/or operated by a private club, or by a charitable organization.

Restaurant

Means the use of land, building(s), and /or structure(s), or part thereof where food is prepared and offered for sale to the public, and shall include a café, coffee/donut shop, refreshment service, chip wagon, or similar activity, and may include a drive-through or drive-in or take-out service.

Retail store

Means the use of a building or part thereof where, not exceeding 300 m² where goods, wares, merchandise, substances, or articles are offered for sale directly to the general public, and may include the storage of such items, and administrative space relating to the operation of such activity.

Salvage yard

Means the use of land, building, and/or structures for the deposition, storage, and/or handling, recycling, dismantling and/or salvaging of waste or scrap materials, vehicles, appliances, or other such materials.

School

Means the use of land, building, and/or structure for the giving of instruction and/or the teaching of information, knowledge, skill, trade, or other such facilitation of learning, where conducted under a public authority authorized by Provincial legislation.

Seaplane base

Means the use of land, building, and/or structure for the purpose of docking, storing, parking, loading, or repairing of seaplanes and for the supplying of associated services.

Self-Storage Facility

Means a commercial building or part of a building wherein items are stored in separate, secured storage areas or lockers, and may include the exterior storage of water vehicles, recreational equipment and recreational vehicles.

Sensitive Land Use

Means a use of land or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one (1) or more adverse effects from emissions or discharges generated by nearby facilities and includes, but is not limited to, a dwelling, day nursery, or an educational or health facility (e.g., school, hospital). A sensitive land use may be a part of the natural or built environment.

Service or Repair Shop

Means the use of land, building, and/or structures for the servicing or repair of articles, small engines, goods or materials not otherwise defined, classified, or specifically established as a use in this By-law.

Setback

- a) When referring to a street, means the least horizontal distance between the closest boundary of the street and the nearest building or structure.
- b) When referring to a building or a structure, means the least horizontal distance between separate buildings or structures.
- c) When referring to a lot line, means the least horizontal distance between the lot line and a building or structure.

- d) When referring to a zone boundary, means the least horizontal distance between the zone boundary line as set out on the relevant zoning schedule and any building or structure.
- e) With reference to a water body, means the least horizontal distance between the high water mark of the water body and the nearest building line.
- f) With reference to a private road, means the least horizontal distance between the edge of the travelled portion of the road and any building or structure, or the limit of the road as shown and measured on a survey.

Shopping centre

Means a group of two or more establishments that are permitted in the zone, that are conceived, designed, developed, and managed as an interdependent and interrelated unit whether by a single owner or tenant or by a group of owners or tenants acting in collaboration, and may include units of ownership held in condominium tenure, and which in total exceeds 1,500 m² floor area, or one large commercial establishment that exceeds 300 m² in floor area, but is less than 1,500 m². Where residential use is one of the included uses, it shall be in addition to the aforementioned size limitations.

Shoreline

Means the physical high water mark made by a waterbody or watercourse, and shall include beaches, exposed rock, and other features that are a part of the beach environment. Where the water's edge displays no evidence of a high water mark, the water's edge itself shall be the shoreline.

Shoreline allowance

Means a road or other allowance, typically being one chain (66 feet) in width, set out and/or reserved along the shoreline of a waterbody or watercourse.

Sight Triangle

Means a triangular space on a lot that is formed by two intersecting street lines and a line drawn from appoint in one street line across such lot to a point in the other street line, each such point being 9.0 metres from the point of the intersection of the said street lines. Where the two street lines do not intersect at a point, the point of the intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

Sleep Cabin

Means an accessory building, located on the same lot as the main building, which is used for sleeping accommodation but does not contain any cooking facilities and may contain sanitary facilities.

Solar Collector

Means a device consisting of photovoltaic panels that collect solar power from the sun. A solar collector may be attached to a building or structure or erected on a post(s).

Solarium

Means a glassed-in structure or room projecting from an exterior or main wall of a building which may be used for sunning, therapeutic exposure to sunlight, or for a use where the intent is to optimize exposure to sunlight.

Stacking Lanes

Means an on-site lane for motorized vehicles which accommodates vehicles using a drive-through facility that is separated from other vehicular traffic and pedestrian circulation. Stacking lanes may be separated by any combination of barriers, markings or signage.

Storey

Means a habitable portion of a building, other than a basement, cellar, or attic, between the surface of any floor and the surface of the floor, ceiling or roof above it. A first storey shall be considered to be the lowest storey at or nearest to finished grade.

Street or Road

Means an improved public thoroughfare under the jurisdiction of an appropriate public roads authority, that is open, travelled, and maintained by such authority.

Street Line

Means the limit of the road or street allowance and is the dividing line between a lot and a street, road or private road.

Structure

Mean anything that is constructed, erected, or otherwise built, either permanent or temporary, the use of which requires location on the ground or attachment to something having location on the ground, excluding subsurface sewage treatment systems, swimming pools, fences, patios, and retaining walls. Any deck that is separated by more than 0.2 metres from a building shall be considered to be a separate structure.

Tavern or Pub

Means the use of land, building and/or structure or part thereof for the serving of liquor, beer, wine, and other related beverages, and may include the sale of food, all for consumption on the premises; operated under a licence under Ontario legislation.

Tourist information office

Means the use of land, building and/or structure or part thereof for the purpose of providing information and/or programs to tourists and the travelling public.

Tourist establishment

Means the use of land, buildings, and/or structures for the accommodation of the traveling or vacationing public.

Tourist outfitters establishment

Means the use of land, building(s) and/or structure(s) or part of building(s) and/or structure(s) as a base for the movement of tourists, equipment, supplies, and/or tourists, by aircraft or otherwise, to recreational locations elsewhere, but shall not include a seaplane base for general commercial repair and/or berthing of aircraft not involved in the business.

Towing Service

Means a premise for the commercial operation of a vehicle towing service including but not limited to the storage and maintenance of towing vehicles, and accessory uses including a vehicle storage compound or parking area and an office.

Trailer - see Recreational Vehicle

Transportation Terminal

Means the use of land, building(s) and/or structure(s) where buses, trucks, or tractor-trailers are rented, leased, kept for hire, stored, or parked; or where such vehicles are loaded and/or unloaded.

Use

Means any purpose for which land, building(s) and/or structure(s) may be designed, arranged, intended, maintained, or occupied; or any activity, occupation, or business or any occupancy. Where a use is defined in Section three of this By-law in specific terms, such use shall not be permitted to be interpreted as a part of a general term.

Vehicle

Means any automobile, boat, commercial motor vehicle, farm implement, motorcycle, recreational vehicle, truck, snow machine, watercraft, or trailer, but shall not include a mobile home.

- a) **Parked vehicle**, including a RV vehicle, shall mean the short term, temporary, keeping of a vehicle when not in current or immediate use, provided that such vehicle is licensed and road worthy, and that is regularly and commonly being driven.
- b) **Stored vehicle**, including a RV vehicle, shall mean the longer term keeping of a vehicle that is not in regular use either due to seasonal or other factors, and that may or may not be licensed or road worthy.

Veterinary clinic

Means the use of land, building(s) and/or structure(s), or part thereof for the treating and healing of domestic animals birds, or other livestock, and may include a kennel, but not a research facility.

Vehicle Sales, Rental Establishment

Means the use of land, building and/or structures for the storage of vehicles for sale, rent, and/or for lease, and may include a service or repair facility and/or private gas pumps.

Video Rental/sales establishment

The use of land, building, and/or structure or part thereof for the purpose of renting video cassette recorders, video disc players, and or the rental of video tapes and/or discs, including DVD's.

Warehouse

Means the use of land, building(s) and/or structure(s) for the storage and distribution of goods, wares, merchandise, substances, or articles, and may include facilities for a wholesale or retail commercial outlet, provided that such wholesale or retail activity does not exceed 10 % of the gross floor area; but shall not include a transportation terminal or bus terminal.

Waste Management Facility

Means a site which is licensed or approved by the Ministry of the Environment and/or its agents where garbage, refuse, domestic or industrial waste, excluding radioactive or toxic chemical wastes, is disposed of or dumped. This definition shall include waste transfer stations, processing sites, septage disposal, and recycling depots.

Water Access Lot

Means a lot that is accessed by a navigable water body or watercourse.

Water Body

Means any bay, lake, river, natural watercourse, canal or wetland but excluding a drainage or irrigation channel.

Water Frontage

Means the strip of land comprising part of a lot that directly abuts a water body or watercourse. When used as an adjective, means a lot or lands that has frontage on a water body or watercourse.

Waterfront centre

Means the *use* of land, building and/or structure for a multiple use facility involving one or more of an interpretive centre, marina, reception area, amphitheatre, office, meetings and seminar rooms, cafeteria or restaurant, general activity room(s), and related administrative space, washrooms, laundry rooms, shower facilities, and the sale of convenience goods and/or gifts. Tourist operator kiosks, tour operations, and overnight guest accommodations, up to six motel style suites and/or six cabins may also be included.

Water Supply and Treatment Facility

Means the use of land, building, and/or structures for the storage, purification, and treatment of water intended for distribution in a public water distribution system.

Watercraft launching facility

Means the use of land, building and/or structure for the launching and/or recovery of boats and other watercraft and including related temporary parking and trailer parking

area.

Watercraft sales/service shop

Means the use of land, building, and/or structure for the purpose of displaying, selling, and/or servicing of watercraft, including boats, boat motors, skidoos and similar products and may include the display and sale of marine related items.

Wayside pit or quarry

Means the use of land for a temporary pit or quarry opened and used solely in association with a particular road construction contract or project, and may be utilized for other casual and/or intermittent extraction or aggregate for small scale, individual use, and may be on Crown Land or on private land.

Welding shop

Means the use of land, building, and/or structure where pieces of metal; parts of equipment and/or parts of vehicles are welded.

Wellness Centre

Means a building or part thereof used by professional therapists, chiropractors, drugless practitioners, professional trainers and nutritionists trained in a range of disciplines such as massage therapy, physiotherapy, naturopathic medicine, chiropractics, acupuncture, homeopathy, orthotics, health counselling and personal training, and may include accessory uses at an accessory scale, such as administrative offices, physical fitness rooms and waiting rooms, directly associated with the facility, but excludes commercial recreation establishments.

