

## **OFFICE CONSOLIDATION**

**THIS CONSOLIDATED COPY OF THE CITY OF THUNDER BAY ZONING BY-LAW 100-2010, AS AMENDED, HAS BEEN PREPARED FOR THE PURPOSES OF CONVENIENCE ONLY AND IT IS NOT NECESSARILY A TRUE COPY OF THE BY-LAW.**

**THE CITY OF THUNDER BAY ACCEPTS NO RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THIS CONSOLIDATION.**

**IN ALL CASES, FOR ACCURATE REFERENCE, THE ORIGINAL BY-LAWS LODGED IN THE CITY CLERK'S OFFICE SHOULD BE CONSULTED.**

**BY-LAW 100-2010      EFFECTIVE DATE: JANUARY 1, 2011**

**PASSED: OCTOBER 18, 2010**

**SECTION 1**    **GENERAL**

- 1.1**            **Short Title:** The Short Title of this BY-LAW is the "Zoning By-law".
- 1.2**            **Application & Scope:** The provisions of this BY-LAW apply to all lands within THUNDER BAY. Subject to APPLICABLE LAW, all land in THUNDER BAY must be used in accordance with the provisions of this BY-LAW, and all BUILDINGS or STRUCTURES erected, ALTERED, enlarged or used within THUNDER BAY must conform to the requirements of this BY-LAW.
- 1.3**            **Effective Date:** This BY-LAW shall come into force and take effect on January 1, 2011, subject to the provisions of APPLICABLE LAW.
- 1.4**            **Schedule "A":** Schedule "A" to this BY-LAW is comprised of a series of maps which together form maps of THUNDER BAY, with the ZONE labels applied to indicated geographic boundaries of ZONES.
- 1.5**            **Schedule "B":** Schedule "B" to this BY-LAW will be comprised of the text associated with site specific amendments to this BY-LAW which occur after the date of its passage.

**SECTION 2**    **ADMINISTRATION**

- 2.1**            **Repeal:** Subject to Section 2.1.1, By-law 177-1983 is repealed.
- 2.1.1(a)**        **Survival of Certain Provisions:** Table 2.1.1 lists paragraph numbers in Schedule "B" to By-law 177-1983. These paragraphs of By-law 177-1983 are not repealed, and remain in full force and effect, despite Section 2.1. Further, any clauses of By-law 177-1983 that are referenced in the paragraphs listed in Table 2.1.1 are considered to remain valid for the sole purpose of giving force and effect, context and meaning to the provisions of the paragraphs in the Table.

<b>TABLE 2.1.1: SURVIVING PARAGRAPH NUMBERS IN SCHEDULE "B" - By-law 177-1983</b>					
8	226	360	439	559	
9	230	363	441	562	
11	236	364	442	563	
12	248	365	449	565	
13	255	366	453	569	
15	257	367	455	570	
19	263	368	458	575	
76	270	369	465	579	
82	273	370	468	589	
83	292	371	473	590	
87	293	372	480	595	
92	294	374	482	597	
94	295	376	483	598	
108	298	381	485	600	
109	300	382	487	605	
112	301	383	488	607	
139	306	384	491	608	
145	308	386	492	611	
146	314	388	494	614	
161	321	392	499	620	
165	322	393	507	622	
166	326	394	508	626	
170	330	396	509	628	
183	331	397	510	636	
188	334	398	511		
189	335	400	512		
194	338	401	518		
196	339	406	519		
201	341	412	520		
204	342	415	521		
205	343	417	526		
206	348	418	530		
207	352	427	532		
211	355	432	537		
214	356	433	542		
216	357	436	545		
218	358	437	547		

- 2.1.1(b) **Survival of Provisions Relating to Public Processes:** Notwithstanding anything to the contrary in this BY-LAW, no provision of this BY-LAW shall over-ride any zoning that applied to any land in THUNDER BAY which zoning applied under an amendment to By-law 177-1983 which occurred through due public process undertaken in accordance with the *Planning Act* between March 8, 2002 and January 1, 2011. Further, any clauses of By-law 177-1983 that are referenced in the amending by-laws related to those re-zoning processes are considered to remain valid for the purpose of giving force and effect, context and meaning to the provisions of those amending by-laws.
- 2.2 **Administration:** Administration of this BY-LAW, in accordance with APPLICABLE LAW, is under the authority of the General Manager of Development Services of the CORPORATION.
- 2.3 **OFFICIAL PLAN Conformity:** The COUNCIL has determined that this BY-LAW conforms to the OFFICIAL PLAN.

### **SECTION 3 ENFORCEMENT & PENALTIES**

- 3.1 **Enforcement:** This BY-LAW may be enforced by any MUNICIPAL LAW ENFORCEMENT OFFICER.
- 3.2 **Offences Relating to USE:** No person shall use any land, BUILDING or STRUCTURE within a ZONE for a USE that is not permitted within that ZONE.
- 3.3 **Offences Relating to Change of USE:** No person shall change the USE on any land, or within any BUILDING or STRUCTURE, without first obtaining a certificate of occupancy from the CORPORATION's Chief Building Official authorizing the change in USE.
- 3.4 **Offences Relating to REGULATIONS:** No person shall undertake a permitted USE on any land within any ZONE where the USE, or the locations of BUILDINGS or STRUCTURES, on the land contravene the REGULATIONS applicable to the ZONE within which the land exists.
- 3.5 **Offences Relating to Interference:** No person shall interfere with a MUNICIPAL LAW ENFORCEMENT OFFICER who is lawfully conducting an investigation into an allegation that the provisions of this BY-LAW are being contravened.
- 3.6 **Penalty Provisions:** Any person convicted of an offence under this BY-LAW is subject to the penalties prescribed in Section 67 of the *Planning Act*.

## **SECTION 4    DEFINITIONS & INTERPRETATION RULES**

**4.1**        **Definitions:** Wherever a term set out below appears in the text of this BY-LAW in capital letters, the term is intended to have the meaning set out for it in this Section 4.1. Wherever a term below appears in the text of this BY-LAW in regular font, it is intended to have the meaning ordinarily attributed to it in the English language. When a verb is defined, the definition applies to all tenses of the verb.

"ACCESSORY" is an adjective that describes something that is incidental and exclusively devoted to something else. For example, an "ACCESSORY USE" is incidental and exclusively devoted to a MAIN USE. An "ACCESSORY BUILDING" is incidental and exclusively devoted to another BUILDING on the same LOT.

For the definition of "ACCESSORY APARTMENT", see the definition of "DWELLING UNIT" below.

"AEROSPACE RELATED" is an adjective phrase that describes a USE associated with or serving an AIRPORT, or directly related to the operation of aircraft.

"AGRICULTURAL USE" means

- (a) the growing of crops;
- (b) raising of LIVESTOCK;
- (c) aquaculture;
- (d) apiaries;
- (e) agro-forestry; or
- (f) maple syrup production.

An "AIRPORT" is a PLACE set apart for the movement and handling of aircraft and their passengers and freight.

"ALTER" is a verb that means, when used with reference to a BUILDING or STRUCTURE, to change any one or more of the external horizontal or vertical dimensions of that BUILDING or STRUCTURE, or to change its exterior walls or roof.

When used with reference to a LOT, the verb "ALTER" means to change the location of any boundary of that LOT.

"ALTERATION" is a noun referring to the physical change resulting when a person ALTERS a BUILDING, STRUCTURE or LOT.

An "ANIMAL BOARDING FACILITY" is a PLACE where animals are taken in for shelter or boarding. The term excludes PET STORES, KENNELS, zoos, and ANIMAL CARE FACILITIES.

An "ANIMAL CARE FACILITY" is a PLACE where DOMESTIC PETS are kept, treated and/or provided with veterinary care, or a PLACE where animals of any kind are treated by a veterinarian and may be kept for the duration of the treatment. The term excludes a zoo.

For the definition of "ANIMAL UNIT", see the definition of "PERSONAL FARM" below.

An "APARTMENT DWELLING" is a BUILDING, located on one LOT, which contains 3 or more DWELLING UNITS, but is not a TOWNHOUSE DWELLING, a CONVERTED DWELLING, or a RETIREMENT RESIDENCE. The term also excludes a hotel, motel, or inn.

"APPLICABLE LAW" means any municipal, provincial or federal law applicable within THUNDER BAY, including all legislation, secondary legislation (such as regulations or by-laws), and the common law.

An "ARCHITECTURAL FEATURE" is the projection of windows, window sills, chimneys, cornices, eaves, and/or similar features of a BUILDING or STRUCTURE. The term excludes balconies, fire escapes, or DECKS.

An "ARTERIAL" is a STREET designated as either a "minor arterial" or "major arterial" road in the OFFICIAL PLAN.

An "ARTISAN" is a person who works in any of the fine arts or in handicrafts, producing works for sale to the public. The term includes an artist, a painter, a sculptor, a potter, a weaver, a seamstress, a wood carver, woodworker, and similar persons. The term excludes TRADESPERSONS.

An "ARTISAN'S WORKSHOP" is a PLACE where ARTISANS create and sell handicrafts.

The "ASSEMBLY RATE" is a mathematical formula used to calculate the minimum number of required PARKING SPACES for certain USES involving the assembly of persons, as regulated in Section 5.15.9 and Table 5.15.9. The ASSEMBLY RATE formula is the greater of:

- (a) 1 PARKING SPACE for every 6 fixed seats and/or 1 PARKING SPACE for every 10.0m<sup>2</sup> of assembly area where there are no fixed seats; or
- (b) 1 PARKING SPACE for every 25.0m<sup>2</sup> of the GFA of the BUILDING.

With respect to (a), where seating is provided in the form of fixed benches or pews, then 0.6m of the length of each bench or pew is considered as equalling one fixed seat for the purposes of the ASSEMBLY RATE.

"ATTACHED" is an adjective that means physically connected, with dependence for structural support, or complete enclosure upon at least one division wall shared in common with another BUILDING on the same LOT.

An "ATTIC" is the space between the roof and the ceiling of the top STOREY of a BUILDING.

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For the definition of "BAIT STORE", see the definition of "RETAIL STORE" BELOW.

The "BASEMENT" is one or more STOREYS of a BUILDING located below the FIRST STOREY.

A "BED AND BREAKFAST" is a HOME BASED BUSINESS in which overnight accommodation, with or without meals, is provided to the travelling public.

A "BUILDING" is a structure having a roof supported by columns or walls designed for use for the accommodation or storage of persons, animals, goods, materials, or equipment.

The "BUILDING CODE" is Regulation 350/06, passed under the *Building Code Act, 1992*.

"BY-LAW" refers to this BY-LAW, as amended from time to time, including its recitals and schedules, which are integral parts of it. The term excludes any reference notes to other legislation or other by-laws; any explanatory diagrams; and the ENVIRONMENTAL OVERLAY.

A "CEMETERY" is a "cemetery" as defined in provincial legislation.

A "CHEMICAL STORAGE FACILITY" is a PLACE for the surface or underground storage and/or wholesale or retail distribution of propane, petroleum products, chemicals, gases or similar products.

A "COLLECTOR" is a STREET designated as a "collector road" in the OFFICIAL PLAN.

A "COMMERCIAL SCHOOL" is a PLACE where instruction is offered to the public for a fee. Examples include driving schools, dancing schools, music schools, business schools and academic schools. The term excludes EDUCATIONAL INSTITUTIONS or INDUSTRIAL SCHOOLS.

For the definition of "COMMERCIAL PARKING LOT," see the definition of "PARKING LOT" below.

For the definition of "COMMERCIAL VEHICLE," see the definition of "MOTOR VEHICLE" below.

For the definition of "COMMERCIAL ZONE," see the definition of "ZONE" below.

A "COMMUNICATIONS DEVICE" is a radio, television, or telecommunications antenna. There is one special kind of COMMUNICATIONS DEVICE:

A "PERSONAL COMMUNICATION DEVICE" is a COMMUNICATIONS DEVICE that is an ACCESSORY USE to a DWELLING. The term includes ham radio towers and satellite dishes.

For the definition of "COMMON LOT LINE," see the definition of "LOT LINE" below.

A "COMMUNITY CENTRE" is a PLACE used for community or cultural activities including recreation, arts, crafts and social or charitable events.

A "COMMUNITY GARDEN" is an area of land managed and maintained by a group of individuals to grow and harvest food crops for personal or group use, consumption, donation, or for community benefit.

A "COMMUNITY HEALTH AND RESOURCE CENTRE" is a PLACE where members of the public are provided with health, welfare or social support services and resources and where neither overnight care nor living accommodation is available.



A "CONVERTED DWELLING" is a BUILDING, constructed prior to January 1, 1945, which was originally constructed as a SINGLE DETACHED DWELLING, and which meets these criteria:

- (a) it has a HEIGHT greater than one STOREY;
- (b) as of July 22, 1983, it has a minimum GFA of 140m<sup>2</sup>; and
- (c) it contains more than one DWELLING UNIT.

For the definition of "CORNER LOT," see the definition of "LOT" below.

The "CORPORATION" is The Corporation of the City of Thunder Bay. Where the context allows, the term includes its employees, servants and agents.

A "CREMATORIUM" is a "crematorium" as the term is defined in provincial legislation.

A "CULTURAL FACILITY" is a PLACE used for the purpose of cultural or social promotion or entertainment. The term includes museums, art galleries, public halls, social clubs, movie theatres, libraries, convention centres, and theatres for the performing arts.

A "DAY CARE FACILITY" is either:

- (a) a "day nursery" as defined in provincial legislation; or
- (b) a PLACE where temporary care and/or guidance is provided for more than 5 individuals, for a continuous period not to exceed 24 hours.

A "DECK" is a STRUCTURE without a roof having a foundation to hold it erect, and 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 greater than 0.6 m above finished GRADE, and which is designed and intended for use as a sundeck. The term does not include a LANDING or a stair.

"DEVELOP" is a verb meaning to build, construct, reconstruct, or relocate. The term includes

- (a) ALTERING any existing BUILDING or STRUCTURE; or
- (b) any work which requires a Building PERMIT under the *Building Code Act, 1992*.

"DISTANCE" is the perpendicular horizontal distance between a LOT LINE and the nearest part of any BUILDING or STRUCTURE, exclusive of permitted projections in accordance with Section 5.16 of this BY-LAW, and/or any objects within a lawful OUTDOOR STORAGE USE on a LOT.

A "DOMESTIC PET" is a bird or an animal intended to be kept for the duration of its natural life by domestic households for pleasure and companionship. Examples of "DOMESTIC PETS" include dogs, cats, rabbits, small rodents including hamsters or mice, canaries, budgies, and guinea pigs. The term excludes LIVESTOCK or birds and animals (other than those listed above) that other municipal by-laws specifically regulate.

Some animals, including rabbits, may be kept for either food production or as DOMESTIC PETS. The definition applied to those types of animals will depend on the circumstances under which they are kept in the context in which the definition is being applied.

A "DRIVE SERVICE UNIT" is a window, automated teller, MOTOR VEHICLE bay, or similar device or PLACE where persons, while within their PRIVATE VEHICLES, receive goods or services. The term includes an entrance to a car wash, or one bay in the case of a car wash with multiple bays. Where an order, payment and service may be completed at separate stations, only the station where the goods or services are obtained shall be counted as the DRIVE SERVICE UNIT.

A "DRIVEWAY" is an access for MOTOR VEHICLES from any STREET or a PRIVATE STREET to

- (a) a PARKING LOT; or
- (b) one or more PARKING SPACES.

A "DRY-CLEANING PLANT" is a PLACE where articles or goods or fabrics are dry-cleaned, dyed, cleaned, and/or pressed on the premises. The term excludes a PERSONAL SERVICES ESTABLISHMENT.

A "DUPLEX DWELLING" is a BUILDING, located on one LOT, which contains 2 DWELLING UNITS.

A "DWELLING" is a BUILDING containing one or more DWELLING UNITS that is not a MIXED USE BUILDING.

A "DWELLING UNIT" is a self contained suite of one or more rooms within a BUILDING which suite contains living accommodations, cooking and sanitary facilities, and has an exclusive entrance. The term excludes a RECREATIONAL VEHICLE. There are 2 special kinds of DWELLING UNITS:

- an "ACCESSORY APARTMENT" is a DWELLING UNIT located within a BUILDING originally constructed as a SINGLE DETACHED DWELLING, and
- a "LIVE WORK UNIT" is a "live work unit" as defined in the BUILDING CODE.

An "EDUCATIONAL INSTITUTION" is an elementary, secondary or private school as defined in provincial legislation, a college of applied arts and technology, or a university. The term excludes a COMMERCIAL SCHOOL or an INDUSTRIAL SCHOOL.

An "EMERGENCY SERVICES FACILITY" is a PLACE used for the operation of a fire and/or rescue service and/or an emergency medical response service.

The "ENVIRONMENTAL OVERLAY" is shown as grey shading on the ZONING MAPS. It applies to lands including those adjacent to natural corridors, wetlands, and provincially significant wetlands as designated in the OFFICIAL PLAN. It is designed and intended to alert readers of this BY-LAW to areas of THUNDER BAY where the LRCA may have legislative requirements that are pre-requisites to land development. Refer to Section 4.3 of this BY-LAW for more information.

An "EQUIPMENT SERVICE AND RENTAL ESTABLISHMENT" is a PLACE where new and/or used equipment, STORAGE CONTAINERS, SMALL ENGINE EQUIPMENT, COMMERCIAL VEHICLES and HEAVY EQUIPMENT, tools and/or machinery are rented, serviced and/or sold.

For the definition of "EXTERIOR SIDE LOT LINE," see the definition of "LOT LINE" below.

For the definition of "FINANCIAL OFFICE", see the definition of "OFFICE" below.

For the definition of "FIRST STOREY", see the definition of "STOREY" below.

The "FLOOR SPACE INDEX" of a BUILDING is the GFA, in square metres divided by the area of the LOT, in square metres.

For the definition of "FOOD STORE", see the definition of "RETAIL STORE" below.

A "FUEL BAR" is a PLACE where MOTOR VEHICLE fuel is offered for sale to the motoring public, providing the ability to dispense fuel directly into the vehicle.

A "FUNERAL ESTABLISHMENT" is a "funeral establishment" as defined in provincial legislation.

For the definition of "FURNITURE STORE", see the definition of "RETAIL STORE" below.

A "GARDEN SUITE" is a free standing BUILDING, containing a maximum of one DWELLING UNIT, which is ACCESSORY to a SINGLE DETACHED DWELLING located on the same LOT. These free standing GARDEN SUITES are designed to be temporary and portable, as contemplated in Section 39.1 of the *Planning Act*. The term excludes a RECREATIONAL VEHICLE.

"GRADE" means the average of the elevations of all the natural or finished levels of the ground adjoining

- (a) all the exterior faces of an existing or proposed BUILDING, STRUCTURE, or STORAGE CONTAINER; or
- (b) a fence.

With respect to a fence, the elevations are measured from the fence posts. With respect to a BUILDING, STRUCTURE, or STORAGE CONTAINER, the elevation is between the highest and lowest elevations along each relevant face.

"GROSS FLOOR AREA" or "GFA" means the sum of the floor areas of all of the STOREYS of a BUILDING (or that particular part of a BUILDING for which the GFA figure is required to be determined) measured from:

- (a) generally, the exterior faces of the exterior walls or posts; or
- (b) when referring to an individual establishment where multiple units exist, or portions of a BUILDING, in either case having no exterior walls, the centerline of all of the interior walls; or
- (c) when referring to an individual establishment where multiple units exist or portions of a BUILDING, in either case with at least one exterior wall, the centerline of the interior walls to the exterior faces of the included exterior walls.

"GROSS LEASABLE AREA" or "GLA" means the GFA of a BUILDING designed for multiple occupancies, but excluding the floor areas of all of the following elements of the BUILDING:

- (a) storage or utility rooms;
- (b) mechanical or electrical rooms, floors or penthouses;
- (c) roof mechanical areas;
- (d) employee lunch or locker rooms;
- (e) elevator shafts;
- (f) stairwells;
- (g) indoor refuse storage or collection areas; or
- (h) common public areas.

A "HEALTH PROFESSIONAL" is a person authorized to practise as a "Health Professional" under provincial legislation. The term includes dentists, physicians, nurses, drugless practitioners, and chiropractors.

"HEAVY EQUIPMENT" means a "road building machine" as defined in the *Highway Traffic Act*, farm equipment, motorized construction equipment, or any similar machinery.

For the definition of "HEAVY INDUSTRIAL USE", see the definition of "INDUSTRIAL USE" below.

"HEIGHT" is the vertical distance of an object measured from GRADE to its highest point. When measuring the HEIGHT of BUILDINGS or STRUCTURES that are situated on a DECK, the measurement is taken from the surface of the DECK rather than from GRADE. The term excludes WALL HEIGHT as defined below.

A "HOME BASED BUSINESS" is a business conducted within a DWELLING UNIT or within a BUILDING or STRUCTURE which is ACCESSORY to such DWELLING UNIT. There are 3 categories of a HOME BASED BUSINESS, which are: (1) a PRIVATE HOME DAY CARE, (2) the operation of a BED AND BREAKFAST, and (3) a HOME OCCUPATION.

For the definition of "HOME IMPROVEMENT STORE", see the definition of "RETAIL STORE" below.

A "HOME OCCUPATION" is a HOME BASED BUSINESS operated by the inhabitants of a DWELLING UNIT that is neither a PRIVATE HOME DAY CARE nor a BED AND BREAKFAST.

A "HOSPITAL" is a "hospital" as defined in the *Public Hospitals Act*, an "institution" as defined in the *Mental Hospitals Act* or a "private hospital" as defined in the *Private Hospitals Act*.

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An "INDUSTRIAL CENTRE" is a PLACE, other than a MIXED USE BUILDING, where 4 or more USES permitted in an INDUSTRIAL ZONE are located together for their mutual benefit.

An "INDUSTRIAL SCHOOL" is a school, other than an EDUCATIONAL INSTITUTION or COMMERCIAL SCHOOL, conducted for the purpose of the instruction and training of TRADESPERSONS. The term includes facilities for the training of HEAVY EQUIPMENT operators, metalworkers, or welders.

An "INDUSTRIAL USE" is one or more of the following operations:

1. the carrying on of any process of manufacture whether or not resulting in a finished product;
2. the treatment of waste materials;
3. the processing and/or storage, but not the extraction of, sand, gravel, clay, turf, soil, rock, stone, or similar substances;
4. warehouse storage and/or packaging for wholesale trade;
5. display, rental, sale, lease, repair, or maintenance of HEAVY EQUIPMENT;
6. a DRY-CLEANING PLANT;
7. the disassembly or reprocessing of any used building materials, goods and/or MOTOR VEHICLES; or
8. the storing of equipment and materials of a TRADESPERSON, including an associated shop and area for assembly work.

Any of the uses listed above may include the OUTDOOR DISPLAY of goods that are connected with the operation and/or the ACCESSORY sale of goods resulting from the operations.

"INDUSTRIAL USES" are classified as either HEAVY INDUSTRIAL USES, MEDIUM INDUSTRIAL USES or LIGHT INDUSTRIAL USES. These are not special kinds of INDUSTRIAL USES. Every INDUSTRIAL USE falls within one of the categories set out.

- A "HEAVY INDUSTRIAL USE" is an INDUSTRIAL USE which is likely to interfere with the normal enjoyment of any nearby PLACE. Disturbances may be caused by by-products of the process, including gas or fumes, dust, odour, noise, vibration, or unsightliness, by reason of the process involved or the method of manufacture or the nature of the material or goods used, produced or stored. The term includes any use classified as a "high hazard industrial occupancy" in the BUILDING CODE.
- A "MEDIUM INDUSTRIAL USE" is an INDUSTRIAL USE which is substantially enclosed within the BUILDING in which it is undertaken, such that emission from that BUILDING of odours, fumes, noise, cinder, vibrations, heat, glare or electrical interference is not possible.
- A "LIGHT INDUSTRIAL USE" is an INDUSTRIAL USE which is entirely enclosed within the BUILDING in which it is undertaken, such that emission from that BUILDING of odours, fumes, noise, cinder, vibrations, heat, glare or electrical interference is not possible.

For the definition of "INDUSTRIAL ZONE", see the definition of "ZONE" below.

For the definition of "INTERIOR LOT", see the definition of "LOT" below.

For the definition of "INTERIOR LOT LINE", see the definition of "LOT LINE" below.

A "KENNEL" is a "kennel" as defined in the CORPORATION'S Kennel By-law No. 170-2005.

A "LANDING" is an outdoor platform meeting one of the following 2 descriptions:

1. it may or may not have a roof, it has an area not exceeding 2.5 m<sup>2</sup>, it extends horizontally from the wall of a BUILDING no more than 1.5 metres, it is adjacent to a door and it provides direct access to the ground or a stair; or
2. it has no roof, it has an area not exceeding 2.5 m<sup>2</sup> and it is situated between flights of stairs.

A structure that would meet this definition except that it has an area that exceeds 2.5 m<sup>2</sup> is either a DECK or a PATIO.

"LANDSCAPED OPEN SPACE" is an open area of land, unoccupied by BUILDINGS or STRUCTURES, situated at ground level on a LOT and used predominately for the growth and maintenance of grass, flowers, shrubs, trees or other vegetation. The term excludes surfaced walkways and patios, retaining walls, or any other hard landscaping features, and roof-top terraces. It also excludes DRIVEWAYS or PARKING LOTS, regardless of composition.

A "LANE" is a strip of land under the jurisdiction of a PUBLIC AUTHORITY, which may or may not be open to the public and/or maintained on a year-round basis which provides secondary access to a LOT. This term excludes a STREET.

For the definition of "LIGHT INDUSTRIAL USE", see the definition of "INDUSTRIAL USE" above.

For the definition of "LIVE WORK UNIT", see the definition of "DWELLING UNIT" above.

"LIVESTOCK" means animals that are kept for food production purposes, trade, breeding, fur, or fibre, including breeding stock and offspring. The term also includes horses. Some animals, including rabbits, may be kept for either food production or as DOMESTIC PETS. The definition applied to those types of animals will depend on the circumstances under which they are kept in the context in which the definition is being applied.

A "LOADING SPACE" is an enclosed or unenclosed space located on a LOT for the temporary parking of any MOTOR VEHICLE while loading or unloading goods, merchandise, or materials used in connection with the MAIN USE of the LOT.

A "LOCAL STREET" is a STREET that is designated as a "local road" in the OFFICIAL PLAN.

A "LODGING HOUSE" is a "lodging house" as defined in the CORPORATION's Lodging House By-law No. 157-2005.

A "LONG TERM CARE FACILITY" is a PLACE that is licensed under a federal or provincial statute, within which meals, personal care, nursing services and/or medical care and/or treatment are provided to people.

A "LOT" is a parcel of land or contiguous parcels of lands held under the same ownership.

LOTS are categorized as CORNER LOTS, INTERIOR LOTS, or THROUGH LOTS. These are not special kinds of LOTS. Every LOT falls within one of these categories.

- A "CORNER LOT" is either:
  1. a LOT located at the intersection of, and abutting upon, 2 or more STREET ALLOWANCES, where the angle of intersection does not exceed 135 degrees; or
  2. a LOT located on the curve of a STREET ALLOWANCE where the angle of intersection does not exceed 135 degrees.

The size of the angle of intersection of a CORNER LOT on the curve of a STREET ALLOWANCE (number 2 above) is determined by projecting the tangents from the intersections of the LOT LINES with the curved STREET ALLOWANCE, and measuring the angle where the tangent projections intersect.

The location of the 'corner' of a CORNER LOT on the curve of a STREET ALLOWANCE is determined by bisecting the angle referenced in the preceding paragraph and projecting the bisecting line to the STREET LINE.

- An "INTERIOR LOT" is a LOT other than a CORNER LOT or a THROUGH LOT.
- A "THROUGH LOT" is a LOT, other than a CORNER LOT, with 2 or more LOT LINES abutting a STREET ALLOWANCE.

"LOT AREA" is the total horizontal area within the LOT LINES of a LOT.



"LOT COVERAGE" is the percentage of the total LOT AREA covered by any and all BUILDINGS, STRUCTURES, or OUTDOOR STORAGE USES. The following are not included in the calculation of LOT COVERAGE: ARCHITECTURAL FEATURES, fire escapes, OUTDOOR DISPLAYS, wheel chair ramps, swimming pools, stairs, PATIOS or LANDINGS.

"LOT DEPTH" is the straight-line distance measured from the mid-points of the FRONT LOT LINE and the REAR LOT LINE.

"LOT FRONTAGE" is the distance between the SIDE LOT LINES, measured between the points on the SIDE LOT LINES 10 metres from the FRONT LOT LINE.

A "LOT LINE" is any boundary of a LOT, including its vertical projection.

LOT LINES are further categorized as EXTERIOR SIDE LOT LINES, FRONT LOT LINES, INTERIOR SIDE LOT LINES, and REAR LOT LINES. These are not special kinds of LOT LINES. Every LOT LINE falls within one of these categories.

- An "EXTERIOR SIDE LOT LINE" is a LOT LINE, which is neither a FRONT LOT LINE or REAR LOT LINE, and which abuts a STREET ALLOWANCE.
- The definition of "FRONT LOT LINE" depends on the type of LOT as follows:
  1. For an INTERIOR LOT, the FRONT LOT LINE is the LOT LINE abutting the STREET ALLOWANCE.
  2. For either a THROUGH LOT or a CORNER LOT, the FRONT LOT LINE is the shortest LOT LINE abutting a STREET ALLOWANCE. Where the LOT LINES that abut the STREET ALLOWANCES are the same size, the FRONT LOT LINE is the one that affords the principal access to the LOT.
- An "INTERIOR SIDE LOT LINE" is a LOT LINE other than a FRONT LOT LINE, REAR LOT LINE or EXTERIOR SIDE LOT LINE.
- A "REAR LOT LINE" is the LOT LINE, which measured from its midpoint, is farthest from the midpoint of the FRONT LOT LINE. Where a LOT has 3 or fewer LOT LINES, there is no REAR LOT LINE.

"LRCA" is an acronym representing the "Lakehead Region Conservation Authority". The acronym will reference the same agency should its name change during the currency of this BY-LAW.

The "MAIN USE" refers to the USE which constitutes the primary reason for attendance at the LOT on which it is located. Any given LOT may have more than one MAIN USE, depending on the REGULATIONS of this BY-LAW.

A "MAIN BUILDING" is the BUILDING devoted to the MAIN USE of a LOT. If a LOT has more than one MAIN USE, it may have more than one MAIN BUILDING.

A "MARINA" is a PLACE where boats are docked, launched, berthed, stored, serviced, repaired, and/or kept for sale or rent.

For the definition of a "MEDIA STORE", see definition of "RETAIL STORE" below.

For the definition of "MEDIUM INDUSTRIAL USE", see the definition of "INDUSTRIAL USE" above.

For the definition of "MEDICAL OFFICE," see the definition of "OFFICE" below.

A "MIXED USE BUILDING" is a BUILDING containing one or more non-residential USES and one or more DWELLING UNITS.

A "MOTOR VEHICLE" is a vehicle propelled or driven otherwise than by muscular power.

There are 3 categories of MOTOR VEHICLES:

- A "PRIVATE VEHICLE" is a passenger automobile, motorcycle, pickup truck, and/or passenger van, which is used for personal purposes.
- A "RECREATIONAL VEHICLE" is a MOTOR VEHICLE designed exclusively for travel, recreation, and/or vacation. The term includes tent trailers, camper vans, motor homes, marine equipment, all terrain vehicles, snowmobiles, travel trailers, trailers attached to a PRIVATE VEHICLE and similar vehicles. This term excludes GARDEN SUITES and PREFABRICATED DWELLINGS.
- A "COMMERCIAL VEHICLE" is a MOTOR VEHICLE that is designed or used for commercial purposes and/or designed or used for carrying a load and/or cargo. The term includes buses and trailers used for hauling goods and/or materials.

A vehicle that meets the broad definition of "MOTOR VEHICLE", but does not fall within the definitions of any of the 3 categories, is "HEAVY EQUIPMENT".

A "MOTOR VEHICLE BODY REPAIR SHOP" is a PLACE where painting and/or structural changes or repairs are made to the bodies of MOTOR VEHICLES or HEAVY EQUIPMENT.

A "MOTOR VEHICLE SALES OR RENTAL ESTABLISHMENT" is a PLACE for any combination of display, rental, sale, and/or lease of new or used MOTOR VEHICLES or SMALL ENGINE EQUIPMENT. The term excludes PLACES where HEAVY EQUIPMENT is displayed, rented, sold and/or leased.

