A stylized map of Thunder Bay, Ontario, Canada, rendered in various shades of teal and green. The map shows a network of streets and a prominent area outlined with a dashed white line, indicating a specific zoning district. The text is overlaid on the upper portion of the map.

CITY OF THUNDER BAY

ZONING BY-LAW 1-2022



By-law 1-2022, effective on April 11, 2022

This consolidated copy of the City of Thunder Bay Zoning By-law 1-2022, 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.

HOW TO USE THIS BY-LAW

Sections 1-10: Land use areas and zones

Sections 1 to 10 describe distinct land use areas of the City. Lands within the same land use area have a similar built form and/or function in the community.

Each land use area section has three subsections. Each subsection is identified with an icon.



1. Permitted uses and density standards

The first subsection describes one or more zones. These zones permit specific uses and establish density standards on all properties within the land use area. Every property in the City is located within a zone listed in this By-law. You can determine what zone applies to a property by locating it on the Zoning By-law map. The official Zoning By-law maps are attached to this By-law as Schedule A. An interactive zoning map is also available online.

To find out which zone applies to a property, go to the interactive zoning map and type in its address. If you don't know the address, search for a nearby landmark or search by manually moving the map.

Each zone has a unique list of permitted uses. Only uses described in that list are permitted on lands designated as that zone. Zones have standards that control density such as lot size, lot coverage, and limits on the number of uses or buildings that also apply.



2. Height and location requirements

The second subsection regulates the height and location for buildings, structures, and land uses such as outdoor storage. It includes minimum and maximum heights, setbacks, and separation distances for all buildings or structures in that land use area. This subsection applies to all zones described in the first subsection.



3. Access, landscaping, and parking requirements

The third subsection regulates access, landscaping, and parking, such as maximum driveway widths or minimum number of required parking spaces, in that land use area. This subsection applies to all zones described in the first subsection.

Section 11: Site development standards

This section sets out the standards for site features such as landscaping and parking. This section includes details such as how large a parking space must be or how many accessible parking spaces need to be provided on a lot. These are important regulations that apply to all sites in every zone. Zoning By-laws traditionally refer to these standards as “general regulations”.

Sections 12-13: Use or areas specific regulations

These sections only apply to specific uses, areas, or sites. Section 12 describes regulations for specific land uses such as backyard homes. The regulations apply to those uses regardless of what zone they are in.

Section 13 regulates areas with special development constraints such as height restrictions or private servicing (i.e. private wells and septic systems).

Lands identified by the environmental overlay or zoned EP – Environmental Protection are subject to the Lakehead Region Conservation Authority's (LRCA) permit system. A permit from the LRCA is required for most forms of development or site alteration in these areas. The environmental overlay is shown as grey shading on the Zoning By-law map attached as Schedule A. The environmental overlay can also be viewed using the interactive zoning map. Refer to Section 16.15.2 of this By-law for rules relating to the interpretation of the environmental overlay.

Sections 14-17: Definitions and legal details

These sections define specific terms and detail how the By-law is interpreted and enforced.

Wherever a term in this By-law is in bold letters, the term has a defined meaning set out for it in Section 15. Wherever a term is in regular font, its typical English language definition applies.

Schedules A, B, and C

Schedule A is the map which identifies how properties in the City are zoned. These are available in an interactive online format.

If the zone label is followed by an 'H' suffix, that area of land is affected by a holding provision. The number after the 'H' symbol on the zone label corresponds to specific holding provision. Consult Schedule B to determine what is included in the corresponding provision.

If the zone label is followed by an 'SP' suffix, that area of land is affected by a site-specific provision. The number after the 'SP' symbol on the zone label corresponds to a site-specific zoning provision. Consult Schedule C to determine what is included in the corresponding provision.

CONTENTS

LAND USE AREAS AND ZONES	1
SECTION 1: RURAL AREAS	3
1.1 Permitted uses and density standards	5
1.1.1 RU – Rural Zone	5
1.1.2 RUC – Rural Commercial Zone	7
1.1.3 RR – Rural Resource Zone	8
1.2 Height and location requirements	9
1.2.1 Main buildings, structures, and outdoor storage	9
1.2.2 Accessory buildings and structures	10
1.3 Access, landscaping, and parking requirements	11
SECTION 2: RURAL SETTLEMENTS	13
2.1 Permitted uses and density standards	15
2.1.1 RS1 – Rural Settlement Zone	15
2.1.2 RS2 – Rural Settlement Commercial Zone	16
2.2 Height and location requirements	17
2.2.1 Main buildings and structures	17
2.2.2 Accessory buildings and structures	17
2.3 Access, landscaping, and parking requirements	18

SECTION 3: URBAN NEIGHBOURHOODS	21
3.1 Permitted uses and density standards	23
3.1.1 UL – Urban Low-rise Zone	23
3.1.2 UM – Urban Mid-rise Zone	26
3.1.3 UH – Urban High-rise Zone	28
3.1.4 UX – Urban Mixed Use Zone	29
3.1.5 NC – Neighbourhood Commercial Zone	31
3.2 Height and location requirements	33
3.2.1 Main buildings and structures	33
3.2.2 Accessory buildings and structures	37
3.3 Access, landscaping, and parking requirements	38
SECTION 4: PEDESTRIAN COMMERCIAL AREAS	47
4.1 Permitted uses and density standards	49
4.1.1 MS – Main Street Zone	49
4.1.2 DN – Downtown Neighbourhood Zone	50
4.1.3 WC – Waterfront Commercial Zone	51
4.2 Height and location requirements	52
4.3 Access, landscaping, and parking requirements	53
SECTION 5: COMMUTER COMMERCIAL AREAS	55
5.1 Permitted uses and density standards	57
5.1.1 SC – Service Commercial Zone	57
5.1.2 CC – Community Commercial Zone	58
5.1.3 RC – Regional Centre Zone	60
5.2 Height and location requirements	61
5.3 Access, landscaping, and parking requirements	61

SECTION 6: BUSINESS AREAS	65
6.1 Permitted uses	67
6.1.1 LI – Light Industrial Zone	67
6.1.2 BU – Business Zone	68
6.2 Height and location requirements	69
6.3 Access, landscaping, and parking requirements	70
 SECTION 7: HEAVY INDUSTRIAL AREAS	 73
7.1 Permitted uses and density standards	75
7.1.1 HI – Heavy Industrial Zone	75
7.1.2 AP – Airport Zone	76
7.1.3 US – Utilities and Services Zone	76
7.2 Height and location requirements	77
7.3 Access, landscaping, and parking requirements	78
 SECTION 8: INSTITUTIONAL AND COMMUNITY AREAS	 81
8.1 Permitted uses and density standards	83
8.1.1 IN – Institutional Zone	83
8.1.2 CM – Community Zone	84
8.2 Height and location requirements	84
8.3 Access, landscaping, and parking requirements	85
 SECTION 9: NATURAL HERITAGE AREAS	 89
9.1 Permitted uses and density standards	91
9.1.1 EP – Environmental Protection Zone	91
9.2 Height and location requirements	92
9.3 Access, landscaping, and parking requirements	92

SECTION 10: FUTURE DEVELOPMENT AREAS	93
10.1 Permitted uses and density standards	95
10.1.1 FD – Future Development Zone	95
10.1.2 UG – Urban Growth Zone	96
10.2 Height and location requirements	96
10.2.1 Main buildings and structures	96
10.2.2 Accessory buildings and structures	97
10.3 Access, landscaping, and parking requirements	97
 SECTION 11: SITE DEVELOPMENT STANDARDS	 99
11.1 Access	101
11.1.1 Minimum lot frontage	101
11.1.2 Driveways	101
11.2 Decks, pools, and other exterior features	102
11.2.1 Balconies, decks, and porches	102
11.2.2 Height exemptions	102
11.2.3 Outdoor swimming pools and hot tubs	102
11.2.4 Permitted projections	103
11.3 Drive-throughs and other vehicle queues	105
11.4 Landscaping	106
11.4.1 Minimum landscaped areas	106
11.4.2 Intensification or changes of use	106
11.5 Loading areas	107
11.6 Parking spaces	108
11.6.1 Bicycle parking spaces	108
11.6.2 Vehicle parking spaces	109
11.6.3 Accessible parking spaces	110
11.6.4 Parking space substitution	112

11.7 Parking lots	112
11.7.1 Surface treatment	112
11.7.2 Access and parking aisles	112
11.7.3 Parking attendant shelters	114
11.7.4 Off-site parking lots	114
11.7.5 Underground parking	115
11.8 Setback and sight triangles	115
11.8.1 Maximum setbacks	115
11.8.2 Sight triangles	115
11.9 Split zoning	116
11.10 Visual screens and lighting	116
11.11 Waste and recycling	117
 SECTION 12: USE-SPECIFIC REGULATIONS	 119
12.1 Accessory uses, buildings, and structures	121
12.1.1 Home businesses	122
12.2 Backyard homes	123
12.3 Bed and breakfasts	124
12.4 Condominiums	124
12.4.1 Standard condominiums	124
12.4.2 Vacant land condominiums	124
12.4.3 Common element condominiums	124
12.5 Community gardens	125
12.6 Legal non-conforming uses	125
12.6.1 Repair, restoration, or rebuilding	125
12.6.2 Public action	125
12.6.3 Non-conforming building locations	125
12.6.4 Legal non-conforming houses	125
12.7 Outdoor displays	127
12.8 Outdoor storage	127
12.9 Power and Utility Facilities	127

12.10 Public Uses	127
12.10.1 Public uses in Urban neighbourhoods	127
12.11 Sensitive uses	128
12.12 Temporary Uses	128
12.12.1 Construction	128
12.12.2 Garden centres	128
12.12.3 Restaurant patios	129
12.12.4 Pits and quarries	129
12.12.5 Storage containers	129
12.12.6 Tents	129
12.12.7 Vehicle storage	129
12.13 Undersized lots	130
12.13.1 Zoning relief	130
12.13.2 Lot additions	130
12.13.3 Strengthening to a safe condition	130
SECTION 13: AREA-SPECIFIC REGULATIONS	131
13.1 Height Restricted Areas	133
13.1.1 Public viewshed	133
13.1.2 Aircraft traffic	134
13.2 Privately serviced lands	134
SECTION 14: DEFINITIONS	135
SECTION 15: GENERAL SCOPE AND ADMINISTRATION	163
15.1 Short title	165
15.2 Application of this By-Law	165
15.2.1 Lands subject to this By-Law	165
15.2.2 Compliance with this By-Law	165
15.3 Compliance with other legislation	165
15.4 Validity or severability	165

15.5 Effective date	165
15.6 Repeal of existing Zoning By-law	165
15.7 Technical Revisions	165
15.8 Contents of this By-law	165
15.8.1 Regulations	165
15.8.2 Figures and tables	165
15.8.3 Maps	165
15.8.4 Diagrams and other reference aids	165
15.9 Administration	166
 SECTION 16: INTERPRETATION, CLASSIFICATION, AND LIMITS OF ZONES	 167
16.1 Interpretation	169
16.2 Promotion of health, safety, and general welfare	169
16.3 Acting directly or indirectly	169
16.4 Text organization	169
16.5 Conflicts with other by-laws	169
16.6 Conflicting regulations	169
16.7 Permits	169
16.8 Measurement tolerances:	170
16.9 Transition Provisions	170
16.9.1 Building permit applications	170
16.9.2 Site plan approval applications	170
16.9.3 Minor variances	170
16.10 Word Usage	171
16.10.1 Tense and plurality	171
16.10.2 “Must” and “may”	171
16.10.3 Gender	171
16.10.4 “Includes”	171
16.10.5 All or any part of	171

16.11 Reference to legislation	171
16.12 Use of tables	171
16.13 Use of short forms	171
16.14 Reference to land use area	172
16.15 Zone schedules	172
16.15.1 Zones	172
16.15.2 Environmental overlay	172
16.15.3 Site specific provisions	172
16.15.4 Holding provisions	172
16.16 Limits of zones	173
16.17 Definitions	173
SECTION 17: ENFORCEMENT AND PENALTIES	175
17.1 Enforcement	177
17.2 Offences relating to use	177
17.3 Offences relating to change of use	177
17.4 Offences relating to regulations	177
17.5 Offences relating to interference	177
17.6 Penalty provisions	177

LAND USE AREAS AND ZONES

A zone is 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 16.15. The maps in Schedule A to this By-law show the boundaries of the various zones.

Land use areas include one or more zones. A reference made to a land use area includes all zones within that land use area. A land use area or zone may be referred to by the symbols in the table below:

Land use area	Zone name	Zone symbol
Rural Areas	Rural Zone	RU
	Rural Commercial Zone	RUC
	Rural Resource Zone	RR
Rural Settlements	Rural Settlement Zone	RS1
	Rural Settlement Commercial Zone	RS2
Urban Neighbourhoods	Urban Low Rise Zone	UL
	Urban Mid-Rise Zone	UM
	Urban High-Rise Zone	UH
	Urban Mixed Use Zone	UX
	Neighbourhood Commercial Zone	NC
Pedestrian Commercial Areas	Main Street Zone	MS
	Downtown Neighbourhood Zone	DN
	Waterfront Commercial Zone	WC
Commuter Commercial Areas	Service Commercial Zone	SC
	Community Commercial Zone	CC
	Regional Centre Zone	RC
Business Areas	Light Industrial Zone	LI
	Business Zone	BU
Major Industrial Areas	Heavy Industrial Zone	HI
	Airport Zone	AP
	Utilities and Services Zone	US
Institutional and Community Areas	Institutional Zone	IN
	Community Zone	CM
Natural Heritage Areas	Environmental Protection Zone	EP
Future Development Areas	Future Development Zone	FD
	Urban Growth Zone	UG

Italicized text is used throughout this By-law to indicate a non-operative notation intended to provide information only

SECTION 1

RURAL AREAS

1.1 Permitted uses and density standards	5
1.1.1 RU – Rural Zone	5
1.1.2 RUC – Rural Commercial Zone	7
1.1.3 RR – Rural Resource Zone	8
1.2 Height and location requirements	9
1.2.1 Main buildings, structures, and outdoor storage	9
1.2.2 Accessory buildings and structures	10
1.3 Access, landscaping, and parking requirements	11



SECTION 1: RURAL AREAS

Rural areas are made up of large lots on private wells and septic systems. The intended use for these areas is agriculture with some limited residential development. Convenience stores, schools, day cares, animal services, and other uses also support these areas at key locations.