Wholesale establishment

Means the use of land, building(s) and/or structure(s), or part thereof for bulk storage and bulk sale of quantities of goods, commodities, wares, merchandise, or materials intended for resale.

Wind turbine, Wind mill

Means a device, which shall be considered to be a structure, aligned vertically or horizontally, consisting of a rotor, electrical generator, and a mast or pole, operated to capture kinetic wind energy and to convert it to electricity for consumption and/or for distribution.

Wind Farm

Means the use of land upon which an array of wind turbines are located and operated to generate bulk electrical power for distribution, and may include accessory wind measuring, electrical power collection and transmission, and operating, control and maintenance facilities, buildings, structures, and/or equipment.

Woodlands Processing Operation

Means the use of land, building(s) and/or structure(s) for a sawmill, debarking mill, planing mill, chipping and/or other similar processing or secondary manufacturing of

harvested timber.

Workshop

Means a building where construction or manufacturing is performed, and may include a carpenter’s shop, locksmith, gunsmith, plumbing and/or electrical shop, or a heating and/or ventilation shop or similar activity.

Yard

Means any open unoccupied space appurtenant to a building measured from the closest supporting part of the building to the relevant lot line.

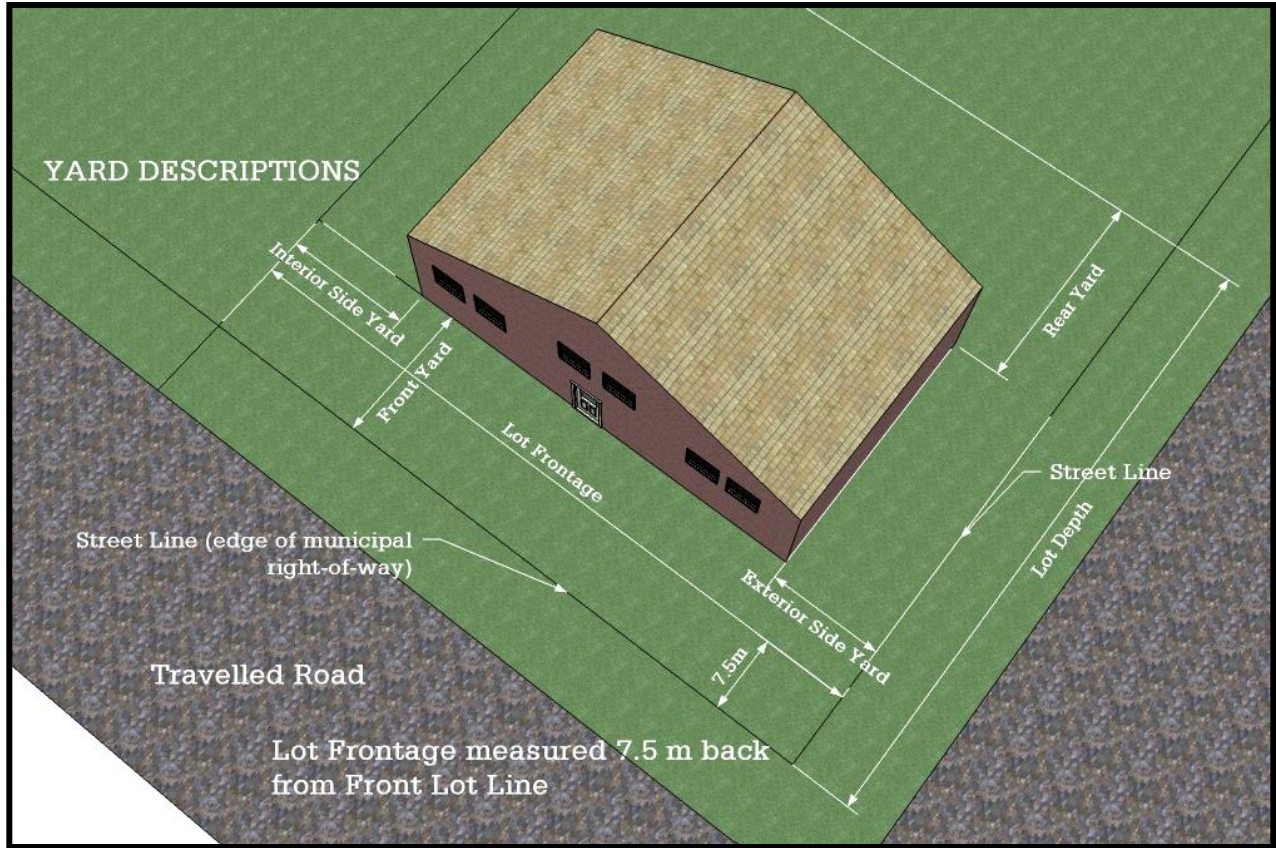
- a) Front: means a yard crossing the full width of a lot between side lot lines, along the front lot line.
- b) Side or interior side: means any yard extending from the front yard to the rear yard. Where a lot has less than four lot lines, the yards that are not a front yard shall be deemed to be side yards.
- c) Flank or exterior side: means a side yard that abuts a street line along its length or part of its length.
- d) Rear: means a yard crossing the full width of a lot between the side lot lines, along the rear lot line.
- e) Required yard: means the minimum yard as set out and required by the provisions of the various zones within this By-law.

Zone

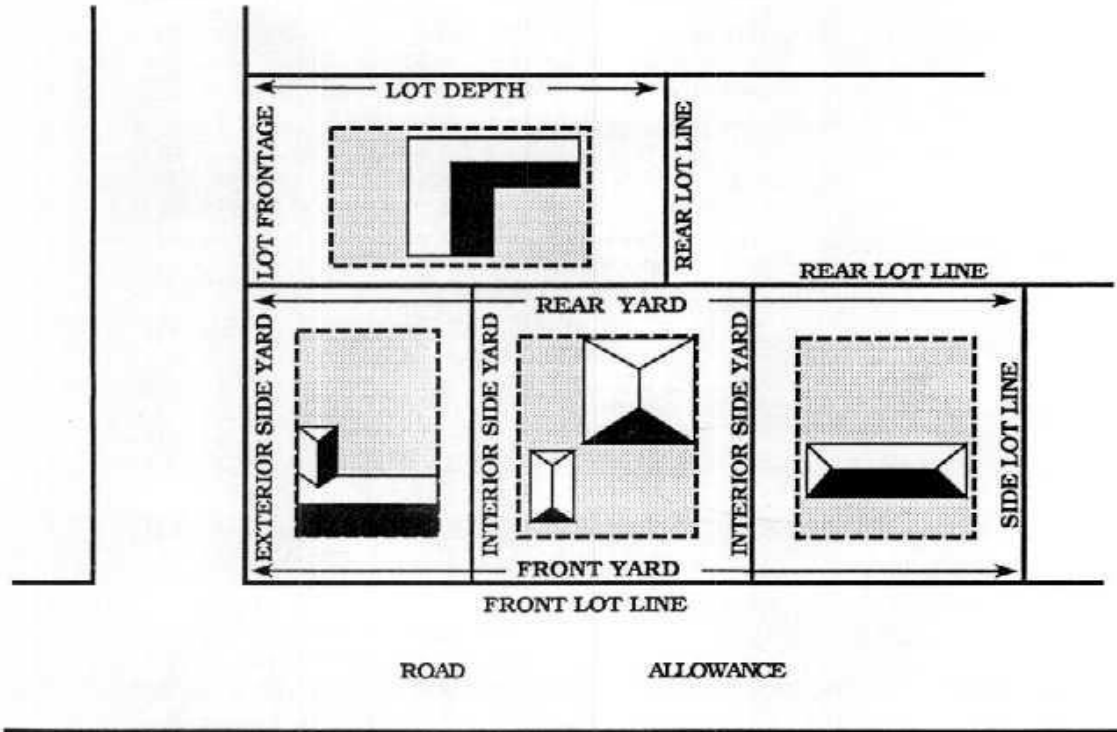
Means the category of land use activity permitted and regulated by this By-law, as designated on the land use maps being a part of this By-law and defined in the relevant zone sections contained in this By-law.

Zone Provision or Regulation

The minimum area, lot dimensions, required yards, lot coverage, open space, height, minimum setbacks, number of main uses and/or buildings, or other such regulations that are set out in this By-law in the respective zones, excluding such regulations as are set out in the general provisions section of this By-law, and excluding listed permitted uses.



EXAMPLE OF YARD DEFINITIONS



SECTION FOUR - ZONES AND BOUNDARIES TO ZONES

4.1 Zones

For the purposes of this By-law, all lands within the limits of the Township are divided into the following zones, which are identified on the zoning schedules referred to hereafter.

Settlement Area Zones

Zone	Symbol
Low Density Residential	LDR
Multiple Residential	MR
General Commercial/Institutional	GC
Highway Commercial	HC
Institutional	INS
Industrial	IND

Settlement or Rural Area Zones

Open Space	OS Use
Limitation	UL

Rural Area Zones

Rural	RU
Waterfront Development	WD
Tourist Commercial	TC
Recreational Cottage	REC

Extractive Uses	EX
Waste Disposal	WDU
Environmental Protection	EP

4.2 Use of Schedules

The location and the boundaries of all of the zones established by this By-law are shown on the Zoning Schedule(s) that are included in and that form a part of this By-law.

4.3 Use of Symbols

Where a zone referred to in the list of zones in 4.1 above includes a symbol, or where the zone Schedule utilizes a symbol such symbol shall refer to and identify the zone.

4.4 Lands Missed By Zoning Schedules

Should any lands not be shown on the zoning schedules to be contained in a zone, or where the Township might annex or otherwise add to the limits of the Township, such lands as are not otherwise zoned shall be deemed to be zoned as Rural.

4.5 Use of the Word Zone

Where the word “zone” is used in this By-law, preceded by any of the names or symbols contained in 4.1 above, the zone shall mean and read as such area(s) delineated on the zoning map and as provided for in each appropriate section of the By-law specifically addressing such zone.