A "MOTOR VEHICLE SERVICE STATION" is a PLACE where MOTOR VEHICLES and/or SMALL ENGINE EQUIPMENT are repaired and/or maintained. The term excludes PLACES for the repair and/or maintenance of HEAVY EQUIPMENT.

A "MUNICIPAL LAW ENFORCEMENT OFFICER" is any person appointed by the COUNCIL to enforce this BY-LAW, or any member of the Thunder Bay Police Service or the Ontario Provincial Police.

"MUNICIPAL SERVICES" are either "MUNICIPAL WATER SERVICES" or "MUNICIPAL SEWAGE SERVICES" as follows:

- A MUNICIPAL SEWAGE SERVICE is the disposal of sewage and grey water or wastewater by a piped sanitary sewer system owned and operated by the CORPORATION.
- A MUNICIPAL WATER SERVICE is the provision of water by a piped water system owned and operated by the CORPORATION.

A "NATURAL VEGETATED BUFFER" is an area of land that is solely composed of indigenous vegetation. The term does not include areas that are mown or otherwise maintained.

A "NIGHT CLUB" is a PLACE where alcoholic beverages are served to the public for a fee, with or without food. The term excludes an "adult entertainment establishment" as defined and regulated in By-law PC7-2005 or a RESTAURANT.

"NON-COMPLYING" is an adjective describing a LOT or a BUILDING which is not in compliance with one or more of the REGULATIONS of this BY-LAW, but is nevertheless permitted to lawfully continue in accordance with either Subsection 34(9) of the *Planning Act* or Section 5.11.6 of this By-LAW.

"NON-CONFORMING" is an adjective describing a USE which is not a permitted USE within the ZONE in which it exists, but is nevertheless permitted to lawfully continue in accordance with Subsection 34(9) of the *Planning Act*.

A "NURSERY" is a PLACE where trees, shrubs, flowers, or plants are grown and sold.

An "OFFICE" is a PLACE where a business is lawfully conducted or a profession is lawfully practiced or public administration is conducted.

There are three special kinds of "OFFICES" as follows:

- A "FINANCIAL OFFICE" is an OFFICE where professionals provide financial services directly to the public. The term includes banks, trust companies, credit unions, securities firms, the OFFICES of investment brokers, finance companies, and mortgage brokers.
- A "MEDICAL OFFICE" is an OFFICE for the practice of one or more HEALTH PROFESSIONALS.
- A "TECHNICAL OFFICE" is an OFFICE for the practice of engineers, engineering technicians, surveyors, land use planners, architects and similar professionals related to the construction industry, mining, forestry or information technology.

The "OFFICIAL PLAN" is the current official plan for the CORPORATION, approved in accordance with the *Planning Act*, as set out in the recitals to this BY-LAW.

An "OPEN MARKET" is a PLACE where more than one individual vendor operates from stalls, booths or other defined areas, offering the following:

- seasonal fresh produce or agricultural products;
- homemade food products;
- ARTISAN crafts;
- old or authentic objects; and/or
- goods offered by businesses or individuals who are generally engaged in the retail trade elsewhere.

"OUTDOOR DISPLAY" is the USE of land for the ACCESSORY external storage of merchandise that is displayed for sale to customers of the business which is the MAIN USE of the land.

"OUTDOOR STORAGE" is the USE of land for the storage of equipment, HEAVY EQUIPMENT, MOTOR VEHICLES, goods, materials, or STORAGE CONTAINERS.

An "OUTDOOR FURNACE" is an appliance, situated outside of any BUILDING or STRUCTURE, which it is intended to heat that BUILDING through a combustion process.

A "PARK" is an area of land, used or intended to be used for conservation or for active or passive recreational purposes with or without RECREATION FACILITIES, playgrounds, or playfields.

A "PARKING AISLE" is a portion of a PARKING LOT that abuts one or more PARKING SPACES and provides direct or indirect access from the PARKING SPACES to a STREET, a PRIVATE STREET, or a LANE.

A "PARKING LOT" is a PLACE used or intended to be used for the parking, on a temporary basis, of 4 or more licensed MOTOR VEHICLES, on a LOT where 4 or more PARKING SPACES are required.

A "PARKING SPACE" is an area of land set apart for the purposes of parking a single MOTOR VEHICLE. The term includes areas of land within PARKING LOTS, areas of land on DRIVEWAYS, and/or areas of land or floor space within garages or car ports.

A "PARTY WALL" is a wall capable of being jointly owned and/or jointly used by 2 or more parties which is erected on a LOT LINE separating 2 LOTS. The term includes any extension of such a wall.

A "PATIO" is a platform without a roof, and with or without a foundation to hold it erect and 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 m above the GRADE, of the LOT, which platform is designed and intended for use as a sundeck. The term excludes a LANDING or a stair.

A "PERMIT" is a formal grant of permission, including a permit, license, or certificate that is issued by a PUBLIC AUTHORITY.

For the definition of "PERSONAL COMMUNICATION DEVICE", see the definition of "COMMUNICATIONS DEVICE" above.

A "PERSONAL FARM" is a PLACE where, in addition to one SINGLE DETACHED DWELLING, the raising of LIVESTOCK occurs in small quantities. To meet the definition of PERSONAL FARM, the operation must have all of the characteristics listed in this Section 4.1. If the farm USE does not have any of these individual characteristics, the operation is considered to be an AGRICULTURAL USE.

The PERSONAL FARM characteristics are:

- a) the yield from the LIVESTOCK is utilized solely by the occupants of the DWELLING;
- b) the yield from the LIVESTOCK is not sold to the public;
- c) the maximum number of ANIMAL UNITS is:
  - (i) up to 5 LARGE ANIMAL UNITS; or
  - (ii) up to one ANIMAL UNIT OF FOWL with up to 4 LARGE ANIMAL UNITS; or
  - (iii) up to one SMALL ANIMAL UNIT with up to 4 LARGE ANIMAL UNITS; or
  - (iv) up to one ANIMAL UNIT OF FOWL with up to one SMALL ANIMAL UNIT and with up to 3 LARGE ANIMAL UNITS.

"ANIMAL UNITS" are groups of LIVESTOCK defined as follows:

- A "LARGE ANIMAL UNIT" is made up of one cow; one horse; one swine; one sheep, one goat or one similar large LIVESTOCK animal;
- An "ANIMAL UNIT OF FOWL" is any number of fowl up to 20; and
- A "SMALL ANIMAL UNIT" is any number of rabbits or other small LIVESTOCK mammals up to a maximum of 15.

The offspring of the LIVESTOCK are not counted as parts of ANIMAL UNITS until they have reached the age of one year (for large animals), or 6 months (for small animals or fowl.)

A "PERSONAL SERVICES ESTABLISHMENT" is a PLACE where personal service from a HEALTH PROFESSIONAL (excluding dentists, physicians, nurses, drugless practitioners, and chiropractors), barber, beautician, hair stylist, aesthetician, tailor, dressmaker, cobbler, travel agent, or the like is provided. The term includes self-service laundry, florists, tanning salons, jewellers, photographic studio, optical dispensaries, or dry cleaning drop-off locations. The term excludes an OFFICE or an "adult entertainment establishment" as defined and regulated in By-law PC7-2005.

For the definition of "PET STORE", see the definition of "RETAIL STORE" below.

A "PLACE" may be land, BUILDINGS and/or STRUCTURES or any portion of any of them.

A "POWER DISTRIBUTION STATION" is a PLACE where power is reduced from one distribution level to another.

A "POWER GENERATING STATION" is a PLACE where power is generated. The term includes a solar farm, a wind farm, a co-generation facility, a hydro generating facility, or PLACES where other methods of generating electricity or other power are used.

A "POWER MAIN TRANSFORMER STATION" is a PLACE where power is converted to a distribution voltage.

A "PREFABRICATED DWELLING" is a factory built BUILDING containing a maximum of one DWELLING UNIT. It may be designed to be transported in one or more sections to be erected or placed upon a permanent foundation. The term includes DWELLINGS commonly known as "mobile homes". The term excludes a RECREATIONAL VEHICLE.

A "PREFABRICATED DWELLING PARK" is a LOT containing 2 or more PREFABRICATED DWELLING SPACES.

A "PREFABRICATED DWELLING SPACE" is an area of land occupied by, or intended for occupancy by, one PREFABRICATED DWELLING.

A "PRIVACY SCREEN" is a visual barrier that conceals objects, PLACES, or USES from view by others. The term includes a solid fence, a solid wall, or a landscaped area which is planted with shrubs, bushes, trees, or other vegetation that is maintained in a manner that will create the visual barrier on a year-round basis.

"PRIVATE HOME DAY CARE" is a HOME BASED BUSINESS where temporary care and/or guidance is provided for 5 or fewer individuals for a continuous period not to exceed 24 hours.

For the definition of "PRIVATE STREET", see the definitions of "STREET" and "STREET ALLOWANCE" below.

For the definition of "PRIVATE UTILITY", see the definition of "UTILITY" below.

A "PUBLIC AUTHORITY" is any of the federal, provincial, or municipal governments, including their crown agencies and local boards, as well as the Thunder Bay District Social Services Administration Board.

A "QUARRY PIT" is a PLACE where consolidated or unconsolidated aggregate is or has been excavated and/or processed to supply material for construction, industrial, or manufacturing purposes, but does not include an open pit metal mine.

A "RAIL CORRIDOR" is the railway right-of-way of any railway company within THUNDER BAY.

A "RAIL YARD" is a PLACE where activities directly associated with the operation of a railway take place. These activities include loading and offloading freight, and/or the maintenance and repair of railway cars.

For the definition of "REAR LOT LINE," see the definition of "LOT LINE" above.

A "RECREATION FACILITY" is a private or public social club, fitness centre, covered arena, area for organized sports with or without fixed seats, billiard hall, bowling alley, miniature golf course, driving range, ice or roller skating or curling rink, swimming pool, sauna or a similar use. The term excludes a golf course or a racetrack for MOTOR VEHICLES and/or animals.

For the definition of "RECREATIONAL VEHICLE," see the definition of "MOTOR VEHICLE" above.

"REGULATION" means a provision within this BY-LAW that prescribes any condition under which a permitted USE on a LOT is authorized. As examples, REGULATIONS include required minimum and/or maximum size measurements for LOT FRONTAGE, SIDE YARD, LOT COVERAGE and other spaces. They may include maximum HEIGHT restrictions, a mandatory minimum number of required PARKING SPACES or LOADING SPACES to support a USE, and other similar rules. The REGULATIONS control how any permitted USE is to be allowed on any particular LOT. A USE is only permitted when it meets all of the applicable REGULATIONS, unless the LOT or BUILDING containing it is NON-COMPLYING.

A "RELIGIOUS INSTITUTION" is a PLACE used by religious organizations for public worship.

For the definition of "REQUIRED YARD", see the definition of "YARD" below.



A "RESEARCH AND DEVELOPMENT CENTRE" is a PLACE where pure and applied research and experimentation is conducted in any field of science, medicine, or technology.

A "RESIDENTIAL CARE FACILITY" or "RCF", is a residence operating under a PERMIT or funded by either a PUBLIC AUTHORITY or a charitable or non-profit organization, which residence is for the accommodation of 4 or more persons, exclusive of staff or receiving family, who live under supervision in a single housekeeping unit, and who, by reason of their emotional, mental, social, or physical condition or legal status, require a group living arrangement for their well being.

There are 3 categories of RESIDENTIAL CARE FACILITIES based on the number of occupants, as follows:

- A "RESIDENTIAL CARE FACILITY ONE" or "RCF1" is a RESIDENTIAL CARE FACILITY intended to accommodate 4 to 6 persons.
- A "RESIDENTIAL CARE FACILITY TWO" or "RCF2" is a RESIDENTIAL CARE FACILITY intended to accommodate 7 to 10 persons.
- A "RESIDENTIAL CARE FACILITY THREE" or "RCF3" is a RESIDENTIAL CARE FACILITY intended to accommodate more than 10 persons.

These are not special kinds of RESIDENTIAL CARE FACILITIES. Every RCF falls within one of these categories.

For the definition of "RESIDENTIAL CARE UNIT," see the definition of "DWELLING UNIT" above.

For the definition of "RESIDENTIAL ZONE", see the definition of "ZONE" below.

A "RESTAURANT" is a PLACE where food and beverages are prepared and served to persons, primarily for immediate consumption, for a fee.

A "RETAIL STORE" is a PLACE where new and/or used goods, wares, merchandise, substances, or articles are sold directly to the public.

There are several special kinds of RETAIL STORES as follows:

- A "BAIT STORE" is a RETAIL STORE where live bait including minnows, dew worms and leeches, artificial lures and flies, and small fishing accessories including hooks, swivels and leaders are sold.
- A "FOOD STORE" is a RETAIL STORE where primarily food is sold. A FOOD STORE may also include the sale of associated household items and prepared foods for immediate consumption.
- A "FURNITURE STORE" is a RETAIL STORE where primarily furniture is sold.
- A "HOME IMPROVEMENT STORE" is a RETAIL STORE where primarily building products, including wood, lumber, wallpaper, paint, glass, tiles, flooring and/or fixtures, are sold. A HOME IMPROVEMENT STORE may include, in addition to sales of the foregoing, the sale of related home and decorating supplies and/or tools and may include the OUTDOOR DISPLAY of such products.
- A "MEDIA STORE" is a RETAIL STORE where entertainment media and/or equipment to view such media is rented, serviced, or sold.
- A "PET STORE" is a RETAIL STORE where primarily food and associated supplies for DOMESTIC PETS are sold. A PET STORE may include the sale of DOMESTIC PETS and/or services including grooming and/or training for DOMESTIC PETS. The term excludes ANIMAL CARE FACILITIES or KENNELS.

A "RETIREMENT RESIDENCE" is a PLACE that provides accommodation primarily for retired persons where each private suite has a separate entrance from a common hall and may have a separate private bathroom, but where common dining areas, lounges and recreation rooms are provided, and where personal care, nursing services, and/or medical care may be provided or made available.

A "SEAPLANE BASE" is PLACE that includes take-off, landing, and docking facilities, where sea planes may be stored, serviced, repaired, or kept for sale or rent.

A "SEMI-DETACHED DUPLEX DWELLING" is a BUILDING that would otherwise meet the definition of a SEMI-DETACHED DWELLING; however, there are a total of 4 DWELLING UNITS in the BUILDING, with 2 DWELLING UNITS on either side of the PARTY WALL.

A "SEMI-DETACHED DWELLING" is a BUILDING containing 2 DWELLING UNITS which are ATTACHED together, in whole or in part, and divided vertically by a PARTY WALL which is above and/or below GRADE.

"SEPARATION DISTANCE" is:

- (a) with respect to distances between BUILDINGS, the perpendicular horizontal distance between the exterior walls or foundations of any BUILDING or STRUCTURE to another BUILDING or STRUCTURE on the same LOT measured at its closest point; and
- (b) with respect to distances between an OUTDOOR STORAGE USE and a BUILDING or STRUCTURE, the perpendicular horizontal distance between the outer limit of the materials stored and the exterior walls or foundations of any BUILDING or STRUCTURE on the same LOT, measured at its closest point; and
- (c) with respect to distance between USES and LOTS, the perpendicular horizontal distance between the LOT boundary containing one USE and the LOT boundary containing the other USE measured at its closest point; and
- (d) with respect to distance between USES and ZONE boundaries, the perpendicular horizontal distance between the USE and the ZONE boundary measured at its closest point.

A "SERVICE SHOP" is a PLACE where repairs or services for appliances, articles, goods, merchandise, or SMALL ENGINE EQUIPMENT are provided. The term includes an upholstering business. This term excludes PLACES for the repair or servicing of MOTOR VEHICLES or HEAVY EQUIPMENT.

A "SHOPPING CENTRE" is a PLACE, other than a MIXED USE BUILDING, where 4 or more USES permitted in a COMMERCIAL ZONE, are located together for their mutual benefit.

A "SINGLE DETACHED DWELLING" is a BUILDING containing a maximum of one DWELLING UNIT. The term excludes a PREFABRICATED DWELLING with an average width of less than 7.5m.

"SMALL ENGINE EQUIPMENT" means motorized personal equipment including lawnmowers, snow blowers, or similar equipment. The term excludes MOTOR VEHICLES and HEAVY EQUIPMENT.

"STACKING SPACE" is a space intended for MOTOR VEHICLES in a queue for a DRIVE SERVICE UNIT or in a queue for the fuelling space adjacent to a fuel pump of a FUEL BAR.

A "STORAGE CONTAINER" is a rail or seaway container or other similar container without running gear that is traditionally used for the shipping and transportation of goods and materials.

A "STOREY" is that portion of a BUILDING or STRUCTURE which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

- The "FIRST STOREY" is the STOREY with its floor closest to GRADE and having its ceiling more than 1.8m above GRADE.

A "STREET ALLOWANCE" is a strip of land identified as a public road under the jurisdiction of a PUBLIC AUTHORITY, which may or may not be maintained and/or open to the public on a year-round basis.

For the purposes of determining LOT LINES and YARDS, a 0.3 metre reserve abutting a STREET ALLOWANCE is considered to be part of the STREET ALLOWANCE. Similarly, a strip of land acquired by the PUBLIC AUTHORITY with jurisdiction over a STREET for the purposes of a future widening of the STREET, or for use as a UTILITY corridor, or for any other public purpose, is also considered to be part of the STREET ALLOWANCE, whether it has been formally opened to the public or not and regardless of the degree of its maintenance.

The "STREET" is that portion of a STREET ALLOWANCE that is maintained and open to MOTOR VEHICLE travel on a year-round basis.

A "PRIVATE STREET" is a right-of-way that is not under the jurisdiction of any PUBLIC AUTHORITY which provides a means of access from a STREET to a LOT.

The "STREET LINE" is a LOT LINE separating a LOT from a STREET or STREET ALLOWANCE.

"STREET FRONTAGE" is that portion of a LOT LINE which abuts a STREET.

A "STRUCTURE" is anything, other than a BUILDING, that is developed or requires a foundation to hold it erect. The term excludes vegetation, fences, on-grade and unenclosed PARKING LOTS, DRIVEWAYS, on-grade patios, sidewalks, swimming pools, retaining walls, flagpoles, laundry poles, basketball nets, bird houses, and mechanical equipment including air conditioners, and pool heaters and pumps. The term includes COMMUNICATIONS DEVICES.

A "TOWNHOUSE DWELLING" is a BUILDING which meets all of the following criteria:

- (a) it contains 3 or more DWELLING UNITS;
- (b) the DWELLING UNITS are ATTACHED, in whole or in part,
- (c) the DWELLING UNITS are separated from each other vertically by either a common wall or a PARTY WALL; and
- (d) each DWELLING UNIT has a private independent entrance directly from a YARD.

Each individual DWELLING UNIT within a TOWNHOUSE DWELLING is commonly referred to as a "townhouse".

"THUNDER BAY" is the geographic area under the jurisdiction of the CORPORATION.

A "TRADESPERSON" is a person who works in a skilled trade or otherwise in the construction industry. The term includes a plumber; a cabinet maker, an electrician, a general contractor, a builder, a carpenter, a drywaller, a bricklayer, a house painter, a roofer, a siding installer, a welder, or an ironworker.

A "TRANSPORT TERMINAL" is a PLACE used for the transferring of goods, the loading and unloading of freight carrying COMMERCIAL VEHICLES, ships or railcars. Activities at a TRANSPORT TERMINAL may include the storing, parking, servicing and dispatching of freight carrying COMMERCIAL VEHICLES.

An UNDERSIZED LOT is a LOT that is NON-COMPLYING in that it has insufficient LOT AREA and/or LOT FRONTAGE and/or LOT DEPTH, and it also meets one of the following descriptions:

- it was held independently from adjoining lands on January 1, 1984 and has been NON-COMPLYING since that time;
- it is a parcel of land created between January 1, 1984 and January 1, 2011, through a severance approved by the Committee of Adjustment; or
- it is a LOT on a registered plan of subdivision which received final approval between January 1, 1972 and January 1, 2011 and has not been deregistered under Subsection 50(4) of the *Planning Act*.

The noun "USE" means the purpose for which any PLACE is used, occupied, or intended to be used or occupied.

"UTILITY" means facilities owned and/or operated by a PUBLIC AUTHORITY that provide electricity, gas, steam, water, radio or television services, telecommunication services, environmental monitoring, transportation services (excluding a taxi service), drainage or sewage or waste collection and disposal services to the public. The term includes disposal or treatment facilities, bus depots and train stations.

- A "PRIVATE UTILITY" is something that would meet the definition of UTILITY, with the exception that it is not owned and/or operated by a PUBLIC AUTHORITY. The term excludes POWER DISTRIBUTION STATIONS, POWER GENERATING STATIONS, and POWER MAIN TRANSFORMER STATIONS.

"WALL HEIGHT" is either:

- (a) in the case of a BUILDING with only one STOREY, the average vertical distance between a floor and the roof line above it; or
- (b) in the case of a BUILDING with more than one STOREY, the average vertical distance between any floor and the ceiling immediately above it.

"WATER ACCESS" means adequate and usable access from Lake Superior, the Kaministiquia River, the McKellar River, or the Mission River.

A "YARD" is the area extending from the FRONT LOT LINE, REAR LOT LINE, INTERIOR SIDE LOT LINE, or EXTERIOR SIDE LOT LINE to the closest MAIN BUILDING, MAIN STRUCTURE, or limit of a permitted OUTDOOR STORAGE USE. YARDS are described by the LOT LINE that defines them as: FRONT YARDS, SIDE YARDS, EXTERIOR SIDE YARDS, etc., as applicable.

A "REQUIRED YARD" is the minimum open area required by the applicable REGULATION in this BY-LAW which open area extends from the FRONT LOT LINE, REAR LOT LINE, INTERIOR SIDE LOT LINE, or EXTERIOR SIDE LOT LINE to a BUILDING, STRUCTURE, or OUTDOOR STORAGE USE, as applicable. REQUIRED YARDS are described by the LOT LINE that defines them as: REQUIRED FRONT YARDS, REQUIRED SIDE YARDS, REQUIRED EXTERIOR SIDE YARDS, etc., as applicable.

A "ZONE" is the name applied to an area of land upon which certain land USES are regulated and controlled through this BY-LAW. ZONES are labelled with a letter or a group of letters, which may be followed by a number and/or a suffix as detailed in Section 4.4.1. The maps in Schedule "A" to this BY-LAW show the boundaries (subject to Section 4.4) of the various ZONES.

The list of various ZONES (with their labels indicated in parentheses) is:

- (a) Rural ZONE (RU1)
- (b) Rural Residential ZONE (RU2)
- (c) Residential One ZONE (R1)
- (d) Residential Two ZONE (R2)
- (e) Residential Three ZONE (R3)
- (f) Residential PREFABRICATED DWELLING ZONE (R4)
- (g) Residential Future ZONE (R5)
- (h) Mixed Use ZONE One (MU1)
- (i) Mixed Use ZONE Two (MU2)
- (j) Mixed Use ZONE Three (MU3)
- (k) Neighbourhood Centre One ZONE (NC1)
- (l) Neighbourhood centre two ZONE (NC2)
- (m) Neighbourhood centre three ZONE (NC3)
- (n) Urban village ZONE (C1)
- (o) Urban centre ZONE (C2)
- (p) Highway COMMERCIAL ZONE (C3)

- (q) ARTERIAL COMMERCIAL ZONE (C4)
- (r) Central business district ZONE (C5)
- (s) Regional COMMERCIAL ZONE (C6)
- (t) Waterfront Development ZONE (WD)
- (u) Light industrial ZONE (IN1)
- (v) Medium industrial ZONE (IN2)
- (w) Heavy industrial ZONE (IN3)
- (x) Extractive industrial ZONE (IN4)
- (y) Utilities and services ZONE (IN5)
- (z) Prestige Industrial ZONE (IN 6)
- (aa) AIRPORT ZONE (AP)
- (bb) Open space ZONE (OS)
- (cc) Environmental protection ZONE (EP)
- (dd) Major institutional ZONE (MI)
- (ee) Future development ZONE (FD)

Some of the ZONES are grouped into categories for ease of reference, as follows:

- a "COMMERCIAL ZONE" is any of the C1, C2, C3, C4, C5, C6, WD, NC1, NC2 or NC3 ZONES;
- an "INDUSTRIAL ZONE" is any of the IN1, IN2, IN3, IN4, IN5, IN6 or AP ZONES; and
- a "RESIDENTIAL ZONE" is any of the RU1, RU2, R1, R2, R3, R4, R5, MU1, MU2 AND MU3 ZONES.

The "ZONING MAPS" are the maps contained in Schedule A to this BY-LAW.

- 4.2** **Interpretation:** The interpretation rules set out in this Section 4.2 apply to all of the provisions of this BY-LAW, unless the text expressly provides otherwise.
- 4.2.1** **Gender:** Words imparting the masculine, feminine or neutral gender shall be interpreted to refer to any gender, as applicable in the context.
- 4.2.2** **Includes:** The use of the word "includes" in any tense (for example, "including", "included", or "include") is not intended to restrict or limit any of the words or phrases either preceding or following it.
- 4.2.3** **Acting Directly or Indirectly:** Where this BY-LAW prohibits an action, or requires a person to undertake an action, the prohibition or requirement applies both directly and indirectly. This means that a person prohibited from doing something is also prohibited from causing, allowing or permitting that action to be done. Likewise, a person may fulfil the requirements of this BY-LAW to undertake a particular action by causing, allowing or permitting the action to be undertaken.



- 4.2.4**      **Text Organization:** The headings, captions, article and section names and numbers appearing in this BY-LAW are for convenience of reference only and have no effect on its interpretation. This rule applies to all headings and titles, including those on tables, diagrams, maps, illustrations and other elements.
- 4.2.5**      **Severability:** If any word, clause, section, article or provision of this BY-LAW is determined by a court or tribunal of competent jurisdiction to be unenforceable for any reason, the remainder of this BY-LAW shall not be affected by the ruling, but shall remain in full force and effect.
- 4.2.6**      **Conflicts with other By-laws:** Subject to Section 4.2.7, in the event of any conflict between this BY-LAW and any other by-law passed by the CORPORATION, the more restrictive provision prevails unless APPLICABLE LAW requires otherwise.
- 4.2.7**      **PERMITS:** No person is entitled to a PERMIT issued by the CORPORATION for a proposed USE of land or a proposed ALTERATION, erection, enlargement or USE of any BUILDING or STRUCTURE that would contravene of any provisions of this BY-LAW. Subject to APPLICABLE LAW, the issuance of a PERMIT by any PUBLIC AUTHORITY, including the CORPORATION, does not constitute an acknowledgement that the requirements of this BY-LAW have been complied with.
- 4.2.8**      **Measurement Tolerances:** Unless the text expressly provides otherwise, any measurement provided for in this BY-LAW shall be considered to have a tolerance of plus or minus 0.05 m in the case of linear measurement, and/or plus or minus 50,000 parts per million in the case of area measurement.
- 4.2.9**      **Citing Legislation:** Each reference to Provincial legislation in this BY-LAW appears in Italic font. Where the name of the statute does not contain a year, the reference is to the Revised Statutes of Ontario, 1990 edition. Where the name of the statute contains a year, the reference is to the Statutes of Ontario for that particular year. In every case, the reference is meant to include all applicable amendments to the legislation, including successor legislation, as well as all regulations or other secondary legislation that is passed in accordance with the referenced statute.
- 4.2.10**     **Nouns:** Reference to any noun is considered to be a reference to all or any part of that item. For example, reference to "a BUILDING or STRUCTURE" should be interpreted as reference to "all or any portion of a BUILDING or STRUCTURE" and reference to "a watercourse" should be interpreted as reference to "all or any portion of a watercourse".

**4.2.11**      **Use of Tables:** Many of the REGULATIONS in this BY-LAW are contained within tabular format. In each case, there is text to explain how the table is to be interpreted. Reference to a "column" in a table is a reference to the text placed in the table cells adjacent to each other from the top of the page to the bottom of the page. Reference to a "row" in a table is a reference to the text placed in the table cells adjacent to each other from one side of the page to the other side of the page.

**4.2.12**      **Specific and General References, and Categories of "Special Kinds":** Use of a specific definition over-rides the application of any general definition that includes the specific definition. Conversely, the use of a general definition includes all of the specific definitions that are subsumed within it.

Where a defined term identifies "special kinds" within it (as examples, refer to the definitions of "DWELLING" or "OFFICE"), an item that meets the broadly defined term but does not meet the specifics of any of the "special kinds" of the item identified within the broad term is restricted to the broader category.

**4.3**      **The ENVIRONMENTAL OVERLAY:** The CORPORATION acknowledges that areas adjacent to floodplains, wetlands, talus slopes and watercourses in THUNDER BAY are under the jurisdiction of the LRCA. The CORPORATION further acknowledges that the LRCA has the authority to regulate and/or prohibit development within these areas. Finally, the CORPORATION acknowledges that mapping lines associated with these features can change based on soil erosion, new data or study results, or other factors. To alert readers of this BY-LAW to the fact that, where development occurs in these areas, there will be requirements of the LRCA in addition to those imposed by this BY-LAW, the CORPORATION has imposed the "ENVIRONMENTAL OVERLAY" to the maps. The ENVIRONMENTAL OVERLAY consists of shaded areas of land under the jurisdiction of the LRCA. The ENVIRONMENTAL OVERLAY is not considered to be an integral part of this BY-LAW. Accordingly, changes in mapping associated with these areas can result in changes to the ENVIRONMENTAL OVERLAY without formal amendment being required to this BY-LAW. Readers of this BY-LAW are directed to consult with the LRCA whenever they are considering development on land that is near any of these features, whether or not it is contained within the ENVIRONMENTAL OVERLAY on any map that forms a part of this BY-LAW.

**4.4**      **Interpretation of ZONING MAPS:** The interpretation rules set out in this Section 4.4 apply to the use and interpretation of the maps in Schedule "A" to this BY-LAW.

**4.4.1**      **Reading the Maps:** The maps forming part of this BY-LAW indicate those areas of THUNDER BAY that fall within the various ZONES described and regulated in this BY-LAW. The definition of "ZONE" in Section 4.1 lists the titles of the various ZONES, followed by their labels in brackets. The labels appear on the maps, within ZONE boundary lines that demark that portion of the land that is within the ZONE represented by the label. That portion of land within the ZONE boundary lines as shown on the map is considered to be within the ZONE for which the label appears on the map within the ZONE boundary lines.

In some cases, the label for the ZONE label has a letter suffix.

The suffix "H" indicates that this particular ZONE designation for the land within the ZONE boundary lines is subject to a "hold" provision as provided for in Section 36 of the *Planning Act*.

The suffix "N" indicates that this particular ZONE designation for the land within the ZONE boundary lines is subject to REGULATIONS relating to noise mitigation, as provided in Section 5.9.

Any suffix comprised of any other letter of the alphabet indicates that the particular ZONE designation for the land within the ZONE boundary lines has been granted additional permitted USES than those in the permitted USES section of that particular ZONE where no suffix is appended to the ZONE label, either through amendment to this BY-LAW or through an amendment to the predecessor by-law to this BY-LAW.

**4.4.2**      **Uncertainties in Boundary Locations:** Where uncertainty exists with respect to the boundaries of any ZONE on a map, the interpretation rules in Sections 4.4.2.1 through 4.4.2.3 and Section 4.4.3 apply.

**4.4.2.1**      **Apparent Assumed ZONE Boundaries:** Unless otherwise expressly stated, a STREET, LANE, RAIL CORRIDOR, electrical transmission line right-of-way or watercourse shall be included within the ZONE of the adjacent land on each side. Where, subject to the exception referenced in this Section, that STREET, LANE, RAIL CORRIDOR, electrical transmission line right-of-way or watercourse forms the boundary between 2 or more ZONES, the centre line of that physical feature is considered to be the boundary between the ZONES. Wherever a LANE forms a ZONE BOUNDARY between a RESIDENTIAL ZONE and a ZONE other than a RESIDENTIAL ZONE, the entire width of the LANE, to the extent of the length used to form the boundary, is considered to be RESIDENTIAL, and the ZONE BOUNDARY is interpreted to be the LOT LINE of the non-RESIDENTIAL property abutting the LANE.