1.1 Permitted uses and density standards



1.1.1 RU – Rural Zone

The purpose of the Rural Zone is to permit agricultural activities with limited residential development.

1.1.1.1 Large rural lots (2 ha or more)

- a. The following **uses** are permitted as a **main use** on large rural **lots**:
 - **Agricultural use**
 - **Care housing**
 - **Minor institutional use** existing on the **effective date**
 - **Detached house**
 - **Rural pet services**
- b. The following **uses** are permitted as a **secondary use** to a permitted **main use** on large rural **lots**:
 - **Bed and breakfast**
 - **Home day care**
 - **Large personal farm**
 - Limited **outdoor storage** in association with a **home business** (Section 12.1.1)
 - **Outdoor furnace**
 - **Small personal farm**

SECTION 1: RURAL AREAS

Table 1.1.1.1: Rural Zone – Density standards on large rural lots

Regulation	Main use permitted in Section 1.1.1.1
Minimum lot area	2 ha
Minimum lot frontage	60.0 m
Maximum number of main uses	2 per lot
Minimum number of homes	No minimum
Maximum number of homes	1 per lot
Maximum number of secondary uses	1 outdoor furnace per lot 1 other secondary use per lot
Maximum number of main buildings	No maximum
Maximum lot coverage	No maximum
Minimum GFA	No minimum
Maximum GFA	No maximum

1.1.1.2 Small rural lots (less than 2 ha)

- a. The following **uses** are permitted as a **main use** on small rural **lots**:
 - **Care housing**
 - **Detached house**
 - **Minor institutional use** existing on the **effective date**
- b. The following **uses** are permitted as **secondary uses** to a permitted **main use** on small rural **lots**:
 - **Bed and breakfast**
 - **Small personal farm**
 - **Home day care**
 - Limited **outdoor storage** in association with a **home business** (Section 12.1.1)

Table 1.1.1.2: Rural Zone – Density standards on small rural lots

Regulation	Main use permitted in Section 1.1.1.2
Minimum lot area	1 ha
Minimum lot frontage	60.0 m
Maximum number of main uses	1 per lot
Minimum number of homes	No minimum
Maximum number of homes	1 per lot
Maximum number of secondary uses	1 per lot
Maximum number of main buildings	2 per lot
Maximum lot coverage	No maximum
Minimum GFA	No minimum
Maximum GFA	No maximum

1.1.2 RUC – Rural Commercial Zone

The purpose of the Rural Commercial Zone is to permit a range of non-residential uses to support nearby agricultural and residential activities.

a. The following **uses** are permitted as a **main use**:

- **Agricultural commercial use**
- **Care housing**
- **Day care centre**
- **Detached house**
- **Indoor recreation use**
- **Minor institutional use**
- **Rural convenience use**
- **Rural pet services**

b. The following **uses** are permitted as a **secondary use** to a permitted **main use**:

- A **home** within a **building** containing a permitted non-residential **main use**
- **Bed and breakfast**
- **Home day care**
- Limited **outdoor storage** in association with a **home business** (Section 12.1.1)

Table 1.1.2: Rural Commercial Zone - Density standards

Regulation	Main use permitted in Section 1.1.2
Minimum lot area	1 ha
Minimum lot frontage	60.0 m
Maximum number of main uses	2 per lot
Minimum number of homes	No minimum
Maximum number of homes	1 per lot
Maximum number of secondary uses	1 per lot
Maximum number of main buildings	2 per lot
Maximum lot coverage	No maximum
Minimum GFA	No minimum
Maximum GFA	No maximum

1.1.3 RR – Rural Resource Zone

The purpose of the Rural Resource Zone is to permit a pit or quarry at an appropriate distance from sensitive land uses.

a. The following **uses** are permitted as a **main use**:

- **Pit**
- **Quarry**

Table 1.1.3: Rural Resource Zone – Density standards

Regulation	Main use permitted in Section 1.1.3
Minimum lot area	1 ha
Minimum lot frontage	60.0 m
Maximum number of main uses	1 per lot
Minimum number of homes	Not applicable
Maximum number of homes	Not applicable
Maximum number of secondary uses	Not applicable
Maximum number of main buildings	No maximum
Maximum lot coverage	No maximum
Minimum GFA	No minimum
Maximum GFA	No maximum

1.2 Height and location requirements



Any **use**, **building**, or **structure** permitted in any **zone** in Section 1.1 must also meet the requirements set out in this Section 1.2.

1.2.1 Main buildings, structures, and outdoor storage

Table 1.2.1a: Location and height requirements for a **pit** or **quarry** in Rural Areas

Regulation	Pit or quarry
Minimum – maximum height	No minimum – no maximum
Minimum – maximum front setback	30.0 m – no maximum
Minimum – maximum exterior side setback	30.0 m – no maximum
Minimum rear setback	30.0 m
Minimum interior side setback	30.0 m
Minimum separation distance between main buildings	6.0 m
Minimum separation distance between a pit or quarry and a sensitive use	300.0 m

Table 1.2.1b: Location and height requirements for any **building** or **structure** containing a **main use** or a **personal farm**, or any **outdoor storage** use in Rural Areas

Regulation	Lot area less than 8000 m ² *	Lot area equal to or greater than 8000 m ²
Minimum – maximum height	No minimum – 12.0 m	No minimum – 15.0 m
Minimum – maximum front setback	10.0 m – no maximum	10.0 m – no maximum
Minimum – maximum exterior side setback	6.0 m – no maximum	10.0 m – no maximum
Minimum rear setback	10.0 m	10.0 m
Minimum interior side setback	3.0 m	6.0 m
Minimum separation distance between main buildings	6.0 m	6.0 m
Minimum separation distance between a building or structure used for the feeding, raising or breeding of livestock , or a manure pit or manure storage facility on another lot and a sensitive use	150.0m for an agricultural use 85.0m for a personal farm 40.0 m for a small personal farm	150.0m for an agricultural use 85.0m for a personal farm 40.0 m for a small personal farm

*The minimum lot area requirement in Rural Areas is 1 ha (10,000 m²). These building size and location requirements recognize the significant number of lots of record which are 8,000 m² or less.

1.2.2 Accessory buildings and structures

Table 1.2.2a: Location and height requirements for an **outdoor furnace** in Rural Areas

Regulation	Outdoor furnace
Maximum GFA	Not applicable
Maximum height	No maximum
Maximum wall height	Not applicable
Minimum front setback	15.0 m greater than the main building that is closest to the front lot line
Minimum exterior side setback	15.0 m greater than the main building that is closest to the exterior side lot line
Minimum rear setback	15.0 m
Minimum interior side setback	15.0 m
Minimum separation distance to a building containing a home	15.0 m
Minimum separation distance to an accessory building or structure on the same lot	3.0 m

Table 1.2.2b: Location and height requirements for an **accessory building** or **structure** in Rural Areas

Regulation	Lot area less than 8000 m ² *	Lot area equal to or greater than 8000 m ²
Maximum GFA of all accessory buildings and roofed structures	200 m ²	300 m ²
Maximum height	6.1 m	6.1 m
Maximum wall height	4.5 m	4.5 m
Minimum front setback	10.0 m	10.0 m
Minimum exterior side setback	6.0 m	10.0 m
Minimum rear setback	10.0 m	10.0 m
Minimum interior side setback	1.5 m for a building or structure less than 20 m from front lot line 0.6 m for a building or structure 20 m or more from front lot line	6.0 m
Minimum separation distance between eave and lot line	0.3 m	0.3 m
Minimum separation distance between an accessory building and a main building on the same lot	2.0 m	2.0 m

**The minimum lot area requirement in Rural Areas is 1 ha (10,000 m²). These building size and location requirements recognize the significant number of lots of record which are 8,000 m² or less.*

1.3 Access, landscaping, and parking requirements

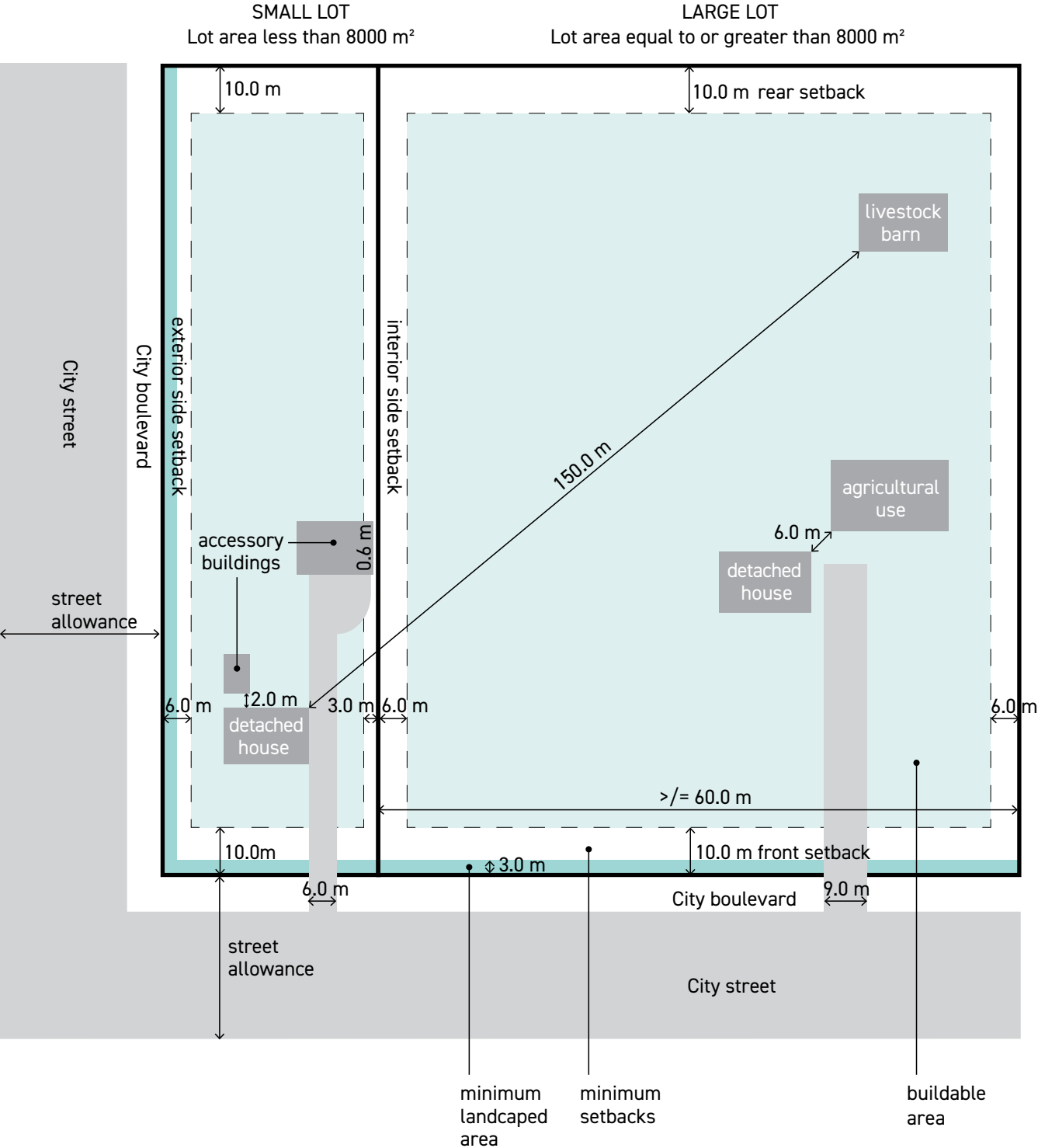


Any **use** permitted in any **zone** in Section 1.1 must meet the requirements set out in Table 1.3 below:

Table 1.3: Access, landscaping, and parking requirements in Rural Areas

Regulation	Any use permitted in any zone in Section 1.1
Maximum driveway width	6.0 m for detached house or care housing 9.0 m for all other permitted uses
Maximum number of driveways	1 for lots with 6.0 m - 16.0 m of street line 2 for lots with 16.1 m - 31.0 m of street line 1 additional per each additional 50.0 m of street line in excess of 31.0 m
Minimum separation distance between driveways on the same lot	6.0 m
Minimum landscaped area	3.0 m wide strip along all lot lines abutting a street allowance
Minimum visual screen	No minimum
Minimum number of parking spaces	No minimum
Minimum number of bicycle spaces	No minimum
Minimum number of accessible parking spaces	No minimum, if less than 4 spaces are provided See section 11.6.3, if 4 or more spaces provided
Minimum number of loading spaces	No minimum

Diagram 1: Large and small lots in Rural Areas



SECTION 2

RURAL SETTLEMENTS

2.1 Permitted uses and density standards	15
2.1.1 RS1 – Rural Settlement Zone	15
2.1.2 RS2 – Rural Settlement Commercial Zone	16
2.2 Height and location requirements	17
2.2.1 Main buildings and structures	17
2.2.2 Accessory buildings and structures	17
2.3 Access, landscaping, and parking requirements	18



SECTION 2: RURAL SETTLEMENTS

Rural Settlements are made up of a mixture of large and suburban scale lots. Lots have private septic systems and are typically serviced with municipal water. The intended use for these areas is low density housing. Convenience stores, schools, day cares, animal services, and other uses also support these areas at key locations.