4.6 Determination of Zone Boundaries.

When determining the boundary of any zone, the following shall apply;

- a) Where a zone boundary is located within a road allowance, highway allowance, lane, easement, right of way, or a watercourse, the centre line of such feature shall be deemed to be the said boundary. Where such feature has been closed by Council by-law, the centre line of such closed feature shall continue to be the zone boundary.
- b) Where a zone boundary is indicated as following a lot line shown on a registered plan of subdivision and/or condominium, or other defined property boundary, such lot property line shall be deemed to be the said boundary.
- c) Where a zone boundary is indicated as following a shoreline of a waterbody, the boundary shall follow such shoreline, and in the event of a change in the shoreline, the boundary shall be construed as moving with the actual shoreline.
- d) Where uncertainty exists as to the location of a boundary of any zone, the location of the boundary shall be determined by the Chief Building Official or such other person or position as Council has determined to administer this By-

law, and where measurement is involved in such determination, such measurement shall be from the middle of the width of the zone line as it is shown on the relevant zoning map.

- e) Where uncertainty or disagreement continues to exist relative to the determination of such boundary line as determined in accordance with the above, Council shall make the final determination as to the location of the boundary.

4.7 Holding Zone Provisions

- 4.7.1 Where an “H” suffix is included in any zone, the intent is to signify that such zone is further categorized as being a holding zone.
- 4.7.2 Where a holding zone applies, notwithstanding the permitted uses section of such zone, no land shall be utilized, and no building(s) and/or structure(s) shall be erected or used for any purpose other than for uses existing on the date of passing of this By-law, or for any use described in an amendment by-law implementing a holding zone, until such time as the holding designation has been removed.
- 4.7.3 Upon removal of the holding provision, all permitted uses in such zone shall once again continue to be permitted uses.
- 4.7.4 A holding designation may be removed by by-law where the preconditions that have been set out in the implementing holding zone by-law have been complied with. For all of the lands that are established with a holding provision on the date of passing of this By-law, the condition for which the holding provision may be removed is the processing of a draft plan of subdivision.

SECTION FIVE - SETTLEMENT AREA - LOW DENSITY RESIDENTIAL ZONE [LDR]

5.1 Permitted Uses

Within this *zone*, the predominant *use* of land shall be for the regular and ongoing accommodation and home life of person or persons in a low density setting; including sleeping, eating and leisure activities, and for uses and activities that are customarily associated with such accommodation and home life. Permitted uses shall include:

Residential Uses

- Single detached dwelling
- Duplex Dwelling
- Semi-detached Dwelling
- Group Home (see **Section 2.31**)

Non-Residential Uses

- Place of Worship
- School
- Day nursery, day care
- Park
- Playground
- Public Service Use (see **Section 2.28**)
- Skateboard Park

Accessory Uses

- Accessory Buildings, Structures and Uses (see **Section 2.12**)
- Secondary unit in an existing single detached dwelling, duplex dwelling or semi-detached dwelling
- Bed and Breakfast Establishment (see **Section 2.19**)
- Home Occupation (see **Section 2.18**)

5.1.1 Lots that are not buildable for a main use

Notwithstanding the permitted uses listed in 5.1 Permitted Uses above, for the following lots, use shall be restricted to an accessory garage, vehicle parking in association with a nearby residential property, or public use;

M-329; Lots 60, 61, 62, 63, 65, 67

M-431; Lot 10

5.1.2 Lots that are not buildable

Notwithstanding the permitted uses listed in 5.1 Permitted Uses above, the following lots are not buildable lots, and use shall be limited to public use;

- M-431; Lot 14
- M-329; Lots 55, 260, 269, 324
- M-143; Lot 508

5.2 Lot Requirements

5.2.1 Minimum Lot Frontage

Single detached dwelling	19.5 metres
Semi-detached dwelling	9.5 metres for each unit or independent lot
Other permitted uses	19.5 metres

5.2.2 Minimum Lot Area

Single detached dwelling	560.0 m2
Semi-detached, duplex	280 .0 m ² for each dwelling unit
Other permitted uses	560.0 m2

5.2.2 Maximum Lot Coverage

All permitted uses 40 %

5.3 Other Zone Regulations and Provisions

5.3.1 Required Front and Rear Yard

- Front Yard7.5 metres
- Rear Yard7.5 metres
- Exterior Side Yard..... 7.5 metres

5.3.2 Required Side Yard

Single detached dwelling:

- a) with an attached carport or garage:1.0 metres on each side at the side of the dwelling
- b) without an attached carport or garage:1.5 metres on one side and 3.0 metres on the other

Semi-detached: see Section 6.3.2

Other permitted uses1.0 metres for each side

Garages

- a) A detached garage shall be located in the rear or side yard.
- b) A garage (attached or detached) shall not protrude into the front yard further than the front wall of the main dwelling.

5.3.3 Maximum Height

Main building	10.0 metres
Accessory building(s)	4.2 metres

5.3.4 Maximum Number of Main Uses

All permitted uses	1 only
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5.3.5 Maximum Number of Permitted Main Buildings

All permitted uses	1 only
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5.3.6 Building Separation

- a) between main building and detached garage 3.0 metres
- b) between main building and other accessory buildings 1.0 metres
- c) between accessory buildings..... 1.0 metres

5.3.7 Driveways

Maximum number of driveways per lot

- a) All permitted uses..... 2 only

Width of driveway at the street

- a) Maximum 9.0 metres
- b) Minimum 2.5 metres
- c) Any freestanding driveway shall have a minimum separation distance of 1.0 metre from a side lot line.

5.4 Special Provisions

5.4.1 Separate title

Where ownership of each side of a semi-detached unit is under separate title, a 0.0 side yard shall be permitted along the lot lines containing the common party wall.

5.4.2 Exception Zones

a) *Low Density Residential Exception One (LDR-X1) Zone*

Despite the provisions of Section 2.26 to the contrary, for the lands and premises being Lot 279, Plan M-329 (74 Eastgrove) (the LDR-X1 Zone), a recreational vehicle shall be permitted to be parked in accordance with the required front yard setback of 3.0 metres (see Subsection 2.26.2), and to overhang onto the public road allowance abutting the front yard of the said lands to a distance of no more than 0.6 metres

SECTION SIX SETTLEMENT AREA - MULTIPLE RESIDENTIAL ZONE [MR]

6.1 Permitted Uses

Within this zone, the predominant use of land shall be for the regular and ongoing accommodation and home life of person or persons in a medium low to medium density setting; including sleeping, eating and leisure activities, and for uses and activities that are customarily associated with such accommodation and home life. Permitted uses shall include:

Residential Use

- Existing single detached, semi-detached or duplex dwelling
- Apartment building
- Triplex Dwelling
- Quadruplex Dwelling
- Row house/Townhouse Dwelling
- Retirement Home
- Boarding or rooming house

Non-Residential Use

- Day nursery
- Park
- Playground
- Public Service Use (see **Section 2.28**)

Accessory Use

- Accessory Buildings, Structures and Uses (see **Section 2.12**)
- Home Occupation (see **Section 2.18**)
- Secondary unit in an existing single detached dwelling or existing semi-detached dwelling or row house/townhouse.

6.2 Lot Requirements

6.2.1 Minimum Lot Frontage

Existing single detached dwelling 19.5 metres
Existing semi-detached 9.5 metres on each side
Townhouse/row house 7.5 metres for each exterior unit; and

- 6.0 metres for each interior unit
- Apartment, seniors dwelling, Retirement residence
- a) All apartment buildings20.0 metres
- b) All other permitted uses.....20.0 metres

6.2.2 Minimum Lot Area

- Single detached dwelling.....existing
- Semi-detachedexisting
- Duplexexisting
- Townhouse/row house 180.0 m² for each interior unit; and
..... 225.0 m² for each exterior unit

Apartment, seniors dwelling, Retirement residence

- a) under five units..... 650 m² for the first four and
90 m² for the fifth
- b) more than five units 650 m² for the first four and
90 m² for every additional

All other Uses 560 m²

6.2.3 Maximum Lot Coverage

All permitted uses 40 %

6.3 Other Zone Regulations and Provisions

6.3.1 Required Front and Exterior Side Yards

- a) Existing Single detached, semi-detached or duplex; and row
houses/townhouses

Except where a lot has no rear yard, a combined front and rear yard of 14.0 metres shall be provided and maintained, provided that a minimum front yard of six (6) metres shall be required. Where a lot has no rear yard, a minimum 6.0 metre front yard shall be provided and maintained.

- b) All other uses7.5 metres

6.3.2 Required Side Yard

Single detached dwelling;

- a) with an attached carport or garage ...1.0 metres on each side along one side of the
dwelling

SECTION SEVEN SETTLEMENT AREA - GENERAL COMMERCIAL/INSTITUTIONAL ZONE [GCI]

7.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and involving the purchasing and/or sale of goods, products, commodities; and/or the supply of services; both for profit or gain; and/or for the conduct of any public or non-profit service or function, and including uses and/or activities customarily related thereto, and permitted uses shall include:

Main Uses

- Antique Store
- Ambulance Service
- Apartment Dwelling (subject to **Section 7.4.3**)
- Art Gallery
- Auditorium
- Automobile gas bar and/or service station (Existing only)
- Bakery
- Catering Establishment
- Cinema
- Class I Industrial Use
- Clinic
- Club, fraternity
- Combined use facility
- Commercial Parking Lot
- Convenience Store
- Crisis Care Facility
- Day Nursery
- Drive-Through Facility
- Dry Cleaning Establishment
- Farmer`s Market
- Financial institution
- Funeral Parlour
- Grocery Store
- Hospital
- Hotels, motels
- Institutional Use
- Laundromat
- Office

- Park or Playground
- Personal service shop
- Place of amusement
- Place of Worship
- Refreshment Vehicle
- Restaurant
- Retail Store
- Public Service Use (see **Section 2.28**)
- School
- Single detached, semi-detached, duplex or townhouse residential on lands within the General Commercial/Institutional zone aligning and fronting onto Cartier Drive (Existing only).
- Shopping centre, including a commercial school
- Tavern, pub
- Taxi Stand
- Theatre
- Tourist information office
- Tourist Outfitters Establishment
- Veterinary clinic excluding a kennel or any external keeping or exercising of animals
- Video rental/sales outlet

Accessory Uses

- Accessory Buildings, Structures and Uses (see **Section 2.12**)
- Accessory dwelling unit to a commercial use (on upper storeys or to rear of main commercial use)
- Home Occupation (see **Section 2.18**)

7.2 Lot Requirements

7.2.1 Minimum Lot Frontage

- a) Existing commercial Plaza3.0 metres
- b) All uses located along Highway 1710.0 metres
- c) All uses at other locations within the Township15.0 metres

Required rear yard

- a) All uses 7.0 metres

7.3.2 Required Side Yards

All uses

- a) Interior ... 3.0 metres, except that where a main building is attached to an adjacent main building with a party wall there shall be no required interior side yard.

b) Any exterior side yard.....7.5 metres

7.3.3 Maximum Height

All permitted uses 14.0 metres

7.3.4 Maximum Number of Main Uses

All permitted uses no maximum

7.3.5 Maximum Number of Permitted Main Buildings

All permitted uses no maximum

7.3.6 Building Separation

- a) between main building and detached garage.....3.0 metres
- b) between main building and other accessory buildings1.0 metres
- c) between accessory buildings.....1.0 metres
- d) between main buildings6.0 metres

7.3.7 Minimum Required Landscaping

All permitted uses 10 %

7.3.8 Driveways

- a) Maximum number of driveways per lot

All permitted uses..... 2 only

- b) Width of driveway at the street

Maximum9.0 metres

Minimum2.5 metres

7.4 Special Provisions

7.4.1 Combined use

Where a combined use building exists or is proposed, or in the case of a condominium building, the regulations of this section shall apply to the whole of the parcel of land upon which such combined use or condominium is located.