**4.4.2.2**      **LOT LINES:** Where any ZONE boundary is not shown to be a STREET, LANE, right-of-way or watercourse, and where the boundary approximately follows the limit of a LOT (as of the date of the passage of the by-law that applied the boundary), the ZONE boundary shall be considered to be the LOT boundary.

- 4.4.2.3**      **Closed STREETS:** The closure of a STREET, LANE or right-of-way that formed a ZONE boundary under Section 4.4.2.1 does not constitute an amendment to the ZONE boundary. Accordingly, if a STREET, LANE or right-of-way that formed a ZONE boundary is closed, the ZONE boundary shall be considered to be the centre line of the former STREET, LANE or right-of-way.
- 4.4.3**      **Scale from ZONING MAPS:** Where any ZONE boundary is left uncertain after the application of the provisions of this Section 4.4, the boundary shall be determined by the CORPORATION's Chief Building Official by scale. Where a measurement falls within a ZONE boundary line on any map, the measurement shall be taken to be the middle of the width of the ZONE boundary line as shown on the relevant map.
- 4.4.4**      **Amending By-laws; Map Interpretation:** Amendments to this BY-LAW will occur from time to time after it has been passed. These amendments may impact the ZONE boundaries on the maps, or they may ALTER the applicable REGULATIONS for any given LOT. For practical purposes, information relating to special provisions applicable to LOTS for which amendments to this BY-LAW have occurred may not be updated or made current with individual changes to this BY-LAW, but may occur in the event that this BY-LAW is consolidated. Readers of the BY-LAW should review Section 2.1.1(a) and (b), and Schedule "B" to this BY-LAW and/or consult with the CORPORATION to determine whether or not a site specific amending by-law applies to any given LOT.

## **SECTION 5    GENERAL REGULATIONS**

Unless specifically regulated elsewhere in this BY-LAW, the REGULATIONS set out in this Section 5 apply to all lands in THUNDER BAY.

### **5.1            Prohibited USES**

**5.1.1            Offences for Other than Express USE:** No person shall undertake any USE on any LOT unless that USE is a permitted USE in the ZONE within which the LOT is situated.

**5.1.2            Offences for Specific Prohibited DWELLING UNITS:** No PERSON shall DEVELOP or use a DWELLING UNIT within

- (a)    an ATTIC;
- (b)    a BASEMENT of a non-residential BUILDING or a MIXED USE BUILDING;
- (c)    any type of MOTOR VEHICLE or HEAVY EQUIPMENT;
- (d)    an ACCESSORY BUILDING or STRUCTURE; or
- (e)    the same BUILDING as a INDUSTRIAL USE.

**5.1.3            Exceptions to Section 5.1.2(d) and (e):** Sections 5.1.2(d) and (e) do not apply to prohibit a DWELLING UNIT for an essential workman or caretaker where such is specifically permitted elsewhere in this BY-LAW.

**5.1.4            Further Exceptions to Section 5.1.2:** Any further exceptions to Section 5.1.2 of this BY-LAW must be undertaken by way of amendment to this BY-LAW, and not by way of minor variance application.

### **5.2            ACCESSORY APARTMENT**

**5.2.1            ACCESSORY APARTMENTS Permitted:** In addition to all other provisions of this BY-LAW, an ACCESSORY APARTMENT is permitted in a SINGLE DETACHED DWELLING, in accordance with the following REGULATIONS:

- (a)    the LOT must be fully serviced with MUNICIPAL WATER SERVICE and MUNICIPAL SEWAGE SERVICE;
- (b)    the LOT must have a minimum LOT FRONTAGE of 18m, a minimum LOT DEPTH of 30m and a minimum LOT AREA of 540m<sup>2</sup>;

- (c) a maximum of one ACCESSORY APARTMENT is permitted in a SINGLE DETACHED DWELLING;
- (d) a PARTY WALL is not permitted to divide the ACCESSORY APARTMENT from the balance of the SINGLE DETACHED DWELLING;
- (e) the maximum GFA of an ACCESSORY APARTMENT is 40% of the GFA of the SINGLE DETACHED DWELLING;
- (f) for the purposes of determining the GFA of an ACCESSORY APARTMENT, GFA of the SINGLE DETACHED DWELLING means "the aggregate of all STOREYS, plus the BASEMENT, measured from the exterior faces of the exterior walls"; and
- (g) An ACCESSORY APARTMENT is not permitted in a NON-CONFORMING SINGLE DETACHED DWELLING.

**5.2.2 Offence For Misuse:** No person shall DEVELOP or USE an ACCESSORY APARTMENT without meeting the requirements of the REGULATIONS set out in Section 5.2.1.

### **5.3 ACCESSORY USES in General**

#### **5.3.1 USES Permitted:**

- (a) Where this BY-LAW permits the use of a PLACE for a specific USE, that USE includes any BUILDINGS, STRUCTURES or USES that are ACCESSORY to the permitted USE, with the exception of any USE specifically prohibited in this BY-LAW, and subject to this Section and to all of the REGULATIONS set out in this BY-LAW for the ZONE in which the PLACE is located.
- (b) Where an ACCESSORY BUILDING or STRUCTURE is separated from its MAIN USE as a result of a Committee of Adjustment decision, then such ACCESSORY BUILDING or STRUCTURE may exist until a MAIN USE is established on the LOT, provided that no business, non-profit operation or service is conducted from the BUILDING or STRUCTURE.
- (c) OUTDOOR STORAGE is always considered to be a MAIN USE and is not permitted to appear as an ACCESSORY USE in any ZONE except where specifically permitted.
- (d) DRIVE SERVICE UNITS are not considered to be ACCESSORY USES. They are permitted only in zones where they are expressly permitted and only in accordance with the applicable REGULATIONS.

**5.3.2**      **LOT COVERAGE by ACCESSORY BUILDINGS or STRUCTURES:**

- (a) That portion of the LOT COVERAGE that is attributable to the collective footprint of all of the BUILDINGS and STRUCTURES that are ACCESSORY to a DWELLING, must not exceed 15% of the total LOT AREA.
- (b) In the case of all BUILDINGS and STRUCTURES ACCESSORY to a DWELLING, the total GFA of the ACCESSORY buildings and STRUCTURES, combined, must, in addition to the requirements in Section 5.3.2(a), not exceed:
  - (i) 200.0m<sup>2</sup> in the RU1 ZONE;
  - (ii) 180.0m<sup>2</sup> in the RU2 ZONE;
  - (iii) 180.0m<sup>2</sup> in the R1 ZONE on LOTS without MUNICIPAL SERVICES;
  - (iv) 150.0m<sup>2</sup> in the R1 ZONE on LOTS with MUNICIPAL WATER SERVICES and without MUNICIPAL SEWER SERVICES; and
  - (v) 100.0m<sup>2</sup> in any other ZONE.

**5.3.3**      **HEIGHT:**

- (a) Subject to Section 5.7.1 of this BY-LAW, BUILDINGS or STRUCTURES that are ACCESSORY to a DWELLING must not exceed a HEIGHT and WALL HEIGHT of:
  - (i) A HEIGHT of 6.1m and a WALL HEIGHT of 4.5m in the RU1 ZONE, RU2 ZONE, and R1 ZONE on LOTS without MUNICIPAL SERVICES;
  - (ii) A HEIGHT of 5.2m and a WALL HEIGHT of 3.5m in the R1 ZONE on LOTS that have MUNICIPAL WATER SERVICES but do not have MUNICIPAL SEWAGE SERVICES; and
  - (iii) A HEIGHT of 4.6m and a WALL HEIGHT of 3.2m and in any other ZONE.
- (b) BUILDINGS or STRUCTURES that are ACCESSORY to USES other than a DWELLING must not exceed the maximum HEIGHT specified in the ZONE in which they are located.
- (c) The maximum height of BUILDINGS or STRUCTURES located on a DECK is 3.7m. This height is measured vertically from the finished floor of the DECK to the highest point of the said BUILDING or STRUCTURE.

**5.3.4****Location of certain ACCESSORY BUILDINGS, STRUCTURES or USES:**

- (a) BUILDINGS or STRUCTURES that are ACCESSORY to USES other than a DWELLING are not permitted in any REQUIRED YARD.
- (b) BUILDINGS or STRUCTURES that are ACCESSORY to a DWELLING are not permitted in the REQUIRED FRONT YARD or in a REQUIRED EXTERIOR SIDE YARD.
- (c) BUILDINGS or STRUCTURES that are ACCESSORY to a DWELLING are not permitted in a REQUIRED INTERIOR SIDE YARD in the RU1 and RU2 ZONES. BUILDINGS or STRUCTURES that are ACCESSORY to a DWELLING may be located in a REQUIRED INTERIOR SIDE YARD in any other ZONE, provided that a minimum distance of 20.0m is maintained between any ACCESSORY BUILDING or STRUCTURE and the FRONT LOT LINE, and, in addition, a minimum distance of 0.6m is maintained between any ACCESSORY BUILDING or STRUCTURE and the INTERIOR SIDE LOT LINE.
- (d) BUILDINGS or STRUCTURES that are ACCESSORY to a DWELLING are not permitted in a REQUIRED REAR YARD in the RU1 and RU2 ZONES. BUILDINGS or STRUCTURES that are ACCESSORY to a DWELLING may be located in a REQUIRED REAR YARD in any other ZONE provided that a minimum distance of 0.6m is maintained between any ACCESSORY BUILDING or STRUCTURE and both the REAR LOT LINE and all INTERIOR SIDE LOT LINES.
- (e) Where the REAR LOT LINE of a CORNER LOT or a THROUGH LOT is contiguous to the front 20.0m of the INTERIOR SIDE LOT LINE of another LOT on which a DWELLING is a permitted use, a minimum distance of 1.5m shall be maintained between any ACCESSORY BUILDING or STRUCTURE and that portion of the REAR LOT LINE which is contiguous with the front 20.0m of the INTERIOR SIDE LOT LINE of the abutting LOT.
- (f) The eaves of an ACCESSORY BUILDING or STRUCTURE located in a REQUIRED INTERIOR SIDE YARD or REQUIRED REAR YARD may project a maximum of 0.3m into the minimum distance required from the INTERIOR SIDE LOT LINE or REAR LOT LINE. No eave may be closer than 0.3m to a LOT LINE.
- (g) A minimum SEPARATION DISTANCE of 2.0m must be maintained between an ACCESSORY BUILDING and a MAIN BUILDING or a GARDEN SUITE located on the same LOT.

**5.3.5****ACCESSORY USES to NON-CONFORMING USES:**

In any ZONE where any DWELLING exists as a NON-CONFORMING use, nothing in this BY-LAW shall prevent the construction of a detached BUILDING or STRUCTURE ACCESSORY to the said DWELLING, provided that all of the other requirements of Section 5.3 are complied with.



**5.3.6**      **Offences for Misplaced ACCESSORY BUILDINGS, STRUCTURES:** No person shall DEVELOP or USE an ACCESSORY BUILDING, STRUCTURE or USE without meeting the requirements of the REGULATIONS set out in this Section 5.3.

**5.4**            **Specific Rules for Certain ACCESSORY USES:**

The provisions of Section 5.4 relating to certain ACCESSORY USES apply to those USES in addition to the REGULATIONS generally applicable to ACCESSORY USES.

**5.4.1**            **OUTDOOR FURNACES**

- (a) Despite any other provision of this BY-LAW, OUTDOOR FURNACES as ACCESSORY USES are permitted only on LOTS with a minimum LOT FRONTAGE of 60.0m and a minimum LOT AREA of 2.0ha.
- (b) An OUTDOOR FURNACE is permitted to be located only in a REAR YARD.
- (c) An OUTDOOR FURNACE must be located a minimum of 15.0m from any REAR LOT LINE or SIDE LOT LINE.
- (d) A minimum SEPARATION DISTANCE of 15.0m is required:
  - (i) between any OUTDOOR FURNACE and the MAIN BUILDING or DWELLING located on the same LOT as the OUTDOOR FURNACE; and
  - (ii) from an existing MAIN BUILDING or an existing DWELLING that is not located on the same LOT as the OUTDOOR FURNACE.
- (e) A minimum SEPARATION DISTANCE of 3.0m is required between the OUTDOOR FURNACE and any other ACCESSORY BUILDING or STRUCTURE.

**5.4.1.1**        **Offences related to OUTDOOR FURNACES:** No person shall install, erect or USE an OUTDOOR FURNACE without meeting the requirements of the REGULATIONS set out in Section 5.4.1.

**5.4.2**            **PERSONAL COMMUNICATION DEVICES**

No PERSONAL COMMUNICATION DEVICES may be located within any REQUIRED YARD.

**5.4.2.1**      **Offences related to PERSONAL COMMUNICATION DEVICES:** No person shall install, erect, or USE a PERSONAL COMMUNICATION DEVICE without meeting the requirements of the REGULATIONS set out in Section 5.4.2.

**5.5**            **COMMUNITY GARDENS**

A COMMUNITY GARDEN is permitted in all ZONES, except the EP ZONE, as either an ACCESSORY USE or a MAIN USE, provided that all other REGULATIONS of this BY-LAW are complied with.

**5.5.1**        **Offence relating to COMMUNITY GARDEN:** No person shall DEVELOP or use a COMMUNITY GARDEN in an EP ZONE.

**5.6**            **ENVIRONMENTAL OVERLAY**

**5.6.1**        **General:** All development on lands that are subject to the ENVIRONMENTAL OVERLAY is prohibited unless a PERMIT from the LRCA is issued.

The ENVIRONMENTAL OVERLAY is shown as grey shading on the ZONING MAPS which form part of this BY-LAW. Refer to Section 4.3 of this BY-LAW for rules relating to the interpretation of the ENVIRONMENTAL OVERLAY. Development on lands that are subject to the ENVIRONMENTAL OVERLAY must comply with the REGULATIONS in this Section 5.6 in addition to the other requirements of this BY-LAW. Environmental technical studies may be required.

**5.6.2**        **REGULATIONS:**

- (a) No BUILDING or STRUCTURE, and no OUTDOOR STORAGE, is permitted on lands subject to the ENVIRONMENTAL OVERLAY without a PERMIT from the LRCA.
- (b) No BUILDING or STRUCTURE may be ALTERED on lands subject to the ENVIRONMENTAL OVERLAY without a PERMIT from the LRCA.
- (c) Subject to APPLICABLE LAW, no HOSPITAL, LONG TERM CARE FACILITY, DAY CARE FACILITY, EDUCATIONAL INSTITUTION, POWER DISTRIBUTION STATION, POWER GENERATING STATION, POWER MAIN TRANSFORMER STATION, nor any USES involving hazardous substances are permitted on lands subject to the ENVIRONMENTAL OVERLAY without a PERMIT from the LRCA.

- 5.6.3**      **Offence relating to USE of land subject to the ENVIRONMENTAL OVERLAY:** No person shall DEVELOP or use land that is subject to the ENVIRONMENTAL OVERLAY without meeting the requirements of Section 5.6.1 and the REGULATIONS in Section 5.6.2.
- 5.7**            **HEIGHT Restricted Area**
- 5.7.1**      **Scope:** This Section 5.7 applies in addition to all of the other REGULATIONS in this BY-LAW, to the lands on the map that forms Section 5.7.5 to this BY-LAW that are identified as "AREA 1" and "AREA 2" and "AREA 3" on that map.
- The REGULATIONS in this Section 5.7 are considered to supersede the maximum HEIGHT REGULATIONS contained in the individual ZONE categories applicable to the lands on that map.
- Section 5.17 applies to the land regulated by this Section.
- 5.7.2**      **REGULATIONS for AREA 1:** The lands identified as "AREA 1" on the map in Section 5.7.5 of this BY-LAW must conform to the following REGULATIONS:
- (a) no BUILDINGS or STRUCTURES may be constructed in such a way that any portion exceeds an elevation of 216.0m above mean sea level; and
  - (b) Section 5.17 does not apply.
- 5.7.3**      **REGULATIONS for AREA 2:** The lands identified as "AREA 2" on the map in Section 5.7.5 of this BY-LAW must conform with the following REGULATIONS:
- (a) no BUILDINGS or STRUCTURES may permitted to be constructed in such a way that any portion exceeds an elevation of 222.0m above mean sea level; and
  - (b) Section 5.17 does not apply.
- 5.7.4**      **REGULATIONS for AREA 3:** On the lands identified as "AREA 3" on the map in Section 5.7.5 of this BY-LAW, the maximum HEIGHT allowed for any BUILDING or STRUCTURE is 10.0m.

### 5.7.5 Map Showing AREAS 1, 2, and 3



### 5.7.6 Offences Related to the Height Restricted Areas:

- (a) No person shall DEVELOP or USE any land within AREA 1 on the map in Section 5.7.5 of this BY-LAW without meeting the requirements of the REGULATIONS in Section 5.7.2.
- (b) No person shall DEVELOP or USE any land within AREA 2 on the map in Section 5.7.5 of this BY-LAW without meeting the requirements of the REGULATIONS in Section 5.7.3.
- (c) No person shall DEVELOP or USE any land within AREA 3 on the map in Section 5.7.5 of this BY-LAW without meeting the requirements of the REGULATIONS in Section 5.7.4.

## 5.8 **HOME BASED BUSINESSES**

### 5.8.1 **PRIVATE HOME DAY CARE**

5.8.1.1 **Where Permitted:** A PRIVATE HOME DAY CARE is a permitted USE within a DWELLING UNIT in all ZONES that permit a DWELLING UNIT. A PRIVATE HOME DAY CARE is not permitted in a NON-CONFORMING DWELLING UNIT.

5.8.1.2 **Offence Relating to PRIVATE HOME DAY CARE Operation:** No person shall operate a PRIVATE HOME DAY CARE in a NON-CONFORMING DWELLING UNIT.

### 5.8.2 **BED AND BREAKFAST**

5.8.2.1 **Where Permitted:** A BED AND BREAKFAST is a permitted USE in any SINGLE DETACHED DWELLING, a subject to the REGULATIONS in Sections 5.8.2.2 through 5.8.2.4.

#### 5.8.2.2 **REGULATIONS for BED AND BREAKFAST Operations:**

- (a) A BED AND BREAKFAST must be lawfully conducted entirely within a SINGLE DETACHED DWELLING.
- (b) Not more than 3 bedrooms, or 1 bedroom less than the total number of bedrooms in the SINGLE DETACHED DWELLING, whichever is the lesser, may be used to provide overnight accommodation for the BED AND BREAKFAST operation.
- (c) The operation of a BED AND BREAKFAST must clearly be incidental and secondary to the MAIN USE of the BUILDING as a SINGLE DETACHED DWELLING.
- (d) The BED AND BREAKFAST must be operated only by a person who resides in the SINGLE DETACHED DWELLING containing the BED AND BREAKFAST.
- (e) The operation of the BED AND BREAKFAST must not change the character, or in any significant way alter the exterior appearance of, the SINGLE DETACHED DWELLING that contains it.
- (f) No external on-site advertising for the BED AND BREAKFAST is permitted, except in accordance with Section 5.8.2.3.

- (g) The maximum length of stay for a guest in a BED AND BREAKFAST is 10 consecutive days.
- (h) The operation of a BED AND BREAKFAST is not permitted within a DWELLING UNIT that is also used for the rental of accommodations to roomers or boarders.
- (i) One PARKING SPACE must be provided for every 2 bedrooms used in association with the BED AND BREAKFAST, in addition to the PARKING SPACES required for the DWELLING UNIT. In addition, these additional required PARKING SPACES must each be located on the same LOT as the BED AND BREAKFAST. These additional required PARKING SPACES may be located in tandem with any PARKING SPACES required for the SINGLE DETACHED DWELLING.

**5.8.2.3**      **Signage:** A maximum of one non-illuminated sign advertising the BED AND BREAKFAST is permitted to be displayed on the same LOT as the BED AND BREAKFAST operation, provided that it meets the requirements of this Section 5.8.2.3.

- (a) The BED AND BREAKFAST sign's face area must not be greater than:
  - (i) 0.6 m<sup>2</sup> in the RU1 or RU2 ZONE; or
  - (ii) 0.3 m<sup>2</sup> in the all other ZONES.
- (b) The BED AND BREAKFAST sign may be placed within a YARD abutting a STREET in the RU1, and RU2 ZONES, provided that a minimum distance of 3.0m is provided between the sign and LOT LINE.
- (c) In all other ZONES, the BED AND BREAKFAST sign must be mounted on the exterior wall or window of the MAIN BUILDING or the exterior wall or window of an ACCESSORY BUILDING.

**5.8.2.4**      **Nuisance Prohibition:** The BED AND BREAKFAST must be operated in a manner which prevents noise, dust and/or odour, beyond any that are reasonably expected from a SINGLE DETACHED DWELLING USE, from escaping to adjoining premises.

**5.8.2.5**      **Offences Related to BED AND BREAKFAST Operations:** No person shall DEVELOP or operate a BED AND BREAKFAST without meeting the requirements of the REGULATIONS in Sections 5.8.2.2, 5.8.2.3 and 5.8.2.4.

### 5.8.3 **HOME OCCUPATIONS**

**5.8.3.1 Where Permitted:** A HOME OCCUPATION is permitted as an ACCESSORY use to a DWELLING UNIT in accordance with this Section 5.8.3.

Examples of HOME OCCUPATIONS may include

- an OFFICE;
- a single chair barber shop;
- a single chair hairdresser;
- a single chair aesthetician;
- a COMMERCIAL SCHOOL with a maximum of 2 pupils at any one given time;
- an electrical contractor;
- a master electrician;
- a plumbing contractor;
- a master plumber;
- a photographer; or
- a non-ACCESSORY POWER GENERATING STATION with all relevant PERMITS.

### 5.8.3.2 **REGULATIONS for HOME OCCUPATIONS:**

- (a) The HOME OCCUPATION must be lawfully conducted entirely within the DWELLING UNIT and/or entirely within one or more BUILDINGS or STRUCTURES that are ACCESSORY to the DWELLING UNIT.
- (b) The HOME OCCUPATION must not change the character, or in any significant way alter the exterior appearance of, the BUILDINGS or STRUCTURES that contain it.
- (c) The sale of goods on the premises is permitted as part of a HOME OCCUPATION only where the sale of goods is incidental and subordinate to the service provided by the HOME OCCUPATION.
- (d) The sale of goods manufactured or assembled by an ARTISAN is permitted only by appointment. The HOME OCCUPATION in this case may not involve more than 2 customer appointments in any operating day.
- (e) The HOME OCCUPATION must be carried on by the inhabitants of the DWELLING on the same LOT.
- (f) Where a HOME OCCUPATION is carried on in or ACCESSORY to a SINGLE DETACHED DWELLING, a maximum of one person who is not resident in the DWELLING on the same LOT may assist or be employed on the premises.

- (g) External storage associated with the HOME OCCUPATION is not permitted except in accordance with Section 5.8.3.4.
- (h) OUTDOOR DISPLAY associated with the HOME OCCUPATION is not permitted.
- (i) No external on-site advertising for the HOME OCCUPATION is permitted, except in accordance with Section 5.8.3.3.
- (j) In the RU1 and RU2 ZONES, the area devoted to all HOME OCCUPATIONS, whether located in the DWELLING and/or in an ACCESSORY BUILDING or STRUCTURE, must not exceed a GFA equal to 25% of the total combined GFA of the DWELLING and ACCESSORY BUILDINGS and STRUCTURES on the LOT.
- (k) In ZONES other than the RU1 and RU2 ZONES, the area devoted to all HOME OCCUPATIONS, whether located in the DWELLING and/or in an ACCESSORY BUILDING or STRUCTURE, must not exceed a GFA equal to 25% of the GFA of the DWELLING on the LOT.

### 5.8.3.3

**Signage:** A maximum of one non-illuminated sign advertising the HOME OCCUPATION is permitted to be displayed on the same LOT as the HOME OCCUPATION operation, provided that it meets the requirements of this Section 5.8.3.3.

- (a) The HOME OCCUPATION sign's face area must not be greater than:
  - (i) 0.6 m<sup>2</sup> in the RU1 or RU2 ZONE; or
  - (ii) 0.3 m<sup>2</sup> in the all other ZONES.
- (b) The HOME OCCUPATION sign may be placed within a YARD abutting a STREET in the RU1, and RU2 ZONES, provided that a minimum distance of 3.0m is provided between the sign and LOT LINE.
- (c) In all other ZONES, the HOME OCCUPATION sign must be mounted on the exterior wall or window of the MAIN BUILDING or the exterior wall or window of an ACCESSORY BUILDING.

### 5.8.3.4

**External Storage:** Despite Section 5.8.3.2(g), in the RU1 and RU2 ZONES, the external storage of a maximum of 2 COMMERCIAL VEHICLES, one STORAGE CONTAINER, the external storage of finished products, and the external storage of one piece of HEAVY EQUIPMENT is permitted, provided that:

- (a) no external storage occurs in any REQUIRED YARD; and
- (b) all external storage must be screened by a NATURAL VEGETATED BUFFER or PRIVACY SCREEN with a minimum HEIGHT of 1.8m.



- 5.8.3.5**      **Nuisance Prohibition:** The HOME OCCUPATION must be operated in a manner which prevents noise, dust and/or odour, beyond any that are reasonably expected from a DWELLING UNIT, from escaping to adjoining premises.
- 5.8.3.6**      **Prohibited HOME OCCUPATIONS:** No HOME OCCUPATION may involve HEAVY EQUIPMENT mechanical service, any type of mechanical repairs, any INDUSTRIAL USE, a RETAIL STORE or a RESTAURANT.
- 5.8.3.7**      **Offences Relating to HOME OCCUPATION Operation:** No person shall DEVELOP or operate a HOME OCCUPATION without meeting the requirements of the REGULATIONS in Sections 5.8.3.2 through 5.8.3.6.
- 5.9**            **Lands Subject To N-Suffix**
- 5.9.1**            **Development Rules:** Development on lands within a ZONE for which the ZONE label has the suffix "N" on the ZONING MAP may require noise studies and/or the implementation of noise mitigation measures prior to the issuance of any PERMIT under the *Building Code Act*.
- 5.9.2**            **Building PERMIT Prohibition:** No building PERMIT shall be granted for the construction of a DWELLING that is closer than 300m from any RAILWAY YARD or 30m from a RAIL CORRIDOR on lands with a ZONE label with the suffix "N" on the ZONING MAP.

**5.10 LANDSCAPED OPEN SPACE and PRIVACY SCREENS****5.10.1 Calculating the Required Amount of LANDSCAPED OPEN SPACE:**

Where a LANDSCAPED OPEN SPACE requirement in a ZONE includes both a percentage of LOT AREA and provision of landscaped strips along LOT LINES or STREET LINES, the percentage of the LOT AREA calculation includes the LANDSCAPED OPEN SPACE strips along the LOT LINES or STREET LINES.

**5.10.2 REGULATIONS for PRIVACY SCREENS:** In addition to all other provisions of this BY-LAW, where a PRIVACY SCREEN is required, the REGULATIONS in this Section 5.10.2 apply.

- (a) The HEIGHT of a PRIVACY SCREEN is measured from the GRADE of the LOT at the property line along which the PRIVACY SCREEN is required.
- (b) When a PRIVACY SCREEN is located within the REQUIRED YARD abutting a STREET LINE, the PRIVACY SCREEN must have a minimum HEIGHT of 0.75m and a maximum HEIGHT of 1.0m.
- (c) Where the REAR LOT LINE of a LOT located in a RESIDENTIAL ZONE is contiguous to the INTERIOR SIDE LOT LINE of a non-residential LOT or contiguous to the INTERIOR SIDE LOT LINE of a non-residential LOT which abuts a LANE, then the minimum HEIGHT requirements for the required PRIVACY SCREEN as set out in the non-residential ZONE continue to apply.
- (d) Where the REAR LOT LINE of a LOT located in a RESIDENTIAL ZONE is contiguous to the REAR LOT LINE of a non-residential LOT or contiguous to the REAR LOT LINE of non-residential LOT which abuts a LANE, then the minimum HEIGHT requirements for the required PRIVACY SCREEN as set out in the non-residential ZONE continue to apply.

**5.10.3 Offences related to PRIVACY SCREENS:** No person shall maintain a PRIVACY SCREEN without meeting the requirements of the REGULATIONS in Section 5.10.2.

**5.11 Rules for the Lawful use of NON-COMPLYING Land:**

The REGULATIONS in this Section 5.11 apply to land that meets the definition of "NON-COMPLYING" as set out in this BY-LAW.

**5.11.1 Regulations for Rebuilding or Repair:**

Nothing in this BY-LAW prevents the rebuilding or repair of a NON-COMPLYING BUILDING or STRUCTURE, provided that:

- (a) the size of the existing YARDS are not changed except in accordance with the provisions of this BY-LAW, and
- (b) the BUILDING or STRUCTURE does not encroach onto neighbouring property or UTILITY easements.

**5.11.2 Encroaching NON-COMPLYING BUILDINGS or STRUCTURES:** Where a NON-COMPLYING BUILDING or STRUCTURE requires rebuilding or significant repair, and that BUILDING or STRUCTURE encroaches onto neighbouring property or a UTILITY easement, the rebuilding or repair must be undertaken in a manner that discontinues the encroachment.

**5.11.2.1 Relief from 5.11.2:** Any variance granted by the Committee of Adjustment to the provisions of Section 5.11.2 must involve not only the agreement, but also formal acknowledgement of the encroachment by the owner of the land or easement upon which the encroachment exists in the form of an encroachment agreement or otherwise.

**5.11.3 ALTERATIONS to BUILDINGS or STRUCTURES:**

Nothing in this BY-LAW prevents an ALTERATION from being made to an existing NON-COMPLYING BUILDING or STRUCTURE on a LOT, provided the ALTERATION does not further contravene any of the REGULATIONS of this BY-LAW, and provided further that a minimum SEPARATION DISTANCE of 0.6m is maintained from any LOT LINE to the extension or addition.

**5.11.4 ALTERATIONS to LOTS:**

Neither a NON-COMPLYING USE nor NON-COMPLYING LOT will lose its NON-COMPLYING character if the boundaries of the LOT are changed, provided the change does not cause a further contravention of the REGULATIONS of the BY-LAW.

**5.11.5 Change of Permitted USE:**

Nothing in this BY-LAW prevents a person from changing from one permitted USE in a NON-COMPLYING BUILDING or STRUCTURE to another permitted USE, provided that the change in USE will not result in further contravention of any of the REGULATIONS of this BY-LAW that were part of the NON-COMPLYING character of the LOT or BUILDING.

**5.11.6 Non-compliance as a result of Public Action:**

If a LOT, BUILDING, or STRUCTURE ceases to meet the REGULATIONS of this BY-LAW because of a Transfer to, or expropriation by, a body having expropriation authority, the LOT, BUILDING, or STRUCTURE is deemed to be NON-COMPLYING and entitled the relief afforded in this Section 5.11.

**5.11.7 Offences Relating to NON-COMPLYING Land:** No person shall DEVELOP or USE any NON-COMPLYING land without meeting the requirements of the REGULATIONS in Sections 5.11.1 through 5.11.6.**5.11.8 Specific Non-Compliance: UNDERSIZED LOTS****5.11.8.1 PERMITTED USES on UNDERSIZED LOTS:**

UNDERSIZED LOTS may only be used in accordance with the REGULATIONS in this Section 5.11.8.

- (a) in a RESIDENTIAL ZONE where a SINGLE DETACHED DWELLING is a permitted USE, then only a SINGLE DETACHED DWELLING is permitted on an UNDERSIZED LOT; and
- (b) in a RESIDENTIAL ZONE where an APARTMENT DWELLING is a permitted use and a SINGLE DETACHED DWELLING is not permitted, then a maximum of 3 DWELLING UNITS is permitted on the UNDERSIZED LOT; and
- (c) provided, with respect to either (a) or (b) of this Section 5.11.8.1, as applicable, that all other REGULATIONS of this BY-LAW are complied with except that
  - 1) the interior side YARD requirements for each interior side YARD may be reduced to 10% of the LOT FRONTAGE of the LOT;
  - 2) the rear YARD requirement may be reduced to 20% of the LOT DEPTH; and
  - 3) the maximum LOT COVERAGE is 40%.

**5.11.8.2 Increasing the Size of an UNDERSIZED LOT:**

An UNDERSIZED LOT entitled to relief provided for in Section 5.11.8 does not become disentitled to such relief if the size of the holding increases. In that case, the additional land added to the original holding is deemed to constitute part of the UNDERSIZED LOT as at the relevant date for the purpose of the definition of UNDERSIZED LOT, which may result in it ceasing to meet the definition.