2.1 Permitted uses and density standards



2.1.1 RS1 – Rural Settlement Zone

The purpose of the Rural Settlement Zone is to permit residential uses.

a. The following **uses** are permitted as a **main use**:

- **Care housing**
- **Detached house**
- **Minor institutional use** existing on the **effective date**

b. The following **uses** are permitted as a **secondary use** to a permitted **main use**:

- **Bed and breakfast**
- **Home day care**

Table 2.1.1: Rural Settlement Zone - Density standards

Regulation	Main use permitted in Section 2.1.1
Minimum lot area	1 ha
Minimum lot frontage	60.0 m
Maximum number of main uses	1 per lot
Minimum number of homes	No minimum
Maximum number of homes	1 per lot
Maximum number of secondary uses	1 per lot
Maximum number of main buildings	1 per lot
Maximum lot coverage	No maximum
Minimum GFA	No minimum
Maximum GFA	No maximum

2.1.2 RS2 – Rural Settlement Commercial Zone

The purpose of the Rural Settlement Commercial Zone is to permit a range of non-residential uses to support nearby residential activities.

a. The following **uses** are permitted as a **main use**:

- **Care housing**
- **Day care centre**
- **Detached house**
- **Minor institutional use**
- **Rural convenience use**
- **Rural pet services**

b. The following **uses** are permitted as a **secondary use** to a permitted **main use**:

- A **home** within a **building** containing a permitted non-residential main **use**
- **Bed and breakfast**
- **Home day care**

Table 2.1.2: Rural Settlement Commercial Zone - Density standards

Regulation	Main use permitted in Section 2.1.2
Minimum lot area	1 ha
Minimum lot frontage	60.0m
Maximum number of main uses	1 per lot
Minimum number of homes	No minimum
Maximum number of homes	1 per lot
Maximum number of secondary uses excluding a home	1 per lot
Maximum number of main buildings	No maximum
Maximum lot coverage	No maximum
Minimum GFA	No minimum
Maximum GFA	No maximum

2.2 Height and location requirements

Any **use**, **building**, or **structure** permitted in any zone in Section 2.1 must also meet the requirements set out in this Section 2.2.

2.2.1 Main buildings and structures

Table 2.2.1: Location and height requirements for a **main building** or **structure** in Rural Settlements

Regulation	Lot area less than 8,000 m ² *	Lot area equal to or greater than 8,000 m ²
Minimum – maximum height	No minimum – 12.0 m	No minimum – 12.0 m
Minimum – maximum front setback	10.0 m – no maximum	10.0 m – no maximum
Minimum – maximum exterior side setback	6.0 m – no maximum	10.0 m – no maximum
Minimum – maximum rear setback	10.0 m	10.0 m
Minimum interior side setback	3.0 m	6.0 m
Minimum separation distance	Not applicable	Not applicable

2.2.2 Accessory buildings and structures

Table 2.2.2: Location and height requirements for an **accessory building** or **structure** in Rural Settlements

Regulation	Lot area less than 8,000 m ² *	Lot area equal to or greater than 8,000 m ²
Maximum GFA of all accessory buildings and roofed structures	180 m ²	200 m ²
Maximum height	5.2 m	6.1 m
Maximum wall height	3.5 m	4.5 m
Minimum front setback	10.0 m	10.0 m
Minimum exterior side setback	6.0 m	10.0 m
Minimum rear setback	0.6 m	10.0 m
Minimum interior side setback	1.5 m for a building or structure less than 20 m from front lot line 0.6 m for a building or structure 20 m or more from front lot line	6.0 m
Minimum separation distance between an eave and a lot line	0.3 m	0.3 m
Minimum separation distance between an accessory building and a main building on the same lot	2.0 m	2.0 m

*The minimum lot area requirement in Rural Settlements is 1 ha (10,000 m²). These building sizes and location requirements recognize the significant number of lots of record which are 8,000 m² or less. The Official Plan also allows for a lot area less than 1 ha with the support of a hydrogeological study.

2.3 Access, landscaping, and parking requirements



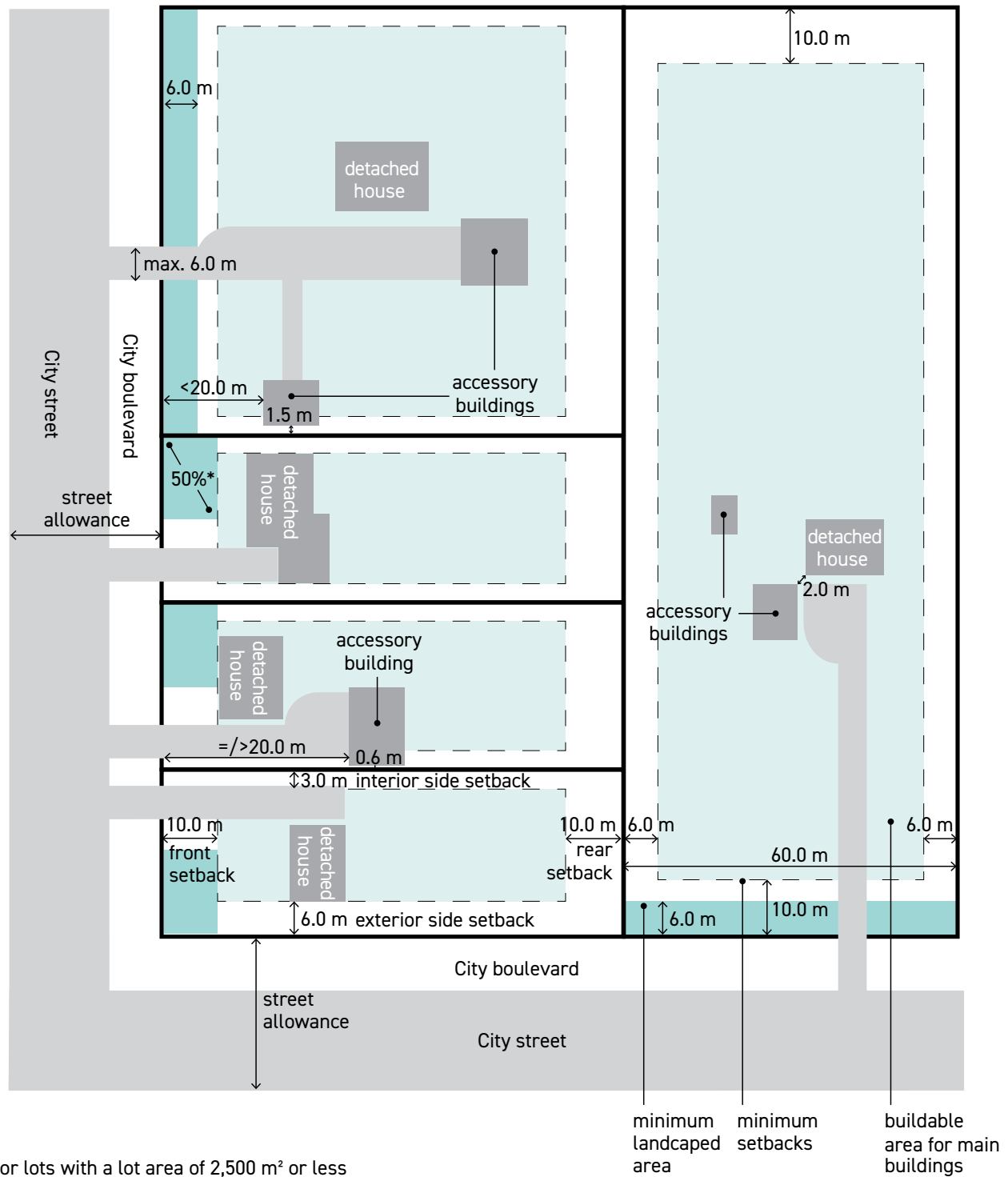
Any **use** permitted in any **zone** in Section 2.1 must meet the requirements set out in Table 2.3 below.

Table 2.3: Access, landscaping, and parking requirements in Rural Settlements

Regulation	Any use permitted in any zone in Section 2.1
Maximum driveway width	6.0 m for detached house or care housing 9.0 m for all other permitted uses
Maximum number of driveways	1 for lots with 6.0 m - 16.0 m of street line 2 for lots with 16.1 m - 31.0 m of street line 1 additional per each additional 50.0 m of street line in excess of 31.0 m
Minimum separation distance between driveways on the same lot	6.0 m
Minimum landscaped area	50% of minimum front setback if lot area is equal or less than 2,500 m ² * 6.0 m wide strip along all lot lines abutting a street for all other lots
Minimum visual screen	No minimum
Minimum number of parking spaces	No minimum
Minimum number of bicycle spaces	No minimum
Minimum number of accessible parking spaces	No minimum, if less than 4 spaces are provided See section 11.6.3, if 4 or more spaces provided
Minimum number of loading spaces	No minimum

**The minimum lot area requirement in Rural Settlements is 1 ha (10,000 m²). These landscaping requirements recognize the significant number of lots of record which are 2,500 m² or less.*

Diagram 2: Large and small lots in Rural Settlement Areas



SECTION 3

URBAN NEIGHBOURHOODS

3.1 Permitted uses and density standards	23
3.1.1 UL – Urban Low-rise Zone	23
3.1.2 UM – Urban Mid-rise Zone	26
3.1.3 UH – Urban High-rise Zone	28
3.1.4 UX – Urban Mixed Use Zone	29
3.1.5 NC – Neighbourhood Commercial Zone	31
3.2 Height and location requirements	33
3.2.1 Main buildings and structures	33
3.2.2 Accessory buildings and structures	37
3.3 Access, landscaping, and parking requirements	38

SECTION 3: URBAN NEIGHBOURHOODS

Urban Neighbourhoods are where the majority of urban scale housing exists and will be developed with both municipal water and sewer service. Different zones permit low, mid, or high-rise housing where appropriate. A range of small-scale non-residential uses also support these areas with services and amenities at key locations.

3.1 Permitted uses and density standards



3.1.1 UL – Urban Low-rise Zone

The purpose of the Urban Low-rise Zone is to permit a range of two storey housing.

a. The following **uses** are permitted as a **main use**:

- **Apartment**
- **Care housing**
- **Converted house**
- **Detached house** which may contain up to two **homes**
- **Minor institutional use** existing on the **effective date**
- **Semi-detached house** which may contain up to four **homes**
- **Shared housing** which may contain up to six **rooming units**
- **Townhouse** which may contain up to six **homes**

b. The following **uses** are permitted as a **secondary use** to a permitted **main use**:

- **Backyard home accessory** on same **lot** as a **detached house, semi-detached house, or townhouse**
- **Bed and breakfast**
- **Home day care**

SECTION 3: URBAN NEIGHBOURHOODS

Table 3.1.1a: Urban Low-rise Zone – Density standards for an **apartment, care housing, a converted house** or a **detached house** permitted in Section 3.1.1

Regulation	Apartment, care housing, detached house, and all other main uses permitted in Section 3.1.4 not specified	Converted house	Shared housing
Minimum lot area	300 m ² for up to 2 homes 405 m ² for 3 homes 540 m ² for 4 homes and 60 m ² per each additional home over 4	No minimum	450 m ²
Minimum lot frontage	10.0 m for up to 2 homes 13.5 m for 3 homes 18.0 m for 4 homes and 2.0 m per each additional home over 4	No minimum	15.0 m
Minimum height	No minimum	Greater than 1 storey	No minimum
Maximum height	10.0 m	10.0 m	10.0 m
Maximum number of main uses	1 per lot	1 per lot	1 per lot
Minimum number of homes	No minimum	No minimum	No minimum
Maximum number of homes	6 per lot	4 per lot	1 per lot
Maximum number of secondary uses excluding a backyard home	1 per home	1 per home	1 per home
Maximum number of backyard homes	1 per detached house	0 per lot	0 per lot
Maximum number of main buildings	1 per lot	1 per lot	1 per lot
Maximum lot coverage	40% of the lot area	40% of the lot area	40% of the lot area
Minimum GFA	No minimum	No minimum	No minimum
Maximum GFA	No maximum	No maximum	No maximum

Table 3.1.1b: Urban Low-rise Zone – Density standards for a **semi-detached house** or **townhouse** permitted in Section 3.1.1

Regulation	Semi-detached house or townhouse with <u>one</u> home per potential lot	Semi-detached house or townhouse with <u>two</u> homes per potential lot
Minimum lot area	225 m ² per outside potential lot 180 m ² per inside potential lot	270 m ² per potential lot
Minimum lot frontage	7.5 m per outside potential lot 6 m per inside potential lot	9.0 m per potential lot
Minimum height	No minimum	No minimum
Maximum height	10.0 m	10.0 m
Maximum number of main uses	1 per lot	1 per lot
Minimum number of homes	No minimum	No minimum
Maximum number of homes	1 per potential lot up to a maximum of 6 per building	2 per potential lot up to maximum of 6 per building
Maximum number of secondary uses excluding a backyard home	1 per home	1 per home
Maximum number of backyard homes	0 per potential lot	1 per outside potential lot
Maximum number of main buildings	1 per lot	1 per lot
Maximum lot coverage	55% of the lot area for outside potential lots 50% of the lot area for inside potential lots	55% of the lot area for outside potential lots 50% of the lot area for inside potential lots
Minimum GFA	No minimum	No minimum
Maximum GFA	No maximum	No maximum

3.1.2 UM – Urban Mid-rise Zone

The purpose of the Urban Mid-rise Zone is to permit a range of two to four storey housing.

a. The following **uses** are permitted as a **main use**:

- **Apartment**
- **Care housing**
- **Converted house**
- **Long term care housing**
- **Minor institutional use** existing on the **effective date**
- **Semi-detached house**
- **Shared housing**
- **Townhouse**

b. The following **use** is permitted as a **secondary use** to a permitted **home**:

- **Home day care**

Table 3.1.2a: Urban Mid-rise Zone – Density standards for an **apartment**, **care housing**, a **converted house**, **long term care housing**, or **shared housing** permitted in Section 3.1.2

Regulation	Apartment or long term care housing, and all other main uses permitted in Section 3.1.4 not specified	Care housing or shared housing	Converted house
Minimum lot area	540 m ²	450 m ²	No minimum
Minimum lot frontage	18.0 m	15.0 m	No minimum
Minimum height	2 storeys	2 storeys	2 storeys
Maximum height	25.0 m	25.0 m	12.0 m
Maximum number of main uses	No maximum	No maximum	No maximum
Minimum number of homes	4 homes per apartment	No minimum	No minimum
Maximum number of homes	540 m ² for 4 homes and 60 m ² per each additional home over 4	540 m ² for 4 homes and 60 m ² per each additional home over 4	540 m ² for 4 homes and 60 m ² per each additional home over 4
Maximum number of secondary uses	1 per home	1 per home	1 per home
Maximum number of main buildings	No maximum	No maximum	No maximum
Maximum lot coverage	40% of the lot area	40% of the lot area	40% of the lot area
Minimum GFA	No minimum	No minimum	No minimum
Maximum GFA	No maximum	No maximum	No maximum

Table 3.1.2b: Urban Mid-rise Zone – Density standards for a **semi-detached house** or **townhouse** permitted in Section 3.1.2

Regulation	Semi-detached house or townhouse with <u>one</u> home per potential lot	Semi-detached house or townhouse with <u>two</u> homes per potential lot
Minimum lot area	225 m ² per outside potential lot	270 m ² per outside potential lot
	180 m ² per inside potential lot	225 m ² per inside potential lot
Minimum lot frontage	7.5 m per outside potential lot	9.0 m per outside potential lot
	6.0 m per inside potential lot	7.5 m per inside potential lot
Minimum height	2 storeys	2 storeys
Maximum height	25.0 m	25.0 m
Maximum number of main uses	No maximum	No maximum
Minimum number of homes	4 per building	4 per building
Maximum number of homes	1 per potential lot	2 per potential lot
Maximum number of secondary uses	1 per home	1 per home
Maximum number of main buildings	No maximum	No maximum
Maximum lot coverage	55% of the lot area for outside potential lots	55% of the lot area for outside potential lots
	50% of the lot area for inside potential lots	50% of the lot area for inside potential lots
Minimum GFA	No minimum	No minimum
Maximum GFA	No maximum	No maximum

3.1.3 UH – Urban High-rise Zone

The purpose of the Urban High-rise Zone is to permit apartment and long term care housing with five or more storeys. Non-residential uses will also be permitted within the first two storeys to support the higher housing density.

a. The following **uses** are permitted as a **main use**:

- **Apartment**
- **Care housing**
- **Long term care housing**

b. The following **uses** are permitted as a **main use** on the **first storey** or **second storey** of an **apartment, care housing, or long term care housing**:

- **Day care centre**
- **Health centre**
- **Indoor recreation use**
- **Minor institutional use**
- **Office**
- **Restaurant**
- **Retail commercial use**
- **Service commercial use**

c. There is no limit on the number of **main uses** that may be located within the same **building**.

d. The following **use** is permitted as a **secondary use** to a permitted **home**:

- **Home day care**

Table 3.1.3: Urban High-rise Zone – Density standards for a **main use** permitted in Section 3.1.3

Regulation	Main use permitted in Section 3.1.3
Minimum lot area	750 m ²
Minimum lot frontage	30.0 m
Minimum height	5 storeys
Maximum height	45.0m
Maximum number of main uses	No maximum
Minimum number of homes	12 per lot
Maximum number of homes	1100 m ² for 12 homes and 40 m ² per each additional home over 12
Maximum number of secondary uses	1 per home
Maximum number of main buildings	No maximum
Maximum lot coverage	40% of the lot area
Minimum GFA	No minimum
Maximum GFA	300 m ² for each health centre, office, or retail commercial use 500 m ² for each non-residential use other than uses listed above 1000 m ² total for all non-residential uses per lot

3.1.4 UX – Urban Mixed Use Zone

The purpose of the Urban Mixed Use Zone is to permit flexibility between small-scale pedestrian oriented commercial uses and housing.

a. The following **uses** are permitted as a **main use**:

- **Apartment**
- **Care housing**
- **Converted house**
- **Day care centre**
- **Detached house**
- **Home**
- **Health centre**
- **Indoor recreation use**
- **Minor institutional use**
- **Office**
- **Restaurant**
- **Retail commercial use**
- **Service commercial use**
- **Shared housing**

b. There is no limit on the number of **main uses** that may be located within the same **building**.

c. The following **uses** are permitted as a **secondary use** to a permitted **home**:

- **Backyard home** on same **lot** as a **detached house**
- **Bed and breakfast**
- **Home day care**

SECTION 3: URBAN NEIGHBOURHOODS

Table 3.1.4: Urban Mixed Use Zone – Density standards for a **main use** permitted in Section 3.1.4

Regulation	Apartment, care housing, or detached house	Converted house	Shared housing	All other main uses permitted in Section 3.1.4
Minimum lot area	300 m ² for up to 2 homes 405 m ² for 3 homes 540 m ² for 4 homes and 60 m ² per each additional home over 4	No minimum	450 m ²	Equals the lot area on the effective date
Minimum lot frontage	10.0 m for up to 2 homes 13.5 m for 3 homes 18.0 m for 4 homes and 2.0 m per each additional home over 4	No minimum	15.0 m	Equals the lot frontage on the effective date
Minimum height	No minimum	Greater than 1 storey	No minimum	No minimum
Maximum height	14.0 m	14.0 m	14.0 m	14.0 m
Maximum number of main uses	1 per lot	1 per lot	1 per lot	No maximum
Minimum number of homes	No minimum	No minimum	No minimum	No minimum
Maximum number of homes	1 per 135 m ² of lot area up to 4 homes and 60 m ² per each additional home over 4	No maximum	1 per lot	No maximum
Maximum number of secondary uses excluding a backyard home	1 per home	1 per home	1 per home	Not applicable
Maximum number of backyard homes	1 per detached house	0 per lot	0 per lot	Not applicable
Maximum number of main buildings	1 per lot	1 per lot	1 per lot	Equals the number of main buildings on the effective date
Maximum lot coverage	40% of the lot area	40% of the lot area	40% of the lot area	40% of the lot area
Minimum GFA	No minimum	No minimum	No minimum	No minimum
Maximum GFA	No maximum	Not applicable	No maximum	GFA of main buildings on the effective date .

3.1.5 NC – Neighbourhood Commercial Zone

The purpose of the Neighbourhood Commercial Zone is to permit small-scale commercial nodes to support residential neighbourhoods.

a. The following **uses** are permitted as a **main use**:

- **Day care centre**
- **Health centre**
- **Indoor recreation use**
- **Minor institutional use**
- **Office**
- **Restaurant**
- **Retail commercial use**
- **Service commercial use**

b. The following **uses** are permitted as a **main use** on any **storeys** other than the **first storey** in a **building** containing a permitted non-residential **use**:

- **Homes**
- **Care housing**
- **Long term care housing**
- **Shared housing**

c. There is no limit on the number of **main uses** that may be located within the same **building**

d. The following **use** is permitted as a **secondary use** to a permitted **home**:

- **Home day care**

Table 3.1.5: Neighbourhood Commercial Zone – Density standards for a **main use** permitted in Section 3.1.5

Regulation	Main use permitted in Section 3.1.5
Minimum lot area	540 m ²
Minimum lot frontage	18.0 m
Minimum height	No minimum
Maximum height	14.0 m
Maximum number of main uses	No maximum
Minimum number of homes	No minimum
Maximum number of homes	1 per 135 m ² of lot area up to 4 homes and 60 m ² per each additional home over 4
Maximum number of secondary uses	1 per home
Maximum number of main buildings	No maximum
Maximum lot coverage	40% of the lot area
Minimum GFA	No minimum
Maximum GFA	300 m ² for each health centre, office, or retail commercial use 500 m ² for each non-residential use other than uses listed above 1000 m ² total for all non-residential uses per lot

3.2 Height and location requirements



Any **use, building, or structure** permitted in any **zone** in Section 3.1 must also meet the requirements set out in this Section 3.2.

3.2.1 Main buildings and structures

3.2.1a: Location and height requirements for a **converted house** or **detached house** in Urban Neighbourhoods

Regulation	Converted house or detached house with an attached garage or carport	Converted house or detached house without an attached garage or carport
Minimum – maximum height	See the applicable density standards table in Section 3.1	See the applicable density standards table in Section 3.1
Minimum – maximum front setback to livable building face	4.5 m – 10.0 m OR the average front setback of existing adjacent main buildings being no less than 1.5 m and no more than 12.0 m	4.5 m – 10.0 m OR the average front setback of existing adjacent main buildings being no less than 1.5 m and no more than 12.0 m
Minimum front setback to garage building face	1.0 m less than the front setback to the widest livable building face *	Not applicable
Minimum – maximum exterior side setback	3.6 m – no maximum	3.6 m – no maximum
Minimum rear setback	6.0 m	6.0 m
Minimum interior side setback	1.5 m OR 10% of the lot frontage but no less than 0.6 m	3.0 m for one side of building 1.5 m OR 10% of the lot frontage but no less than 0.6 m for other side(s) of the building
Minimum separation distances	Not applicable	Not applicable

*If the widest **livable building faces** are of equal size, the majority of the equal faces must comply.

SECTION 3: URBAN NEIGHBOURHOODS

Table 3.2.1b: Location and height requirements for a **semi-detached house** or **townhouse** in Urban Neighbourhoods

Regulation	Semi-detached house or Townhouse with attached garage or carport	Semi-detached house or Townhouse without attached garage or carport
Minimum – maximum height	See the applicable density standards table in Section 3.1	See the applicable density standards table in Section 3.1
Minimum – maximum front setback to livable building face	4.5 m – 10.0 m OR the average front setback of existing adjacent main buildings being no less than 1.5 m and no more than 12.0 m	4.5 m – 10.0 m OR the average front setback of existing adjacent main buildings being no less than 1.5 m and no more than 12.0 m
Minimum front setback to garage building face	1.0 m less than the than front setback to the widest livable building face *	Not applicable
Minimum – maximum exterior side setback	3.6 m – no maximum	3.6 m – no maximum
Minimum rear setback	6.0 m	6.0 m
Minimum interior side setback	1.5 m 0.0m along party wall	3.0 m 0.0m along party wall
Minimum separation distance	Not applicable	Not applicable

*If the widest **livable building faces** are of equal size, the majority of the equal faces must comply.

Table 3.2.1c: Location and height requirements for an **apartment** with six **homes** or less in Urban Neighbourhoods

Regulation	Apartment with six homes or less
Minimum – maximum height	See the applicable density standards table in Section 3.1
Minimum – maximum front setback	4.5 -10.0 m OR the average front setback of existing adjacent main buildings being no less than 1.5 m and no more than 12.0 m
Minimum – maximum exterior side setback	3.6 m – no maximum
Minimum rear setback	6.0 m
Minimum interior side setback	1.5 m
Minimum separation distance	Not applicable

Table 3.2.1d: Location and height requirements for an **apartment** with more than six **homes, care housing, long term care housing, shared housing**, or any other **main building** in Urban Neighbourhoods

Regulation	Apartment with more than six homes, care housing, long term care housing, shared housing, or any other main building
Minimum – maximum height	See the applicable density standards table in Section 3.1
Minimum – maximum front setback	6.0 -18.0 m OR the average front setback of existing adjacent main buildings being no less than 3.0 m and no more than 21.0 m
Minimum exterior side setback	3.6 m – no maximum for buildings with a height of 20.0 m or less 6.0 m – no maximum for buildings with a height of more than 20.0 m
Minimum rear setback	6.0 m for buildings with a height of 20.0 m or less 10.0 m for buildings with a height of more than 20.0 m
Minimum interior side setback	1.5 m per every 10.0 m of building height or 3.0 m whichever is more
Minimum separation distance	Not applicable