7.4.2 Buffer strip/privacy fence

A privacy fence or a vegetated buffer strip with a minimum height of 1.6 metres shall be provided and maintained along each lot line that is not a street line, abutting a residential

zone.

7.4.3 Accessory Dwelling Units

An accessory dwelling unit is permitted in association with a permitted main commercial use provided such accessory dwelling unit is located above the commercial use on a second floor or behind the main permitted commercial use.

SECTION EIGHT - SETTLEMENT AREA -HIGHWAY COMMERCIAL ZONE [HC]

8.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and involving the purchasing and/or sale of goods, products, commodities; and/or the supply of services; both for profit or gain, directed to the travelling public, and/or relating to any commercial activity that typically cannot locate in the general commercial setting due to land considerations or other such constraints, and including uses and/or activities customarily related thereto, and permitted uses shall include:

Main Uses

- Ambulance Service
- Automobile Body Shop
- Automobile Gas Bar
- Automobile Service Station
- Bakery
- Building Supply and Lumber Outlet
- Call Centre
- Canine Dog Care Service
- Car Wash
- Catering Establishment
- Cinema
- Convenience Store
- Class I Industry that is totally contained within the main or accessory building(s) Restaurant, which may include a drive through
- Commercial Use
- Combined Use Facility
- Communication Facility
- Convenience store
- Crisis Care Facility
- Day Nursery
- Drive-through facility
- Dry Cleaning Establishment
- Equipment Rental Building
- Financial Institution
- Fitness Center
- Flea Market
- Funeral Parlour
- Garden Centre

- Hotel, Motel
- Kennel
- Laundromat
- Laboratory
- Miniature Golf
- Nursery
- Office
- Park
- Pet Grooming
- Printing and Publishing Establishment
- Private club
- Public Service Use (see **Section 2.28**)
- Refreshment Vehicle
- Retail Store
- Sale of tourist goods and/or merchandise
- Service or Repair Shop
- Shopping Centre
- Restaurant
- Tavern, pub
- Tourist Establishment
- Tourist Outfitters Establishment
- Towing Service
- Vehicle Sales, Rental Establishment
- Veterinary clinic,
- Watercraft sales/service shop
- Wellness Centre

Accessory Uses

- Accessory Buildings, Structures and Uses (see **Section 2.12**)
- Open storage accessory to a permitted use
- Accessory dwelling unit

8.1.2 Mill Road area

Notwithstanding the uses that are listed in 8.1 Permitted Uses, lands zoned Highway Commercial on the south side of Highway 17 in the Mill Road area east of the community shall not include the following uses until connected to both municipal sewer and piped water services, whereupon all of the permitted uses in 8.1 shall apply;

- Car wash
- Restaurant
- Hotel
- Motel
- Laundromat

- Tavern
- Pub
- Greenhouse, nursery, garden centre that exceeds 10,000 litres per day as per the Ontario Building Code.

For the above flows the Thunder Bay District Health Unit is the Authority of Jurisdiction. All systems are to be designed in accordance with good engineering practice.

8.2 Lot Requirements

8.2.1 Minimum Lot Frontage

All permitted uses 40.0 metres

8.2.2 Minimum Lot Area

Unserviced or water only 0.4 hectares
 Full Municipal Sewage and Water Services 1,400 m²

8.2.3 Maximum Lot Coverage

All permitted uses 70 %

8.3 Other Zone Regulations and Provisions

8.3.1 Required Front and Rear Yard

Front yard 9.0 metres
 Rear Yard 7.5 metres

8.3.2 Required Side Yards

Each interior side 4.5 metres
 Any exterior side yard 7.5 metres

8.3.3 Maximum Height

All permitted uses 14.0 metres

8.3.4 Maximum Number of Main Uses

All permitted uses no maximum

8.3.5 Maximum Number of Permitted Main Buildings

All permitted uses no maximum

8.3.6 Building Separation

- a) between main building and accessory buildings 1.5 metres
- b) between accessory buildings 1.0 metres

8.3.7 Minimum Required Landscaping

All permitted uses 15 %

8.3.8 Driveways

- a) Maximum number of driveways per lot
 All permitted uses 4 only
- b) Size of driveway at the street
 Maximum 12.0 metres
 Minimum 2.4 metres

8.4 Special Provisions

8.4.1 Highway Commercial Special Exception # 1 (HC-X1) Zone - Spadoni Motors -- limited wood fibre transportation terminal use

For the lands and premises being PT JK300 including RP55R-10291. Pt 1 of Parcel 25845

T.B.F., in addition to the permitted uses listed in 8.1 above, a transportation terminal, specifically for up to ten tractor/trailer units used in support of the wood fibre industry, and an associated office, not greater than 3.0 metres by 16.0 metres shall be permitted.

8.4.2 Highway Commercial Special Exception # 2 (HC-X 2) Zones

- a) No person shall within any CH-X2 Zone use any lot or erect, alter or use any building or structure for any purpose except for one or more of the following CH-X2 uses, namely:

Residential Uses

- None

Non-Residential Uses

- Animal hospital
- Automobile service station

- Automotive sales establishment
- Car rental agency
- Car wash
- Convenience Store
- Fuel pump island
- Garden Centre
- Gift Shop
- Greenhouse
- Hotel/Motel
- Nursery
- Restaurant
- Tourist Information Booth

Accessory Uses

- Laundromat
- Open Storage Area (accessory to automobile sales establishment)
- Retail Store

b) Zone Provisions

No person shall within any HC-X2 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- Minimum Lot Area 0.9 hectares
- Minimum Lot Frontage..... n/a
- Dwelling Units Per Lot 0
- Lot Coverage (Max) 40%
- Setback
 - Front Yard: 9 metres (unless otherwise required by Ministry of Transportation)
 - Interior Side Yard.....4.5 metres
 - Exterior Side Yard.....9 metres
 - Rear Yard7.5 metres
- Building Separation (minimum)
 - Between tourist establishment buildings.....10.5 metres
 - Between other buildings.....3 metres
 - Building Heights (Max)
 1. Main Building10.5 metres
 2. Accessory Building4.5 metres

- Landscaping Area..... 10%
 - Planting Strip Location and Width..... N/A
 - Entrances per lot (Max)..... 2
 - Entrance Setback (Min)..... n/a
 - Entrance Separation (Min)22 metres
 - Entrance Width (Min)3.5 metres
 - Entrance Width (Max).....9 metres
 - Parking Spaces (Min)
 1. Animal Hospital1 for each 4.5 m² of gross floor area
 2. Automobile service station, commercial garage: 10 per lot
 3. Automotive sales establishment..... 1 per 18m² of net floor area
 4. Drive-through facility 2 parking spaces
 5. Hotel or Motel: 1 per guest room plus 1 for each 4.5 m² of net floor area in beverage rooms plus 1 for each 28 m² of net floor area in all dining and meeting rooms;
 6. Restaurant: The greater of 1 per 13.5 metres of net floor area; or 1 per 4 persons design capacity of all dining rooms, 1 for each 4.5 m² of gross floor area or portion thereof
 7. Other non-residential uses..... nil
- c) No part of any parking space shall be located closer than 1.5 metres of any *street line*.
- d) Delivery Spaces (Minimum)
- Animal hospital or vehicle rental agency..... 2 per lot
 - Drive-through establishment or restaurant 1 per lot
 - Hotel or motel1 per 20 guest rooms or portion thereof
 - Other non-residential use nil
- e) Loading Spaces (Minimum)
- Automobile service station or automotive sales establishment: 1 per 2,800m² of gross floor area or portion thereof in excess of 280 m²
 - Car wash, drive-through facility, restaurant nil
 - Fuel pump island..... 1 per lot
 - Hotel or motel: 1 per 2,800m² of gross floor area or portion thereof in excess of 280 m²
 - Other non-residential uses nil
- f) General Provisions – In accordance with provisions of Section 2 hereof

8.4.3 Highway Commercial Special Exception # 3 (HC-X 3) Zones – Aguasabon Campground

- a) On the lands designated HC-X3 on Schedule ‘A’ hereto, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following special uses:

Residential Uses

- An accessory dwelling house
- A dwelling house (if campground is unoperational)

Non-Residential Uses

- A campground
- A campground management office
- A campground recreation building

Accessory Uses

- A campers’ supply store
- A gift shop
- A laundromat
- A propane depot
- A tourist information establishment
- A utility building

- b) Special Provisions for the HC-X3 Zone

On the lands designated HC-X3 on Schedule “A” hereto, no person shall use any lot or erect, alter or use any building or structure except in accordance with the provisions of Section 3 hereof and the following special provisions:

- i. Lot Area (Minimum)..... 1 hectare
- ii. Lot Frontage (Minimum) 45 metres
- iii. Dwelling units per lot (Maximum) 1
- iv. Recreational Vehicles per Lot (Maximum)..... 50 per hectare
- v. Building Area (Maximum)..... 25%
- vi. Building Setbacks (Minimum)..... 9 metres
- vii. Building Separations (Minimum)
 - 1. Between recreational vehicles..... 6 metres
 - 2. Between recreational vehicles and management office 9 metres
 - 3. Between recreational vehicle and recreation building 12 metres
 - 4. Between main building and detached accessory building 2 metres
 - 5. Between detached accessory building..... 1 metre
 - 6. Between recreational vehicle and street line 15 metres
 - 7. Between recreational vehicle and a water body 15 metres
- viii. Building Heights (Maximum)
 - 1. Main building or dwelling house 9.5 metres

- 2. Other accessory buildings3.5 metres
- ix. Dwelling Unit Area (Minimum) 65 m²
- x. Gross Floor Area (Maximum)
 - 1. Recreational Vehicle 30 m²
- xi. Landscaping Area (Minimum) 30%
- xii. Play Facility Area (Minimum) 4%
- xiii. Play Facility Location

No part of any play facility shall be located closer than 6 metres to any lot line.
- xiv. Planting Strip Location

A planting strip shall be required along every lot line except that no planting strip shall be required for a length of 15 metres between a tourist camp management office and a street.
- xv. Planting Strip Width (Minimum) 6 metres
- xvi. Entrances per lot (Maximum)2
- xvii. Entrance Setback (Minimum) 15 metres
- xviii. Entrance Separation (Minimum) 22 metres
- xix. Entrance Width (Minimum)4.5 metres
- xx. Entrance Width (Maximum) 12 metres
- xxi. Driveway Setback (Minimum) 6 metres
- xxii. Parking Spaces (Minimum)
 - 1. Accessory dwelling house 1 for each dwelling unit
 - 2. Management office5 for each
 - 3. Recreation building2 for each
 - 4. Recreational Vehicle1 for each
- xxiii. Parking Space Location

No part of any parking space shall be located closer than 6 metres to any lot line.
- xxiv. Delivery Spaces (Minimum)
 - 1. Management office1 for each
 - 2. Recreation building1 for each
 - 3. Other uses nil

SECTION NINE - SETTLEMENT AREA - INSTITUTIONAL ZONE [INS]

9.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and involving the conduct or delivery of a public or non-public, non-commercial service or purpose, and including uses and/or activities customarily related thereto, and permitted uses shall include:

Main Uses

- Art Gallery
- Assembly Hall, Place of Assembly
- Clinic
- Combined Use Facility
- Community Facility
- Crisis Care Facility
- Day Nursery
- Hospital
- Institutional Use
- Library
- Museum
- Park
- Place of Worship
- Public recreation facility
- Public Service Use (see **Section 2.28**)
- Retirement Home
- School
- Wellness Centre

Accessory Uses

- Accessory Buildings, Structures and Uses (see **Section 2.12**)
- Accessory dwelling unit

9.2 Lot Requirements

9.2.1 Minimum Lot Frontage

All permitted uses9.0 metres

9.2.2 Minimum Lot Area

All permitted uses 450 m²

9.2.3 Maximum Lot Coverage

All permitted uses 70 %

9.3 Other Zone Regulations and Provisions

9.3.1 Required Front and Rear Yard

Front Yard.....9.5 metres

Rear Yard.....9.5 metres

9.3.2 Required Side Yards

All uses4.5 metres

9.3.3 Maximum Height

All permitted uses 11.0 metres

9.3.4 Maximum Number of Main Uses

All permitted uses one use only

9.3.5 Maximum Number of Permitted Main Buildings

All permitted uses one use only

9.3.6 Driveways

Maximum number of driveways per lot

a) All permitted uses 4 only

Width of driveway at the street

a) Maximum..... 12.0 metres

b) Minimum..... 2.4 metres

SECTION TEN - SETTLEMENT AREA - INDUSTRIAL ZONE [IND]

10.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and involving the manufacturing, processing, fabrication, or assembly of goods, products, or materials, whether or not a finished product results; the dismantling or separation into parts of articles of machinery, vehicles; welding; storage and/or transportation of goods, materials; and including uses and/or activities customarily related thereto, and permitted uses shall include:

Main Uses

- Automobile Body Shop
- Automobile Wrecking Establishment
- Aggregate storage, open storage of materials and/or vehicles, machinery, equipment
- Building Supply and Lumber Outlet
- Bulk Fuel Depot
- Bulk storage and/or sales establishment
- Car Wash
- Construction/contractor yard
- Equipment Rental Establishment
- Equipment and Vehicle Storage Yard – Industrial
- Fuel Pump Island
- Hardware Store
- Kennel
- Industrial Use – Light – Class I
- Industrial Use – Medium – Class II
- Existing Industrial Use – Heavy – Class III (see **10.4.3**)
- Laboratory
- Lumber Yard
- Mining office
- Office (existing)
- Open space
- Private Club
- Public Service Use (see **Section 2.28**)
- Recreational Vehicle Repair Garage, watercraft repair garage
- Service/repair Shop
- Transportation Terminal
- Warehouse
- Welding shop
- Wholesale sales establishment

Accessory Uses

- Accessory Buildings, Structures and Uses (see **Section 2.12**)
- Open Storage Area
- Outdoor Display Area

10.1.2 New Class III - Heavy industrial uses not listed above shall require an amendment to this zoning by-law.

10.2 Lot Requirements

10.2.1 Minimum Lot Frontage

All permitted uses

- a) fully serviced land.....20.0 metres
- b) unserviced/partially serviced45.0 metres

10.2.2 Minimum Lot Area

All permitted uses

- a) fully serviced land.....1,400 square metres
- b) unserviced/partially serviced 0.4 hectares

10.2.3 Maximum Lot Coverage

All permitted uses..... 70 %

10.3 Other Zone Regulations and Provisions

10.3.1 Required Front and Rear Yard

Front yard9.0 metres
 Rear yard.....9.0 metres

11.3.2 Required Side Yards

Each side4.5 metres

11.3.3 Maximum Height

All permitted uses 15.0 metres

11.3.4 Maximum Number of Main Uses

All permitted uses no maximum

10.3.5 Maximum Number of Permitted Main Buildings

All permitted uses no maximum

10.3.6 Driveways

a) Maximum number of driveways per lot

All permitted uses 4 only

b) Width of driveway at the street

Maximum 12.0 metres

Minimum 2.4 metres

10.4 Special Provisions

10.4.1 Abutting a dwelling unit

No industrial use shall be located closer than 10.0 metres from any dwelling unit.

10.4.2 Buffer strip/privacy fence

A privacy fence or a vegetated *buffer strip* with a minimum height of 1.6 metres shall be provided and maintained along each lot line that is not a *street line*, abutting a residential zone.

10.4.3 Class III Industry

Despite the provisions of the Industrial Zone, an *Industrial Use – Class III – Heavy Use* shall be permitted on lands zoned Industrial Special Exception One (IND-X1). Any expansion or change of use shall be subject to the minimum distance separation requirements set out in **Section 0** of this By-law.

SECTION ELEVEN - SETTLEMENT OR RURAL AREA - OPEN SPACE ZONE [OS]

11.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and involving open space, conservation, and or preservation; and/or public recreation which may involve activity/play fields, and/or buildings, complexes, arenas and other such buildings, and including uses and/or activities customarily related thereto, and permitted uses shall include:

Urban Settlement Area

- Cemetery
- Community centre
- Fairground
- Golf Course
- Park
- Playground
- Public and private park, including playgrounds,
- Public Service Use (see **Section 2.28**)

Rural Area

- Boat Launch
- Cemetery
- Conservation use
- Golf Course, sports arena, driving ranges
- Marina
- Park (public or private,, including playground, trails, picnic areas, sports/activity/play fields and facilities, docks and boat launching, golf driving and/or mini golf establishment)
- Public Service Use (see **Section 2.28**)
- Skateboard Park

Accessory Uses

- Accessory Buildings, Structures and Uses (see **Section 2.12**)

11.2 Lot Requirements

11.2.1 Minimum Lot Frontage

All permitted uses except conservation and preservation.....20.0 metres

11.2.2 Minimum Lot Area

All permitted uses..... 450 m2

11.2.3 Maximum Lot Coverage

All permitted uses..... N/A

11.3 Other Zone Regulations and Provisions

11.3.1 Required Front and Rear Yard

Front Yard.....7.5 metres

Rear yard.....7.5 metres

11.3.2 Required Side Yards

Each yard5.0 metres

11.3.3 Maximum Height

All permitted uses..... 14.0 metres

11.3.4 Maximum Number of Main Uses

All permitted uses..... one use only

11.3.5 Maximum Number of Permitted Main Buildings

All permitted uses..... one only

SECTION TWELVE - SETTLEMENT OR RURAL AREA - USE LIMITATION ZONE [UL]

12.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and involving the protection of land and/or physical features that may pose a threat to life or property if developed, and including uses and/or activities customarily related thereto and permitted uses shall include:

- Existing uses and building(s) as at the date of passing of this By-law, which building(s) may be renovated, repaired, maintained, and may be expanded up to 20 % of the gross floor area that existed at the date of passing of this By-law
- Flood control features
- Marina, watercraft launching facility, but excluding buildings
- Municipal water or sewage treatment facilities
- Park (public or private), including outdoor activity, but excluding buildings

12.2 Lot Requirements

12.2.1 Minimum Lot Frontage

All permitted uses..... N/A

12.2.2 Minimum Lot Area

All permitted uses..... N/A

12.2.3 Maximum Lot Coverage

All permitted uses..... N/A

12.3 Other Zone Regulations and Provisions

12.3.1 Required Front and Rear Yard

Front and rear yards..... N/A

12.3.2 Required Side Yards

Each side..... N/A

12.3.3 Maximum Height

All permitted uses N/A

12.3.4 Maximum Number of Main Uses

All permitted uses one use only

12.3.5 Maximum Number of Permitted Main Buildings

All permitted uses N/A

SECTION THIRTEEN - RURAL AREA - RURAL ZONE [RU]

Notwithstanding the *uses* and regulations that are set out hereafter and which shall continue to otherwise apply, where lands in the Rural Zone have been designated by the Province as being Lake Superior Shoreline Enhanced Management Area, the policies and regulations of the Ministry of Natural Resources for the Lake Superior Shoreline Enhanced Management Area shall apply.