**5.11.8.3 Strengthening to a Safe Condition**

Nothing in this BY-LAW prevents the strengthening or restoration to a safe condition of all or part of any BUILDING, STRUCTURE or use on an UNDERSIZED LOT, provided that such repair or restoration does not increase the HEIGHT, size or volume or change in any way the use of such BUILDING, STRUCTURE or LOT.

**5.12 Rules for the USE of NON-CONFORMING Land:**

The REGULATIONS in this Section 5.12 apply to land that meets the definition of "NON- CONFORMING" as set out in this BY-LAW.

**5.12.1 Encroachments:** Where a NON-CONFORMING BUILDING or STRUCTURE requires rebuilding or significant repair, and that BUILDING or STRUCTURE encroaches onto neighbouring property or a UTILITY easement, the rebuilding or repair must be undertaken in a manner that discontinues the encroachment.

**5.12.1.1 Relief from 5.12.1:** Any variance granted by the Committee of Adjustment to the provisions of Section 5.12.1 must involve not only the agreement, but also formal acknowledgement of the encroachment by the owner of the land or easement upon which the encroachment exists in the form of an encroachment agreement or otherwise.

**5.12.2 NON-CONFORMING USES – Enlargement or Additions**

No enlargement or addition is permitted to a BUILDING or STRUCTURE which contains a NON-CONFORMING USE without the approval of the Committee of Adjustment as required by the *Planning Act*.

**5.12.3 NON-CONFORMING USES – Change of USE:**

Nothing in this BY-LAW prevents a person from changing the USE on a LOT from a NON-CONFORMING USE to a permitted USE provided that the change in USE will not result in contravention (or further contravention if the USE had been both NON-CONFORMING and NON-COMPLYING) of any of the REGULATIONS of this BY-LAW. Where a change in USE occurs, in accordance with this Section 5.12.3, and the new USE results in LOT or BUILDING contravention for any of the applicable REGULATIONS, the LOT or BUILDING will be considered to be NON-COMPLYING.

**5.13 Access and Parking REGULATIONS**

**5.13.1 Compliance Requirement:** Any land, BUILDING or STRUCTURE constructed or used in any ZONE requires on-site PARKING LOTS, PARKING SPACES, LOADING SPACES and STACKING SPACES to be provided in accordance with the REGULATIONS of this BY-LAW.

**5.13.2 DRIVEWAY Distance from Intersections:** DRIVEWAY access onto a LOT must be located a minimum of 9.0m from the intersection of 2 STREETS, or from the intersection of a STREET and RAIL CORRIDOR, measured from a point where the 2 STREET LINES or STREET and RAIL CORRIDOR intersect.

**5.13.2.1 Offence Relating to DRIVEWAY Location:** No person shall construct or use a DRIVEWAY without meeting the requirements of the REGULATION in Section 5.13.2.

**5.13.3 Street Frontage:** No BUILDING or STRUCTURE or OPEN STORAGE USE is permitted on a LOT which has a STREET FRONTAGE less than 6.0m.

**5.13.3.1 Offence Relating to Insufficient STREET FRONTAGE:** No person shall DEVELOP, use or maintain a BUILDING, STRUCTURE or OPEN STORAGE USE in contravention of Section 5.13.3.

**5.13.4 Surface Treatment of Required PARKING LOTS:**

Unless otherwise specified in this BY-LAW, all required PARKING LOTS must be constructed with a surface that is hard and dustless. Surfaces meeting this requirement include asphalt; concrete; paving stones; or similar hard surfacing on top of a suitable granular base.

**5.13.5 Delineation of Required PARKING SPACES**

Locations of PARKING SPACES and DRIVEWAYS must be clearly delineated on all surfaced PARKING LOTS. PARKING AISLES must be clearly delineated by identifying the locations of PARKING SPACES and DRIVEWAYS.

**5.13.6 Lighting:** Any lights used to illuminate a PARKING LOT must be shielded to direct light towards the ground and away from adjacent properties.

**5.13.7 Offences Relating to PARKING LOT Operations:** No person shall use a PARKING LOT without meeting the requirements of the REGULATIONS in Sections 5.13.4 through 5.13.6.

**5.14 LOADING SPACE Requirements**

Where a LOADING SPACE is required by this BY-LAW, it must be provided and maintained on site in accordance with the REGULATIONS in this Section 5.14.

**5.14.1 Size of LOADING SPACES:**

Each LOADING SPACE must be rectangular in shape, with a minimum width of 3.7m and a minimum length of 9.0m and a vertical clearance of 4.3m.

**5.14.2 Location of LOADING SPACES:**

- (a) LOADING SPACES are not permitted within the REQUIRED FRONT YARD or within the REQUIRED EXTERIOR SIDE YARD of the LOT.
- (b) No part of any LOADING SPACE may be located on any STREET ALLOWANCE or LANE.
- (c) LOADING SPACES are not permitted to occupy any required PARKING SPACE.

**5.14.3 Access to LOADING SPACES:**

- (a) An unobstructed ingress and egress of not less than 6.0m in width to and from a STREET is required for each LOADING SPACE.
- (b) Each LOADING SPACE must be accessible from a STREET or PRIVATE STREET by means of DRIVEWAYS, manoeuvring aisles, or similar areas, no part of which may be used for the parking or temporary storage of MOTOR VEHICLES.

#### 5.14.4

**Number of LOADING SPACES Required:** The minimum number of LOADING SPACES required for particular USES is determined using Table 5.14.4. To use the table, locate the USE in question in the first column. Read across from that USE to the table cell in the second column that is adjacent to the table cell containing the USE. That table cell will contain a number of LOADING SPACES, or a formula to be applied to determine the number of LOADING SPACES. That number, or the number generated by use of the formula, is the minimum number of LOADING SPACES which must be provided to meet this REGULATION.

<b>Table 5.14.4</b>	
<b>USE</b>	<b>Minimum number of LOADING SPACES &amp; location of same</b>
APARTMENT DWELLING containing 8 or more DWELLING UNITS	One LOADING SPACE, which must be adjacent to a LOADING AREA
RETAIL STORES and SHOPPING CENTRES with less than 500m <sup>2</sup> of GFA	Zero LOADING SPACES
RETAIL STORES and SHOPPING CENTRES with a GFA that is equal or greater than 500m <sup>2</sup> , but less than 2,500m <sup>2</sup>	One LOADING SPACE
RETAIL STORES and SHOPPING CENTRES with a GFA that is equal or greater than 2,500m <sup>2</sup> , but less than 10,000m <sup>2</sup>	2 LOADING SPACES
RETAIL STORES and SHOPPING CENTRES with a GFA that is equal or greater than 10,000m <sup>2</sup>	2 LOADING SPACES, plus one additional LOADING SPACE for every 10,000m <sup>2</sup> of GFA or part thereof in excess of 10,000m <sup>2</sup>



<b>Table 5.14.4 Continued</b>	
<b>USE</b>	<b>Minimum number of LOADING SPACES &amp; location of same</b>
Any BUILDING not otherwise set out in this Table 5.14.4 with 500m <sup>2</sup> of GFA or less which contains a non-residential USE	Zero LOADING SPACES
Any BUILDING not otherwise set out in this Table 5.14.4 with a GFA equal or greater than 500m <sup>2</sup> which contains a non-residential USE	One LOADING SPACE

**5.14.5 Exemption for C5 ZONE:**

Despite Section 5.14.4, no LOADING SPACES are required for any BUILDING or STRUCTURE or USE located within the C5 ZONE.

**5.14.6 Offences Related to LOADING SPACES:** No person shall undertake a USE without providing the number of LOADING SPACES prescribed by the REGULATIONS in Section 5.14.4 which LOADING SPACES meet the requirements of the REGULATIONS in Sections 5.14.1, 5.14.2 and 5.14.3.

**5.15 On Site PARKING and STACKING Requirements**

All permanently maintained on site PARKING SPACES must be provided in accordance with the REGULATIONS in this Section 5.15.

**5.15.1 LANDSCAPED OPEN SPACE & VEHICLES/WALKWAYS**

- (a) PARKING SPACES and PARKING AISLES are not permitted to encroach onto any LANDSCAPED OPEN SPACE.
- (b) DRIVEWAYS may cross over any required LANDSCAPED OPEN SPACE to the maximum width permitted in this BY-LAW, however, the area of the LANDSCAPED OPEN SPACE traversed by the DRIVEWAYS does not form part of the calculation in determining the percentage of LANDSCAPED OPEN SPACE provided.
- (c) pedestrian walkways may cross over any required LANDSCAPED OPEN SPACE to a maximum width of 1.5 metres to connect public sidewalks to buildings or onsite PARKING SPACES, however, the area of the LANDSCAPED OPEN SPACE traversed by the pedestrian walkways does not form part of the calculation in determining the percentage of LANDSCAPED OPEN SPACE provided.

### 5.15.2 **Access to PARKING LOTS and PARKING SPACES:**

- (a) Every LOT may have one or more unobstructed DRIVEWAYS not exceeding 6.0m in width for DWELLINGS and not exceeding 9.0m in width for all other USES, provided that no LOT has more than:
- (i) one DRIVEWAY for the first 16.0m of STREET LINE;
  - (ii) one additional DRIVEWAY for the subsequent 15.0m of STREET LINE; and
  - (iii) one additional DRIVEWAY for each additional 50.0m of STREET LINE.
- (b) For each LOT with multiple DRIVEWAYS, a minimum distance of 6.0m, measured at the STREET LINE is required between DRIVEWAYS.
- (c) The width of a DRIVEWAY leading to any PARKING LOT must be a minimum 3.0m for one-way traffic, and a minimum 6.0m for 2-way traffic.
- (d) Where a USE is required to provide 4 or more PARKING SPACES, such PARKING LOT must have unobstructed access to any PARKING AISLE leading to a DRIVEWAY.
- (e) The minimum width prescribed for PARKING AISLES is determined using Table 5.15.2. To use the table, locate the angle of the PARKING SPACE in the first column. Read across from that angle measurement to the table cell in the second column that is adjacent to the table cell containing the angle of the PARKING SPACE. That table cell will contain a measurement for the minimum width for the PARKING AISLE serving the PARKING SPACE with the angle specified in the first column. That measurement is the minimum width of PARKING AISLE which must be provided to meet this REGULATION.

**Table 5.15.2: PARKING SPACE aisles:**

<b><u>Angle of PARKING SPACE</u></b>	<b><u>Minimum PARKING AISLE Width</u></b>
up to and including 45°	4.6m
over 45° up to and including 70°	5.2m
over 70° up to and including 80°	6.1m
over 80° up to and including 90°	6.7m

**5.15.3 Rules About the Calculation of the Required Number of PARKING SPACES:**

- (a) If the calculation of the required number of PARKING SPACES results in a fraction, the required number of PARKING SPACES is the fraction rounded to the next higher whole number.
- (b) The total number of PARKING SPACES required is the sum of the requirements for each separate USE on the LOT, except in the case of a SHOPPING CENTRE or an INDUSTRIAL CENTRE. The number of PARKING SPACES required for a SHOPPING CENTRE or INDUSTRIAL CENTRE applies, regardless of the individual USES within the centre.
- (c) The number of PARKING SPACES that must be provided in accordance with this BY-LAW must be in addition to any PARKING SPACES used or intended to be used for the storage or parking of vehicles for hire or gain, display, or sale.

**5.15.4 Size of PARKING SPACES:**

- (a) Each PARKING SPACE must be rectangular in shape, with a minimum width of 2.8m and a minimum length of 6.0m. There are exceptions to this rule, set out in (b), (c), and (d) below.
- (b) Where the principal access to a PARKING SPACE is provided on the longest dimension of that PARKING SPACE, the minimum dimensions of the PARKING SPACES are 2.4m by 6.7m.
- (c) Subject to Section 5.15.5, where all or part of either side of a PARKING SPACE abuts a wall, a column, a pillar, a fence, a pole, or other obstruction, the minimum width of the PARKING SPACE is 3.0m. This does not apply if the obstruction is located within 1.0m of the front of the PARKING SPACE and does not project more than 0.3m into the PARKING SPACE.
- (d) Where the length of a PARKING SPACE abuts either an area of LANDSCAPED OPEN SPACE or a pedestrian walkway that is not a public sidewalk, which landscaping strip or walkway is greater than 1.0m in width and at the same GRADE as the PARKING SPACE, the minimum width of the PARKING SPACE is 2.4m.

**5.15.5 Exemption for C5 ZONE:**

Despite any other provision of this BY-LAW, no PARKING SPACES are required for any BUILDING, STRUCTURE or USE located within the C5 ZONE except for a BUILDING containing 4 or more DWELLING UNITS, in which case a minimum of 0.25 PARKING SPACES per DWELLING UNIT is required.

**5.15.6 Location of PARKING LOTS:**

Subject to this Section 5.15.6, all required PARKING SPACES are to be provided on the same LOT as the USE for which the PARKING SPACES are required. An additional PARKING LOT may be used to assemble the required number of PARKING SPACES provided that the additional PARKING LOT is located within 50.0m of the closest boundary of the LOT bearing the USE for which the PARKING SPACES are required. Where an additional land parcel is used to provide the additional PARKING LOT, the land area and other measurements associated with that land are not to be used to determine any of the minimum requirements for the MAIN USE. That land can be used only as contributing towards the PARKING SPACE requirements.

In the case of a hotel which provides valet parking, up to 30% of the required PARKING SPACES may be located on a LOT within 1000.0 m of the LOT bearing the USE for which the PARKING SPACES are required.

**5.15.7 Attendant Parking Shelter:**

Nothing in this BY-LAW prevents the construction an ACCESSORY STRUCTURE for use solely by parking attendants in any part of a PARKING LOT, provided that STRUCTURE is not more than 4.5m in HEIGHT and has a GFA of not more than 5.0m<sup>2</sup>. The ACCESSORY STRUCTURE cannot occupy any PARKING SPACE that is required to be maintained in accordance with the REGULATIONS in this BY-LAW.

**5.15.8 Underground Parking**

Nothing in this BY-LAW applies to prohibit the location of underground PARKING LOTS in/under any YARD, provided that:

- (a) no part of any underground PARKING LOT is to be situated above GRADE in any REQUIRED YARD;
- (b) no part of any underground PARKING LOT is to be located within the limits of a STREET ALLOWANCE or a LANE.

### 5.15.9 **PARKING SPACES Required:**

The minimum number of PARKING SPACES required for particular USES is determined using Table 5.15.9. To use the table, locate the USE in question in the first column. Read across from that USE to the table cell in the second column that is adjacent to the table cell containing the USE. That table cell will contain a number of PARKING SPACES, or a formula to be applied to determine the number of PARKING SPACES. That number, or the number generated by use of the formula, is the minimum number of PARKING SPACES which must be provided to meet this REGULATION.

Other provisions of this BY-LAW may prescribe alternate minimum numbers of PARKING SPACES which must be provided in certain ZONES or in certain circumstances. The provisions of those particular sections take precedence over the minimum number of PARKING SPACES prescribed by Table 5.15.9.

<b><u>TABLE 5.15.9: Number of PARKING SPACES Required for Various USES</u></b>	
<b><u>USE</u></b>	<b><u>Minimum Number of PARKING SPACES</u></b>
<b><u>Residential USES</u></b>	
CONVERTED DWELLING	0.5 PARKING SPACES per DWELLING UNIT
LODGING HOUSE	One PARKING SPACE per DWELLING UNIT plus one PARKING SPACE for every 5 rooms, or fraction thereof, provided in the DWELLING for accommodation of lodgers
All Other DWELLINGS	1.5 PARKING SPACES per DWELLING UNIT
<b><u>Non-Residential USES</u></b>	
ANIMAL BOARDING FACILITY	one PARKING SPACE for every 23.0m <sup>2</sup> of GFA
ANIMAL CARE FACILITY	one PARKING SPACE for every 40.0m <sup>2</sup> of GFA
CEMETERY	20 PARKING SPACES which may be arranged in tandem
COMMERCIAL SCHOOL	one PARKING SPACE for every staff member plus one PARKING SPACE for every 4 pupils
COMMUNITY CENTRE	The number determined by the ASSEMBLY RATE
COMMUNITY GARDEN	No minimum
CULTURAL FACILITY	The number determined by the ASSEMBLY RATE
DAY CARE FACILITY	one PARKING SPACE for every staff member on site plus one PARKING SPACE for every 4 clients.

<b>TABLE 5.15.9: Number of PARKING SPACES Required for Various USES (Continued)</b>	
<b><u>USE</u></b>	<b><u>Minimum Number of PARKING SPACES</u></b>
EDUCATIONAL INSTITUTION	Elementary: 1.25 PARKING SPACES for every class room Secondary: 2.25 PARKING SPACES for every class room Post Secondary: 5 PARKING SPACES for every classroom, laboratory room or any room used for class instruction
FUNERAL ESTABLISHMENT	The number determined by the ASSEMBLY RATE
FURNITURE STORE	one PARKING SPACE for every 55.0m <sup>2</sup> of GFA
Golf Course	3 PARKING SPACES for every hole or 4 PARKING SPACES per hole if facility includes a driving range
HOME BASED BUSINESS	Refer to Section 5.8 for requirements
HOSPITAL	one PARKING SPACE for every 2.0 HOSPITAL beds
Hotel or Motel	one PARKING SPACE for every suite plus the number determined by the ASSEMBLY RATE for the dining or banquet facilities, lounges, RESTAURANTS and meeting rooms
INDUSTRIAL CENTRE	one PARKING SPACE for every 65.0m <sup>2</sup> of GFA
INDUSTRIAL SCHOOL	one PARKING SPACE for every staff member plus one PARKING SPACE for every 4 pupils
KENNEL	4 PARKING SPACES
LONG TERM CARE FACILITY	one PARKING SPACE for every 2 beds
MEDICAL OFFICE	one PARKING SPACE for every 23.0m <sup>2</sup> of GFA
MIXED USE BUILDING	one PARKING SPACE for every 25.0m <sup>2</sup> of GFA for non-residential USES and 1 PARKING SPACE for each DWELLING UNIT
MOTOR VEHICLE BODY REPAIR SHOP	one PARKING SPACE for every 40.0 m <sup>2</sup> of GFA devoted to storage, offices and display area plus 3 PARKING SPACES for every service bay devoted to repair facilities
MOTOR VEHICLE SALES OR RENTAL ESTABLISHMENT	one PARKING SPACE for every 40.0 m <sup>2</sup> of GFA devoted to storage, offices and display area plus 3 PARKING SPACES for every service bay devoted to repair facilities

<b>TABLE 5.15.9: Number of PARKING SPACES Required for Various Uses (Continued)</b>	
<b><u>USE</u></b>	<b><u>Minimum Number of PARKING SPACES</u></b>
MOTOR VEHICLE SERVICE STATION	one PARKING SPACE for every 40.0 m <sup>2</sup> of GFA devoted to storage, offices and display area plus 3 PARKING SPACES for every service bay devoted to repair facilities
NIGHT CLUB	The number determined by the ASSEMBLY RATE
NURSERY	one PARKING SPACE for every 50.0m <sup>2</sup> of GFA
OFFICE	one PARKING SPACE for every 30.0m <sup>2</sup> of GFA
A PARK which consists of an area for passive leisure activity, or a playlot with activity equipment for children, or organized activities including a bowling green, outdoor skating rink, tennis or badminton courts, sports field, or a conservation area and similar types of PARKS	no minimum
A PARK with zero to 10.0 ha of LOT AREA	no minimum
A PARK with 10.01 to 100.0 ha of LOT AREA	one PARKING SPACE for every 5,000 m <sup>2</sup> of LOT AREA
A PARK with 100.01ha or more of LOT AREA	one PARKING SPACE for every 10,000 m <sup>2</sup> of LOT AREA
PERSONAL SERVICES ESTABLISHMENT	one PARKING SPACE for every 20.0m <sup>2</sup> of GFA
PRIVATE UTILITY	one PARKING SPACE for every 90.0m <sup>2</sup> of GFA
RECREATION FACILITY	(See specific examples under the general title in the first column)
Arena, auditorium, dance hall, public hall, music hall or similar USE	The number determined by the ASSEMBLY RATE
Billiard or poolroom, ice rink, roller rink, swimming pool, video arcade	one PARKING SPACE for every 4 persons that can be accommodated at capacity as specified by the BUILDING CODE
Bowling alley, tennis courts, or similar sports	4 PARKING SPACES for each playing surface
Curling rink	8 PARKING SPACES for every sheet of ice
Driving range	one PARKING SPACE for every driving pad
Fitness centre	one PARKING SPACE for every 25.0m <sup>2</sup> of GFA
Miniature golf course	one PARKING SPACE per hole

<b>TABLE 5.15.9: Number of PARKING SPACES Required for Various USES (Continued)</b>	
<b><u>USE</u></b>	<b><u>Minimum Number of PARKING SPACES</u></b>
RELIGIOUS INSTITUTION	The number determined by the ASSEMBLY RATE
RESIDENTIAL CARE FACILITY	2.0 PARKING SPACES or one PARKING SPACES per 5 beds, whichever is the greater
RESTAURANT with a DRIVE SERVICE UNIT without a DRIVE SERVICE UNIT with take-out service only	one PARKING SPACE for every 10.0m <sup>2</sup> of GFA one PARKING SPACE for every 6.0m <sup>2</sup> of GFA one PARKING SPACE for every 20.0m <sup>2</sup> of GFA
RETAIL STORES  RETAIL STORE (other than a FOOD STORE) with a GFA of less than or equal to 930.0m <sup>2</sup>  RETAIL STORE (other than a FOOD STORE) with a GFA greater than 930.0m <sup>2</sup>  FOOD STORE with a GFA less than or equal to 275.0m <sup>2</sup>  FOOD STORE with a GFA greater than 275.0m <sup>2</sup>	one PARKING SPACE for every 40.0m <sup>2</sup> of GFA whichever is the greater  one PARKING SPACE for every 55.0m <sup>2</sup> of GFA  one PARKING SPACE for every 30.0m <sup>2</sup> of GFA  one PARKING SPACE for every 25.0m <sup>2</sup> of GFA
RETIREMENT RESIDENCE	one PARKING SPACE for every 2 private suites
SERVICE SHOP	one PARKING SPACE for every 37.0m <sup>2</sup> of GFA
SHOPPING CENTRE	one PARKING SPACE for every 25.0m <sup>2</sup> of GFA
Any USE permitted in all industrial ZONES that is not specifically listed in this table	one PARKING SPACE for every 65.0m <sup>2</sup> of GFA
Any USE permitted in all other ZONES that is not specifically listed in this table	One PARKING SPACE for every 30.0m <sup>2</sup> of GFA

**5.15.10****Barrier-free PARKING SPACE Requirements:**

Barrier-free PARKING SPACES meeting the REGULATIONS in Section 5.15.10.1 must be provided whenever a REGULATION associated with a USE requires 20 or more PARKING SPACES.

**5.15.10.1**

**Barrier-free Parking REGULATIONS:** This Section 5.15.10.1 sets out the REGULATIONS for the provision of barrier-free PARKING SPACES required by Section 5.15.10.



- (a) All barrier-free PARKING SPACES must be rectangular in shape with a minimum width of 3.4m and a minimum length of 6.0m.
- (b) A minimum of one access PARKING AISLE, being 1.6m in width and 6.0m in length, is required adjacent to a designated barrier-free PARKING SPACE, on one of the long sides of the rectangular PARKING SPACE.
- (c) The minimum vertical clearance of a designated barrier-free PARKING SPACE is 3.0m.
- (d) The minimum width of a curb cut connecting a designated barrier-free PARKING SPACE to above GRADE sidewalks is 1.4m.
- (e) The maximum distance between a barrier-free PARKING SPACE and a barrier-free BUILDING entrance is 45.0m.
- (f) Barrier free PARKING SPACES must be provided on the same LOT as the MAIN USE they serve.
- (g) All designated barrier-free PARKING SPACES must be identified and/or marked in accordance with APPLICABLE LAW.
- (h) For HOSPITALS, MEDICAL OFFICES, LONG-TERM CARE FACILITIES, RETIREMENT RESIDENCES, and DAY CARE FACILITIES, 3% of the number of required PARKING SPACES must be comprised of barrier-free PARKING SPACES that meet the REGULATIONS in this Section 5.15.
- (i) For all USES other than those in (h) above, 2% of the number of required PARKING SPACES must be comprised of barrier-free PARKING SPACES that meet the REGULATIONS in this Section 5.15.

### 5.15.11

#### **Bus PARKING SPACE Substitution:**

With the prior approval of the CORPORATION's Transit Division, the owner of a LOT may provide one bus stop area in substitution for some of the required PARKING SPACES for the USE on the LOT. A maximum of one bus stop area can be provided for every 20 required PARKING SPACES on the LOT. The maximum number of PARKING SPACES that may be deducted from the minimum required under this Section 5.15.11 shall not exceed 40 PARKING SPACES per LOT. A bus stop area must have a minimum width of 3.75m and a minimum length of 15.0m, excluding entrance and exit tapers.

**5.15.12 Bicycle Space Substitution:**

With the prior approval of the CORPORATION, the owner of a LOT may provide 5 bicycle spaces in substitution for one of the required PARKING SPACES for the USE on the LOT. 20% to a maximum of 5 of the required PARKING SPACES may be replaced by bicycle spaces under this Section 5.15.12

**5.15.13 Landscaping for PARKING SPACE Substitution:**

With the prior approval of the CORPORATION, where it can be demonstrated that 100% of the required number of PARKING SPACES can be accommodated on a LOT, up to 25% of the on site PARKING SPACE requirement, except for barrier-free PARKING SPACES, may be substituted for landscaping. The landscaping used instead of PARKING SPACES must be in addition to any other LANDSCAPED OPEN SPACE requirements in this BY-LAW. In the event that operations on the LOT are such that the owner requires the PARKING SPACES, the landscaping planted instead of same may be removed and replaced with the PARKING SPACES at the owner's sole option.

**5.15.14 Proviso for Sections 5.15.11, 5.15.12 and 5.15.13:** The substitutions in Sections 5.15.11, 5.15.12 and 5.15.13 can not replace any required barrier-free PARKING SPACES. Section 5.15.10 applies in priority to Sections 5.15.11, 5.15.12 and 5.15.13.

**5.15.15 STACKING SPACES:**

For any USE set out in this BY-LAW that specifically requires STACKING SPACES, this Section 5.15.15 provides the REGULATIONS associated with the provision of STACKING SPACES.

- (a) **Required Number of STACKING SPACES:** The minimum number of STACKING SPACES required for particular USES is determined using Table 5.15.15. To use the table, locate the applicable USE in the first column. Read across from that USE to the table cell in the second column that is adjacent to the table cell containing the USE. That table cell will contain a number. That number is the minimum number of STACKING SPACES which must be provided to meet this REGULATION.

<u>USE</u>	<u>Minimum number of STACKING SPACES per USE</u>
(i) RESTAURANT with DRIVE SERVICE UNITS	10
(ii) Car wash, whether automated or full service	8
(iii) Car wash, self serve	3
(iv) FUEL BAR	1 per FUEL PUMP
(v) RETAIL STORE	4
(vi) Other USES involving a DRIVE SERVICE UNIT	3 per DRIVE SERVICE UNIT

- (b) **Location of STACKING SPACES:** STACKING SPACES may not be provided within a REQUIRED FRONT YARD, a REQUIRED EXTERIOR SIDE YARD, within STREET ALLOWANCES, or within 12m of a RESIDENTIAL ZONE.
- (c) **Size of STACKING SPACES:** Each STACKING SPACE must be rectangular in shape with a minimum width of 3.0m and a minimum length of 6.0m.

#### **5.15.16 Offences Related to Parking:**

- (a) No person shall undertake a USE without providing the minimum number of PARKING SPACES, in accordance with the REGULATIONS in this Section 5.15, prescribed for that USE.

No person shall undertake a USE without providing the minimum number of barrier-free PARKING SPACES, in accordance with the REGULATIONS in this Section 5.15, prescribed for that USE.

#### **5.15.17 Offences Related to Stacking:**

No person shall undertake a USE without providing the minimum number of STACKING SPACES, in accordance with the REGULATIONS in this Section 5.15, prescribed for that USE.

## 5.16 **Permitted Projections:**

This Section 5.16 sets out permitted encroachments into REQUIRED YARDS or into SEPARATION DISTANCES. Anything encroaching into a REQUIRED YARD or into a required SEPARATION DISTANCE that is not listed in the first column of Table 5.16 is not permitted.

The maximum amount by which a feature or object can project into a REQUIRED YARD or a SEPARATION DISTANCE is determined using Table 5.16.

To use the table, locate the object that is encumbering the YARD or SEPARATION DISTANCE in the first column of the table.

Read across from that object to the table cell in the second column that is adjacent to the table cell containing the object. That table cell will contain a measurement and/or other descriptor. Any measurement shown is the maximum amount by which the object in the first column is permitted to project into any prescribed REQUIRED YARD, or the prescribed REQUIRED YARDS specified in that second column of the table. Projections greater than the maximum will not meet the requirements of the REGULATIONS.

Continuing to read across the table to the next adjacent table cell reveals a further measurement and/or other descriptor. Any measurement shown is the minimum distance that the object specified in the first column is permitted to be located from the nearest LOT LINE in circumstances where it is projecting into either a REQUIRED YARD or a SEPARATION DISTANCE.

Projections resulting in a distance smaller than the minimum specified will not meet the requirements of the REGULATIONS, even if the requirements relating to maximum encroachments for either REQUIRED YARDS or SEPARATION DISTANCES were met.

Continuing to read across the table to the next adjacent table cell reveals a further measurement and/or other descriptor. Any measurement shown is the maximum amount by which the object in the first column is permitted to project into any prescribed SEPARATION DISTANCE. Projections greater than the maximum will not meet the requirements of the REGULATIONS.

In order to obtain the permission for an object to project into a REQUIRED YARD or to encroach into a SEPARATION DISTANCE granted by this Section 5.16, the object in the first column of Table 5.16 must meet the REGULATION prescribed in all three of the other columns in the table.

<b>Table 5.16 – Permitted Projections</b>			
	<b>Maximum encroachment into REQUIRED YARD</b>	<b>Minimum Distance from LOT LINE</b>	<b>Maximum encroachment into Required SEPARATION DISTANCE</b>
ARCHITECTURAL FEATURES	0.6m	0.3m	0.6m
Addition of exterior finishing onto an existing BUILDING or STRUCTURE	0.15m	0.45m	0.15m
Fire Escape	1.2m	0.3m	1.2m
DECK	1.5m, into REQUIRED FRONT YARD or REQUIRED REAR YARDS only	1.5m	No Maximum
LANDINGS, Stairs and Wheel Chair Ramps/Lifts	No Maximum	No Minimum	No Maximum
Balconies	1.5m, into REQUIRED FRONT YARD or REQUIRED REAR YARDS only	1.5m	No Maximum
PATIO	No Maximum except level of finished floor must be at ground level within REQUIRED SIDE YARDS	1.5m in REQUIRED FRONT YARDS only	No Maximum
BUILDINGS and STRUCTURES dependant on WATER ACCESS, including MARINAS or docking facilities or boathouses.	No limit where a LOT LINE abuts a navigable water way	No Minimum	No Maximum
Mechanical Equipment, including heat pumps, air conditioners, pool pumps, pool heaters and air exchangers	1.5m into any YARD except for the REQUIRED FRONT YARD	0.6m	No Maximum

	<b>Maximum encroachment into REQUIRED YARD</b>	<b>Minimum Distance from LOT LINE</b>	<b>Maximum encroachment into Required SEPARATION DISTANCE</b>
FUEL BAR canopies	No Maximum	2.0m	No Maximum
FUEL BAR Fuel Pump Islands	No Maximum	5.0m	No Maximum
Outdoor pools (above ground or in ground)	No Maximum into REQUIRED REAR and REQUIRED INTERIOR SIDE YARDS only	1.5m	No Maximum
Clotheslines, flagpoles	No Maximum	No Minimum	No Maximum
PERSONAL COMMUNICATION DEVICES	0.6m	One m	No Minimum

**5.16.1 Defence Related to Encroachments:** It is a defence to an accusation that a person has not maintained a REQUIRED YARD or a REQUIRED SEPARATION DISTANCE if the accusation relates to an object in the first column of Table 5.16 that is being maintained in accordance with the REGULATIONS in the second, third and fourth columns of Table 5.16.