Diagram 3.2.1a: Average front setback

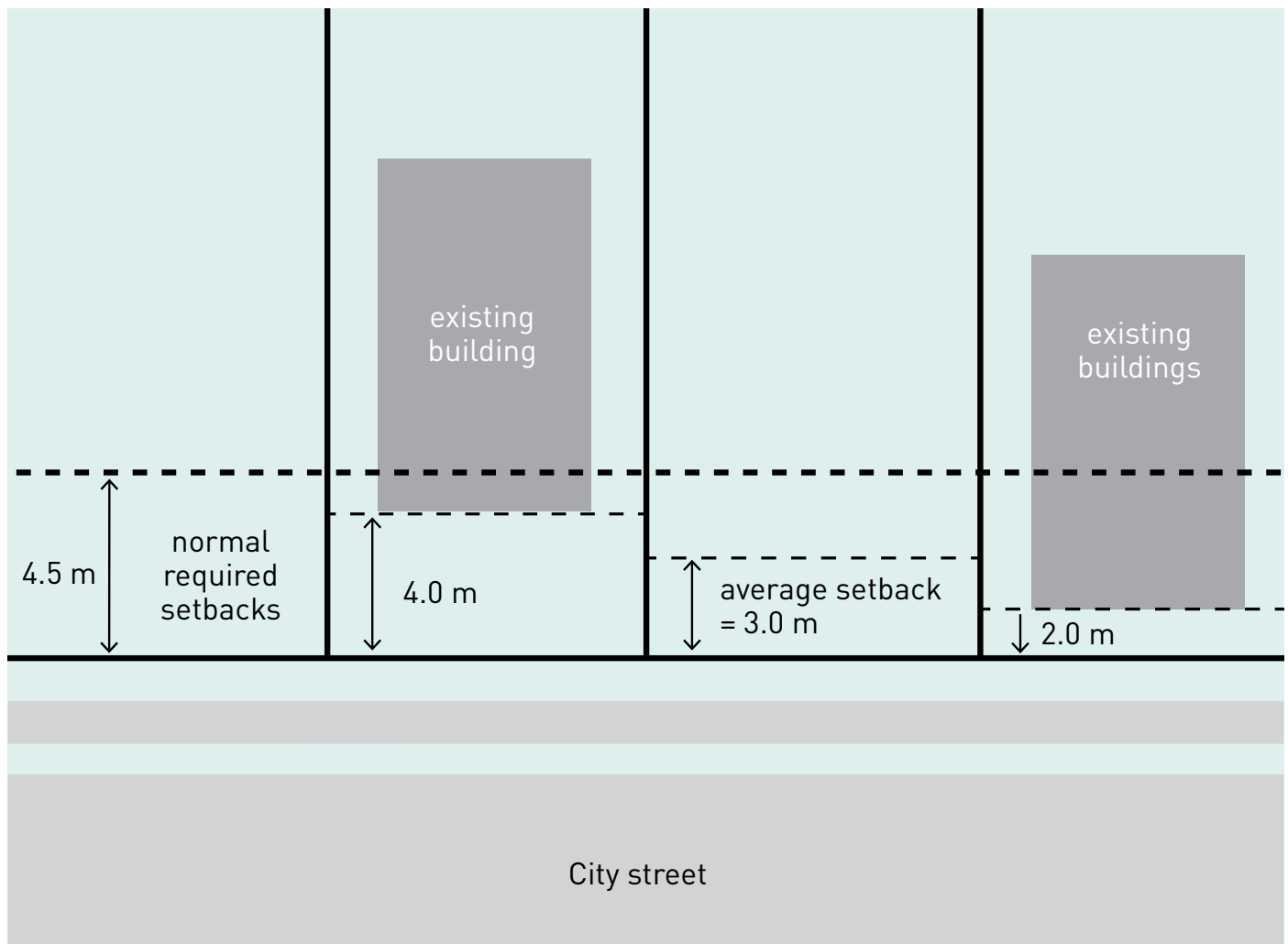
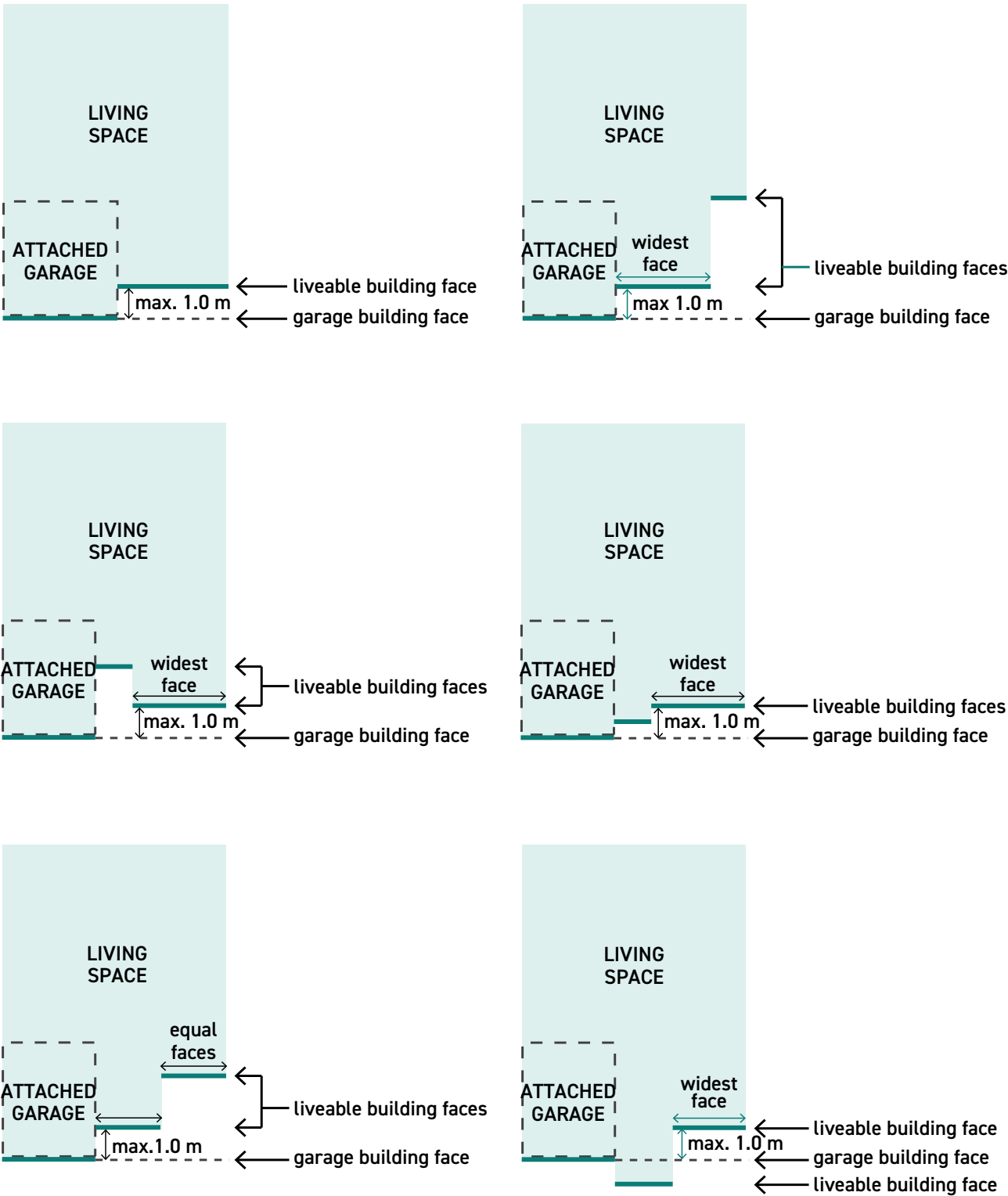


Diagram 3.2.1b: Livable building face and garage building face setbacks



3.2.2 Accessory buildings and structures

Table 3.2.2: Location and height requirements for an **accessory building** or **structure** in Urban Neighbourhoods

Regulation	Accessory building or structure that <u>does not contain</u> a backyard home	Accessory building or structure that <u>contains</u> a backyard home
Maximum GFA for all accessory buildings and roofed structures	100 m ²	100 m ²
Maximum GFA for a backyard home	Not applicable	40% of main building's GFA or 50 m ² , whichever is greater
Maximum height	4.6 m	4.6 m
Maximum wall height	3.2 m	3.2 m
Minimum front setback	1.5 m greater than front setback of main building	1.5 m greater than front setback of main building
Minimum exterior side setback	3.6 m	3.6 m
Minimum rear setback	0.6 m	0.6 m
Minimum interior side setback	1.5 m for a building or structure less than 20 m from front lot line 0.6 m for a building or structure 20 m or more from front lot line	1.5 m for a building or structure less than 20 m from front lot line 0.6 m for a building or structure 20 m or more from front lot line
Minimum separation distance between an eave and lot line	0.3 m	0.3 m
Minimum separation distance between an accessory building and a main building on the same lot	2.0 m	2.0 m

3.3 Access, landscaping, and parking requirements



Any **use** permitted by Section 3.1 must also meet the requirements set out in this Section 3.3.

Table 3.3a: Access, landscaping, and parking requirements for a **detached house, converted house, semi-detached house** or **townhouse** in Urban Neighbourhoods

Regulation	Detached house, converted house, semi-detached house or townhouse
Maximum driveway width	6.0 m or 50% of the lot frontage , whichever is lesser
Maximum number of driveways	1 for lots with 6.0 m - 16.0 m of street line 2 for lots with 16.1 m - 31.0 m of street line 1 additional per each additional 50.0 m of street line in excess of 31.0 m
Minimum separation distance between driveways on same lot	4.5 m
Minimum landscaped area	50% of minimum front setback
Minimum visual screen	No minimum
Minimum number of parking spaces	Converted house: 0.5 per home All other permitted uses: 1 per home plus 1 per every two bedrooms used in association with a bed and breakfast
Minimum number of bicycle spaces	No minimum
Minimum number of accessible parking spaces	No minimum
Minimum number of loading spaces	No minimum

Table 3.3b: Access, landscaping, and parking requirements for an **apartment, care housing, long term care housing, shared housing, or any other use** that does not contain non-residential **uses** in Urban Neighbourhoods

Regulation	Apartment, care housing, long term care housing, shared housing, or any other use that does not contain non-residential uses
Maximum driveway width	9.0 m for an apartment with 12 homes or more or a main building with a GFA of more than 500 m ² 6.0 m for all other permitted uses
Maximum number of driveways	1 for lots with 6.0 m - 16.0 m of street line 2 for lots with 16.1 m - 31.0 m of street line 1 additional per each additional 50.0 m of street line in excess of 31.0 m
Minimum separation distance between driveways on same lot	4.5 m for an apartment with 4 homes or less 6.0 m for all other uses
Minimum landscaped area	20% of the lot area which must include a 3.0 m strip along all lot lines abutting a street allowance
Minimum visual screen	No minimum
Minimum number of parking spaces	Apartment with 6 homes or less: 1 per home Apartment with more than 6 homes : 1.25 per home Shared housing : 1 per home plus 0.2 per rooming unit All other permitted uses : No minimum
Minimum number of bicycle spaces	Short term : 4 per each public entrance Long term : 2 long term spaces per lot <u>OR</u> 0.1 per home , whichever is more
Minimum number of accessible parking spaces	See Section 11.6.3
Minimum number of loading spaces	1 per lot for an apartment with 12 homes or more or main buildings with a GFA of more than 500 m ²

SECTION 3: URBAN NEIGHBOURHOODS

Table 3.3c: Access, landscaping, and parking requirements for non-residential **uses** in Urban Neighbourhoods

Regulation	Non-residential uses
Maximum driveway width	9.0 m
Maximum number of driveways	1 for lots with 6.0 m - 16.0 m of street line 2 for lots with 16.1 m - 31.0 m of street line 1 additional per each additional 50.0 m of street line in excess of 31.0 m
Minimum separation distance between driveways on same lot	6.0 m
Minimum landscaped area	20% of the lot area which must include a 3.0 m strip along all lot lines abutting a street allowance or a zone which permits a residential use on the first storey
Minimum visual screen	1.6 m high visual screen along all lot lines abutting a zone which permits a residential use on the first storey
Minimum number of parking spaces	Care housing or long term care housing: No minimum Homes: 1 per home Elementary school: 1.25 for every classroom Shared housing: 1 per home plus 0.2 per rooming unit All other permitted uses: 1 per 25 m ² of GFA
Minimum number of bicycle spaces	Short term: 4 per each public entrance Long term: 2 per lot <u>OR</u> 0.1 per home , whichever is more
Minimum number of accessible parking spaces	See Section 11.6.3
Minimum number of loading spaces	1 per lot for main buildings with a GFA of more than 500 m ²