13.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and/or involving natural resource based development; recreational or recreational resource based development; agriculture; and a variety of other, low intensity uses that are typically not suited to or practical within an urban setting, and including uses and/or activities customarily related thereto. Permitted uses shall include:

Main Uses

- Agricultural Use
- Ambulance Service
- Airport (and related commercial use and industrial use)
- Cemetery
- Forestry Use
- Electrical generation
- Extraction, processing, bottling of water
- Golf Course; outdoor recreation, which may include related building(s) and/or structure(s)
- Kennel
- Log Hauling Operation
- Park
- Public Service Use (see **Section 2.28**)
- Ski Clubs
- Solar Farm
- Wayside pits and/or quarries
- Portable asphalt plant
- Mineral exploration, mining
- Communication facilities
- Public utilities
- Woodlands processing operation

Accessory Uses

- Accessory Buildings, Structures and Uses (see **Section 2.12**)
- Accessory residential uses relating to agriculture, kennel or forestry uses, including a permanent work camp relating to forestry activity

13.2 Lot Requirements

13.2.1 Minimum Lot Frontage

All permitted uses: 45.0 metres, except in the case of a public utility, communication tower, bait fishing or wayside pit/quarry where there shall be no minimum required.

13.2.2 Minimum Lot Area

All permitted uses: 4.0 hectares, except in the case of a public utility, communication tower, bait fishing or wayside pit/quarry where there shall be no minimum required.

13.2.3 Maximum Lot Coverage

All permitted uses N/A

13.3 Other Zone Regulations and Provisions

13.3.1 Required Front and Rear Yard

Front and rear 15.0 metres each, except in the case of a public utility, communication tower, bait fishing or wayside pit/quarry where there shall be no minimum required

13.3.2 Required Side Yards

Each side 10.0 metres, except in the case of a public utility, communication tower, bait fishing or wayside pit/quarry where there shall be no minimum required

13.3.3 Maximum Height

All permitted uses N/A

13.3.4 Maximum Number of Main Uses

All permitted uses No maximum

13.3.5 Maximum Number of Permitted Main Buildings

All permitted uses No maximum

13.4 Special Provisions

13.4.1 Special Exception Zones

Rural Special Exception One (RU-X1) Zone

On lands located in the Rural Special Exception One (RU-X1) Zone, lands may be used for the treatment of sewage waste.

Zone Provisions

- Minimum Lot Frontage.....45 metres
- Minimum Lot Area 0.4 hectares
- Maximum Lot Coverage..... 10%
- Front Yard:15 metres
- Rear Yard:15 metres
- Side Yards.....10 metres
- Maximum main uses..... one only
- Maximum number of permitted main buildings one only

SECTION FOURTEEN - RURAL AREA - WATERFRONT DEVELOPMENT ZONE [WD]

14.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and/or involving recreational or recreational resource based development, and/or focussing upon tourism and/or the travelling public, and focussing upon access, enjoyment, and use of Lake Superior, and including uses and/or activities customarily related thereto. Permitted uses shall include:

Main Uses

- Amphitheatre
- Apartment Dwelling
- Beach Pavilion/Picnic Shelter
- Boat Launch
- Club House
- Combined Use Facility
- Convenience Store
- Golf course
- Hiking trails
- Laundromat
- Marina
- Miniature Golf
- Motel
- Park
- Playground
- Public Service Use (see **Section 2.28**)
- Quadruplex Dwelling
- Recreational Commercial Establishment
- Restaurant
- Retail Store
- row house/Townhouse Dwelling
- Semi-Detached Dwelling
- Single Detached Dwelling
- Townhouse Dwelling
- Triplex Dwelling
- Waterfront Centre

Accessory Uses

- Accessory Buildings, Structures and Uses (**Section 2.12**)

- Home Occupation (see **Section 2.18**)
- Bed and Breakfast (see **Section 2.19**)
- Office

14.2 Lot Requirements and Other Zone Regulations and Provisions

14.2.1 Zone Provisions

All buildings or structures in the WD Zone shall be subject to a 30 metre setback from the shoreline of Lake Superior. In addition, the permitted uses in the Waterfront Development (WD) Zone will be subject to the following lot requirements:

a) *Low Density Residential Uses*

All permitted uses: As set out in Section 5.2 – Lot Requirements, and **Section 5.3 – Other Zone Regulations and Provisions** (Low Density Residential – LDR – Zone).

b) *Multiple Residential Uses*

All permitted uses: As set out in Section 6.2 – Lot Requirements, and **Section 6.3 – Other Zone Regulations and Provisions** (Multiple Residential – MR – Zone).

c) *Commercial and Institutional Use*

All permitted uses ...: As set out in Section 7.2 – Lot Requirements and **Section 7.3 – Other Zone Regulations and Provisions** (General Commercial/Institutional – GCI – Zone).

14.3 Special Provisions

14.3.1 Special definition of “Lot”

Notwithstanding the definition of lot, which shall continue to exist, lands described in a lease from the Township shall be considered to be a lot for the purposes of the permitted uses and related regulations of this zone.

SECTION FIFTEEN - RURAL AREA - TOURIST COMMERCIAL ZONE [TC]

15.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and involving the purchasing and/or sale of goods, products, commodities; and/or the supply of services; both for profit or gain, directed to accommodation tourists and/or the travelling public, and including uses and/or activities customarily related thereto. Permitted uses shall include:

Main Uses

- Campground
- Equestrian facility
- Motel, Hotel
- Marina
- Park
- Public Service Use (see **Section 2.28**)
- Tourist Establishment
- Tourist information facility
- Tourist outfitters establishment

Accessory Uses

- Accessory Buildings, Structures and Uses (see **Section 2.12**)
- Accessory dwelling associated with an above permitted use
- Combined use

15.2 Lot Requirements

15.2.1 Minimum Lot Frontage

RV/tent and trailer campsite45 metres

All other permitted uses, 20.0 metres, except in the case of a live bait shop operating as a free standing use, where 7.5 metres shall be required.

15.2.2 Minimum Lot Area

All permitted uses not connected to municipal sewer and water services, except a RV / tent and trailer campsite.0.4 hectares

RV / tent and trailer campsite not connected to or serviced by municipal sewer and water services.2.0 hectares

All permitted uses where connected to municipal sewer and water services, except an RV / tent RV / tent and trailer campsite connected to municipal sewer and water services t and trailer campsite.....450 m²

RV / tent and trailer campsite connected to municipal sewer and water services0.5 hectares

15.2.3 Maximum Lot Coverage

All permitted uses 35 %

15.3 Other Zone Regulations and Provisions

15.3.1 Required Front and Rear Yard

Front yard 10.0 metres
Rear yard..... 10.0 metres

15.3.2 Required Side Yards

Each side 7.5 metres

15.3.3 Maximum Height

All permitted uses 11.0 metres

15.3.4 Maximum Number of Main Uses

All permitted uses no maximum

15.3.5 Maximum Number of Permitted Main Buildings

All permitted uses no maximum

15.4 Special Provisions

15.4.1 Buffer strip/privacy fence

A privacy fence or a vegetated buffer strip with a minimum height of 1.6 metres shall be provided and maintained along each lot line that is not a street line, abutting a residential

zone.

15.4.2 RV/Tent and trailer campsite

15.4.2.1 A minimum of ten campsite spaces shall be provided, and;

- a) Each space shall be not less than 300 m² in size.
- b) The overall density of the site shall not exceed 20 spaces per hectare

15.4.2.2 Notwithstanding the provisions of this Section that relate to an RV tent and trailer park, for Block C, Plan M – 122, being Part 6, 55R-1257 (Aguasabon Campground), the following shall apply

- In addition to the existing campsite, not more than 6 seasonal or occasional rental cottages, not greater than 24 m² in size shall be permitted.
- New construction, excluding the above noted six seasonal or occasional cottages shall be such that openings to buildings shall be above the hydro water control contour.
- A seasonal or occasional rental cottage shall be defined as a dwelling used as an occasional residential dwelling for recreation, rest or relaxation by one household, but not occupied continuously or as a principle residence or as a year round permanent dwelling.

SECTION SIXTEEN - RURAL AREA - RECREATIONAL COTTAGE ZONE [REC]

16.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and involving the seasonal and non-permanent residential accommodation of persons for vacationing and/or recreational purposes, where such persons maintain and occupy regular accommodation elsewhere, and including uses and/or activities customarily related thereto. Permitted uses shall include:

Main Uses

- Seasonal Dwelling
- Park
- Public Service Use (see **Section 2.28**)
- Watercraft launching facility

Accessory Uses

- Accessory Buildings, Structures and Uses (see **Section 2.12**)

16.2 Lot Requirements

16.2.1 Minimum Lot Frontage

All permitted uses	45.0 metres, except a watercraft launching facility which shall have a minimum frontage of 6.0 metres
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16.2.2 Minimum Lot Area

All permitted uses.....	0.4
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16.2.3 Maximum Lot Coverage

All permitted uses.....	40%
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16.3 Other Zone Regulations and Provisions

16.3.1 Required Front and Rear Yard

Front yard 30 metres (on water)
Rear yard
 a) main use9.0 metres
 b) accessory garage4.5 metres

16.3.2 Required Side Yards

Each side.....4.5 metres

16.3.3 Maximum Height

All permitted uses9.5 metres

16.3.4 Maximum Number of Main Uses

All permitted uses: one use only

16.3.5 Maximum Number of Permitted Main Buildings

All permitted uses: one use only

16.3.6 Minimum separation distances

 a) main and secondary building3.0 metres
 b) accessory buildings1.0 metres

16.4 Special Provisions

16.4.1 Guest Houses

One only guest house shall be permitted on a lot, in accordance with the normal regulations and requirements of this zone.

16.4.2 Boat Houses, Private aircraft hangers

All legally existing boat houses as at the date of passing of this By-law are permitted. New boat houses and private aircraft hangers shall require an amendment to the By-law.

16.4.3 Recreational Cottage Zone Special Exception One (REC-X1) Zone

For Parcel 3-1 Plan M-356, Lot 3, (Scott Avenue), notwithstanding provisions elsewhere to the contrary, a guest house or bunkhouse shall be permitted to be up to 60.0 m² in size, and up to 2 storeys in height, and may also be serviced by an associated septic tank.