**5.17 Exemptions from all HEIGHT REGULATIONS:**

The HEIGHT REGULATIONS in this BY-LAW do not apply to church spires, clothes line poles, flag poles, COMMUNICATION DEVICES operated as a PRIVATE UTILITY, ventilators, silos, sky lights, chimneys, smoke stacks, clock towers, power generation and supply facilities (including POWER DISTRIBUTION STATIONS, POWER GENERATING STATIONS and POWER MAIN TRANSFORMER STATIONS), roof projections that are used only as ARCHITECTURAL FEATURES, enclosures to house mechanical equipment, water storage tanks, or parapet walls with a maximum projection above the roof of one metre. This Section applies to the land regulated by Section 5.7 of this BY-LAW.

## **5.18 Refuse and Recycling Bins and Containers:**

### **5.18.1 Required PRIVACY SCREEN:**

All outdoor refuse and recycling bins or containers in ZONES other than RU1, RU2, IN3, and IN4 ZONES require a PRIVACY SCREEN in the form of a fence or similar construction to screen from adjacent STREETS and LOTS. All screening must be a minimum HEIGHT that is equivalent to the HEIGHT of the refuse or recycling bin. The PRIVACY SCREEN may include a gate, constructed in a similar manner as the PRIVACY SCREEN, and located in front of an unobstructed access aisle.

### **5.18.2 Required Access:**

An unobstructed access aisle with a minimum width of 3m and a minimum vertical clearance of 7.5m is required for refuse and recycling bins or containers. A gate in any PRIVACY SCREEN required by Section 5.18.1 does not constitute an "obstruction" for the purposes of this Section 5.18.2.

### **5.18.3 Location:**

Refuse and recycling bins or containers are not permitted within a REQUIRED FRONT YARD. Despite Section 5.16, refuse and recycling bins or containers may encroach into any other REQUIRED YARD, provided that YARD does not abut a STREET, and provided that they are located a minimum of 1.5m from any LOT LINE.

### **5.18.4 Offences Related to Refuse and Recycling Bins:** No person shall maintain or use a refuse or recycling bin without meeting the requirements of the REGULATIONS in Sections 5.18.1 through 5.18.3.

## **5.19 Signs**

Unless specifically prohibited elsewhere in this BY-LAW, a sign is permitted in all ZONES in accordance with the CORPORATION's Sign By-law.

## **5.20 Split Zoning**

Where a LOT has more than one ZONE applying to it, the REGULATIONS in this Section 5.20 apply.

**Split ZONES:** This Section 5.20 applies where the passage of this BY-LAW resulted in more than one ZONE applying to a LOT.

- (a) Where the MAIN USE is permitted in all of the ZONES that now apply to the LOT, the REGULATIONS associated with the ZONE where 50% or more of the MAIN USE, BUILDING or STRUCTURE is, or is intended to be, located apply.

- (b) When the MAIN USE is not permitted in all of the ZONES that now apply to the LOT, the total LOT may be used to satisfy the REGULATIONS of this BY-LAW. Despite that provision, no PARKING LOT, nor any BUILDINGS or STRUCTURES, are permitted on the portion of the LOT located in the ZONE where the MAIN USE is not permitted.

**5.21 Storage of COMMERCIAL VEHICLES and HEAVY EQUIPMENT:**

Unless permitted by Section 5.8.3.4 of this BY-LAW, the OUTDOOR STORAGE of COMMERCIAL VEHICLES and/or HEAVY EQUIPMENT is not permitted in a RESIDENTIAL ZONE.

**5.21.1 Offences Related to OUTDOOR STORAGE:** No person shall USE any LOT in a RESIDENTIAL ZONE for the OUTDOOR STORAGE of COMMERCIAL VEHICLES and/or HEAVY EQUIPMENT contrary to Section 5.21.

**5.22 Temporary USES**

**5.22.1 Construction USES**

Temporary BUILDINGS, STRUCTURES, and OUTDOOR STORAGE associated with construction are permitted for as long as the work continues or as long as the Building PERMIT for the construction is valid, whichever time period is shorter. No temporary BUILDING or STRUCTURE may be used for human habitation. Where work at the construction site is idle for a period of 2 consecutive weeks without a plausible cause (including illness or inclement weather), the work will be considered to have been discontinued for the purposes of this Section 5.22.1.

**5.22.2 Garden Centres**

Temporary garden centres, including greenhouses, for the seasonal sale of flowers, plants, shrubs, trees and other garden materials and landscape products are permitted for one period of a maximum of 120 days between May and October provided that:

- (a) the greenhouse is associated with a RETAIL STORE or FOOD STORE which is permitted on the LOT;
- (b) all REQUIRED YARDS and SEPARATION DISTANCES are met; and
- (c) the combined area of the greenhouse and associated OUTDOOR DISPLAY does not exceed 10% of the required PARKING SPACES.



**5.22.3**      **GARDEN SUITES**

A temporary use by-law must be passed to establish REGULATIONS for a GARDEN SUITE. GARDEN SUITES are not permitted without the requisite temporary use by-law.

**5.22.4**      **Offences Related to Temporary USES:**

- (a) No person shall establish or use BUILDINGS, STRUCTURES or OUTDOOR STORAGE associated with a construction project without meeting the requirements of the REGULATIONS in Section 5.22.1.
- (b) No person shall establish or use a temporary greenhouse without meeting the requirements of the REGULATIONS in Section 5.22.2.
- (c) No person shall establish or use a GARDEN SUITE without meeting the requirements of the REGULATIONS in Section 5.22.3.

**5.23**      **Public USES**

**5.23.1**      **USES by PUBLIC AUTHORITIES:** Subject to the REGULATIONS in this Section 5.23, nothing in this BY-LAW applies to prevent the USE of any land or the erection or USE of any BUILDING or STRUCTURE by a PUBLIC AUTHORITY for a public USE within that authority's jurisdiction.

**5.23.2**      **Public USES in RESIDENTIAL ZONES:** Where Section 5.23.1 authorizes a USE in a RESIDENTIAL ZONE that would not otherwise be permitted, the following REGULATIONS apply to that USE:

- (a) no OUTDOOR STORAGE is permitted;
- (b) the REGULATIONS prescribed for a USE that is most similar to the USE being authorized will be complied with to the furthest extent possible; and
- (c) any BUILDING or STRUCTURE erected shall be designed and maintained wherever possible in general harmony with the BUILDINGS or STRUCTURES permitted in the ZONE in which it is located.

**5.23.3**      **Public USES and the OFFICIAL PLAN:** Section 5.23.1 cannot be interpreted to permit the USE of land or the erection or use of BUILDINGS or STRUCTURES in contravention of the OFFICIAL PLAN.

**5.23.4**      **Public USES and the Provincial Policy Statement:** Section 5.23.1 cannot be interpreted to permit the USE of land or the erection or use of BUILDINGS or STRUCTURES in contravention of the Provincial Policy Statement issued in

accordance with the *Planning Act*.

**5.23.5**      **Public UTILITIES:** Nothing in this BY-LAW interferes with the construction, maintenance, and operation of any UTILITY in any ZONE, provided that, except for a POWER DISTRIBUTION STATION, no BUILDING or STRUCTURE associated with that UTILITY exceeds a maximum GFA of 140.0m<sup>2</sup>. However, if a particular UTILITY is specifically permitted in a ZONE, then all the REGULATIONS of the ZONE apply.

**5.23.6**      **Temporary Pits and/or Quarries**

A minimum SEPARATION DISTANCE of 30.0m is required between a temporary pit and/or quarry operated by a PUBLIC AUTHORITY and any LOT LINE.

**5.23.7**      **Offence:**

No PUBLIC AUTHORITY shall establish or use BUILDINGS, STRUCTURES or OUTDOOR STORAGE in contravention of the REGULATIONS in Sections 5.23.2, 5.23.3, 5.23.4 and 5.23.6.

**5.23.8**      **PRIVATE UTILITIES:** Nothing in this BY-LAW interferes with the construction, maintenance, and operation of any PRIVATE UTILITY in any ZONE, provided that no BUILDING or STRUCTURE associated with such PRIVATE UTILITY exceeds a maximum GFA of 140.0m<sup>2</sup>. However, if a PRIVATE UTILITY is specifically permitted in a ZONE, then all the REGULATIONS of the ZONE apply.

**5.23.9**      **Offence:**

No person shall establish or use a PRIVATE UTILITY in contravention of the REGULATIONS in Section 5.23.8.

## **SECTION 6   RU1 – RURAL AREA ZONE**

### **6.1      Permitted USES**

No person shall, within any RU1 ZONE, use any land, or erect or use any BUILDING or STRUCTURE for any purpose or USE other than the USES listed below:

- AGRICULTURAL USE;
- ANIMAL BOARDING FACILITY;
- ANIMAL CARE FACILITY;
- EMERGENCY SERVICES FACILITY;
- KENNEL;
- NURSERY;
- PARK;
- RECREATION FACILITY;
- RESIDENTIAL CARE FACILITY ONE;
- RESIDENTIAL CARE FACILITY TWO;
- Riding and/or Boarding Stables; or
- SINGLE DETACHED DWELLING which may include a PERSONAL FARM.

### **6.2      REGULATIONS**

**6.2.1      Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any RU1 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 6.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable permitted USE. The measurement in that table cell is the one that applies to the REGULATION in the first column and the permitted USE in question.

The second column of the table prescribes building envelope REGULATION measurements for all USES permitted in the ZONE unless a specific USE is specified in the third column. The measurement in the second column is superceded by any measurements in the third column with respect to specific USES referenced.

<b>Table 6.2.1</b>	All permitted USES unless otherwise specified	RCF1, RCF2, SINGLE DETACHED DWELLING or PERSONAL FARM
Minimum REQUIRED LOT FRONTAGE	90.0m	60.0m
Minimum REQUIRED LOT AREA	20,000m <sup>2</sup>	20,000m <sup>2</sup>
Minimum REQUIRED FRONT YARD	15.0m	10.0m
Minimum REQUIRED REAR YARD	15.0m	10.0m
Minimum REQUIRED EXTERIOR SIDE YARD	15.0m	6.0m
Minimum REQUIRED INTERIOR SIDE YARD	15.0m	3.0m
Maximum HEIGHT	15.0m	10.0m
Minimum SEPARATION DISTANCE between LOTS occupied by an RCF	Not applicable	960.0m

## 6.2.2 Maximum number of MAIN USES per LOT

- (a) **Smaller LOTS:** LOTS with LOT FRONTAGE of less than 90.0m can be used for a maximum of one permitted USE.
- (b) **Larger LOTS:** LOTS with a LOT FRONTAGE of 90.0m or more can be used for a maximum of one permitted USE, however, a SINGLE DETACHED DWELLING is permitted in combination with a second permitted USE.
- (c) **Offence:** No person shall, within any RU1 ZONE, use any land, or erect or use any BUILDING or STRUCTURE as or for more than one permitted USE without meeting the requirements of the REGULATIONS in Sections 6.2.2(a) or (b), as applicable.

### 6.2.3 **Maximum number of, and SEPARATION DISTANCES between, MAIN BUILDINGS**

- (a) **Smaller LOTS:** LOTS with LOT FRONTAGE of 90.0m or less can be used for a maximum of one MAIN BUILDING.
- (b) **Larger LOTS:** On LOTS with LOT FRONTAGE of more than 90.0m there is no limit to the number of MAIN BUILDINGS that can be erected on the LOT, however, a maximum of one SINGLE DETACHED DWELLING is permitted. A minimum SEPARATION DISTANCE of 6.0m must be provided between MAIN BUILDINGS on the LOT.
- (c) **Offence:** No person shall, within any RU1 ZONE, use any land, or erect or use more than one MAIN BUILDING on a LOT without meeting the requirements of the REGULATIONS in Sections 6.2.3(a) or (b), as applicable.

### 6.2.4 **PERSONAL FARM REGULATIONS**

- (a) **LOT Size:** Despite Section 5.11, a PERSONAL FARM is not permitted on a LOT that does not meet the minimum LOT size REGULATIONS of Section 6.2.1.
- (b) **SEPARATION DISTANCES to neighbouring DWELLINGS(1):** A minimum SEPARATION DISTANCE of 85.0m is required between a BUILDING or STRUCTURE used for the feeding, raising or breeding of LIVESTOCK and a DWELLING on another LOT.
- (c) **SEPARATION DISTANCES to neighbouring DWELLINGS (2):** A minimum SEPARATION DISTANCE of 85.0m is required between a manure pit or manure storage facility and a DWELLING on another LOT.
- (d) **Offences Related to PERSONAL FARMS:** No person shall, within any RU1 ZONE, establish or use a PERSONAL FARM without meeting the requirements of the REGULATIONS in Sections 6.2.4(a), (b) and (c).

- 6.2.4.1 **Building PERMIT Prohibition:** No building PERMIT shall be granted for the construction of a DWELLING that is closer than 85.0m from a BUILDING or STRUCTURE on a PERSONAL FARM that is used for the feeding, raising or breeding of LIVESTOCK, or that is closer than 85.0m to a manure pit or manure storage facility on a PERSONAL FARM if the proposed DWELLING is not located on the same LOT as the PERSONAL FARM.

### 6.2.5 **AGRICULTURAL USE REGULATIONS:**

- (a) **SEPARATION DISTANCE (1):** A minimum SEPARATION DISTANCE of 150.0m is required between a BUILDING or STRUCTURE used for the feeding, keeping, raising or breeding of LIVESTOCK related to an AGRICULTURAL USE and a DWELLING on another LOT.
- (b) **SEPARATION DISTANCE (2):** A minimum SEPARATION DISTANCE of 150m is required between a manure pit or manure storage facility related to an AGRICULTURAL USE and a DWELLING on another LOT.
- (c) **Offences Related to AGRICULTURAL USES:** No person shall, within any RU1 ZONE, undertake an AGRICULTURAL USE without meeting the requirements of the REGULATIONS in Section 6.2.5(a) or (b).

**6.2.5.1 Building PERMIT Prohibition:** No building PERMIT shall be granted for the construction of a DWELLING in an RU1 ZONE that is closer than 150.0m from a BUILDING or STRUCTURE that is used for the feeding, raising or breeding of LIVESTOCK associated with an AGRICULTURAL USE, or that is closer than 150.0m to a manure pit or manure storage facility associated with an AGRICULTURAL USE if the proposed DWELLING is not located on the same LOT as the AGRICULTURAL USE.

**SECTION 7**      **RU2 – RURAL RESIDENTIAL ZONE****7.1**      **Permitted USES**

No person shall within any RU2 ZONE use any land or erect or use any BUILDING or STRUCTURE for any purpose or USE other than the USES listed below:

- ANIMAL BOARDING FACILITY;
- EMERGENCY SERVICES FACILITY;
- NURSERY;
- PARK;
- RECREATION FACILITY;
- RESIDENTIAL CARE FACILITY ONE; or
- SINGLE DETACHED DWELLING which may include a PERSONAL FARM.

**7.2**      **REGULATIONS**

**7.2.1**      **Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any RU2 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 7.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable permitted USE. The measurement in that table cell is the one that applies to the REGULATION in the first column and the permitted USE in question.

The second column of the table prescribes building envelope REGULATION measurements for all USES permitted in the ZONE unless a specific USE is specified in the third column. The measurement in the second column is superceded by any measurements in the third column with respect to specific USES referenced.

<b>Table 7.2.1</b>	All permitted USES unless otherwise specified	RCF1, SINGLE DETACHED DWELLING without a PERSONAL FARM
Minimum REQUIRED LOT FRONTAGE	60.0m	60.0m
Minimum REQUIRED LOT AREA	20,000m <sup>2</sup>	10,000m <sup>2</sup>
Minimum REQUIRED FRONT YARD	10.0m	10.0m
Minimum REQUIRED REAR YARD	10.0m	10.0m
Minimum REQUIRED EXTERIOR SIDE YARD	6.0m	6.0m
Minimum REQUIRED INTERIOR SIDE YARD	3.0m	3.0m
Maximum HEIGHT	10.0m	10.0m
Minimum SEPARATION DISTANCE between LOTS occupied by an RCF	Not Applicable	960.0m

### 7.2.2 Maximum number of MAIN USES per LOT

No person shall, within any RU2 ZONE, use any land, or erect or use any BUILDING or STRUCTURE such that there is more than one permitted USE on a LOT.

### 7.2.3 Maximum number of MAIN BUILDINGS per LOT

No person shall, within any RU2 ZONE, use any land, or erect or use any BUILDING or STRUCTURE such that there is more than one MAIN BUILDING on a LOT.

### 7.2.4 PERSONAL FARM REGULATIONS

- (a) **LOT Size:** Despite Section 5.11, a PERSONAL FARM is not permitted in an RU2 ZONE on a LOT that does not meet the minimum LOT size REGULATIONS of Section 7.2.1.



- (b) **SEPARATION DISTANCES to neighbouring DWELLINGS(1):** A minimum SEPARATION DISTANCE of 85.0m is required between a BUILDING or STRUCTURE used for the feeding, keeping, raising or breeding of LIVESTOCK and a DWELLING on another LOT.
- (c) **SEPARATION DISTANCES to neighbouring DWELLINGS(2):** A minimum SEPARATION DISTANCE of 85.0m is required between a manure pit or manure storage facility and a DWELLING on another LOT.
- (d) **Offences Related to PERSONAL FARMS:** No person shall establish or use a PERSONAL FARM in an RU2 ZONE without meeting the requirements of the REGULATIONS in Sections 7.2.4(a), (b) and (c), as applicable.

**7.2.4.1 Building PERMIT Prohibition:** No building PERMIT shall be granted for the construction of a DWELLING in an RU2 ZONE that is closer than 85.0m from a BUILDING or STRUCTURE on a PERSONAL FARM that is used for the feeding, raising or breeding of LIVESTOCK, or that is closer than 85.0m to a manure pit or manure storage facility on a PERSONAL FARM if the proposed DWELLING is not located on the same LOT as the PERSONAL FARM.

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**SECTION 8**    **R1 –RESIDENTIAL ZONE ONE****8.1**            **Permitted USES:**

No person shall within any R1 ZONE use any land or erect or use any BUILDING or STRUCTURE for any purpose or USE other than the USES listed below:

- PARK;
- RESIDENTIAL CARE FACILITY ONE;
- SINGLE DETACHED DWELLING;
- DUPLEX DWELLING legally existing on January 1, 2011; or
- SEMI-DETACHED DWELLING legally existing on January 1, 2011.

**8.2**            **REGULATIONS**

**8.2.1**            **Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any R1 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 8.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable type of LOT. The measurement in that table cell is the one that applies to the REGULATION in the first column and the type of LOT in question.

<b>Table 8.2.1</b>	LOTS without MUNICIPAL SERVICES	LOTS with MUNICIPAL WATER SERVICE and without MUNICIPAL SEWAGE SERVICE	LOTS with MUNICIPAL SERVICES
Minimum REQUIRED LOT FRONTAGE	60.0m	30.0m	12.0m
Minimum REQUIRED LOT DEPTH	none	none	30.0m
Minimum REQUIRED LOT AREA	10,000m <sup>2</sup>	2,100m <sup>2</sup>	420m <sup>2</sup>
Minimum REQUIRED FRONT YARD	10.0m	10.0m	6.0m or average FRONT YARD of existing adjacent USES being no less than 1.5m
Minimum REQUIRED REAR YARD	10.0m	10.0m	6.0m
Minimum REQUIRED EXTERIOR SIDE YARD	6.0m	6.0m	3.0m
Minimum REQUIRED INTERIOR SIDE YARD with ATTACHED garage or carport	3.0m	3.0m	10% of the frontage or 1.5 m, whichever is the lesser
Minimum REQUIRED INTERIOR SIDE YARD without ATTACHED garage or carport	3.0m	3.0m	3.0m for one INTERIOR SIDE YARD and 10% of the frontage or 1.5m, whichever is the lesser, for each subsequent INTERIOR SIDE YARD
Maximum LOT COVERAGE	none	none	35.0%
Minimum LANDSCAPED OPEN SPACE in REQUIRED FRONT YARD	50% of REQUIRED FRONT YARD	50% of REQUIRED FRONT YARD	50% of REQUIRED FRONT YARD
Maximum HEIGHT	10.0m	10.0m	10.0m
Minimum SEPARATION DISTANCE between LOTS occupied by an RCF	960.0m	480.0m	240.0m

**8.2.2 Maximum number of MAIN USES per LOT**

No person shall, within any R1 ZONE, use any land, or erect or use any BUILDING or STRUCTURE such that there is more than one permitted USE on a LOT.

**8.2.3 Maximum number of MAIN BUILDINGS per LOT**

No person shall, within any R1 ZONE, use any land, or erect or use any BUILDING or STRUCTURE such that there is more than one MAIN BUILDING on a LOT.

## **SECTION 9**      **R2 – RESIDENTIAL ZONE 2**

### **9.1**

#### **a) Permitted USES:**

No person shall within any R2 ZONE use any land or erect or use any BUILDING or STRUCTURE for any purpose or USE other than the USES listed below:

- CONVERTED DWELLING;
- DUPLEX DWELLING;
- PARK;
- RESIDENTIAL CARE FACILITY ONE;
- SINGLE DETACHED DWELLING; or
- SEMI-DETACHED DWELLING.

#### **b) Additional Permitted USE:**

In addition to the USES permitted in Section 9.1(a), an APARTMENT DWELLING with a maximum of 4 DWELLING UNITS is permitted on a CORNER LOT.

### **9.2**

## **REGULATIONS**

#### **9.2.1**

**Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any R2 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 9.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable permitted USE. The measurement in that table cell is the one that applies to the REGULATION in the first column and the permitted USE in question.

The second column of the table prescribes building envelope REGULATION measurements for all USES permitted in the ZONE unless a specific USE is specified in the third or following columns. The measurement in the second column is superceded by any measurements in the third or following columns with respect to specific USES referenced.

<b>Table 9.2.1</b>	All permitted USES unless otherwise specified	CONVERTED DWELLING	SEMI-DETACHED DWELLING	APARTMENT DWELLING	SINGLE DETACHED DWELLING
Minimum REQUIRED LOT FRONTAGE	15.0m	10.0m for 2 DWELLING UNITS and 15.0m for 3 or more DWELLING UNITS	7.5m per DWELLING UNIT	22.0m	10.0m
Minimum REQUIRED LOT DEPTH	30.0m	30.0m	30.0m	30.0m	30.0m
Minimum REQUIRED LOT AREA	450.0m <sup>2</sup>	300.0m <sup>2</sup> for 2 DWELLING UNITS, 450.0m <sup>2</sup> for 3 DWELLING UNITS, and 90.0m <sup>2</sup> for each additional DWELLING UNIT over 3	225.0m <sup>2</sup> per DWELLING UNIT	660.0m <sup>2</sup>	300.0m <sup>2</sup>
Minimum REQUIRED FRONT YARD	6.0m or average FRONT YARD of existing adjacent USES being no less than 1.5m	6.0m or average FRONT YARD of existing adjacent USES being no less than 1.5m	6.0m or average FRONT YARD of existing adjacent USES being no less than 1.5m	6.0m or average FRONT YARD of existing adjacent USES being no less than 3.0m	6.0m or average FRONT YARD of existing adjacent USES being no less than 1.5m
Minimum REQUIRED REAR YARD	20.0% of LOT DEPTH	20.0% of LOT DEPTH	20.0% of LOT DEPTH	20.0% of LOT DEPTH	20.0% of LOT DEPTH
Minimum REQUIRED EXTERIOR SIDE YARD	3.0m	3.0m	3.0m	3.0m	3.0m
Minimum REQUIRED INTERIOR SIDE YARD with ATTACHED garage or carport	10% of the frontage or 1.5 m, whichever is the lesser	10% of the frontage or 1.5 m, whichever is the lesser	10% of the frontage or 1.5 m, whichever is the lesser, and 0.0 m along the common LOT LINE	10% of the frontage or 1.5 m, whichever is the lesser	10% of the frontage or 1.5 m, whichever is the lesser

<b>Table 9.2.1 (continued)</b>	All permitted USES unless otherwise specified	CONVERTED DWELLING	SEMI- DETACHED DWELLING	APARTMENT DWELLING	SINGLE DETACHED DWELLING
Minimum REQUIRED INTERIOR SIDE YARD without ATTACHED garage or carport	3.0m for one INTERIOR SIDE YARD and 10% of the frontage or 1.5m, whichever is the lesser, for each subsequent INTERIOR SIDE YARD	3.0m for one INTERIOR SIDE YARD and 10% of the frontage or 1.5m, whichever is the lesser, for each subsequent INTERIOR SIDE YARD	3.0m for one INTERIOR SIDE YARD and 10% of the frontage or 1.5m, whichever is the lesser, for each subsequent INTERIOR SIDE YARD and 0.0 m along the common LOT LINE	3.0m for one INTERIOR SIDE YARD and 10% of the frontage or 1.5m, whichever is the lesser, for each subsequent INTERIOR SIDE YARD	3.0m for one INTERIOR SIDE YARD and 10% of the frontage or 1.5m, whichever is the lesser, for each subsequent INTERIOR SIDE YARD
Maximum LOT COVERAGE	40.0%	40.0%	40.0%	40.0%	40.0%
Minimum LANDSCAPED OPEN SPACE	50% of REQUIRED FRONT YARD	50% of REQUIRED FRONT YARD	50% of REQUIRED FRONT YARD	20% of LOT AREA and a 3.0 m wide strip along all STREET LINES	50% of REQUIRED FRONT YARD
Maximum HEIGHT	12.0m	12.0m	12.0m	12.0m	12.0m
Minimum SEPARATION DISTANCE between LOTS occupied by an RCF	240.0m	Not Applicable	Not Applicable	Not Applicable	Not Applicable

### **9.2.2      Maximum number of MAIN USES per LOT**

No person shall, within any R2 ZONE, use any land, or erect or use any BUILDING or STRUCTURE such that there is more than one permitted USE on a LOT.

### **9.2.3      Maximum number of MAIN BUILDINGS per LOT**

No person shall, within any R2 ZONE, use any land, or erect or use any BUILDING or STRUCTURE such that there is more than one MAIN BUILDING on a LOT.

## **SECTION 10**      **R3 – RESIDENTIAL ZONE THREE**

### **10.1**

#### **a) Permitted USES**

No person shall within any R3 ZONE use any land or erect or use any BUILDING or STRUCTURE for any purpose or USE other than the USES listed below:

- CONVERTED DWELLING;
- DUPLEX DWELLING;
- PARK;
- RESIDENTIAL CARE FACILITY ONE;
- SEMI-DETACHED DWELLING; or
- SINGLE DETACHED DWELLING.

#### **b) Additional Permitted USE:**

In addition to the USES permitted in Section 10.1 (a), an APARTMENT DWELLING with a maximum of 4 DWELLING UNITS is permitted on a CORNER LOT.

### **10.2**

#### **REGULATIONS**

#### **10.2.1**

**Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any R3 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 10.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable permitted USE. The measurement in that table cell is the one that applies to the REGULATION in the first column and the permitted USE in question.

The second column of the table prescribes building envelope REGULATION measurements for all USES permitted in the ZONE unless a specific USE is specified in the third or following columns. The measurement in the second column is superceded by any measurements in the third or following columns with respect to specific USES referenced.



<b>Table 10.2.1</b>	All permitted USES unless otherwise specified	CONVERTED DWELLING	SEMI-DETACHED DWELLING or DUPLEX DWELLING	APARTMENT DWELLING	SINGLE DETACHED DWELLING
Minimum REQUIRED LOT FRONTAGE	15.0m	10.0m for 2 DWELLING UNITS and 15.0m for 3 or more DWELLING UNITS	9.0m per DWELLING UNIT	22.0m	15.0m
Minimum REQUIRED LOT DEPTH	30.0m	30.0m	30.0m	30.0m	30.0m
Minimum REQUIRED LOT AREA	450.0m <sup>2</sup>	300.0m <sup>2</sup> for 2 DWELLING UNITS, 450.0m <sup>2</sup> for 3 DWELLING UNITS, and 90.0m <sup>2</sup> for each additional DWELLING UNIT over 3	270.0m <sup>2</sup> per DWELLING UNIT	660.0m <sup>2</sup> for 3 DWELLING UNITS or 800.0m <sup>2</sup> for 4 DWELLING UNITS	450.0m <sup>2</sup>
Minimum REQUIRED FRONT YARD	6.0m	6.0m	6.0m	6.0m	6.0m
Minimum REQUIRED REAR YARD	6.0m	6.0m	6.0m	6.0m	6.0m
Minimum REQUIRED EXTERIOR SIDE YARD	3.0m	3.0m	3.0m	3.0m	3.0m
Minimum REQUIRED INTERIOR SIDE YARD with ATTACHED garage or carport	1.5 m	1.5 m	1.5 m and 0.0 m along the common LOT LINE	1.5 m	1.5 m
Minimum REQUIRED INTERIOR SIDE YARD without ATTACHED garage or carport	3.0m for one INTERIOR SIDE YARD and 1.5m for each subsequent INTERIOR SIDE YARD	3.0m for one INTERIOR SIDE YARD and 1.5m for each subsequent INTERIOR SIDE YARD	3.0m for one INTERIOR SIDE YARD and 1.5m for each subsequent INTERIOR SIDE YARD and 0.0 m along the common LOT LINE	3.0m for one INTERIOR SIDE YARD and 1.5m for each subsequent INTERIOR SIDE YARD	3.0m for one INTERIOR SIDE YARD and 1.5m for each subsequent INTERIOR SIDE YARD
Maximum LOT COVERAGE	35.0%	35.0%	35.0%	35.0%	35.0%

<b>Table 10.2.1 Continued</b>	All permitted USES unless otherwise specified	CONVERTED DWELLING	SEMI- DETACHED DWELLING or DUPLEX DWELLING	APARTMENT DWELLING	SINGLE DETACHED DWELLING
Minimum LANDSCAPED OPEN SPACE	50% of REQUIRED FRONT YARD	50% of REQUIRED FRONT YARD	50% of REQUIRED FRONT YARD	20% of LOT AREA and a 3.0 m wide strip along all STREET LINES	50% of REQUIRED FRONT YARD
Maximum HEIGHT	10.0m	10.0m	10.0m	10.0m	10.0m
Minimum SEPARATION DISTANCE between LOTS occupied by an RCF	240.0m	Not Applicable	Not Applicable	Not Applicable	Not Applicable

### **10.2.2      Maximum number of MAIN USES per LOT**

No person shall, within any R3 ZONE, use any land, or erect or use any BUILDING or STRUCTURE such that there is more than one permitted USE on a LOT.

### **10.2.3      Maximum number of MAIN BUILDINGS per LOT**

No person shall, within any R3 ZONE, use any land, or erect or use any BUILDING or STRUCTURE such that there is more than one MAIN BUILDING on a LOT.

## **SECTION 11**      **R4 – RESIDENTIAL PREFABRICATED DWELLING ZONE**

### **11.1**                      **Permitted USES**

No person shall within any R4 ZONE use any land or erect or use any BUILDING or STRUCTURE for any purpose or USE other than a PREFABRICATED DWELLING PARK which may include one or more of the following USES:

- COMMUNITY CENTRE;
- DWELLING UNIT for an essential employee or owner of the PREFABRICATED DWELLING PARK who is required to reside continuously on the premises; or
- PARK.

### **11.2**                      **REGULATIONS**

- 11.2.1**                      (a)      **Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any R4 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 11.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable permitted USE. The measurement in that table cell is the one that applies to the REGULATION in the first column and the type of LOT in question.

The second column of the table prescribes building envelope REGULATION measurements for all USES permitted in the ZONE unless a specific USE is specified in the third or following columns. The measurement in the second column is superceded by any measurements in the third or following columns with respect to specific USES referenced.

- (b)      **Special Interpretation Rule for Table 11.2.1:** The REGULATIONS listed in the first column of Table 11.2.1 and the defined terms in other cells of the table (except those in the second column) are interpreted as if the term "LOT" is replaced with the term "PREFABRICATE DWELLING SPACE", it being acknowledged that the entire PREFABRICATED DWELLING PARK is on one LOT. The measurements in the second column apply to the entire LOT on which

the PREFABRICATED DWELLING PARK is situated. Those in the third and fourth columns refer to the PREFABRICATED DWELLING SPACES.