Diagram 3a.1: Detached houses in Urban Neighbourhoods

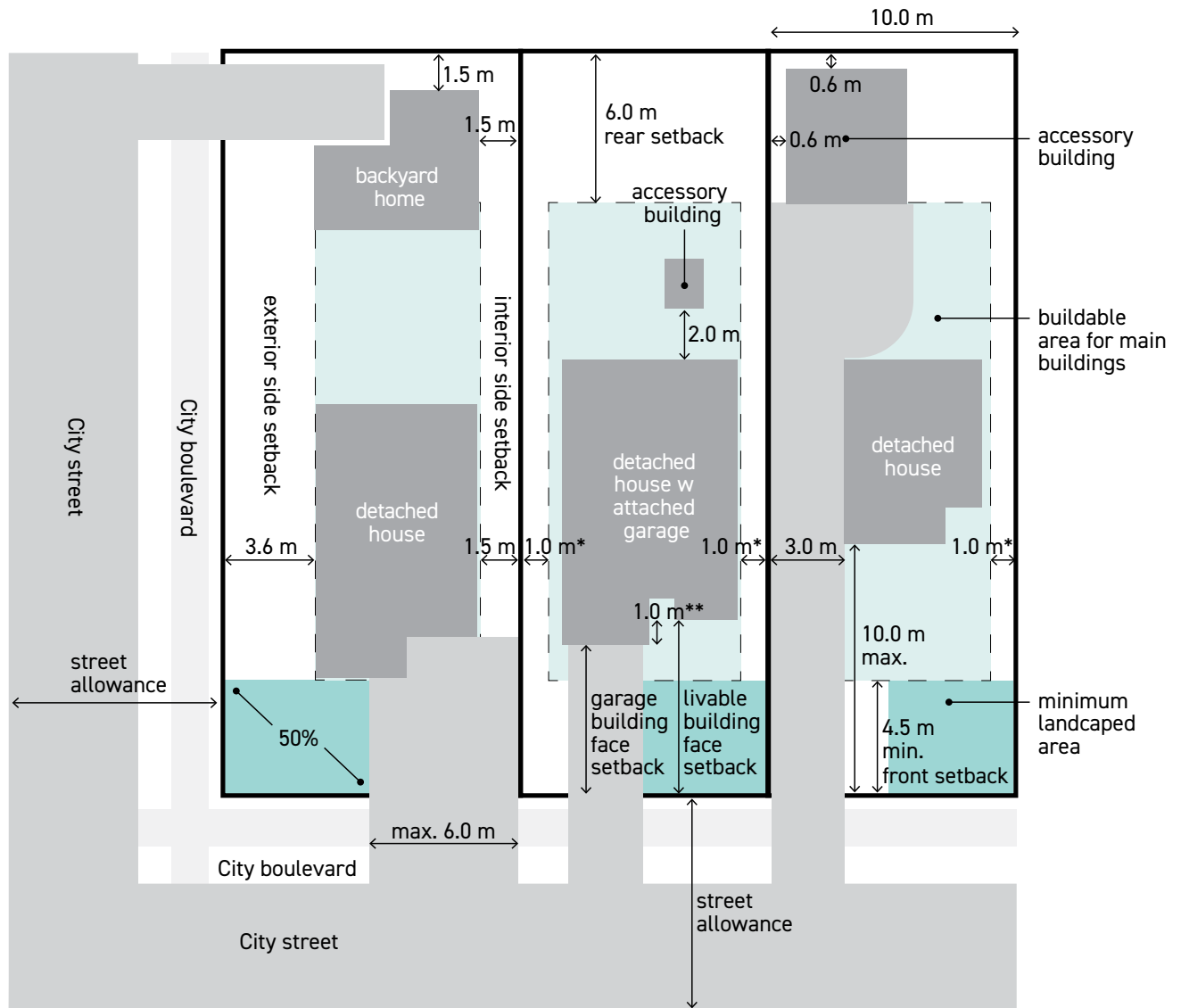
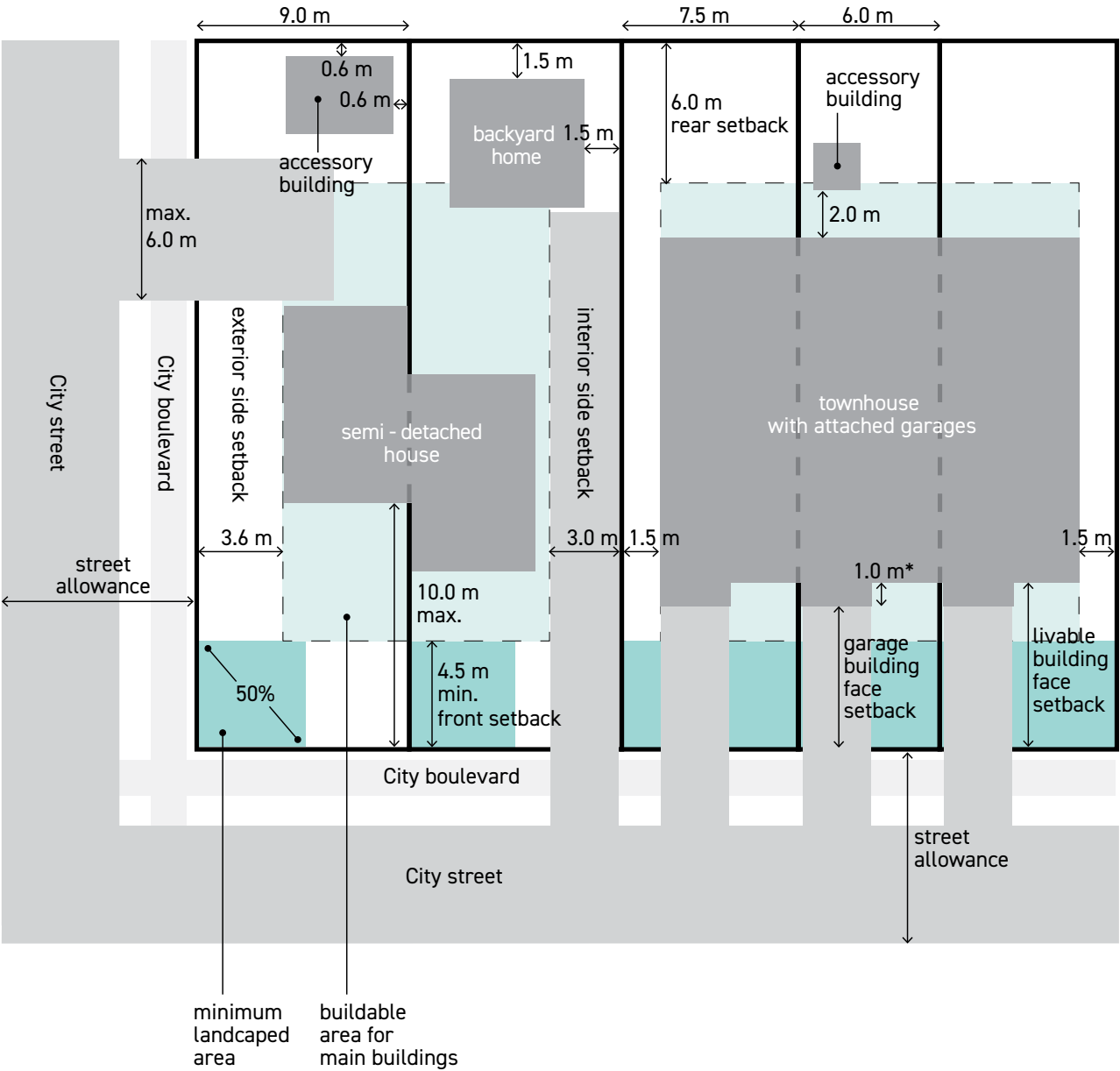
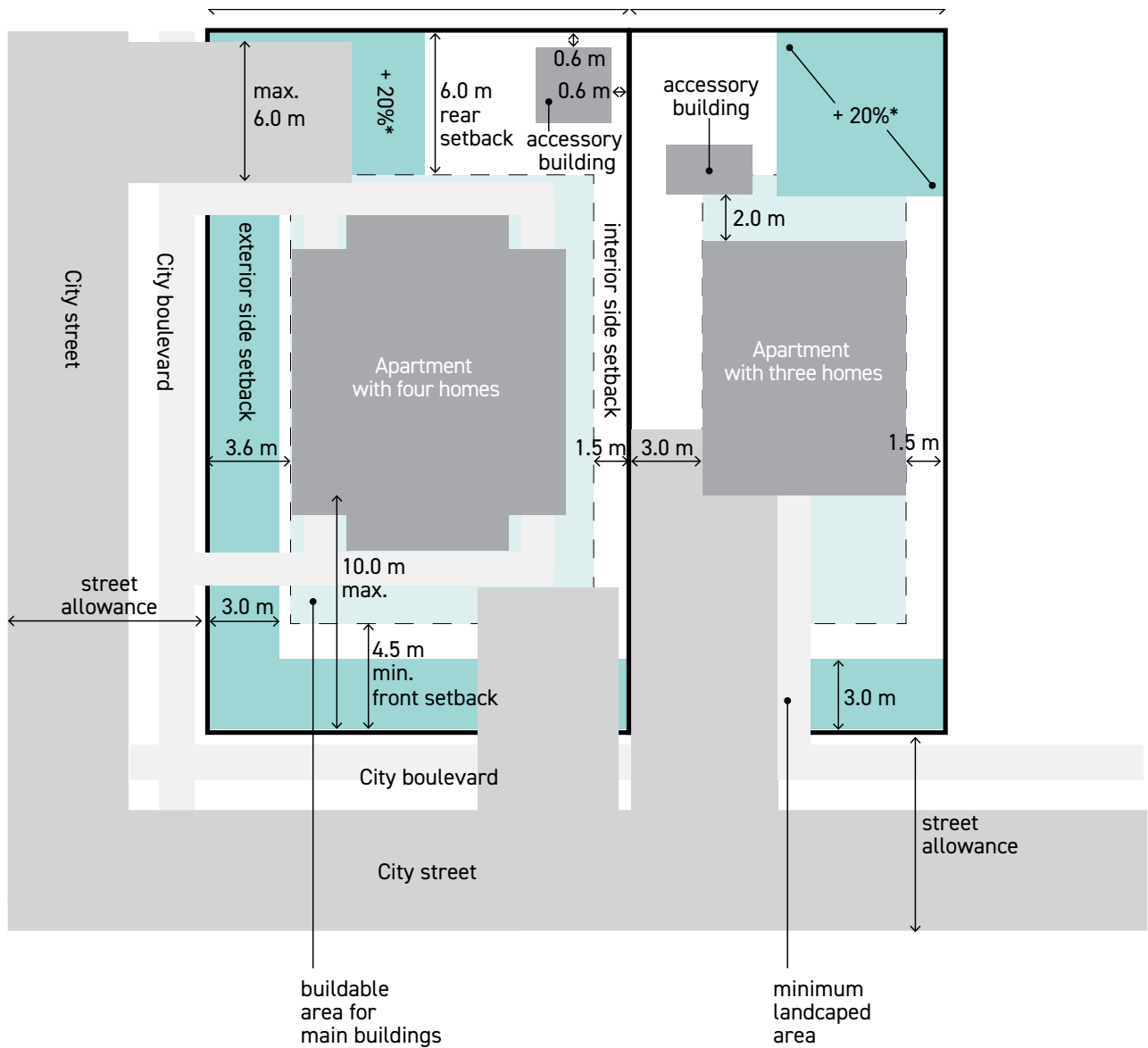


Diagram 3a.2: Semi-detached houses and Townhouses in Urban Neighbourhoods



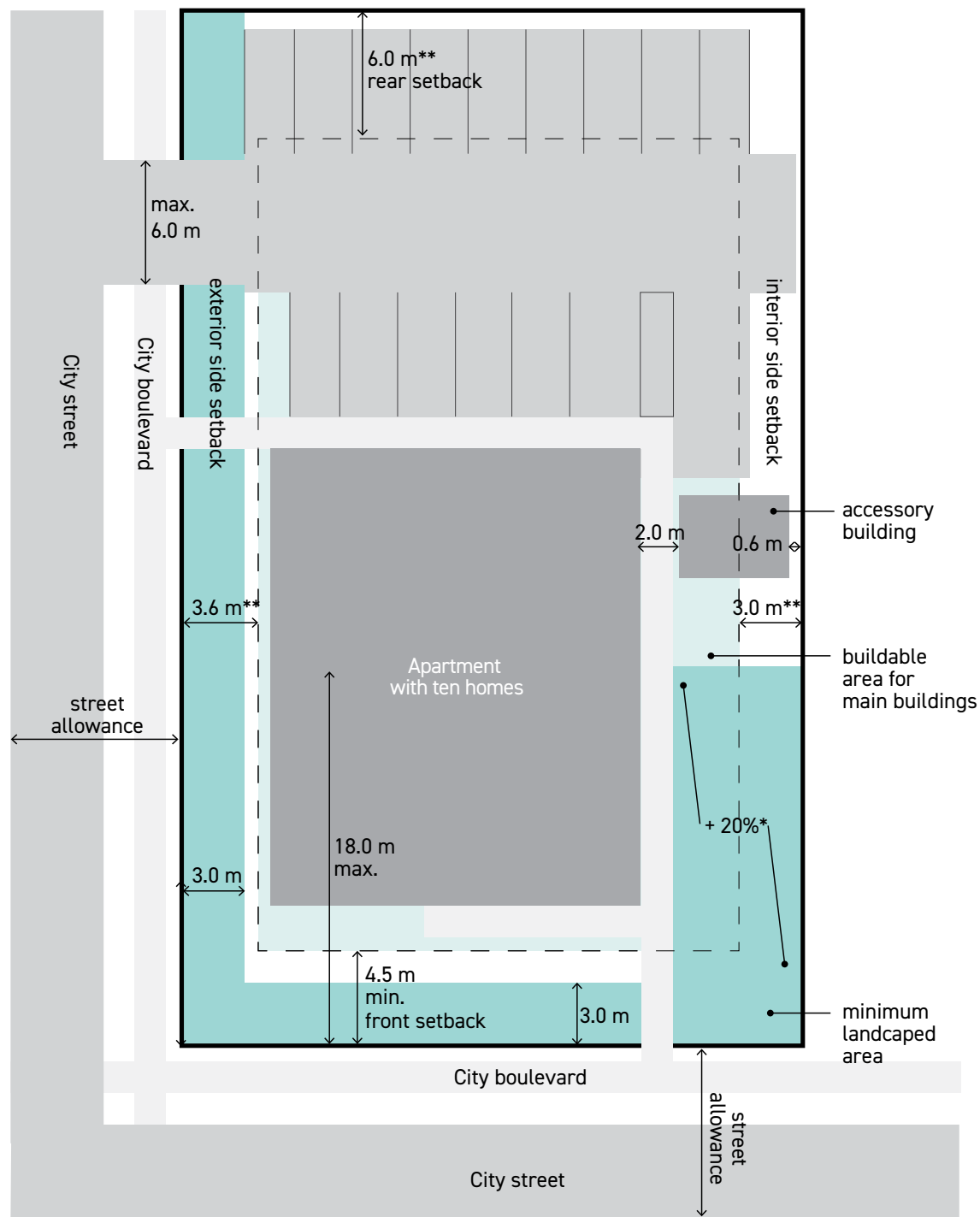
* garage building face must not extend forward past the livable building face more than 1.0 m