16.4.4 Recreational Cottage Zone Special Exception Two (REC-X2) Zone Cottage Association – Hydro Bay

Notwithstanding provisions to the contrary elsewhere in this By-law, for the lands and premises being part of Locations SV 455 and SV 456, being Parcel 16810 T.B.F; and part of the shoreline allowance in front of SV 456, the following shall apply;

- a) The lands may be used as a cottage association, provide that a maximum of six (6) seasonal residential dwellings may be permitted on the said lands, and any such seasonal residential dwelling may be expanded, relocated and/or replaced provided that the size of the resulting seasonal dwelling unit shall not be more than 25% more than the size of the dwelling existing at the date of passing of this By-law.
- b) A cottage association shall be defined as a relevant lands and group of owners of seasonal dwelling units that share common ownership and title to the lands upon which such seasonal dwellings are located.
- c) An association cottage site shall be defined as a part of a cottage association that is acknowledged by the cottage association to be under the exclusive use and enjoyment of one of the particular members of the association and upon which is located that member's seasonal dwelling.
- d) It shall be legal for the said lands, cottage association and association sites to be accessed by a private road over abutting lands, and joining to Highway 17.
- e) For each cottage association site, the following shall apply;
 - i) Minimum site area and width: As existing at the date of passing of this By-law
 - ii) Minimum setback from shoreline reserve: 10.0 metres
 - iii) Minimum setback from high water: 30.0 metres mark where no shoreline reserve
 - iv) Minimum separation between main building site boundary: 4.5 metres
 - v) Minimum separation between main accessory building: 3.0 metres
 - vi) Minimum separation between accessory buildings: 1.0 metres
 - vii) Separation distance for a deck or hot tub: N/A
 - viii) Maximum height of main building: 10.0 metres
 - ix) Maximum height of accessory: 4.2 metres building
- f) For a larger cottage association property not including that portion thereof committed to cottage association sites, the following shall apply;
 - i) Use shall be limited to accessory uses to the existing six seasonal dwellings.
 - ii) Maximum building coverage shall be 10 % of the land area not a part of the cottage association sites.
 - iii) Minimum building separation from a cottage association site

boundary or from the lot boundary of the association holding shall be 9.0 metres

SECTION SEVENTEEN - RURAL AREA - EXTRACTIVE USES ZONE [EX]

Notwithstanding the uses and regulations that are set out hereafter and which shall continue to otherwise apply, where lands in the Extractive Uses Zone have been designated by the Province as being Lake Superior Shoreline Enhanced Management Area, the policies and regulations of the Ministry of Natural Resources for the Lake Superior Shoreline Enhanced Management Area shall apply.

17.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and involving the extraction, processing, storage and/or hauling of aggregate resource material found in the ground on the subject lands, and including uses and/or activities customarily related thereto. Permitted uses shall include:

Main Uses

- Mineral Aggregate Operation
- Mineral Mining Operation
- Portable asphalt/concrete plant
- Public Service Use (see **Section 2.28**)
- Park

Accessory Uses

- Uses, buildings and structures accessory to the foregoing permitted uses

17.2 Lot Requirements

17.2.1 Minimum Lot Frontage

All permitted uses.....30 metres

17.2.2 Minimum Lot Area

All permitted uses..... 1 hectare

17.2.3 Maximum Lot Coverage

All permitted uses..... N/A

17.3 Other Zone Regulations and Provisions

17.3.1 Required Front and Rear Yard

Front Yard.....15 metres
Rear Yard.....15 metres

17.3.2 Required Side Yards

Each side.....15 metres

17.3.3 Maximum Height

All permitted uses.....12.0 metres

17.3.4 Maximum Number of Main Uses

All permitted uses..... one use only

17.3.5 Maximum Number of Permitted Main Buildings

All permitted uses..... one only

17.4 Special Provisions

17.4.1 Separation distance for pit or quarry

Notwithstanding any other provision of this By-law, a pit or quarry shall be set back in accordance with the provisions of **Section 2.30.4**

17.4.2 Separation distance for portable asphalt plant

Notwithstanding any other provision of this By-law, a portable asphalt plant shall not be located closer than 500 metres to any existing residential or commercial building.

17.4.3 Separation Distance from Lake Superior

Aggregate extraction shall not occur within 300 metres of Lake Superior.

SECTION EIGHTEEN SETTLEMENT - RURAL AREA - WASTE DISPOSAL/UTILITIES ZONE [WDU]

18.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and involving the receiving, storing, and management of waste material, and/or the operation of sewage treatment or other such public facilities, including uses and/or activities customarily related thereto. Permitted uses shall include:

Main Uses

- Private forest products wastes disposal and management
- Public Service Use (see **Section 2.28**)
- Recycling Depot
- Sewage treatment plant
- Waste Management Facility

Accessory Uses

- Uses, buildings and structures accessory to the foregoing permitted uses

18.2 Lot Requirements

18.2.1 Minimum Lot Frontage

All permitted uses45 metres

18.2.2 Minimum Lot Area

All permitted uses 4 hectares

18.2.3 Maximum Lot Coverage

All permitted uses N/A

18.3 Other Zone Regulations and Provisions

18.3.1 Required Front and Rear Yard

Front Yard.....30 metres

Rear Yard.....30 metres

18.3.2 Required Side Yards

Each side yard.....30 metres

18.3.3 Maximum Height

All permitted uses..... N/A

18.3.4 Maximum Number of Main Uses

All permitted uses..... one use only

18.3.5 Maximum Number of Permitted Main Buildings

All permitted uses..... one only

18.4 Special Provisions

18.4.1 Setback

Notwithstanding any other provision to the contrary in this By-law, a 450 metre setback shall be maintained between any landfill activity and any building located on an abutting lot.

18.4.2 Setback for a portable asphalt plant

Notwithstanding any other provision of this By-law, a portable asphalt plant shall not be located closer than 500 metres to any existing residential or commercial building.

SECTION NINETEEN - SETTLEMENT AND RURAL AREA - ENVIRONMENTAL PROTECTION ZONE [EP]

Notwithstanding the uses and regulations that are set out hereafter and which shall continue to otherwise apply, where lands in the Environmental Protection Zone have been designated by the Province as being Lake Superior Shoreline Enhanced Management Area, the policies and regulations of the Ministry of Natural Resources for the Lake Superior Shoreline Enhanced Management Area shall apply. Permitted uses shall include:

19.1 Permitted Uses

Within this zone, the predominant use of land shall be for the conduct of activities related to and involving the conservation and protection of identified natural features of significance, and including uses and/or activities customarily related thereto, and shall involve;

- Conservation use
- Flood or Erosion Control Structures

19.2 Lot Requirements

19.2.1 Minimum Lot Frontage

All permitted uses..... N/A

19.2.2 Minimum Lot Area

All permitted uses..... N/A

19.2.3 Maximum Lot Coverage

All permitted uses..... N/A

19.3 Other Zone Regulations and Provisions

19.3.1 Required Front and Rear Yard

Front Yard..... N/A

Rear Yard..... N/A

19.3.2 Required Side Yards

Each side..... N/A

19.3.3 Maximum Height

All permitted uses..... N/A

19.3.4 Maximum Number of Main Uses

All permitted uses..... N/A

19.3.5 Maximum Number of Permitted Main Buildings

No buildings permitted

SECTION TWENTY – WATERFRONT RESIDENTIAL (RW) ZONE

No person shall use any land or erect, alter or use any building or structure in the Waterfront Residential (RW) Zone except in accordance with the following **zone regulations**:

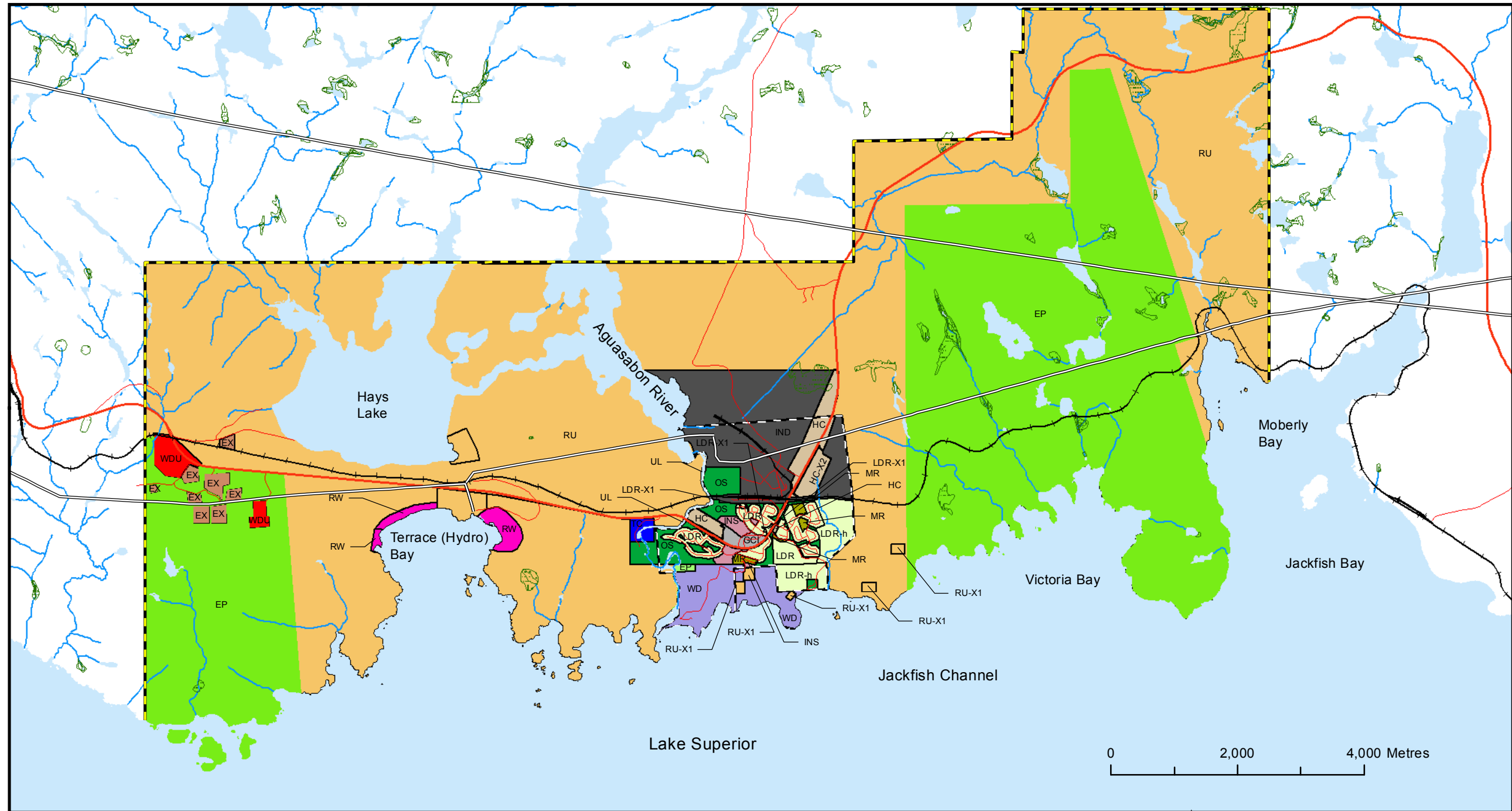
20.1 Permitted Uses

20.1 – LD Permitted Uses	
Principle Use	Accessory Use
<ul style="list-style-type: none"> • Single Detached Dwelling • Seasonal Dwelling 	<ul style="list-style-type: none"> • Accessory use, building or structure • Sleep Cabin • Home Occupation (see 2.18) • Swimming Pools