<b>Table 11.2.1</b>	PREFABRICATED DWELLING PARK	PREFABRICATED DWELLING SPACE within a PREFABRICATED DWELLING PARK with MUNICIPAL SERVICES	PREFABRICATED DWELLING SPACE within a PREFABRICATED DWELLING PARK with MUNICIPAL WATER SERVICES and without MUNICIPAL SEWAGE SERVICES
Minimum REQUIRED LOT FRONTAGE	30.0m	9.0m	15.0m
Minimum REQUIRED LOT AREA	4,000.0m <sup>2</sup>	245.0m <sup>2</sup>	450.0m <sup>2</sup>
Minimum REQUIRED FRONT YARD	10.0m	6.0m	6.0m
Minimum REQUIRED REAR YARD	10.0m	6.0m	6.0m
Minimum REQUIRED EXTERIOR SIDE YARD	10.0m	none	none
Minimum REQUIRED INTERIOR SIDE YARD with ATTACHED garage or carport	3.0m	1.5m	1.5m
Minimum REQUIRED INTERIOR SIDE YARD without ATTACHED garage or carport	3.0m	3.0m for one INTERIOR SIDE YARD and 1.5m for each subsequent INTERIOR SIDE YARD	3.0m for one INTERIOR SIDE YARD and 1.5m for each subsequent INTERIOR SIDE YARD
Maximum LOT COVERAGE	35.0%	35.0%	35.0%
Minimum LANDSCAPED OPEN SPACE in REQUIRED FRONT YARD	50% of REQUIRED FRONT YARD	50% of REQUIRED FRONT YARD	50% of REQUIRED FRONT YARD
Maximum HEIGHT	6.0m	6.0m	6.0m

**11.2.2**            **Maximum number of MAIN USES per PREFABRICATED DWELLING SPACE**

No person shall, within any R4 ZONE, use any land, or erect or use any BUILDING or STRUCTURE such that there is more than one PREFABRICATED DWELLING on any PREFABRICATED DWELLING SPACE.

**11.2.3**            **SEPARATION DISTANCES**

- (a) No person shall, within any R4 ZONE, use any land or erect or use any BUILDING OR STRUCTURE without maintaining a minimum SEPARATION DISTANCE of 6.0m between MAIN BUILDINGS.
  
- (b) No person shall, within any R4 ZONE, use any land or erect or use any BUILDING OR STRUCTURE without maintaining a minimum SEPARATION DISTANCE of 6.0m between any MAIN BUILDING and any PREFABRICATED DWELLING on the LOT.

## **SECTION 12 R5 – RESIDENTIAL FUTURE ZONE**

### **12.1 Permitted USES**

No person shall within any R5 ZONE use any land or erect or use any BUILDING or STRUCTURE for any purpose or USE other than the USES listed below:

- SINGLE DETACHED DWELLING; or
- PARK.

### **12.2 REGULATIONS**

**12.2.1 Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any R5 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 12.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable type of LOT. The measurement in that table cell is the one that applies to the REGULATION in the first column and type of LOT in question.

<b>Table 12.2.1</b>	LOTS without MUNICIPAL SERVICES	LOTS with MUNICIPAL WATER SERVICE and without MUNICIPAL SEWAGE SERVICE	LOTS with MUNICIPAL SERVICES
Minimum REQUIRED LOT FRONTAGE	60.0m	30.0m	15.0m
Minimum REQUIRED LOT AREA	10,000m <sup>2</sup>	2,100m <sup>2</sup>	450m <sup>2</sup>
Minimum REQUIRED FRONT YARD	10.0m	10.0m	6.0m

<b>Table 12.2.1 Continued</b>	<b>LOTS without MUNICIPAL SERVICES</b>	<b>LOTS with MUNICIPAL WATER SERVICE and without MUNICIPAL SEWAGE SERVICE</b>	<b>LOTS with MUNICIPAL SERVICES</b>
Minimum REQUIRED REAR YARD	10.0m	10.0m	6.0m
Minimum REQUIRED EXTERIOR SIDE YARD	10.0m	6.0m	3.0m
Minimum REQUIRED INTERIOR SIDE YARD	3.0m	3.0m	3.0m for one INTERIOR SIDE YARD and 1.5m for each subsequent INTERIOR SIDE YARD
Maximum LOT COVERAGE	none	none	35.0%
Minimum LANDSCAPED OPEN SPACE in Required Front YARD	50% of REQUIRED FRONT YARD	50% of REQUIRED FRONT YARD	50% of REQUIRED FRONT YARD
Maximum HEIGHT	10.0m	10.0m	10.0m

### **12.2.2 Maximum number of MAIN USES per LOT**

No person shall, within any R5 ZONE, use any land, or erect or use any BUILDING or STRUCTURE such that there is more than one permitted USE on a LOT.

### **12.2.3 Maximum number of MAIN BUILDINGS per LOT**

No person shall, within any R5 ZONE, use any land, or erect or use any BUILDING or STRUCTURE such that there is more than one MAIN BUILDING on a LOT.

## **SECTION 13 MU1 – MIXED USE ZONE ONE**

### **13.1 a) Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any MU1 ZONE for any purpose or USE other than the USES listed below:

- APARTMENT DWELLING containing a maximum of 4 DWELLING UNITS;
- CONVERTED DWELLING;
- DAY CARE FACILITY;
- DUPLEX DWELLING;
- LODGING HOUSE;
- PARK;
- RESIDENTIAL CARE FACILITY ONE;
- RESIDENTIAL CARE FACILITY TWO;
- SINGLE DETACHED DWELLING;
- SEMI-DETACHED DUPLEX DWELLING;
- SEMI-DETACHED DWELLING; or
- TOWNHOUSE DWELLING containing a maximum of 4 DWELLING UNITS.

### **b) Additional Permitted USE**

In addition to the USES permitted in Section 13.1(a), the following additional USES are permitted on CORNER LOTS provided that the CORNER LOT is located on either a COLLECTOR or ARTERIAL. Only one of the STREETS defining the CORNER LOT must be a COLLECTOR or ARTERIAL to meet the requirements of this Section:

- FOOD STORE; and
- MIXED USE BUILDING with a maximum of 3 DWELLING UNITS.

## **13.2 REGULATIONS**

**13.2.1 Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any MU1 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 13.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable permitted USE. The measurement in that table cell is the one that



applies to the REGULATION in the first column and the permitted USE in question.

The second column of the table prescribes building envelope REGULATION measurements for all USES permitted in the ZONE unless a specific USE is specified in the third or following columns. The measurement in the second column is superseded by any measurements in the third or following columns with respect to specific USES referenced.

<b>Table 13.2.1</b>	All permitted USES unless otherwise specified	CONVERTED DWELLING	SEMI-DETACHED DWELLING or DUPLEX DWELLING	APARTMENT DWELLING or SEMI-DETACHED DUPLEX DWELLING	TOWNHOUSE DWELLING	FOOD STORE or MIXED USE BUILDING
Minimum REQUIRED LOT FRONTAGE	15.0m	10.0m for 2 DWELLING UNITS and 15.0m for 3 or more DWELLING UNITS	9.0m per DWELLING UNIT	5.5m per DWELLING UNIT	6.0m for each interior DWELLING UNIT  7.5m for each exterior DWELLING UNIT	15.0m
Minimum REQUIRED LOT DEPTH	30.0m	30.0m	30.0m	30.0m	30.0m	30.0m
Minimum REQUIRED LOT AREA	450.0m <sup>2</sup>	300.0m <sup>2</sup> for 2 DWELLING UNITS; 450.0m <sup>2</sup> for 3 DWELLING UNITS, and 90.0m <sup>2</sup> for each additional DWELLING UNIT over 3	270.0m <sup>2</sup> per DWELLING UNIT	With 3 DWELLING UNITS 660.0m <sup>2</sup>  With 4 DWELLING UNITS 800.0m <sup>2</sup>	180.0m <sup>2</sup> for each interior DWELLING UNIT  225.0m <sup>2</sup> for each exterior DWELLING UNIT	450.0m <sup>2</sup> and 90.0m <sup>2</sup> for each DWELLING UNIT
Minimum REQUIRED FRONT YARD	6.0m	6.0m	6.0m	6.0m	6.0m	6.0m
Minimum REQUIRED REAR YARD	6.0m	6.0m	6.0m	6.0m	6.0m	6.0m
Minimum REQUIRED EXTERIOR SIDE YARD	3.0m or average FRONT YARD of existing adjacent USES being no less than 1.5m	3.0m or average FRONT YARD of existing adjacent USES being no less than 1.5m	3.0m or average FRONT YARD of existing adjacent USES being no less than 1.5m	3.0m or average FRONT YARD of existing adjacent USES being no less than 3.0m	3.0m or average FRONT YARD of existing adjacent USES being no less than 1.5m	3.0m or average FRONT YARD of existing adjacent USES being no less than 3.0m

<b>Table 13.2.1 Continued</b>	All permitted USES unless otherwise specified	CONVERTED DWELLING	SEMI- DETACHED DWELLING or DUPLEX DWEELING	APARTMENT DWELLING or SEMI- DETACHED DUPLEX DWELLING	TOWNHOUSE DWELLING	FOOD STORE
Minimum REQUIRED INTERIOR SIDE YARD with ATTACHED garage or carport	1.5m	10% of the frontage or 1.5 m, whichever is the lesser	1.5m and 0.0m along the common LOT LINE	1.5m and 0.0m along the common LOT LINE	1.5m and 0.0m along the common LOT LINE	1.5m
Minimum REQUIRED INTERIOR SIDE YARD without ATTACHED garage or carport	3.0m for one INTERIOR SIDE YARD and 1.5m for each subsequent INTERIOR SIDE YARD	3.0m for one INTERIOR SIDE YARD and 10% of the frontage or 1.5m, whichever is the lesser, for each subsequent INTERIOR SIDE YARD	3.0m and 0.0m along the common LOT LINE	3.0m and 0.0m along the common LOT LINE	3.0m and 0.0m along the common LOT LINE	3.0m
Maximum LOT COVERAGE	35.0%	35.0%	35.0%	35.0%	35.0% for an exterior DWELLING UNIT and 45% for an interior DWELLING UNIT	35.0%
Minimum LANDSCAPED OPEN SPACE	50% of REQUIRED FRONT YARD	50% of REQUIRED FRONT YARD	50% of REQUIRED FRONT YARD	20% of LOT AREA and a 3.0 m wide strip along all STREET LINES	50% of REQUIRED FRONT YARD	3.0 m wide strip along all STREET LINES and LOT LINES abutting a DWELLING
Maximum HEIGHT	10.0m	10.0m	10.0m	10.0m	10.0m	10.0m
Minimum SEPARATION DISTANCE between LOTS occupied by an RCF	240.0m	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Maximum GFA	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	140.0m <sup>2</sup>

### 13.2.2 Maximum number of MAIN USES per LOT

No person shall, within any MU1 ZONE, use any land, or erect or use any BUILDING or STRUCTURE such that there is more than one permitted USE on a LOT.

**13.2.3 Maximum number of MAIN BUILDINGS per LOT**

No person shall, within any MU1 ZONE, use any land, or erect or use any BUILDING or STRUCTURE such that there is more than one MAIN BUILDING on a LOT.

**13.2.4 PRIVACY SCREEN**

Subject to Section 5.10, a PRIVACY SCREEN with a HEIGHT of 1.6m is required along all LOT LINES abutting a RESIDENTIAL ZONE for all of the USES listed in Section 13.1(b). No person shall use a LOT within the MU1 ZONE, which LOT abuts a RESIDENTIAL ZONE, for one of these USES without complying with the requirements of this Section.

**SECTION 14**    **MU2 – MIXED USE ZONE TWO****14.1**a)    **Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any MU2 ZONE for any purpose or USE other than the USES listed below:

- APARTMENT DWELLING;
- CONVERTED DWELLING;
- DAY CARE FACILITY;
- TOWNHOUSE DWELLING;
- LODGING HOUSE;
- LONG-TERM CARE FACILITY;
- PARK;
- RESIDENTIAL CARE FACILITY ONE;
- RESIDENTIAL CARE FACILITY TWO; or
- RETIREMENT RESIDENCE.

b)    **Additional Permitted USES**

In addition to the USES permitted in Section 14.1(a), the following additional USES are permitted on LOTS located on a STREET which is classified as an ARTERIAL or higher:

- MIXED USE BUILDINGS;
- FINANCIAL OFFICE;
- FOOD STORE;
- FUEL BAR;
- MEDIA STORE;
- MEDICAL OFFICE;
- PERSONAL SERVICES ESTABLISHMENT;
- RESTAURANT; or
- SHOPPING CENTRE.

c)    **DRIVE SERVICE UNITS**

Any of the USES permitted by Section 14.1(b) may have DRIVE SERVICE UNITS if they are located on a CORNER LOT, where a minimum of one of the defining STREETS of the CORNER LOT is classified as an ARTERIAL or higher.

## 14.2 REGULATIONS

**14.2.1 Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any MU2 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 14.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable permitted USE. The measurement in that table cell is the one that applies to the REGULATION in the first column and the permitted USE in question.

The second column of the table prescribes building envelope REGULATION measurements for all USES permitted in the ZONE unless a specific USE is specified in the third or following columns. The measurement in the second column is superceded by any measurements in the third or following columns with respect to specific USES referenced.

<b>Table 14.2.1</b>	All permitted USES unless otherwise specified	CONVERTED DWELLING	APARTMENT DWELLING	TOWNHOUSE DWELLING	USES permitted in Sections 14.1(b) and 14.1(c)	FOOD STORE
Minimum REQUIRED LOT FRONTAGE	15.0m	10.0m for 2 DWELLING UNITS and 15.0m for 3 or more DWELLING UNITS	22.0m	6.0m for each interior DWELLING UNIT 7.5m for each exterior DWELLING UNIT	22.0m	15.0m
Minimum REQUIRED LOT DEPTH	30.0m	30.0m	30.0m	30.0m	30.0m	30.0m
Minimum REQUIRED LOT AREA	450.0m <sup>2</sup>	300.0m <sup>2</sup> for 2 DWELLING UNITS; 450.0m <sup>2</sup> for 3 DWELLING UNITS, and 90.0m <sup>2</sup> for each additional DWELLING UNIT over 3	660.0m <sup>2</sup> for up to 4 DWELLING UNITS and 90.0m <sup>2</sup> for each additional DWELLING UNIT	180.0m <sup>2</sup> for each interior DWELLING UNIT 225.0m <sup>2</sup> for each exterior DWELLING UNIT	660.0m <sup>2</sup> and 90.0m <sup>2</sup> for each DWELLING UNIT	450.0m <sup>2</sup> and 90.0m <sup>2</sup> for each DWELLING UNIT
Maximum LOT AREA	Not Applicable	Not Applicable	Not Applicable	Not Applicable	4,000.0m <sup>2</sup>	Not Applicable

<b>Table 14.2.1 Continued</b>	All permitted USES unless otherwise specified	CONVERTED DWELLING	APARTMENT DWELLING	TOWNHOUSE DWELLING	USES permitted in Section 14.1(b) and 14.1(c)	FOOD STORE
Minimum REQUIRED FRONT YARD	6.0m	6.0m	6.0m	6.0m	6.0m	6.0m
Minimum REQUIRED REAR YARD	6.0m	6.0m	6.0m	6.0m	6.0m	6.0m
Minimum REQUIRED EXTERIOR SIDE YARD	3.0m	3.0m	3.0m	3.0m	7.5m	3.0m
Minimum REQUIRED INTERIOR SIDE YARD with ATTACHED garage or carport	1.5m	10% of the LOT FRONTAGE or 1.5 m, whichever is the lesser	1.5m	1.5m and 0.0m along the common LOT LINE	6.0m	1.5m
Minimum REQUIRED INTERIOR SIDE YARD without ATTACHED garage or carport	3.0m for one INTERIOR SIDE YARD and 1.5m for each subsequent INTERIOR SIDE YARD	3.0m for one INTERIOR SIDE YARD and 10% of the LOT FRONTAGE or 1.5m, whichever is the lesser, for each subsequent INTERIOR SIDE YARD	3.0m	3.0m and 0.0m along the common LOT LINE	6.0m	3.0m
Maximum LOT COVERAGE	35.0%	35.0%	35.0%	35.0% for an exterior DWELLING UNIT and 45% for an interior DWELLING UNIT	35.0%	35.0%
Minimum LAND- SCAPED OPEN SPACE	50% of REQUIRED FRONT YARD	50% of REQUIRED FRONT YARD	20% of LOT AREA and a 3.0 m wide strip along all STREET LINES	50% of REQUIRED FRONT YARD	10% of LOT AREA and 3.0 m wide strip along all STREET LINES and LOT LINES abutting a DWELLING	3.0 m wide strip along all STREET LINES and LOT LINES abutting a DWELLING
Maximum HEIGHT	10.0m	10.0m	20.0m	10.0m	14.0m	10.0m
Minimum SEPARATION DISTANCE between LOTS occupied by an RCF	240.0m	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable

**14.2.2 Maximum number of MAIN USES per LOT**

No person shall, within any MU2 ZONE, use any land, or erect or use any BUILDING or STRUCTURE such that there is more than one permitted USE on a LOT.

**14.2.3 Maximum number of, and SEPARATION DISTANCES between, MAIN BUILDINGS**

- (a) Where land in an MU2 ZONE is used for a CONVERTED DWELLING, an RCF or a LODGING HOUSE, no person shall use any land or erect or use any BUILDING or STRUCTURE such that there is more than one MAIN BUILDING on a LOT.
- (b) No person shall use any land or erect or use any BUILDING or STRUCTURE in an MU2 ZONE such that there is a SEPARATION DISTANCE of less than 6.0m between MAIN BUILDINGS on the LOT.

**14.2.4 Maximum GROSS FLOOR AREA**

No person shall use any BUILDING in an MU2 ZONE for any of the USES in the first column of Table 14.2.4 with a GROSS FLOOR AREA greater than the area indicated in the second column of Table 14.2.4.

<b><u>Table 14.2.4</u></b>	
USE	Maximum GFA
FOOD STORE	275.0 m <sup>2</sup>
RESTAURANT	100.0 m <sup>2</sup>
FINANCIAL OFFICE	100.0 m <sup>2</sup>
MEDICAL OFFICE	100.0 m <sup>2</sup>
MEDIA STORE	100.0 m <sup>2</sup>
PERSONAL SERVICES ESTABLISHMENT	100.0 m <sup>2</sup>
SHOPPING CENTRE	930.0 m <sup>2</sup>

**14.2.5 PRIVACY SCREEN**

Subject to Section 5.10, a PRIVACY SCREEN with a HEIGHT of 1.6m is required along all LOT LINES abutting a RESIDENTIAL ZONE for all of the USES listed in Section 14.1(b) and 14.1(c). No person shall use a LOT within the MU2 ZONE, which LOT abuts a RESIDENTIAL ZONE, for one of these USES without complying with the requirements of this Section.

## **SECTION 15**      **MU3 – MIXED USE ZONE 3**

### **15.1**

#### **a) Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any MU3 ZONE for any purpose or USE other than the USES listed below:

- APARTMENT DWELLING;
- RETIREMENT RESIDENCE; or
- LONG TERM CARE FACILITY.

#### **b) Additional Permitted USES**

The following USES are permitted within a BUILDING containing the USES permitted in Section 15.1(a):

- RESIDENTIAL CARE FACILITY ONE; or
- RESIDENTIAL CARE FACILITY TWO.

#### **c) Main Floor USES**

The following USES are permitted on the main floor of a BUILDING containing a USE permitted in Section 15.1(a):

- DAY CARE FACILITY;
- FINANCIAL OFFICE;
- FOOD STORE;
- MEDIA STORE;
- MEDICAL OFFICE;
- PERSONAL SERVICES ESTABLISHMENT;
- RESTAURANT; or
- SHOPPING CENTRE.

### **15.2**

## **REGULATIONS**

#### **15.2.1**

**Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any MU3 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 15.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable permitted USE. The measurement in that table cell is the one that applies to the REGULATION in the first column and the permitted USE in question.



The second column of the table prescribes building envelope REGULATION measurements for all USES permitted in the ZONE unless a specific USE is specified in the third column. The measurement in the second column is superseded by any measurement in the third column with respect to specific USES referenced.

<b>Table 15.2.1</b>	All permitted USES unless otherwise specified	APARTMENT DWELLING
Minimum REQUIRED LOT FRONTAGE	30.0m	30.0m
Minimum REQUIRED LOT DEPTH	30.0m	30.0m
Minimum REQUIRED LOT AREA	900.0 m <sup>2</sup>	900.0 m <sup>2</sup> for first 7 units plus 40.0 m <sup>2</sup> for each additional DWELLING UNIT
Minimum REQUIRED FRONT YARD	10.0m	10.0m
Minimum REQUIRED REAR YARD	10.0m	10.0m
Minimum REQUIRED EXTERIOR SIDE YARD	6.0m	6.0m
Minimum REQUIRED INTERIOR SIDE YARD	1.0 m for each 3.0 m of BUILDING HEIGHT for each YARD	1.0 m for each 3.0 m of BUILDING HEIGHT for each YARD
Maximum LOT COVERAGE	50.0%	50.0%
Minimum LANDSCAPED OPEN SPACE	LANDSCAPED OPEN SPACE being 30% of LOT AREA which includes LANDSCAPED OPEN SPACE in the form of a strip being 3.0 m in width along all LOT LINES	LANDSCAPED OPEN SPACE being 30% of LOT AREA which includes LANDSCAPED OPEN SPACE in the form of a strip being 3.0 m in width along all LOT LINES
Maximum HEIGHT	45.0m	45.0m
Minimum SEPARATION DISTANCE between LOTS occupied by an RCF	240.0m	240.0m

**15.2.2 Maximum number of, and SEPARATION DISTANCES between, MAIN BUILDINGS**

No person shall, within any MU3 ZONE, use any land, or erect or use any BUILDING or STRUCTURE such that the SEPARATION DISTANCE between MAIN BUILDINGS on the LOT is less than 10.0m.

**15.2.3 Maximum GROSS FLOOR AREA**

No person shall use any BUILDING in an MU3 ZONE for any of the USES in the first column of Table 15.2.3 with a GROSS FLOOR AREA greater than the area indicated in the second column of Table 15.2.3.

USE	Maximum GFA
FOOD STORE	275.0 m <sup>2</sup>
RESTAURANT	100.0 m <sup>2</sup>
FINANCIAL OFFICE	100.0 m <sup>2</sup>
MEDICAL OFFICE	100.0 m <sup>2</sup>
MEDIA STORE	100.0 m <sup>2</sup>
PERSONAL SERVICES ESTABLISHMENT	100.0 m <sup>2</sup>
SHOPPING CENTRE	930.0 m <sup>2</sup>

**SECTION 16 NC1 – NEIGHBOURHOOD CENTRE ONE ZONE****16.1 a) Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE for any purpose or USE within any NC1 ZONE other than the USES listed below:

- DAY CARE FACILITY;
- PARK;
- RESIDENTIAL CARE FACILITY ONE;
- RESIDENTIAL CARE FACILITY TWO; or
- SINGLE DETACHED DWELLING.

**b) Additional Permitted USES**

In addition to the USES permitted in Section 16.1(a), the following additional USES are permitted on a CORNER LOT, where a minimum of one of the defining STREETS of the CORNER LOT is classified as a COLLECTOR:

- DWELLING UNIT for owner or caretaker of a permitted USE in this Section;
- EDUCATIONAL INSTITUTION;
- FOOD STORE;
- MEDIA STORE;
- MEDICAL OFFICE; or
- PERSONAL SERVICES ESTABLISHMENT.

**c) Additional Permitted USES**

In addition to the USES permitted in Sections 16.1(a) and (b), the following additional USES are permitted on a LOT fronting on a STREET which is classified as an ARTERIAL or higher:

- COMMUNITY CENTRE;
- CULTURAL FACILITY;
- EMERGENCY SERVICES FACILITY;
- FUEL BAR;
- DRIVE SERVICE UNITS associated with permitted USES;
- RECREATION FACILITY;
- RELIGIOUS INSTITUTION; or
- RESTAURANT.

## 16.2 REGULATIONS

**16.2.1 Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any NC1 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 16.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable permitted USE. The measurement in that table cell is the one that applies to the REGULATION in the first column and the permitted USE in question.

The second column of the table prescribes building envelope REGULATION measurements for all USES permitted in the ZONE unless a specific USE is specified in the third column. The measurement in the second column is superceded by any measurement in the third column with respect to specific USES referenced.

<b>Table 16.2.1</b>	All permitted USES unless otherwise specified	RCF1, RCF2, PARK, or SINGLE DETACHED DWELLING
Minimum REQUIRED LOT FRONTAGE	90.0m	60.0m
Minimum REQUIRED LOT AREA	20,000m <sup>2</sup>	20,000m <sup>2</sup>
Minimum REQUIRED FRONT YARD	15.0m	10.0m
Minimum REQUIRED REAR YARD	15.0m	10.0m
Minimum REQUIRED EXTERIOR SIDE YARD	10.0m	6.0m
Minimum REQUIRED INTERIOR SIDE YARD	15.0m	3.0m
Maximum LOT COVERAGE	None	None
Minimum LANDSCAPED OPEN SPACE	LANDSCAPED OPEN SPACE in the form of a 3.0m wide strip along all LOT LINES	50.0 % of Required Front YARD as LANDSCAPED OPEN SPACE
Maximum HEIGHT	15.0m	10.0m
Minimum SEPARATION DISTANCE between LOTS occupied by an RCF	Not Applicable	960.0m

### 16.2.2 Maximum number of MAIN USES per LOT

- (a) **Smaller LOTS:** No person shall, within any NC1 ZONE, use any land, or erect or use any BUILDING or STRUCTURE on a LOT with less than 90.0 m of LOT FRONTAGE such that there is more than one permitted USE on that LOT.
- (b) **Larger LOTS:** LOTS with LOT FRONTAGE of 90.0m or more can be used for any number of permitted USES, however, only one DWELLING UNIT is permitted on the LOT. No person shall, within any NC1 ZONE, use any LOT with LOT FRONTAGE of 90.0m or more in contravention of this Section.

### 16.2.3 Maximum number of, and SEPARATION DISTANCES between, MAIN BUILDINGS

- (a) **Smaller LOTS:** No person shall, within any NC1 ZONE, use any land, or erect or use any BUILDING or STRUCTURE on a LOT with LOT FRONTAGE of less than 90.0m such that there is more than one MAIN BUILDING on a LOT.

**Larger LOTS:** LOTS with LOT FRONTAGE of 90.0m or more can be used for a maximum of 2 MAIN BUILDINGS for USES listed in Section 16.1(a), (b) or (c), and there is no limit to the number of MAIN BUILDINGS that can be erected on the LOT for the USES listed in Section 16.1(c), however, only one DWELLING UNIT is permitted. A minimum SEPARATION DISTANCE of 6.0m must be provided between MAIN BUILDINGS on the LOT. No person shall, within any NC1 ZONE, use any LOT with LOT FRONTAGE of 90.0m or more in contravention of this Section.

### 16.2.4 Maximum GROSS FLOOR AREA

No person shall use any BUILDING in an NC1 ZONE for any of the USES in the first column of Table 16.2.4 with a GROSS FLOOR AREA greater than the area indicated in the second column of Table 16.2.4.

USE	Maximum GFA
FOOD STORE	275.0 m <sup>2</sup>
RESTAURANT	100.0 m <sup>2</sup>
MEDICAL OFFICE	100.0 m <sup>2</sup>
MEDIA STORE	100.0 m <sup>2</sup>
PERSONAL SERVICES ESTABLISHMENT	100.0 m <sup>2</sup>

**SECTION 17    NC2 – NEIGHBOURHOOD CENTRE TWO ZONE****17.1            a)    Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any NC2 ZONE for any purpose or USE other than the USES listed below:

- PARK;
- RESIDENTIAL CARE FACILITY ONE; or
- SINGLE DETACHED DWELLING.

**b)    Additional Permitted USES**

In addition to the USES permitted in Section 17.1(a), the following additional USES are permitted on a CORNER LOT, where a minimum of one of the defining STREETS of the CORNER LOT is classified as a COLLECTOR or higher:

- DAY CARE FACILITY;
- DWELLING UNIT for owner or caretaker of a permitted use in this Section;
- EDUCATIONAL INSTITUTION;
- FOOD STORE;
- MEDIA STORE;
- MEDICAL OFFICE; or
- PERSONAL SERVICES ESTABLISHMENT.

**c)    Additional Permitted USES**

In addition to the USES permitted in Section 17.1(a) and (b), the following additional USES are permitted on a LOT fronting on a STREET which is classified as an ARTERIAL or higher:

- CULTURAL FACILITY;
- COMMUNITY CENTRE;
- COMMUNITY HEALTH AND RESOURCE CENTRE;
- EMERGENCY SERVICES FACILITY;
- FUEL BAR;
- DRIVE SERVICE UNITS associated with permitted USES;
- RECREATION FACILITY;
- RELIGIOUS INSTITUTION; or
- RESTAURANT.

## 17.2 **REGULATIONS for LOTS with MUNICIPAL WATER SERVICE but WITHOUT MUNICIPAL SEWAGE SERVICE**

**17.2.1 Building Envelope REGULATIONS for partially serviced LOTS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any NC2 ZONE, on a LOT with MUNICIPAL WATER SERVICE but without MUNICIPAL SEWAGE SERVICE, use the LOT, or erect or use any BUILDING or STRUCTURE on the LOT, except in compliance with the building envelope REGULATIONS in Table 17.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable permitted USE. The measurement in that table cell is the one that applies to the REGULATION in the first column and the permitted USE in question.

The second, third & fourth columns of the table prescribe distinct building envelope REGULATION measurements for USES permitted in the ZONE in each of Sections 17.1(a), (b), and (c).

<b>Table 17.2.1</b>	USES listed in Section 17.1(c)	USES listed in Section 17.1(b)	USES listed in Section 17.1(a)
Minimum REQUIRED LOT FRONTAGE	30.0m	30.0m	30.0m
Minimum REQUIRED LOT AREA	4,000m <sup>2</sup>	2100m <sup>2</sup>	2100m <sup>2</sup>
Minimum REQUIRED FRONT YARD	10.0m	10.0m	10.0m
Minimum REQUIRED REAR YARD	10.0m	10.0m	10.0m
Minimum REQUIRED EXTERIOR SIDE YARD	7.5m	6.0m	6.0m
Minimum REQUIRED INTERIOR SIDE	3.0m	3.0m	3.0m
Minimum LANDSCAPED OPEN SPACE	LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES	LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES	50.0 % of Required Front YARD as LANDSCAPED OPEN SPACE
Maximum HEIGHT	10.0m	10.0m	10.0m
Minimum SEPARATION DISTANCE between LOTS occupied by an RCF	480m	480m	480m

**17.2.2 Maximum number of MAIN USES per partially serviced LOTS**

- (a) No person shall, within any NC2 ZONE, on a LOT with MUNICIPAL WATER SERVICE but without MUNICIPAL SEWAGE SERVICE, which LOT is occupied by a permitted USE listed in Section 17.1(a), use that LOT such that there is more than one permitted USE located on it.
- (b) All other LOTS within the NC2 ZONE with MUNICIPAL WATER SERVICE but without MUNICIPAL SEWAGE SERVICE, can be used for a maximum of 3 MAIN USES, however, only one DWELLING UNIT is permitted on a LOT. No person shall use a LOT in contravention of this Section.

**17.2.3 Maximum number of, and SEPARATION DISTANCES between, MAIN BUILDINGS for LOTS with partial SERVICES**

- (a) No person shall, within any NC2 ZONE, on a LOT with MUNICIPAL WATER SERVICE but without MUNICIPAL SEWAGE SERVICE, which LOT is occupied by a permitted USE listed in Section 17.1(a); use that LOT such that there is more than one MAIN BUILDING on it.
- (b) All other LOTS within the NC2 ZONE with MUNICIPAL WATER SERVICE but without MUNICIPAL SEWAGE SERVICE, may contain a maximum of 2 MAIN BUILDINGS, however, only one DWELLING UNIT is permitted on the LOT. No person shall use a LOT in contravention of this Section.
- (c) No person shall, within any NC2 ZONE, use a LOT with MUNICIPAL WATER SERVICE but without MUNICIPAL SEWAGE SERVICE, or erect or use any BUILDING or STRUCTURE on that LOT, such that there is a SEPARATION DISTANCE of less than 6.0m between MAIN BUILDINGS on that LOT. No person shall use a LOT in contravention of this Section.