Diagram 3b.1: Apartments with four homes or less in Urban Neighbourhoods



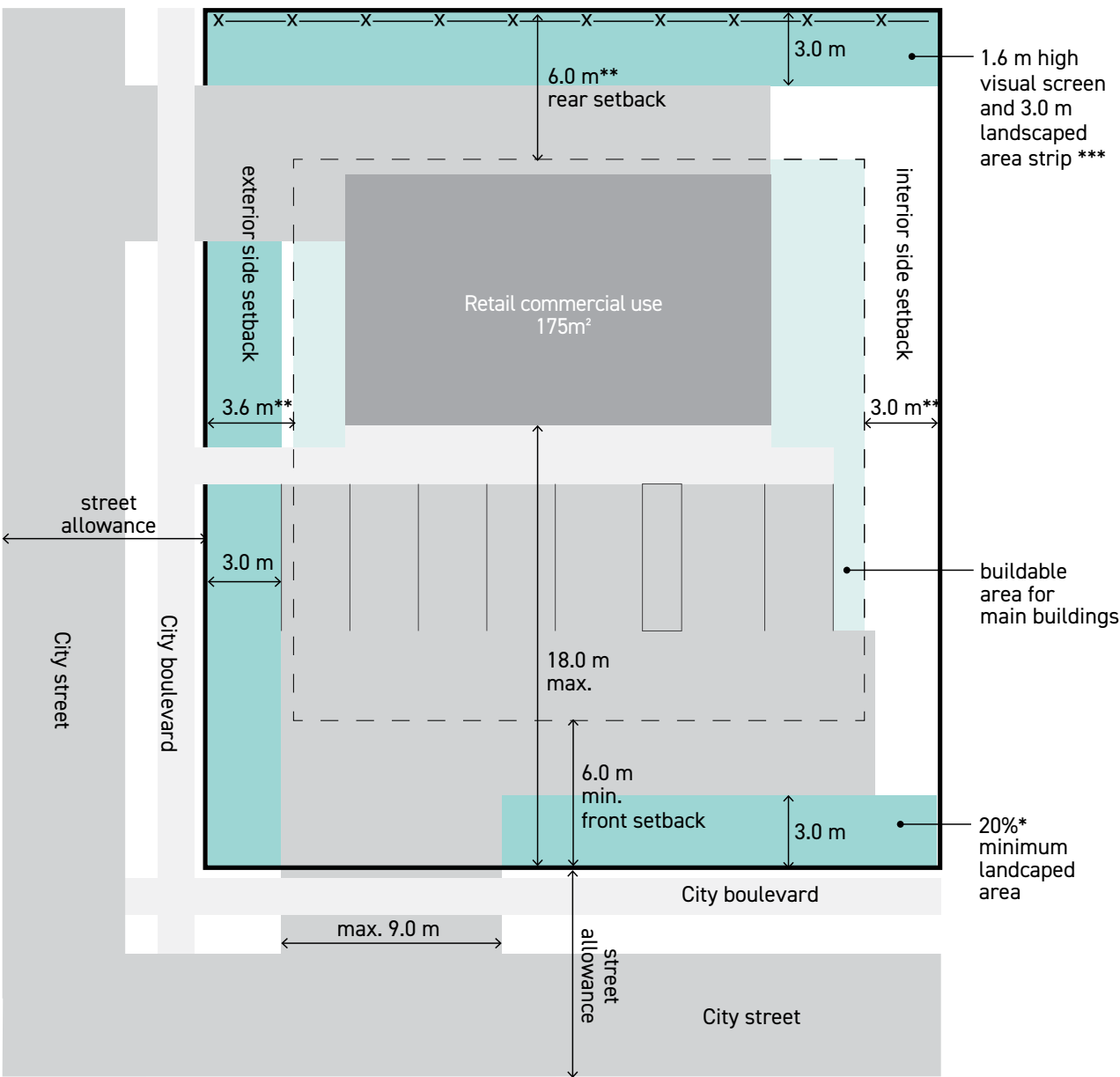
SECTION 3: URBAN NEIGHBOURHOODS

Diagram 3b.2: Apartments with five homes or more, care housing, long term care housing, or shared housing in Urban Neighbourhoods



* including 3.0 m landscaped strip
** dependent on building height

Diagram 3c: Buildings containing non-residential uses in Urban Neighbourhoods



* including 3.0 m landscaped strip along lot lines abutting a street
** dependent on building height
*** where a residential use is permitted on the first storey of adjacent lot

SECTION 4

PEDESTRIAN COMMERCIAL AREAS

4.1 Permitted uses and density standards	49
4.1.1 MS – Main Street Zone	49
4.1.2 DN – Downtown Neighbourhood Zone	50
4.1.3 WC – Waterfront Commercial Zone	51
4.2 Height and location requirements	52
4.3 Access, landscaping, and parking requirements	53

SECTION 4: PEDESTRIAN COMMERCIAL AREAS

Pedestrian Commercial Areas are made up of traditional shopping streets at a walkable scale. A wide range of uses are permitted including housing, retail, and offices. The built form prioritizes the pedestrian experience.

4.1 Permitted uses and density standards



4.1.1 MS – Main Street Zone

The purpose of the Main Street Zone is to create a continuous and vibrant commercial street. Active uses such as shopping and restaurants will be permitted on all storeys, while housing is restricted to upper floors only.

- a. The following **uses** are permitted as a **main use**:
 - Building supply outlet
 - Furniture store
 - Health centre
 - Hotel
 - Indoor recreation use
 - Office
 - Microbrewery
 - Restaurant
 - Retail commercial use
 - Service commercial use
- b. The following **uses** are permitted as a **main uses** on any **storey** other than the **first storey** of a **main building**:
 - Care housing
 - Day care centre
 - Homes
 - Long term care housing
 - Shared housing
- c. Despite Section 4.1.1, a **home** is permitted on the **first storey** provided that:
 - The **home** is barrier-free as per the **Building Code**.
 - A minimum of 60% of the **first storey** floor area is occupied by one or more street-facing tenantable commercial units.
 - The **home** does not occupy the street-facing portion of the **building** and is **setback** no less than 10.0 m from any **street allowance**.
- d. There is no limit on the number of **main uses** that may be located within the same **building**.
- e. The following **use** listed below is permitted as a **secondary use** to a permitted **home**:
 - Home day care

SECTION 4: PEDESTRIAN COMMERCIAL AREAS

Table 4.1.1: Main Street Zone – Density standards

Regulation	Main use permitted in Section 4.1.1
Minimum lot area	No minimum
Minimum lot frontage	6.0m
Maximum number of main uses	No maximum
Minimum number of homes	No minimum
Maximum number of homes	No maximum
Maximum number of secondary uses	No maximum
Maximum number of main buildings	No maximum
Maximum lot coverage	No maximum
Minimum GFA	No minimum
Maximum GFA	No maximum

4.1.2 DN – Downtown Neighbourhood Zone

The purpose of the Downtown Neighbourhood Zone is to permit a wide range of uses to support the Main Street Zone.

a. The following **uses** are permitted as a **main use**:

- **Apartment**
- **Building supply outlet**
- **Care housing**
- **Commercial parking use**
- **Converted house**
- **Day care centre**
- **Educational institution**
- **Emergency shelter**
- **Funeral establishment**
- **Furniture store**
- **Health centre**
- **Home**
- **Hotel**
- **Indoor recreation use**
- **Long term care housing**
- **Microbrewery**
- **Minor institutional use**
- **Office**
- **Restaurant**
- **Retail commercial use**

- **Service commercial use**
- **Shared housing**
- **Townhouse**

b. There is no limit on the number of **main uses** that may be located within the same **building**.

c. The following **use** is permitted as a **secondary use** to a permitted **home**:

- **Home day care**

Table 4.1.2: Downtown Neighbourhood Zone – Density standards

Regulation	Main use permitted in Section 4.1.2
Minimum lot area	No minimum
Minimum lot frontage	6.0m
Maximum number of main uses	No maximum
Minimum number of homes	No minimum
Maximum number of homes	No maximum
Maximum number of secondary uses	No maximum
Maximum number of main buildings	No maximum
Maximum lot coverage	No maximum
Minimum GFA	No minimum
Maximum GFA	No maximum

4.1.3 WC – Waterfront Commercial Zone

The purpose of the Waterfront Commercial Zone is to permit waterfront-related commercial uses, recreational opportunities, and entertainment facilities.

a. The following **uses** are permitted as a **main use**:

- **Building supply outlet**
- **Furniture store**
- **Hotel**
- **Indoor recreation use**
- **Microbrewery**
- **Restaurant**
- **Retail commercial use**
- **Service commercial use**
- **Water-related use** which may include a passenger terminal

b. The following **uses** are permitted as a **main use** on any **storey** above the **first storey** of a **main building**:

- **Health centre**
- **Office**

SECTION 4: PEDESTRIAN COMMERCIAL AREAS

Table 4.1.3: Waterfront Commercial Zone – Density standards

Regulation	Main use permitted in Section 4.1.3
Minimum lot area	No minimum
Minimum lot frontage	No minimum
Maximum number of main uses	No maximum
Minimum number of homes	No minimum
Maximum number of homes	No maximum
Maximum number of secondary uses	No maximum
Maximum number of main buildings	No maximum
Maximum lot coverage	No maximum
Minimum GFA	No minimum
Maximum GFA	300 m ² for each building supply outlet, furniture store, health centre, office, or retail commercial use

4.2 Height and location requirements

Any **use, building, or structure** permitted in any **zone** in Section 4.1 must meet the requirements set out in Table 4.2 below:

Table 4.2: Location and height requirements for a **building** or **structure** in Pedestrian Commercial Areas

Regulation	Building or structure
Minimum – maximum height	2 storeys – 27.0 m for WC Zone 2 storeys – no maximum for all the zones (See Section 13.1 – Height Restricted Areas)
Minimum – maximum front setback	0.0 m-3.0 m
Minimum – maximum exterior side setback	0.0 m-3.0 m
Minimum rear setback	No minimum
Minimum interior side setback	No minimum
Minimum separation distance between main buildings	6.0 m
Minimum separation distance between a building and water's edge of Lake Superior	20.0 m

4.3 Access, landscaping, and parking requirements



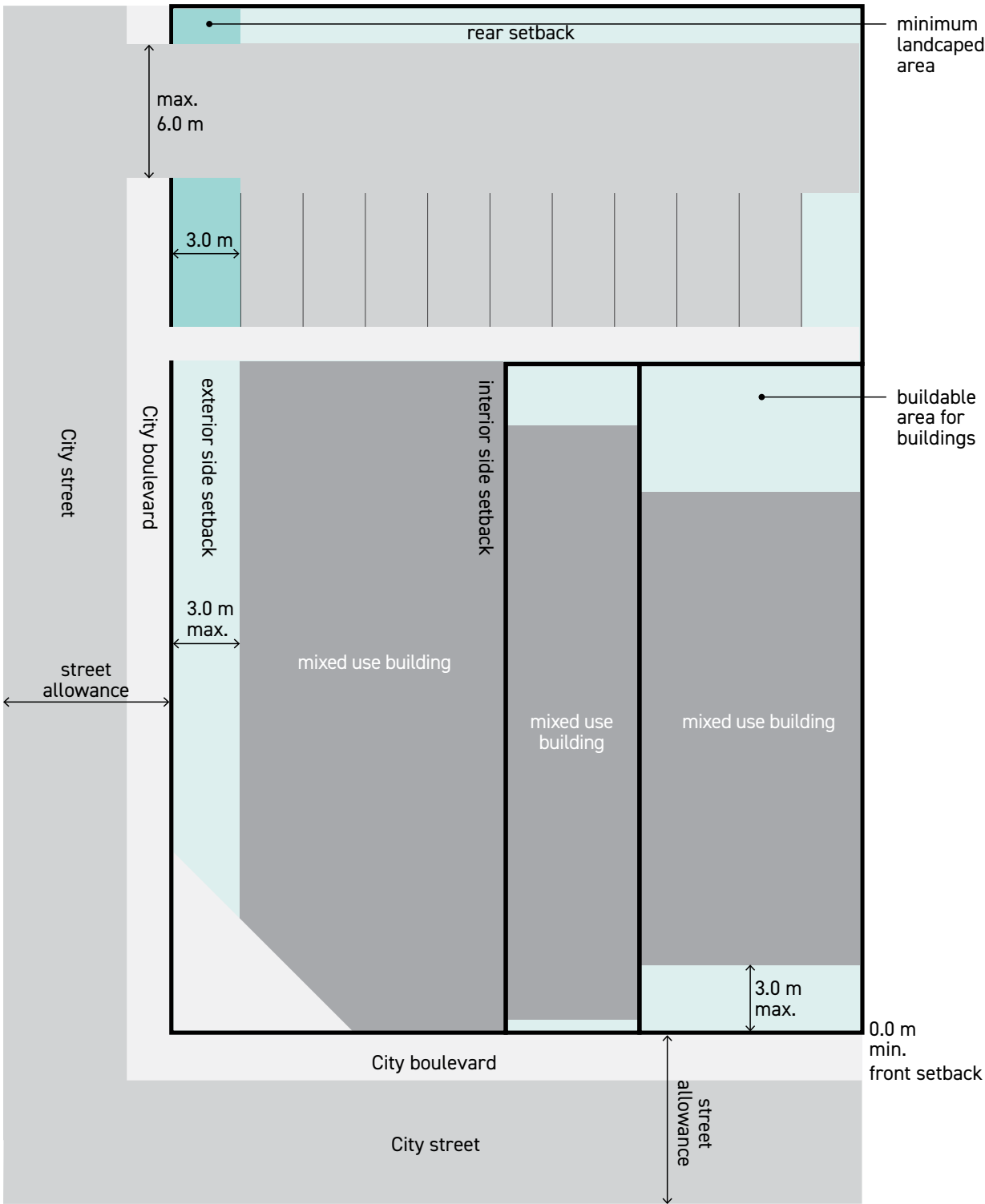
Any **use** permitted in any **zone** in Section 4.1 must meet the requirements set out in Table 4.3 below.