20.2 Zone Regulations

20.2 - RW Zone Regulations	All Uses
Minimum Lot Area	1 ha [2.47 ac.]
Minimum Lot Frontage	45 m [147.6 ft.]
Minimum Yard Requirements – Main Building	
Front Yard or Exterior Side Yard	30 m [98.4 ft.]
Interior Side Yard	8 m [26.2 ft.] or 30 m [98.4 ft.] where the yard abuts water
Rear Yard	
Minimum Yard Requirements – Accessory Building (see also Sections 2.12)	
Interior Side Yard or Rear Yard	2 m [6.56 ft.] or 30 m [98.4 ft.] where the yard abuts water
Maximum Height Requirements	
Main Building	11 m [36 ft.]
Accessory Building	6 m [19.6 ft.]

20.2 - RW Zone Regulations	All Uses
Maximum Lot Coverage Requirements - (Accessory Building - see also Section 2.12)	
All Buildings and Structures	5%
Minimum Separation Distance Between Buildings Requirements	
Main Building and any Accessory Building	3 m [9.84 ft.]
See also Section 2.30.3 – for flood elevation on Lake Superior	



Zoning Schedule "A" Township of Terrace Bay Legend

Zones

Settlement Area Zones

- LDR Low Density Residential
- MR Multiple Residential
- GCI General Commercial / Institutional
- HC Highway Commercial
- INS Institutional
- IND Industrial

Settlement or Rural Area Zones

- RW Waterfront Residential
- OS Open Space

Rural Area Zones

- RU Rural
- WD Waterfront Development
- TC Tourist Commercial
- REC Recreational Cottage
- EX Extractive
- WDU Waste Disposal
- UL Utility Land
- EP Environmental Protection

Natural Heritage Features

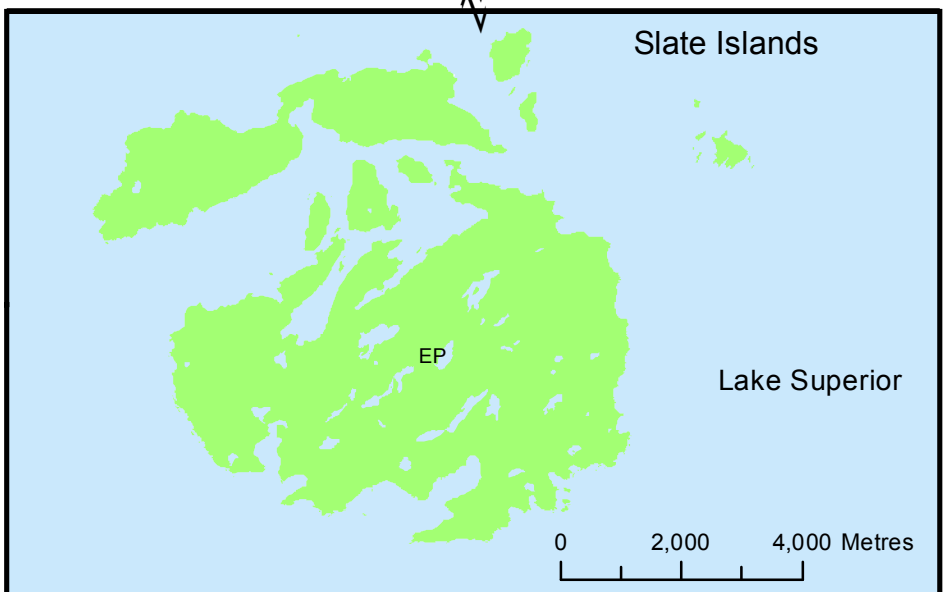
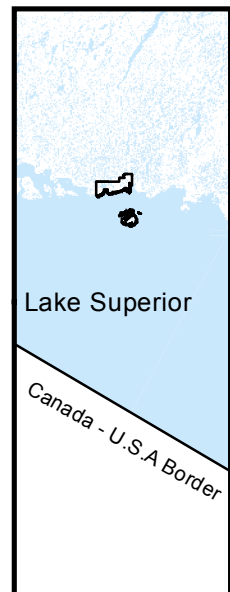
- Wetland
- Watercourse

Transportation and Infrastructure

- Roads
- Provincial Highway (Hwy 17)
- Railway (CP)
- Hydro Line

Other Features

- Urban Settlement Area
- Township of Terrace Bay Boundary



Date of Latest Revision: Mar 7, 2016



**Zoning Schedule "A1"
Urban Settlement Area
Township of Terrace Bay**

Legend

Zones

Settlement Area Zones

- LDR Low Density Residential
- MR Multiple Residential
- GC I General Commercial / Institutional
- HC Highway Commercial
- INS Institutional
- IND Industrial

Settlement or Rural Area Zones

- RW Waterfront Residential
- WD Waterfront Development
- OS Open Space
- EP Environmental Protection

Natural Heritage Features

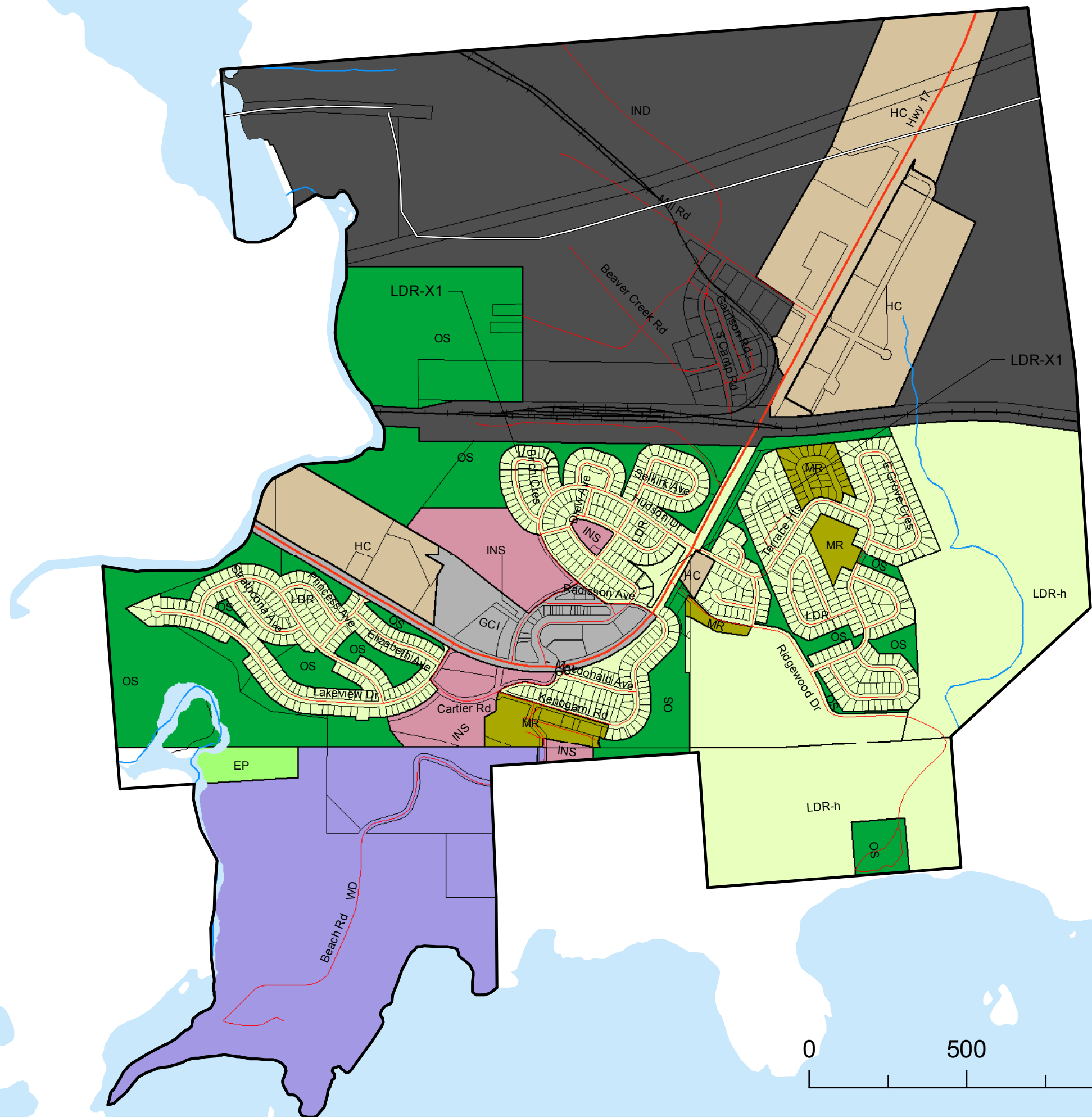
- Watercourse

Transportation and Infrastructure

- Roads
- Provincial Highway (Hwy 17)
- Railway (CP)
- Hydro Line

Other Features

- Urban Settlement Area



Date of Latest Revision: Mar 7, 2016