**17.2.2 Maximum GROSS FLOOR AREA for LOTS with partial SERVICES**

No person shall use any BUILDING in an NC2 ZONE on a LOT with MUNICIPAL WATER SERVICE but without MUNICIPAL SEWAGE SERVICE, for any of the USES in the first column of Table 17.2.2 with a GROSS FLOOR AREA greater than the area indicated in the second column of Table 17.2.2.

<b>Table 17.2.2</b>	
<b>USE</b>	<b>Maximum GFA</b>
FOOD STORE	275.0 m <sup>2</sup>



<b>Table 17.2.2 Continued</b>	
USE	Maximum GFA
RESTAURANT	100.0 m <sup>2</sup>
MEDICAL OFFICE	100.0 m <sup>2</sup>
MEDIA STORE	100.0 m <sup>2</sup>
PERSONAL SERVICES ESTABLISHMENT	100.0 m <sup>2</sup>

### 17.3 **REGULATIONS for LOTS without any MUNICIPAL SERVICES**

**17.3.1 Building Envelope REGULATIONS for non-serviced LOTS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any NC2 ZONE, use any LOT that has no MUNICIPAL SERVICES, or erect or use any BUILDING or STRUCTURE on that LOT, except in compliance with the building envelope REGULATIONS in Table 17.3.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable permitted USE. The measurement in that table cell is the one that applies to the REGULATION in the first column and the permitted USE in question.

The second, third and fourth columns of the table prescribe distinct building envelope REGULATION measurements for USES permitted in each of Sections 17.1(a), (b), and (c).

<b>Table 17.3.1</b>	USES listed in Section 17.1(c)	USES listed in Section 17.1(b)	USES listed in Section 17.1(a)
Minimum REQUIRED LOT FRONTAGE	90.0m	60.0m	60.0m
Minimum REQUIRED LOT DEPTH	none	none	none
Minimum REQUIRED LOT AREA	20,000m <sup>2</sup>	10,000m <sup>2</sup>	10,000m <sup>2</sup>
Minimum REQUIRED FRONT YARD	10.0m	10.0m	10.0m
Minimum REQUIRED REAR YARD	10.0m	10.0m	10.0m
Minimum REQUIRED EXTERIOR SIDE YARD	10.0m	10.0m	10.0m
Minimum REQUIRED INTERIOR SIDE	3.0m	3.0m	3.0m

<b>Table 17.3.1 Continued</b>	USES listed in Section 17.1(c)	USES listed in Section 17.1(b)	USES listed in Section 17.1(a)
Minimum LANDSCAPED OPEN SPACE	LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES	LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES	50.0 % of Required Front YARD as LANDSCAPED OPEN SPACE
Maximum HEIGHT	10.0m	10.0m	10.0m
Minimum SEPARATION DISTANCE between LOTS occupied by an RCF	960.0m	960.0m	960.0m

### **17.3.2 Maximum number of MAIN USES per non-serviced LOT**

- (a) No person shall, within any NC2 ZONE, on a LOT with no MUNICIPAL SERVICES, which LOT is occupied by a permitted USE listed in Section 17.1(a), use that LOT such that there is more than one permitted USE located on it.
- (b) All other LOTS within the NC2 ZONE with no MUNICIPAL SERVICES can be used for a maximum of 3 MAIN USES, however, only one DWELLING UNIT is permitted on the LOT. No person shall use a LOT in contravention of this Section.

### **17.3.3 Maximum number of, and SEPARATION DISTANCES between, MAIN BUILDINGS on non-serviced LOTS**

- (a) No person shall, within any NC2 ZONE, on a LOT with no MUNICIPAL SERVICES, which LOT is occupied by a permitted USE listed in Section 17.1(a); use that LOT such that there is more than one MAIN BUILDING on it.
- (b) All other LOTS within the NC2 ZONE with no MUNICIPAL SERVICES, may contain a maximum of 2 MAIN BUILDINGS, however, only one DWELLING UNIT is permitted on the LOT. No person shall use a LOT in contravention of this Section.
- (c) No person shall, within any NC2 ZONE, use a LOT with no MUNICIPAL SERVICES, or erect or use any BUILDING or STRUCTURE on that LOT such that there is a SEPARATION DISTANCE of less than 6.0m between MAIN BUILDINGS on that LOT. No person shall use a LOT in contravention of this Section.

**17.3.2 Maximum GROSS FLOOR AREA on non-serviced LOTS**

No person shall use any BUILDING in an NC2 ZONE on a LOT with no MUNICIPAL SERVICES for any of the USES in the first column of Table 17.3.2 with a GROSS FLOOR AREA greater than the area indicated in the second column of Table 17.3.2.

<b>Table 17.3.2</b>	
<b>USE</b>	<b>Maximum GFA</b>
FOOD STORE	275.0 m <sup>2</sup>
RESTAURANT	100.0 m <sup>2</sup>
MEDICAL OFFICE	100.0 m <sup>2</sup>
MEDIA STORE	100.0 m <sup>2</sup>
PERSONAL SERVICES ESTABLISHMENT	100.0 m <sup>2</sup>

**SECTION 18 NC3 – NEIGHBOURHOOD CENTRE THREE ZONE****18.1****a) Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any NC3 ZONE for any purpose or USE other than the USES listed below:

- DUPLEX DWELLING;
- EDUCATIONAL INSTITUTION
- PARK;
- RELIGIOUS INSTITUTION
- RESIDENTIAL CARE FACILITY ONE;
- SINGLE DETACHED DWELLING; or
- SEMI-DETACHED DWELLING.

**b) Additional Permitted USES**

In addition to the USES permitted in Section 18.1(a), the following additional USES are permitted on a CORNER LOT, where a minimum of one of the defining STREETS of the CORNER LOT is classified as a COLLECTOR or higher:

- APARTMENT DWELLING with a maximum of 4 DWELLING UNITS;
- DAY CARE FACILITY;
- MIXED USE BUILDINGS containing a maximum of 4 DWELLING UNITS;
- FOOD STORE;
- LONG-TERM CARE FACILITY;
- MEDIA STORE;
- MEDICAL OFFICE;
- PERSONAL SERVICES ESTABLISHMENT;
- RETIREMENT RESIDENCE;
- SEMI-DETACHED DUPLEX DWELLING; or
- TOWNHOUSE DWELLING.

**c) Additional Permitted USE**

In addition to the USES permitted in Section 18.1(b), an APARTMENT DWELLING with more than 4 DWELLING UNITS is permitted on LOT fronting on a STREET which is classified as an ARTERIAL or higher.

**d) Additional Permitted USES**

In addition to the USES permitted in Section 18.1(c), the following additional USES are permitted on a CORNER LOT where a minimum of one of the defining STREETS of the CORNER LOT is classified as an ARTERIAL or higher:

- COMMUNITY CENTRE;
- COMMUNITY HEALTH AND RESOURCE CENTRE;
- CULTURAL FACILITY;
- DRIVE SERVICE UNITS associated with permitted USES;
- EMERGENCY SERVICES FACILITY;
- FINANCIAL OFFICE;
- FUEL BAR;
- MIXED USE BUILDINGS;
- PET STORE;
- RECREATIONAL FACILITY;
- PUBLIC RECREATION;
- RESTAURANT; or
- SHOPPING CENTRE.

**18.2 REGULATIONS**

**18.2.1 Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any NC3 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 18.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable permitted USE. The measurement in that table cell is the one that applies to the REGULATION in the first column and the permitted USE in question.

The second column of the table prescribes building envelope REGULATION measurements for all USES permitted in the ZONE unless a specific USE is specified in the third or following columns. The measurement in the second column is superseded by any measurements in the third or following columns with respect to specific USES referenced.

<b>Table 18.2.1</b>	All permitted USES unless otherwise specified	SEMI-DETACHED DWELLING or DUPLEX DWELLING	APARTMENT DWELLING or SEMI-DETACHED DUPLEX DWELLING	RCF1, PARK, or SINGLE DETACHED DWELLING	TOWNHOUSE DWELLING
Minimum REQUIRED LOT FRONTAGE	22.0m	9.0m per DWELLING UNIT	22.0m for APARTMENT DWELLING and 5.5m per DWELLING UNIT for a SEMI-DETACHED DUPLEX DWELLING	15.0m	6.0m for each interior DWELLING UNIT 7.5m for each exterior DWELLING UNIT
Minimum REQUIRED LOT DEPTH	30.0m	30.0m	30.0m	30.0m	30.0m
Minimum REQUIRED LOT AREA	660.0m <sup>2</sup> and 90.0m <sup>2</sup> for each DWELLING UNIT	270.0m <sup>2</sup> per DWELLING UNIT	660.0m <sup>2</sup> for 3 DWELLING UNITS or 800.0m <sup>2</sup> for 4 DWELLING UNITS and 90.0m <sup>2</sup> for each additional DWELLING UNIT	450.0m <sup>2</sup>	180.0m <sup>2</sup> for each interior DWELLING UNIT 225.0m <sup>2</sup> for each exterior DWELLING UNIT
Minimum REQUIRED FRONT YARD	6.0m	6.0m	6.0m	6.0m	6.0m
Minimum REQUIRED REAR YARD	6.0m	6.0m	6.0m	6.0m	6.0m
Minimum REQUIRED EXTERIOR SIDE YARD	7.5m	3.0m	3.0m	3.0m	3.0m
Minimum REQUIRED INTERIOR SIDE YARD with ATTACHED garage or carport	6.0 m	1.5m and 0.0m along the common LOT LINE	1.5m and 0.0m along the common LOT LINE	1.5 m	1.5m and 0.0m along the common LOT LINE
Minimum REQUIRED INTERIOR SIDE YARD without ATTACHED garage or carport	6.0m	3.0m and 0.0m along the common LOT LINE	3.0m and 0.0m along the common LOT LINE	3.0m for one INTERIOR SIDE YARD and 1.5m for each subsequent INTERIOR SIDE YARD	3.0m and 0.0m along the common LOT LINE

Maximum LOT COVERAGE	35.0%	35.0%	35.0%	35.0% for an exterior DWELLING UNIT and 45% for an interior DWELLING UNIT	35.0%
<b>Table 18.2.1 Continued</b>	All permitted USES unless otherwise specified	SEMI-DETACHED DWELLING or DUPLEX DWELLING	APARTMENT DWELLING	RCF1, PARK, or SINGLE DETACHED DWELLING	TOWNHOUSE DWELLING
Minimum LANDSCAPED OPEN SPACE	20% of LOT AREA and a 3.0 m wide strip along all LOT LINES	50% of REQUIRED FRONT YARD	20% of LOT AREA and a 3.0 m wide strip along all STREET LINES	50% of REQUIRED FRONT YARD	50% of REQUIRED FRONT YARD
Maximum HEIGHT	14.0m	10.0m	10.0m for 4 DWELLING UNITS and 20.0m for LOTS FRONTING onto an ARTERIAL road	10.0m	10.0m
Minimum SEPARATION DISTANCE between LOTS occupied by an RCF	Not Applicable	Not Applicable	Not Applicable	240.0m	Not Applicable

### 18.2.2 Maximum number of MAIN USES per LOT

No person shall, within any NC3 ZONE, use a LOT which LOT is occupied by a permitted USE listed in Section 18.1(a), or which LOT is occupied by an APARTMENT DWELLING such that there is more than one permitted USE located on the LOT.

### 18.2.3 Maximum number of, and SEPARATION DISTANCES between, MAIN BUILDINGS

- (a) No person shall, within any NC3 ZONE, on a LOT which is occupied by a permitted USE listed in Section 18.1(a); use that LOT such that there is more than one MAIN BUILDING on it
- (b) All other LOTS within the NC3 ZONE may contain more than one MAIN BUILDING, however, a minimum SEPARATION DISTANCE of 6.0m must be provided between MAIN BUILDINGS on the LOT. No person shall use a LOT in contravention of this Section.

**18.2.4 PRIVACY SCREEN**

Subject to Section 5.10, a PRIVACY SCREEN with a HEIGHT of 1.6m is required along all LOT LINES abutting a RESIDENTIAL ZONE EXCEPT for all of the USES listed in Section 18.1(a) and for EDUCATIONAL INSTITUTIONS. No person shall use a LOT within the NC3 ZONE, which LOT abuts a RESIDENTIAL ZONE, for one of these USES without complying with the requirements of this Section.

**18.2.5 Maximum GROSS FLOOR AREA**

No person shall use any BUILDING on a LOT in an NC3 ZONE which fronts on a COLLECTOR for any of the USES in the first column of Table 18.2.5 with a GROSS FLOOR AREA greater than the area indicated in the second column of Table 18.2.5 and no person shall use any BUILDING on a LOT in an NC3 ZONE which fronts on an ARTERIAL for any of the USES in the first column of Table 18.2.5 with a GROSS FLOOR AREA greater than the area indicated in the third column of Table 18.2.5.

USE	Maximum GFA Where LOT fronts on a COLLECTOR	Maximum GFA Where LOT fronts on an ARTERIAL
FOOD STORE	140.0 m <sup>2</sup>	275.0 m <sup>2</sup>
RESTAURANT	100.0 m <sup>2</sup>	140.0 m <sup>2</sup>
FINANCIAL OFFICE	100.0 m <sup>2</sup>	100.0 m <sup>2</sup>
MEDICAL OFFICE	100.0 m <sup>2</sup>	500.0 m <sup>2</sup>
MEDIA STORE	100.0 m <sup>2</sup>	100.0 m <sup>2</sup>
Non-residential USES of a MIXED USE BUILDING	140.0 m <sup>2</sup>	930.0 m <sup>2</sup>
PERSONAL SERVICES ESTABLISHMENT	100.0 m <sup>2</sup>	100.0 m <sup>2</sup>
SHOPPING CENTRE	Not applicable	930.0 m <sup>2</sup>



**SECTION 19 C1 – URBAN VILLAGE ZONE****19.1****a) Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any C1 ZONE for any purpose or USE other than the USES listed below:

- ANIMAL CARE FACILITY;
- APARTMENT DWELLING;
- ARTISAN'S WORKSHOP;
- COMMUNITY CENTRE;
- COMMUNITY HEALTH AND RESOURCE CENTRE;
- COMMERCIAL SCHOOL;
- CULTURAL FACILITY;
- DAY CARE FACILITY;
- MIXED USE BUILDINGS;
- DRIVE SERVICE UNITS associated with permitted USES;
- EDUCATIONAL INSTITUTION;
- EMERGENCY SERVICES FACILITY;
- FUNERAL ESTABLISHMENT;
- Hotel;
- LIVE WORK UNIT;
- LODGING HOUSE
- LONG TERM CARE FACILITY
- MEDIA STORE;
- Motel;
- NIGHT CLUB;
- OFFICE;
- OPEN MARKET;
- PARK;
- PARKING LOT;
- PERSONAL SERVICES ESTABLISHMENT;
- RECREATION FACILITY;
- RELIGIOUS INSTITUTION;
- RESIDENTIAL CARE; FACILITY ONE;
- RESIDENTIAL CARE; FACILITY TWO;
- RESTAURANT;
- RETAIL STORE;
- RETIREMENT RESIDENCE;
- SHOPPING CENTRE; or
- TOWNHOUSE DWELLING.

**b) Additional USES**

In addition to the USES permitted in Section 19.1(a), the following USES are permitted on CORNER LOTS within the C1 ZONE:

- FUEL BAR;
- MOTOR VEHICLE SALES OR RENTAL ESTABLISHMENT;
- MOTOR VEHICLE SERVICE STATION; or
- Car wash.

## 19.2 REGULATIONS

**19.2.1 Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any C1 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 19.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the second column. The measurement in that table cell is the one that applies to the REGULATION in the first column.

<b>Table 19.2.1</b>	
REGULATION	All permitted USES unless otherwise specified
Minimum REQUIRED LOT FRONTAGE	15.0m for a CORNER LOT 7.5m for all other LOTS
Minimum REQUIRED LOT DEPTH	30.0m
Minimum REQUIRED LOT AREA	225.0 m <sup>2</sup> plus 90.0 m <sup>2</sup> per DWELLING UNIT
Minimum REQUIRED FRONT YARD	none
Minimum REQUIRED REAR YARD	3.0m if REAR LOT LINE abuts RESIDENTIAL ZONE None otherwise
Minimum REQUIRED EXTERIOR SIDE YARD	3.0m
Minimum REQUIRED INTERIOR SIDE YARD	3.0m if SIDE LOT LINE abuts RESIDENTIAL ZONE None otherwise
Maximum HEIGHT	14.0m
Minimum SEPARATION DISTANCE between LOTS occupied by an RCF	240.0m
Maximum GLA of a SHOPPING CENTRE	9,290.0m <sup>2</sup>

**19.2.2**      **SEPARATION DISTANCE between MAIN BUILDINGS**

No person shall, within any C1 ZONE, use any land, or erect or use any BUILDING or STRUCTURE unless there is a minimum SEPARATION DISTANCE of 6.0m between MAIN BUILDINGS on the LOT.

**19.2.3**      **PRIVACY SCREEN**

Where a LOT within any C1 ZONE abuts a RESIDENTIAL ZONE, and subject to Section 5.10, a PRIVACY SCREEN with a HEIGHT of 1.6m is required along all LOT LINES abutting a RESIDENTIAL ZONE. No person shall use a LOT within the C1 ZONE, which LOT abuts a RESIDENTIAL ZONE, without complying with the requirements of this Section.

**SECTION 20 C2 – URBAN CENTRE ZONE****20.1****Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any C2 ZONE for any purpose or USE other than the USES listed below:

- ANIMAL CARE FACILITY;
- ARTISAN'S WORKSHOP;
- Car wash;
- COMMERCIAL SCHOOL;
- COMMUNITY CENTRE;
- COMMUNITY HEALTH AND RESOURCE CENTRE;
- CULTURAL FACILITY;
- DAY CARE FACILITY;
- DRIVE SERVICE UNITS associated with permitted USES;
- EMERGENCY SERVICES FACILITY;
- FUEL BAR;
- FUNERAL ESTABLISHMENT
- Hotel;
- MIXED USE BUILDINGS;
- Motel;
- MOTOR VEHICLE SALES OR RENTAL ESTABLISHMENT;
- MOTOR VEHICLE SERVICE STATION;
- NIGHT CLUB;
- OFFICE;
- OPEN MARKET;
- PARK;
- PARKING LOT;
- PERSONAL SERVICES ESTABLISHMENT;
- Pharmacy;
- RECREATION FACILITY;
- RESTAURANT;
- RETAIL STORE; or
- SHOPPING CENTRE.

**20.2****REGULATIONS****20.2.1**

**Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any C2 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 20.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the second column. The measurement in that table cell is the one that applies to the REGULATION in the first column.

<b>Table 20.2.1</b>	All permitted USES
Minimum REQUIRED LOT FRONTAGE	30.0m
Minimum REQUIRED LOT DEPTH	30.0m
Minimum REQUIRED LOT AREA	900.0m <sup>2</sup>
Minimum REQUIRED FRONT YARD	6.0m
Minimum REQUIRED REAR YARD	6.0m
Minimum REQUIRED EXTERIOR SIDE YARD	6.0m
Minimum REQUIRED INTERIOR SIDE YARD	6.0m
Maximum LOT COVERAGE	35.0%
Maximum GROSS LEASABLE AREA	20,000.0m <sup>2</sup>
Maximum FLOOR SPACE INDEX of a SHOPPING CENTRE	0.27
LANDSCAPED OPEN SPACE	15.0% of the LOT AREA and LANDSCAPED OPEN SPACE in the form of a 6.0 m wide strip along all LOT LINES abutting a RESIDENTIAL ZONE and LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES abutting a STREET LINE
Maximum HEIGHT	15.0m

### 20.2.2 **SEPARATION DISTANCE between MAIN BUILDINGS**

No person shall use any land or erect or use any BUILDING or STRUCTURE in an C2 ZONE such that there is a SEPARATION DISTANCE of less than 6.0m between MAIN BUILDINGS on the LOT.

### 20.2.3 **PRIVACY SCREEN**

Where a LOT within any C2 ZONE abuts a RESIDENTIAL ZONE, and subject to Section 5.10, a PRIVACY SCREEN with a HEIGHT of 1.6m is required along all LOT LINES abutting a RESIDENTIAL ZONE. No person shall use a LOT within the C2 ZONE, which LOT abuts a RESIDENTIAL ZONE, without complying with the requirements of this Section.

**SECTION 21 C3 – HIGHWAY COMMERCIAL ZONE**

**21.1**

**a) Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any C3 ZONE for any purpose or USE other than the USES listed below:

- BAIT STORE;
- FINANCIAL OFFICE;
- Car Wash;
- DRIVE SERVICE UNITS associated with permitted USES;
- FUEL BAR;
- HOME IMPROVEMENT STORE;
- Hotel;
- FOOD STORE;
- MEDIA STORE;
- Motel;
- MOTOR VEHICLE SALES OR RENTAL ESTABLISHMENT;
- MOTOR VEHICLE SERVICE STATION;
- PET STORE;
- RESTAURANT;
- PERSONAL SERVICES ESTABLISHMENT;
- RECREATION FACILITY; or
- SHOPPING CENTRE.

**b) Additional Permitted USES:**

In addition to the USES permitted in Section 27.1(a), the following USES are permitted on LOTS with full MUNICIPAL SERVICES:

- Car Wash; or
- DRY-CLEANING PLANT.

<b>21.2</b>	<b><u>REGULATIONS</u></b>
<b>21.2.1</b>	<p><b><u>Building Envelope REGULATIONS:</u></b> In addition to all other REGULATIONS of this BY-LAW, no person shall, within any C3 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 21.2.1.</p> <p>To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable type of LOT. The measurement in that table cell is the one that applies to the REGULATION in the first column and the type of LOT in question.</p>

<b>Table 21.2.1</b>	LOTS without MUNICIPAL SERVICES	LOTS with MUNICIPAL WATER SERVICE but without MUNICIPAL SEWAGE SERVICE	LOTS with MUNICIPAL SERVICES
Minimum REQUIRED LOT FRONTAGE	60.0m	30.0m	23.0m
Minimum REQUIRED LOT AREA	10,000.0m <sup>2</sup>	2,100.0m <sup>2</sup>	930.0m <sup>2</sup>
Minimum REQUIRED FRONT YARD	6.0m	6.0m	6.0m
Minimum REQUIRED REAR YARD	6.0m	6.0m	6.0m
Minimum REQUIRED EXTERIOR SIDE YARD	6.0m	6.0m	6.0m
Minimum REQUIRED INTERIOR SIDE YARD	3.0m	3.0m	3.0m
Maximum LOT COVERAGE	None	None	35.0%
Minimum LANDSCAPED OPEN SPACE	15% of the LOT AREA which includes LANDSCAPED OPEN SPACE in the form of a 6.0 m wide strip along all LOT LINES abutting a RESIDENTIAL ZONE and LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES abutting a STREET LINE	15% of the LOT AREA which includes LANDSCAPED OPEN SPACE in the form of a 6.0 m wide strip along all LOT LINES abutting a RESIDENTIAL ZONE and LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES abutting a STREET LINE	15% of the LOT AREA which includes LANDSCAPED OPEN SPACE in the form of a 6.0 m wide strip along all LOT LINES abutting a RESIDENTIAL ZONE and LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES abutting a STREET LINE
Maximum HEIGHT	12.0 m	12.0 m	12.0 m

### **21.2.2 SEPARATION DISTANCE between MAIN BUILDINGS**

No person shall use any land or erect or use any BUILDING or STRUCTURE in a C3 ZONE such that there is a SEPARATION DISTANCE of less than 6.0m between MAIN BUILDINGS on the LOT.

### **21.2.3 PRIVACY SCREEN**

Where a LOT within any C3 ZONE, which LOT has full MUNICIPAL SERVICES, abuts a RESIDENTIAL ZONE, and subject to Section 5.10, a PRIVACY SCREEN with a HEIGHT of 1.6m is required along all LOT LINES abutting a RESIDENTIAL ZONE. No person shall use a fully serviced LOT within the C3

ZONE, which LOT abuts a RESIDENTIAL ZONE, without complying with the requirements of this Section.

This provision does not apply to LOTS without MUNICIPAL WATER SERVICE and/or MUNICIPAL SEWAGE SERVICE.

#### **21.2.4 Maximum GROSS FLOOR AREA**

No person shall use any BUILDING in an C3 ZONE for any of the USES in the first column of Table 21.2.4 with a GROSS FLOOR AREA greater than the area indicated in the second column of Table 21.2.4.

<b>Table 21.2.4</b>	
<b>USES</b>	<b>Maximum GFA</b>
FINANCIAL OFFICE	100.0 m <sup>2</sup>
FOOD STORE	275.0 m <sup>2</sup>



## **SECTION 22 C4 – ARTERIAL COMMERCIAL ZONE**

### **22.1**

#### **a) Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any C4 ZONE for any purpose or USE other than the USES listed below:

- ANIMAL CARE FACILITY;
- Car Wash;
- DRIVE SERVICE UNITS associated with permitted USES;
- FINANCIAL OFFICE;
- FOOD STORE;
- FUEL BAR;
- HOME IMPROVEMENT STORE;
- Hotel;
- MEDIA STORE;
- MEDICAL OFFICE;
- Motel;
- MOTOR VEHICLE SALES OR RENTAL ESTABLISHMENT;
- MOTOR VEHICLE SERVICE STATION;
- PARKING LOT;
- PERSONAL SERVICES ESTABLISHMENT;
- PET STORE;
- RECREATIONAL FACILITY
- RESTAURANT; or
- SHOPPING CENTRE.

#### **b) ADDITIONAL Permitted USE**

In addition to the USES permitted in Section 22.1(a), a RETAIL STORE is permitted on lands for which the ZONE label on the ZONING MAP is denoted with an "A" suffix.

### **22.2**

#### **REGULATIONS**

#### **22.2.1**

**Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any C4 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 22.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row within the second column. The measurement in that table cell is the one that applies to the REGULATION in the first column.

<b>Table 22.2.1</b>	All permitted USES
Minimum REQUIRED LOT FRONTAGE	23.0m
Minimum REQUIRED LOT AREA	930.0m <sup>2</sup>
Minimum REQUIRED FRONT YARD	6.0m
Minimum REQUIRED REAR YARD	6.0m
Minimum REQUIRED EXTERIOR SIDE YARD	6.0m
Minimum REQUIRED INTERIOR SIDE YARD	6.0m
Maximum LOT COVERAGE	35.0%
Minimum LANDSCAPED OPEN SPACE	15% of the LOT AREA which includes LANDSCAPED OPEN SPACE in the form of a 6.0 m wide strip along all LOT LINES abutting a RESIDENTIAL ZONE and LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES abutting a STREET LINE.
Maximum HEIGHT	12.0m
Maximum GLA of a SHOPPING CENTRE	9,290.0m <sup>2</sup>

### **22.2.2 SEPARATION DISTANCE between MAIN BUILDINGS**

No person shall use any land or erect or use any BUILDING or STRUCTURE in a C4 ZONE such that there is a SEPARATION DISTANCE of less than 6.0m between MAIN BUILDINGS on the LOT.

### **22.2.3 PRIVACY SCREEN**

Where a LOT within any C4 ZONE abuts a RESIDENTIAL ZONE, and subject to Section 5.10, a PRIVACY SCREEN with a HEIGHT of 1.6m is required along all LOT LINES abutting a RESIDENTIAL ZONE. No person shall use a LOT without complying with the requirements of this Section.

### **22.2.4 Maximum GROSS FLOOR AREA**

No person shall use any BUILDING in a C4 ZONE for any of the USES in the first column of Table 22.2.4 with a GROSS FLOOR AREA greater than the area indicated in the second column of Table 22.2.4.

<b>Table 22.2.4</b>	
USES	Maximum GFA
FINANCIAL OFFICE	100.0 m <sup>2</sup>
FOOD STORE	275.0 m <sup>2</sup>
MEDICAL OFFICE	500.0 m <sup>2</sup>

**SECTION 23**      **C5 – CENTRAL BUSINESS DISTRICT ZONE****23.1****a) Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any C5 ZONE for any purpose or USE other than the USES listed below:

- ANIMAL CARE FACILITY;
- APARTMENT DWELLING;
- ARTISAN'S WORKSHOP;
- Car Rental Agency;
- COMMERCIAL SCHOOL;
- COMMUNITY CENTRE;
- COMMUNITY HEALTH AND RESOURCE CENTRE;
- CULTURAL FACILITY;
- DAY CARE FACILITY;
- DRIVE SERVICE UNITS associated with permitted USES
- DWELLING UNITS in MIXED USE BUILDINGS where the other USES in the BUILDING are permitted in this Section;
- EDUCATIONAL INSTITUTION
- EMERGENCY SERVICES FACILITY;
- FUNERAL ESTABLISHMENT;
- HOSPITAL;
- Hotel;
- LIVE WORK UNIT;
- LODGING HOUSE;
- LONG TERM CARE FACILITY;
- Motel;
- NIGHT CLUB
- OFFICE;
- PARKING LOT;
- PARK;
- PERSONAL SERVICES ESTABLISHMENT;
- Private HOSPITAL;
- RECREATION FACILITY;
- RELIGIOUS INSTITUTION;
- RESIDENTIAL CARE FACILITY ONE;
- RESIDENTIAL CARE FACILITY TWO;
- RESIDENTIAL CARE FACILITY THREE;
- RESTAURANT;
- RETAIL STORE;
- RETIREMENT RESIDENCE;
- SHOPPING CENTRE; or
- TOWNHOUSE DWELLING.

**b) ADDITIONAL Permitted USES**

In addition to the USES permitted in Section 23.1(a), the following USES are permitted on CORNER LOTS:

- FUEL BAR;
- MOTOR VEHICLE SALES OR RENTAL ESTABLISHMENT;
- MOTOR VEHICLE SERVICE STATION; or
- Car wash.

## 23.2 REGULATIONS

**23.2.1 Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any C5 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 23.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the second column of the table. The measurement in that table cell is the one that applies to the REGULATION in the first column.

<b>Table 23.2.1</b>	All permitted USES
Minimum REQUIRED LOT FRONTAGE	6.0m
Minimum LANDSCAPED OPEN SPACE	LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES abutting a RESIDENTIAL ZONE
Minimum SEPARATION DISTANCE between LOTS occupied by an RCF	240.0m

### 23.2.2 PRIVACY SCREEN

Where a LOT within any C5 ZONE abuts a RESIDENTIAL ZONE, and subject to Section 5.10, a PRIVACY SCREEN with a HEIGHT of 1.6m is required along all LOT LINES abutting a RESIDENTIAL ZONE. No person shall use a LOT without complying with the requirements of this Section.

## **SECTION 24 C6 – REGIONAL CENTRE ZONE**

### **24.1 Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any C6 ZONE for any purpose or USE other than the USES listed below, and the various permitted USES may only be used as part of a SHOPPING CENTRE:

- Car wash;
- CULTURAL FACILITY;
- DRIVE SERVICE UNITS associated with permitted USES;
- FINANCIAL OFFICE;
- FUEL BAR;
- Hotel;
- MEDICAL OFFICE;
- Motel
- MOTOR VEHICLE SALES OR RENTAL ESTABLISHMENT;
- MOTOR VEHICLE SERVICE STATION;
- PERSONAL SERVICES ESTABLISHMENT;
- RECREATION FACILITY;
- RESTAURANT; or
- RETAIL STORE.

### **24.2 REGULATIONS**

**24.2.1 Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any C6 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 24.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the second column of the table. The measurement in that table cell is the one that applies to the REGULATION in the first column.

<b>Table 24.2.1</b>	All permitted USES
Minimum REQUIRED LOT FRONTAGE	60.0m
Minimum REQUIRED LOT AREA	8,000m <sup>2</sup>
Minimum REQUIRED EXTERIOR SIDE YARD	7.5m
Minimum REQUIRED INTERIOR SIDE YARD	7.5m
Minimum REQUIRED FRONT YARD	7.5m
Minimum REQUIRED REAR YARD	7.5m
Maximum HEIGHT	15.0m
Maximum FLOOR SPACE INDEX	0.27
Minimum LANDSCAPED OPEN SPACE	15% of the LOT AREA which includes LANDSCAPED OPEN SPACE in the form of a 6.0 m wide strip along all LOT LINES abutting a RESIDENTIAL ZONE LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES abutting a STREET LINE
Minimum GLA per LOT	20,000.0 m <sup>2</sup>

#### **24.2.2 SEPARATION DISTANCE between MAIN BUILDINGS**

No person shall use any land or erect or use any BUILDING or STRUCTURE in a C6 ZONE such that there is a SEPARATION DISTANCE of less than 6.0m between MAIN BUILDINGS on the LOT.

#### **24.2.3 PRIVACY SCREEN**

Where a LOT within any C6 ZONE abuts a RESIDENTIAL ZONE, and subject to Section 5.10, a PRIVACY SCREEN with a HEIGHT of 1.6m is required along all LOT LINES abutting a RESIDENTIAL ZONE. No person shall use a LOT without complying with the requirements of this Section.

#### **24.2.4 Maximum GROSS FLOOR AREA**

No person shall use any BUILDING in an C6 ZONE for any of the USES in the first column of Table 24.2.4 with a GROSS FLOOR AREA greater than the area indicated in the second column of Table 24.2.4.

<b>Table 24.2.4</b>	
<b>USES</b>	<b>Maximum GFA</b>
MEDICAL OFFICE	500.0 m <sup>2</sup>
FINANCIAL OFFICE	200.0 m <sup>2</sup>

## **SECTION 25 WATERFRONT DEVELOPMENT ZONE (WD)**

### **25.1**

#### **Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any WD ZONE for any purpose or USE other than the USES listed below:

- APARTMENT DWELLING where the ground and second floor areas of the BUILDING may include any one or combination of a PERSONAL SERVICE SHOP, a RESTAURANT, a RETAIL STORE, a variety store, or a residential USE, and where the second floor may also include an OFFICE;
- commercial PARKING LOT;
- commercial parking STRUCTURE;
- hotel, which may include a waterpark on the ground floor level and may include an OFFICE, a PERSONAL SERVICES ESTABLISHMENT, a RESTAURANT, a RETAIL STORE, and/or a variety store; or
- BUILDINGS, STRUCTURES or USES ACCESSORY or incidental to a USE permitted in this Section or a permitted USE located on an adjacent LOT.

### **25.2**

#### **REGULATIONS**

#### **25.2.1**

**Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any WD ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 25.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable permitted USE. The measurement in that table cell is the one that applies to the REGULATION in the first column and the permitted USE in question.

The second column of the table prescribes building envelope REGULATION measurements for all USES permitted in the ZONE unless a specific USE is specified in the third or following columns. The measurement in the second column is superceded by any measurements in the third or following columns with respect to specific USES referenced.



<b>Table 25.2.1</b>	All permitted USES unless otherwise specified	APARTMENT DWELLING	Hotel	Commercial Parking Structure
Minimum REQUIRED LOT FRONTAGE	None	None	None	None
Minimum REQUIRED LOT AREA	None	None	None	None
Minimum REQUIRED FRONT YARD	None	None	None	None
Minimum REQUIRED REAR YARD	None	None	None	None
Minimum REQUIRED EXTERIOR SIDE YARD	None	None	None	None
Minimum REQUIRED INTERIOR SIDE YARD	None	None	None	None
Maximum LOT COVERAGE	None	None	None	None
Maximum HEIGHT	10.0m	7 STOREYS not exceeding 25.0 m	27.0 metres	10.0 m
Minimum setback from edge of RAIL CORRIDOR	Not Applicable	30.0 m	30.0 m	None
Minimum setback from water's edge of Lake Superior	20.0m	20.0 m	20.0 m	20.0m
Minimum number of DWELLING UNITS	Not Applicable	40	Not Applicable	Not Applicable
Minimum number of guest rooms	Not Applicable	Not Applicable	60	Not Applicable

**25.2.2**            **Maximum Number of MAIN USES Per LOT:**

There is no limit to the number of USES per LOT in the WD ZONE.

**25.2.3**            **Maximum Number of MAIN BUILDING Per LOT:**

No person shall, within any WD ZONE use a LOT such that there are more than four MAIN BUILDINGS on it, which must be no more than one hotel, no more than 2 APARTMENT DWELLINGS and no more than one commercial parking STRUCTURE.

**25.2.4**            **On-Site Parking Requirements:**

The minimum number of PARKING SPACES required for USES on a LOT in the WD ZONE are:

- a)        1 PARKING SPACE per DWELLING UNIT;
- b)        1 PARKING SPACE per guest room in a hotel; and
- c)        a minimum of one space for every 21.0 m<sup>2</sup> of GFA.

## **SECTION 26    IN1 – LIGHT INDUSTRIAL ZONE**

### **26.1**

#### **a) Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any IN1 ZONE for any purpose or USE other than the USES listed below:

- DRIVE SERVICE UNITS associated with permitted USES
- MOTOR VEHICLE SALES OR RENTAL ESTABLISHMENT;
- HOME IMPROVEMENT STORE;
- FINANCIAL OFFICE;
- FURNITURE STORE;
- INDUSTRIAL CENTRE;
- LIGHT INDUSTRIAL USE;
- TECHNICAL OFFICE;
- RESEARCH AND DEVELOPMENT CENTRE;
- RECREATION FACILITY; or
- RESTAURANT.

#### **b) Additional Permitted USE**

In addition to the USES permitted in Section 26.1(a), an OFFICE, excluding a MEDICAL OFFICE, is permitted on lands for which the ZONE label on the ZONING MAP is denoted with an "A" suffix.

#### **c) Additional Permitted USE**

In addition to the USES permitted in Section 26.1(a), an OFFICE is permitted on lands for which the ZONE label on the ZONING MAP is denoted with a "B" suffix.

### **26.2**

## **REGULATIONS**

#### **26.2.1**

**Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any IN1 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 26.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the second column of the table. The measurement in that table cell is the one that applies to the REGULATION in the first column.

<b>Table 26.2.1</b>	All permitted USES
Minimum REQUIRED LOT FRONTAGE	20.0m
Minimum REQUIRED LOT AREA	930.0m <sup>2</sup>
Minimum REQUIRED FRONT YARD	6.0m
Minimum REQUIRED REAR YARD	6.0m
Minimum REQUIRED EXTERIOR SIDE YARD	6.0m
Minimum REQUIRED INTERIOR SIDE YARD	3.0m
Minimum LANDSCAPED OPEN SPACE	LANDSCAPED OPEN SPACE being 15% of the LOT AREA which includes LANDSCAPED OPEN SPACE in the form of a 6.0 m wide strip along all LOT LINES abutting a RESIDENTIAL ZONE and LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES abutting a STREET LINE:
Maximum HEIGHT	17.0m

### 26.2.2 SEPARATION DISTANCES between MAIN BUILDINGS

No person shall use any land or erect or use any BUILDING or STRUCTURE in an IN1 ZONE such that there is a SEPARATION DISTANCE of less than 6.0m between MAIN BUILDINGS on the LOT.

### 26.2.3 PRIVACY SCREEN

Where a LOT within any IN1 ZONE abuts a RESIDENTIAL ZONE, and subject to Section 5.10, a PRIVACY SCREEN with a HEIGHT of 1.6m is required along all LOT LINES abutting a RESIDENTIAL ZONE. No person shall use a LOT without complying with the requirements of this Section.

### 26.2.4 Minimum GROSS FLOOR AREA

No person shall use any BUILDING in an IN1 ZONE for any of the USES in the first column of Table 26.2.4 with a GROSS FLOOR AREA smaller than the area indicated in the second column of Table 26.2.4.

<b>Table 26.2.4</b>	
USE	Minimum GFA
HOME IMPROVEMENT STORE	2,000.0 m <sup>2</sup>
FURNITURE STORE	1,000.0 m <sup>2</sup>
TECHNICAL OFFICE	500.0 m <sup>2</sup>
RESEARCH AND DEVELOPMENT CENTRE	500.0 m <sup>2</sup>

**26.2.5****Maximum GROSS FLOOR AREA**

No person shall use any BUILDING in an IN1 ZONE for any of the USES in the first column of Table 26.2.5 with a GROSS FLOOR AREA greater than the area indicated in the second column of Table 26.2.5.

<b>Table 26.2.5</b>	
<b>USE</b>	<b>Maximum GFA</b>
FINANCIAL OFFICE	200.0 m <sup>2</sup>
MEDICAL OFFICE	500.0 m <sup>2</sup>

**SECTION 27**      **IN2 – MEDIUM INDUSTRIAL ZONE****27.1****a) Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any IN2 ZONE for any purpose or USE other than the USES listed below:

- ANIMAL BOARDING FACILITY;
- ANIMAL CARE FACILITY;
- Car rental agency;
- EMERGENCY SERVICES FACILITY;
- EQUIPMENT SERVICE AND RENTAL ESTABLISHMENT;
- FUEL BAR;
- HOME IMPROVEMENT STORE;
- INDUSTRIAL CENTRE;
- INDUSTRIAL SCHOOL;
- LIGHT INDUSTRIAL USE;
- MEDIUM INDUSTRIAL USE;
- MOTOR VEHICLE SALES OR RENTAL ESTABLISHMENT;
- MOTOR VEHICLE SERVICE STATION;
- MOTOR VEHICLE BODY REPAIR SHOP;
- OUTDOOR STORAGE;
- PRIVATE UTILITY;
- RESTAURANT;
- SERVICE SHOP;
- TRANSPORT TERMINAL; or
- UTILITY.

**b) Additional Permitted USES:**

In addition to the USES permitted in Section 27.1(a), the following USES are permitted on LOTS with full MUNICIPAL SERVICES:

- Car Wash; or
- DRY-CLEANING PLANT.

**c) Additional Permitted USES:**

In addition to the USES permitted in Section 27.1(a), an OFFICE, excluding a MEDICAL OFFICE, is permitted on lands for which the ZONE label on the ZONING MAP is denoted with an "A" suffix.

**d) Additional Permitted USES:**

In addition to the USES permitted in Section 27.1(a), an OFFICE is permitted on lands for which the ZONE label on the ZONING MAP is denoted with a "B" suffix.

## 27.2 REGULATIONS

**27.2.1 Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any IN2 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 27.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable type of LOT in question. The measurement in that table cell is the one that applies to the REGULATION in the first column and the type of LOT in question.

<b>Table 27.2.1</b>	<b>LOTS WITH MUNICIPAL WATER SERVICES AND WITHOUT MUNICIPAL SEWAGE SERVICES</b>	<b>LOTS WITH MUNICIPAL SERVICES</b>
Minimum REQUIRED LOT FRONTAGE	30.0m	22.0m
Minimum REQUIRED LOT AREA	2,100m <sup>2</sup>	930.0m <sup>2</sup>
Minimum REQUIRED FRONT YARD	9.0m	6.0m
Minimum REQUIRED REAR YARD	9.0m	6.0m
Minimum REQUIRED EXTERIOR SIDE YARD	6.0m	6.0m
Minimum REQUIRED INTERIOR SIDE YARD	3.0m	3.0m
Minimum LANDSCAPED OPEN SPACE	LANDSCAPED OPEN SPACE in the form of a 6.0 m wide strip along all LOT LINES abutting a RESIDENTIAL ZONE and LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES abutting a STREET LINE	LANDSCAPED OPEN SPACE in the form of a 6.0 m wide strip along all LOT LINES abutting a RESIDENTIAL ZONE and LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES abutting a STREET LINE
Maximum HEIGHT	15.0m	17.0m

**27.2.2 SEPARATION DISTANCE between MAIN BUILDINGS**

No person shall use any land or erect or use any BUILDING or STRUCTURE in an IN2 ZONE such that there is a SEPARATION DISTANCE of less than 6.0m between MAIN BUILDINGS on the LOT.

**27.2.3 PRIVACY SCREEN**

Where a LOT within any IN2 ZONE abuts a RESIDENTIAL ZONE, and subject to Section 5.10, a PRIVACY SCREEN with a HEIGHT of 1.6m is required along all LOT LINES abutting a RESIDENTIAL ZONE. No person shall use a LOT without complying with the requirements of this Section.

**27.2.4 Maximum GROSS FLOOR AREA**

No person shall use any BUILDING in an IN2 ZONE for any of the USES in the first column of Table 27.2.4 with a GROSS FLOOR AREA greater than the area indicated in the second column of Table 27.2.4.

<b>Table 27.2.4</b>	
<b>USE</b>	<b>Maximum GFA</b>
HOME IMPROVEMENT STORE	500.0 m <sup>2</sup>
MEDICAL OFFICE	500.0 m <sup>2</sup>



**SECTION 28**      **IN3 – HEAVY INDUSTRIAL ZONE**

**28.1**

**a) Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any IN3 ZONE for any purpose or USE other than the USES listed below:

- CHEMICAL STORAGE FACILITY;
- DRY CLEANING PLANT;
- POWER GENERATING STATION;
- POWER MAIN TRANSFORMER STATION;
- POWER DISTRIBUTION STATION;
- EMERGENCY SERVICES FACILITY;
- EQUIPMENT SERVICE AND RENTAL ESTABLISHMENT;
- Facilities for repair, storage and maintenance of rail equipment;
- HEAVY INDUSTRIAL USE;
- INDUSTRIAL CENTRE;
- INDUSTRIAL SCHOOL;
- LIGHT INDUSTRIAL USE;
- MEDIUM INDUSTRIAL USE;
- MOTOR VEHICLE BODY REPAIR SHOP;
- MOTOR VEHICLE SERVICE STATION;
- OUTDOOR STORAGE;
- PRIVATE UTILITY;
- RAIL YARD;
- SERVICE SHOP;
- TRANSPORT TERMINAL; or
- UTILITY.

**b) Additional Permitted USES**

In addition to the USES permitted in Section 28.1(a), the following USES are permitted on LOTS with WATER ACCESS:

- HEAVY INDUSTRIAL USE which requires WATER ACCESS including facilities for the underground and surface storage of petroleum and other gaseous products, grain elevators, pulp and paper mills, and coal storage facilities;
- Lighthouse;
- SEAPLANE BASE;
- Shipyard; or
- MARINA.

## 28.2 REGULATIONS

**28.2.1 Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any IN3 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 28.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable type of LOT. The measurement in that table cell is the one that applies to the REGULATION in the first column and the type of LOT in question.

The second column of the table prescribes building envelope REGULATION measurements for all USES permitted in the ZONE on unserviced LOTS. The third column of the table prescribes building envelope REGULATION measurements for all USES permitted in the ZONE on partially serviced LOTS. The fourth column of the table prescribes building envelope REGULATION measurements for all USES permitted in the ZONE on fully serviced LOTS.

<b>Table 28.2.1</b>	LOTS without MUNICIPAL SERVICES	LOTS with MUNICIPAL WATER SERVICE and without MUNICIPAL SEWAGE SERVICE	LOTS with MUNICIPAL SERVICES
Minimum REQUIRED LOT FRONTAGE	60.0m	30.0m	30.0m
Minimum REQUIRED LOT AREA	10,000m <sup>2</sup>	3,000.0m <sup>2</sup>	930.0m <sup>2</sup>
Minimum REQUIRED FRONT YARD	9.0m	6.0m	6.0m
Minimum REQUIRED REAR YARD	9.0m	6.0m	6.0m
Minimum REQUIRED EXTERIOR SIDE YARD	9.0m	6.0m	6.0m
Minimum REQUIRED INTERIOR SIDE YARD	9.0m	6.0m	6.0m

<b>Table 28.2.1 Continued</b>	LOTS without MUNICIPAL SERVICES	LOTS with MUNICIPAL WATER SERVICE and without MUNICIPAL SEWAGE SERVICE	LOTS with MUNICIPAL SERVICES
Minimum LANDSCAPED OPEN SPACE	LANDSCAPED OPEN SPACE in the form of a 6.0 m wide strip along all LOT LINES abutting a RESIDENTIAL ZONE and LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES abutting a STREET LINE and NATURAL VEGETATED BUFFER in the form of a 6.0 m wide strip along all LOT LINES abutting abutting a shoreline	LANDSCAPED OPEN SPACE in the form of a 6.0 m wide strip along all LOT LINES abutting a RESIDENTIAL ZONE and LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES abutting a STREET LINE and NATURAL VEGETATED BUFFER in the form of a 6.0 m wide strip along all LOT LINES abutting abutting a shoreline	LANDSCAPED OPEN SPACE in the form of a 6.0 m wide strip along all LOT LINES abutting a RESIDENTIAL ZONE and LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES abutting a STREET LINE and NATURAL VEGETATED BUFFER in the form of a 6.0 m wide strip along all LOT LINES abutting abutting a shoreline

### 28.2.2 **SEPARATION DISTANCE between MAIN BUILDINGS**

No person shall use any land or erect or use any BUILDING or STRUCTURE in an IN3 ZONE such that there is a SEPARATION DISTANCE of less than 6.0m between MAIN BUILDINGS on the LOT.

### 28.2.3 **PRIVACY SCREEN**

Where a LOT within any IN3 ZONE abuts a RESIDENTIAL ZONE, and subject to Section 5.10, a PRIVACY SCREEN with a HEIGHT of 1.6m is required along all LOT LINES abutting a RESIDENTIAL ZONE. No person shall use a LOT without complying with the requirements of this Section.

**SECTION 29**    **IN4 – EXTRACTIVE INDUSTRIAL ZONE****29.1**            **Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any IN4 ZONE for any purpose or USE other than for a QUARRY PIT.

**29.2**            **REGULATIONS**

**29.2.1**            **Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any IN4 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 29.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the second column. The measurement in that table cell is the one that applies to the REGULATION in the first column.

<b>Table 29.2.1</b>	All permitted USES
Minimum REQUIRED FRONT YARD	30.0m
Minimum REQUIRED REAR YARD	30.0m
Minimum REQUIRED EXTERIOR SIDE YARD	30.0m
Minimum REQUIRED INTERIOR SIDE YARD	15.0m
Minimum LANDSCAPED OPEN SPACE	NATURAL VEGETATED BUFFER in the form of a 6.0 m wide strip along all LOT LINES abutting a shoreline and/or abutting the EP ZONE
Minimum SEPARATION DISTANCE of QUARRY PIT boundary from boundary of a RESIDENTIAL ZONE.	450.0 m, if QUARRY PIT involves blasting or 90.0m if QUARRY PIT does not involve blasting

**SECTION 30 IN5 – UTILITIES AND SERVICES ZONE****30.1 Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any IN5 ZONE for any purpose or USE other than the USES listed below:

- COMMUNICATIONS FACILITIES;
- POWER GENERATING STATION;
- POWER MAIN TRANSFORMER STATION;
- POWER DISTRIBUTION STATION; or
- PRIVATE UTILITY.

**30.2 REGULATIONS**

**30.2.1 Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any IN5 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 30.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the second column. The measurement in that table cell is the one that applies to the REGULATION in the first column.

<b>Table 30.2.1</b>	All permitted USES
Minimum SEPARATION DISTANCE of a permitted USE from boundary of a RESIDENTIAL ZONE	15.0 m
Minimum LANDSCAPED OPEN SPACE	LANDSCAPED OPEN SPACE in the form of a 7.5 m wide strip along all LOT LINES a abutting RESIDENTIAL ZONE LANDSCAPED OPEN SPACE in the form of a 7.5 m wide strip along all LOT LINES abutting a STREET LINE

**30.2.2 SEPARATION DISTANCE between MAIN BUILDINGS**

No person shall use any land or erect or use any BUILDING or STRUCTURE in an IN5 ZONE such that there is a SEPARATION DISTANCE of less than 6.0m between MAIN BUILDINGS on the LOT.

**30.2.3 PRIVACY SCREEN**

Where a LOT within any IN5 ZONE abuts a RESIDENTIAL ZONE, and subject to Section 5.10, a PRIVACY SCREEN with a HEIGHT of 1.6m is required along all LOT LINES abutting a RESIDENTIAL ZONE. No person shall use a LOT without complying with the requirements of this Section.

## **SECTION 31    IN6 – PRESTIGE INDUSTRIAL ZONE**

### **31.1**

#### **a) Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any IN6 ZONE for any purpose or USE other than the USES listed below:

- INDUSTRIAL CENTRE;
- LIGHT INDUSTRIAL USE;
- TECHNICAL OFFICE; or
- RESEARCH AND DEVELOPMENT CENTRE.

#### **b) Additional Permitted USES:**

The following USES are permitted provided they are used together with the USES permitted in Section 31.1(a):

- FINANCIAL OFFICE;
- DRIVE SERVICE UNITS associated with permitted USES;
- RECREATIONAL FACILITY; or
- RESTAURANT.

#### **c) Additional Permitted USE:**

In addition to the USES permitted in Section 31.1(a), a MEDICAL OFFICE is permitted on lands for which the ZONE label on the ZONING MAP is denoted with an "C" suffix.

### **31.2**

#### **REGULATIONS**

#### **31.2.1**

**Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any IN6 ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 31.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the second column of the table. The measurement in that table cell is the one that applies to the REGULATION in the first column.

<b>Table 31.2.1</b>	All permitted USES
Minimum REQUIRED LOT FRONTAGE	20.0m
Minimum REQUIRED LOT AREA	930.0m <sup>2</sup>
Minimum REQUIRED FRONT YARD	6.0m
Minimum REQUIRED REAR YARD	6.0m
Minimum REQUIRED EXTERIOR SIDE YARD	6.0m
Minimum REQUIRED INTERIOR SIDE YARD	3.0m
Minimum LANDSCAPED OPEN SPACE	LANDSCAPED OPEN SPACE being 15% of the LOT AREA which includes LANDSCAPED OPEN SPACE in the form of a 6.0 m wide strip along all LOT LINES abutting a RESIDENTIAL ZONE and LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES abutting a STREET LINE:
Maximum HEIGHT	17.0m

### 31.2.2 **SEPARATION DISTANCE between MAIN BUILDINGS**

No person shall use any land or erect or use any BUILDING or STRUCTURE in an IN6 ZONE such that there is a SEPARATION DISTANCE of less than 6.0m between MAIN BUILDINGS on the LOT.

### 31.2.3 **PRIVACY SCREEN**

Where a LOT within any IN6 ZONE abuts a RESIDENTIAL ZONE, and subject to Section 5.10, a PRIVACY SCREEN with a HEIGHT of 1.6m is required along all LOT LINES abutting a RESIDENTIAL ZONE. No person shall use a LOT without complying with the requirements of this Section.

### 31.2.4 **Minimum GROSS FLOOR AREA**

No person shall use any BUILDING in an IN6 ZONE for any of the USES in the first column of Table 31.2.4 with a GROSS FLOOR AREA less than the area indicated in the second column of Table 31.2.4.

<b>Table 31.2.4</b>	
USE	Minimum GFA
TECHNICAL OFFICE	500.0 m <sup>2</sup>
RESEARCH AND DEVELOPMENT CENTRE	500.0 m <sup>2</sup>



**31.2.5**      **Maximum GROSS FLOOR AREA**

No person shall use any BUILDING in an IN6 ZONE for any of the USES in the first column of Table 31.2.5 with a GROSS FLOOR AREA greater than the area indicated in the second column of Table 31.2.5.

<b>Table 31.2.5</b>	
<b>USE</b>	<b>Maximum GFA</b>
FINANCIAL OFFICE	200.0 m <sup>2</sup>
MEDICAL OFFICE	500.0 m <sup>2</sup>

**SECTION 32 AP – AIRPORT ZONE****32.1****a) Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any AP ZONE for any purpose or USE other than the USES listed below:

- AEROSPACE RELATED COMMERCIAL SCHOOL;
- AEROSPACE RELATED EDUCATIONAL INSTITUTION;
- AEROSPACE RELATED INDUSTRIAL SCHOOL;
- AEROSPACE RELATED LIGHT INDUSTRIAL USE;
- AEROSPACE RELATED MEDIUM INDUSTRIAL USE;
- AEROSPACE RELATED RESEARCH AND DEVELOPMENT CENTRE;
- AEROSPACE RELATED TRANSPORT TERMINAL;
- Aircraft storage, maintenance and repair facilities;
- AIRPORT;
- Car rental agency;
- EMERGENCY SERVICES FACILITY;
- Fuel Storage;
- Hotel;
- PARKING LOT;
- Passenger Terminal Facilities; or
- Taxi stand.

**b) Additional Permitted USES:**

The following USES are permitted within a passenger terminal facility:

- FOOD STORE;
- RETAIL STORE;
- NIGHT CLUB; or
- RESTAURANT.

## 32.2 **REGULATIONS**

**32.2.1 Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any AP ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 32.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the second column of the table. The measurement in that table cell is the one that applies to the REGULATION in the first column.

<b>Table 32.2.1</b>	All permitted USES
Minimum REQUIRED LOT FRONTAGE	120.0m
Minimum REQUIRED FRONT YARD	30.0m
Minimum REQUIRED REAR YARD	30.0m
Minimum REQUIRED EXTERIOR SIDE YARD	30.0m
Minimum REQUIRED INTERIOR SIDE YARD	30.0m

## 32.2.3 **SEPARATION DISTANCE between MAIN BUILDINGS**

No person shall use any land or erect or use any BUILDING or STRUCTURE in an AP ZONE such that there is a SEPARATION DISTANCE of less than 6.0m between MAIN BUILDINGS on the LOT.

## **SECTION 33 OS – OPEN SPACE ZONE**

### **33.1 Permitted USES**

No person shall within any OS ZONE use any land or erect or use any BUILDING or STRUCTURE for any purpose or USE other than the USES listed below:

- COMMUNITY CENTRE;
- CULTURAL FACILITY;
- Golf Course;
- MARINA;
- NURSERY;
- PARK;
- RECREATION FACILITY;
- Ski Resort; or
- Zoo.

### **33.2 REGULATIONS**

#### **33.2.1 Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any OS ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 33.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable permitted USE. The measurement in that table cell is the one that applies to the REGULATION in the first column and the permitted USE in question.

The second column of the table prescribes building envelope REGULATION measurements for all USES permitted in the ZONE unless a specific USE is specified in the third column. The measurement in the second column is superseded by any measurement in the third column with respect to specific USES referenced.

<b>Table 33.2.1</b>	All permitted USES	PARK
Minimum REQUIRED LOT FRONTAGE	15.0m	none
Minimum REQUIRED FRONT YARD	9.0m	none
Minimum REQUIRED REAR YARD	9.0m	none
Minimum REQUIRED EXTERIOR SIDE YARD	6.0m	none
Minimum REQUIRED INTERIOR SIDE YARD	3.0m	none
Minimum LANDSCAPED OPEN SPACE	LANDSCAPED OPEN SPACE in the form of a 6.0 m wide strip along all LOT LINES abutting a RESIDENTIAL ZONE LANDSCAPED OPEN SPACE in the form of a 6.0 m wide strip along all LOT LINES abutting a STREET LINE	Not applicable
Maximum HEIGHT	15.0m	Not applicable

### 33.2.3 **SEPARATION DISTANCE between MAIN BUILDINGS**

No person shall use any land or erect or use any BUILDING or STRUCTURE in an OS ZONE such that there is a SEPARATION DISTANCE of less than 6.0m between MAIN BUILDINGS on the LOT.

**SECTION 34**    **EP – ENVIRONMENTAL PROTECTION ZONE**

**34.1**            **Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any EP ZONE for any purpose or USE other than the USES listed below:

- Docks;
- Boat launches;
- Flood control;
- Erosion control;
- MARINA; or
- PARK exclusive of BUILDINGS or STRUCTURES.

**SECTION 35    MI – MAJOR INSTITUTIONAL ZONE****35.1****a)    Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any MI ZONE for any purpose or USE other than the USES listed below:

- CEMETERY;
- COMMUNITY CENTRE;
- CREMATORIUM;
- CULTURAL FACILITY;
- Correctional Centre;
- DAY CARE FACILITY;
- DWELLING UNIT ACCESSORY to a permitted USE;
- EDUCATIONAL INSTITUTION;
- EMERGENCY SERVICES FACILITY;
- MEDICAL OFFICE;
- OPEN MARKET;
- PARK;
- Penitentiary;
- RECREATION FACILITY;
- RELIGIOUS INSTITUTION;
- RESEARCH AND DEVELOPMENT CENTRE;
- RESIDENTIAL CARE FACILITY ONE;
- RESIDENTIAL CARE FACILITY TWO; or
- RESIDENTIAL CARE FACILITY THREE.

**b)    Additional Permitted USES:**

In addition to the USES permitted in Section 35.1(a), the following USES are permitted LOTS with MUNICIPAL SERVICES:

- LONG TERM CARE FACILITY;
- RETIREMENT RESIDENCE; or
- HOSPITAL.

## 35.2 REGULATIONS

**35.2.1 Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any MI ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 35.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the column for the applicable type of LOT. The measurement in that table cell is the one that applies to the REGULATION in the first column and the type of LOT in question.

<b>Table 35.2.1</b>	LOTS without MUNICIPAL SERVICES	LOTS with MUNICIPAL WATER SERVICE and without MUNICIPAL SEWAGE SERVICE	LOTS with MUNICIPAL SERVICES
Minimum REQUIRED LOT FRONTAGE	90.0m	30.0m	15.0m
Minimum REQUIRED LOT AREA	20,000m <sup>2</sup>	4,000.0m <sup>2</sup>	450.0m <sup>2</sup>
Minimum REQUIRED FRONT YARD	9.0m	9.0m	9.0m
Minimum REQUIRED REAR YARD	9.0m	9.0m	9.0m
Minimum REQUIRED EXTERIOR SIDE YARD	6.0m	6.0m	6.0m
Minimum REQUIRED INTERIOR SIDE YARD	6.0m	6.0m	6.0m



<b>Table 35.2.1 Continued</b>	LOTS without MUNICIPAL SERVICES	LOTS with MUNICIPAL WATER SERVICE and without MUNICIPAL SEWAGE SERVICE	LOTS with MUNICIPAL SERVICES
Minimum LANDSCAPED OPEN SPACE	LANDSCAPED OPEN SPACE being 15% of the LOT AREA which includes LANDSCAPED OPEN SPACE in the form of a 6.0 m wide strip along all LOT LINES abutting a RESIDENTIAL ZONE and LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES abutting a STREET LINE	LANDSCAPED OPEN SPACE being 15% of the LOT AREA which includes LANDSCAPED OPEN SPACE in the form of a 6.0 m wide strip along all LOT LINES abutting a RESIDENTIAL ZONE and LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES abutting a STREET LINE	LANDSCAPED OPEN SPACE being 15% of the LOT AREA which includes LANDSCAPED OPEN SPACE in the form of a 6.0 m wide strip along all LOT LINES abutting a RESIDENTIAL ZONE and LANDSCAPED OPEN SPACE in the form of a 3.0 m wide strip along all LOT LINES abutting a STREET LINE
Maximum HEIGHT	30.0 m	30.0m	30.0m

### **35.2.2      SEPARATION DISTANCE between MAIN BUILDINGS**

No person shall use any land or erect or use any BUILDING or STRUCTURE in an MI ZONE such that there is a SEPARATION DISTANCE of less than 6.0m between MAIN BUILDINGS on the LOT.

### **35.2.3      PRIVACY SCREEN**

Where a LOT within any MI ZONE abuts a RESIDENTIAL ZONE, and subject to Section 5.10, a PRIVACY SCREEN with a HEIGHT of 1.6m is required along all LOT LINES abutting a RESIDENTIAL ZONE. No person shall use a LOT without complying with the requirements of this Section.

**SECTION 36 FD – FUTURE DEVELOPMENT ZONE****36.1 Permitted USES**

No person shall use any land or erect or use any BUILDING or STRUCTURE within any FD ZONE for any purpose or USE other than USES, BUILDINGS, or STRUCTURES legally existing on the effective date of this BY-LAW which may include extensions or additions:

**36.2 REGULATIONS**

**36.2.1 Building Envelope REGULATIONS:** In addition to all other REGULATIONS of this BY-LAW, no person shall, within any FD ZONE, use any land, or erect or use any BUILDING or STRUCTURE, except in compliance with the building envelope REGULATIONS in Table 36.2.1.

To use the table, locate the applicable building envelope REGULATION in the first column of the table. Read across the table and locate the measurement in the same row as the applicable REGULATION that is within the second column of the table. The measurement in that table cell is the one that applies to the REGULATION in the first column.

<b>Table 36.2.1</b>	All permitted USES
Minimum REQUIRED LOT FRONTAGE	Equals the existing LOT FRONTAGE of the LOT
Minimum REQUIRED LOT DEPTH	Equals the existing LOT DEPTH of the LOT
Minimum REQUIRED LOT AREA	Equals the existing LOT AREA of the LOT
Minimum REQUIRED FRONT YARD	10.0 m
Minimum REQUIRED REAR YARD	10.0 m
Minimum REQUIRED EXTERIOR SIDE YARD	10.0 m
Minimum REQUIRED INTERIOR SIDE YARD	10.0 m
Maximum HEIGHT	10.0m