Table 4.3: Access, landscaping, and parking requirements in Pedestrian Commercial Areas

Regulation	Any use permitted in any zone in Section 4.1
Maximum driveway width	9.0m
Maximum number of driveways	1 for lots with 6.0 m - 16.0 m of street line 2 for lots with 16.1 m - 31.0 m of street line 1 additional per each additional 50.0 m of street line in excess of 31.0 m
Minimum separation distance between driveways on same lot	6.0 m
Minimum landscaped area	3.0 m strip along all lot lines abutting a street allowance and a parking lot on the same lot
Minimum visual screen	1.6 m high screen along all lot lines abutting the UL – Urban Low Rise Zone
Minimum number of parking spaces	Building containing more than 10 homes : 0.2 per home Hotel in WC Zone: 1 per suite, plus 1 per 30 m ² of GFA for the dining or banquet facilities, lounges, restaurants , and meeting rooms All other permitted uses : No minimum
Minimum number of bicycle spaces	Short term : No minimum Long term : 2 per lot OR 0.1 per home , whichever is more
Minimum number of accessible parking spaces	No minimum, if less than 4 spaces are provided See Section 11.6.3, if 4 or more spaces provided
Minimum number of loading spaces	No minimum

SECTION 4: PEDESTRIAN COMMERCIAL AREAS

Diagram 4: All uses in Pedestrian Commercial Areas



SECTION 5

COMMUTER COMMERCIAL AREAS

5.1 Permitted uses and density standards	57
5.1.1 SC – Service Commercial Zone	57
5.1.2 CC – Community Commercial Zone	58
5.1.3 RC – Regional Centre Zone	60
5.2 Height and location requirements	61
5.3 Access, landscaping, and parking requirements	61



SECTION 5: COMMUTER COMMERCIAL AREAS

Commuter Commercial Areas are shopping and service areas primarily designed for motor vehicle travel which also support public transit and active transportation commutes. These areas include a wide range of commercial uses such as retail, offices, drive-throughs, and motor vehicle dealerships.

5.1 Permitted uses and density standards



5.1.1 SC – Service Commercial Zone

The purpose of the Service Commercial Zone is to permit appropriately scaled shopping and service areas along major streets.

a. The following **uses** are permitted as a **main use**:

- Building supply outlet
- Funeral establishment
- Furniture store
- Health centre
- Hotel
- Indoor recreation use
- Indoor self-storage
- Microbrewery
- Motor vehicle sales or rentals
- Motor vehicle service use
- Office
- Restaurant
- Retail commercial use
- Retail warehouse
- Service commercial use

b. There is no limit on the number of **main uses** that may be located within the same **building**.

c. The following **uses** are permitted as a **secondary use** to a permitted **main use**:

- Drive-through
- Outdoor display

Table 5.1.1: Service Commercial Zone – Density standards

Regulation	Main use permitted in Section 5.1.1
Minimum lot area	600 m ²
Minimum lot frontage	20.0 m
Maximum number of main uses	No maximum
Minimum number of homes	Not applicable
Maximum number of homes	Not applicable
Maximum number of secondary uses	No maximum
Maximum number of main buildings	No maximum
Maximum lot coverage	35% of the lot area
Minimum GFA of the storefront in a retail warehouse	185 m ²
Maximum GFA	500 m ² for each building supply outlet, furniture store, health centre, office, retail commercial use , or retail component of a retail warehouse 9290 m ² total for all non-residential uses per lot

5.1.2 CC – Community Commercial Zone

The purpose of the Community Commercial Zone is to permit appropriately scaled shopping and service areas at key locations to serve surrounding neighbourhoods.

a. The following **uses** are permitted as a **main use**:

- **Building supply outlet**
- **Funeral establishment**
- **Furniture store**
- **Health centre**
- **Hotel**
- **Indoor recreation use**
- **Microbrewery**
- **Motor vehicle sales or rentals**
- **Motor vehicle service use**
- **Office**
- **Restaurant**
- **Retail commercial use**
- **Retail warehouse**
- **Service commercial use**

b. The following **uses** are permitted as a **main use** on any **storey** other than the **first storey** of a **main building**:

- **Homes**
- **Care housing**
- **Long term care housing**
- **Shared housing**

c. There is no limit on the number of **main use** that may be located within the same **building**.

d. The following **uses** are permitted as a **secondary use** to a permitted **main use**:

- **Home day care**
- **Drive-through**
- **Outdoor display**

Table 5.1.2: Community Commercial Zone – Density standards

Regulation	Main use permitted in Section 5.1.2
Minimum lot area	600 m ²
Minimum lot frontage	20.0 m
Maximum number of main uses	No maximum
Minimum number of homes	No minimum
Maximum number of homes	No maximum
Maximum number of secondary uses	No maximum
Maximum number of main buildings	No maximum
Maximum lot coverage	35% of the lot area
Minimum GFA of the storefront in a retail warehouse	185 m ²
Maximum total GFA for all non-residential uses	20000 m ² per lot

5.1.3 RC – Regional Centre Zone

The purpose of the Regional Centre Zone is to permit a large format shopping and services to serve the region.

a. The following **uses** are permitted as a **main use**:

- **Building supply outlet**
- **Furniture store**
- **Health centre**
- **Hotel**
- **Indoor recreation use**
- **Microbrewery**
- **Motor vehicle sales or rentals**
- **Motor vehicle service use**
- **Office**
- **Restaurant**
- **Retail commercial use**
- **Retail warehouse**
- **Service commercial use**

b. There is no limit on the number of **main uses** that may be located within the same **building**.

c. The following **uses** are permitted as a **secondary use** to a permitted **main use**:

- **Drive-through**
- **Outdoor display**

Table 5.1.3: Regional Centre Zone - Density standards

Regulation	Main use permitted in Section 5.1.3
Minimum lot area	8000 m ²
Minimum lot frontage	60.0 m
Maximum number of main uses	No maximum
Minimum number of homes	Not applicable
Maximum number of homes	Not applicable
Maximum number of secondary uses	No maximum
Maximum number of main buildings	No maximum
Maximum lot coverage	35% of the lot area
Minimum GFA	185 m ² for a storefront in retail warehouse 4600 m ² for each building supply outlet, furniture store, or retail commercial use
Maximum GFA	500 m ² for each health centre or office

5.2 Height and location requirements

Any **use**, **building** or **structure**, permitted in any **zone** in Section 5.1 must also meet the requirements set out in this Section 5.2.

Table 5.2: Location and height requirements for a **building** or **structure**, or **outdoor display** in Commuter Commercial Areas

Regulation	SC and CC Zone	RC Zone
Minimum – maximum height	No minimum – 17.0 m	No minimum – 17.0 m
Minimum – maximum front setback	6.0 – 48.0 m	7.5 m – no maximum
Minimum – maximum exterior side setback	6.0 – 27.0 m	7.5 m – no maximum
Minimum rear setback	6.0 m	7.5 m
Minimum interior side setback	3.0 m	7.5 m
Minimum separation distance between main buildings	6.0 m	6.0 m
Minimum separation distance between an accessory building and a main building on the same lot	2.0 m	2.0 m

5.3 Access, landscaping, and parking requirements

Any **use** permitted in any **zone** in Section 5.1 must meet the requirements set out in Table 5.3 below.

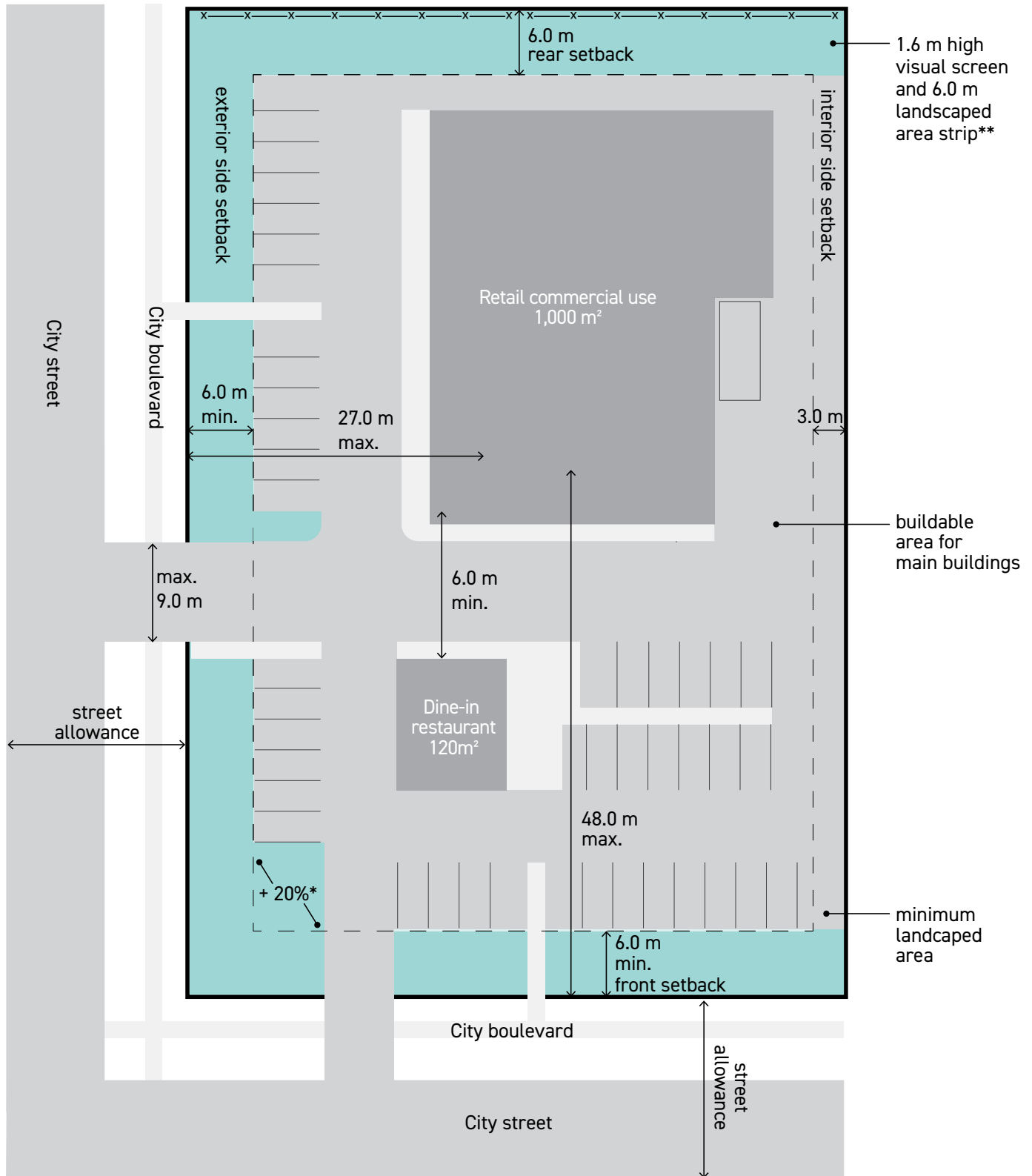
Table 5.3: Access, landscaping, and parking requirements in Commuter Commercial Areas

Regulation	Any use permitted in any zone in Section 5.1
Maximum driveway width	9.0 m
Maximum number of driveways	1 for lots with 6.0 m – 16.0 m of street line 2 for lots with 16.1 m – 31.0 m of street line 1 additional per each additional 50.0 m of street line in excess of 31.0 m
Minimum separation distance between driveways on same lot	6.0 m
Minimum landscaped area	20% of lot area which must include a 6.0 m strip along all lot lines abutting a street allowance or a zone which permits a residential use on the first storey
Minimum visual screen	1.6m high visual screen along all lot lines abutting a zone which permits a residential use on the first storey

SECTION 5: COMMUTER COMMERCIAL AREAS

Regulation	Any use permitted in any zone in Section 5.1
Minimum number of parking spaces	<p>Billiard or poolroom, ice rink, roller rink, swimming pool, video arcade: 1 for every 4 persons that can be accommodated at capacity as specified by the Building Code</p> <p>Bowling alley, curling rink, tennis courts, or similar sports: 4 for each playing surface</p> <p>Building supply outlet, furniture store, or retail commercial use: 1 per 55 m² of GFA</p> <p>Care housing or long term care housing: No minimum</p> <p>Dine in restaurant: 1 per 10 m² of GFA</p> <p>Drive-through or take out only restaurant: 1 per 20 m² of GFA</p> <p>Homes: 1 per home</p> <p>Hotel: 1 per suite, plus 1 per 30 m² of GFA for the dining or banquet facilities, lounges, restaurants, and meeting rooms</p> <p>Indoor self-storage, microbrewery, or retail warehouse: 1 per 65 m² of GFA</p> <p>Motor vehicle sales or rental or Motor vehicle service use: 1 per 40.0 m² of GFA devoted to storage, offices and display area plus 3 per service bay devoted to repair facilities</p> <p>Shared housing: 1 per home plus 0.2 per rooming unit</p> <p>All other permitted uses: 1 per 30 m² of GFA</p> <p>Any building containing four or more permitted uses: 1 per home, plus 1 per 30 m² of GFA devoted to non-residential main uses</p>
Minimum number of bicycle spaces	<p>Short term: 4 per public entrance</p> <p>Long term: 2 per lot <u>OR</u> 0.1 per home, whichever is more</p>
Minimum number of accessible parking spaces	See Section 11.6.3
Minimum number of loading spaces	<p>Total GFA of main uses is 500 m² or greater: 1 per lot</p> <p>Total GFA of main uses is greater than 2500 m² and less than or equal to 10,000 m²: 2 per lot</p> <p>Total GFA of main uses is 10,000 m² or greater: 2 per lot, plus one additional loading space for every 10,000 m² of GFA in excess of 10,000 m²</p>
Minimum number of stacking spaces	<p>Restaurant: 10 per drive-through</p> <p>Building supply outlet or retail commercial use: 4 per drive-through</p> <p>Self-serve car wash: 2 per stall</p> <p>Automated or full-serve car wash: 8 per stall</p> <p>Fuel bar: 1 per fuel pump or charging station</p> <p>Any other permitted use: 3 per drive-through</p>

Diagram 5a: All uses in Service Commercial Zone or Community Commercial Zone

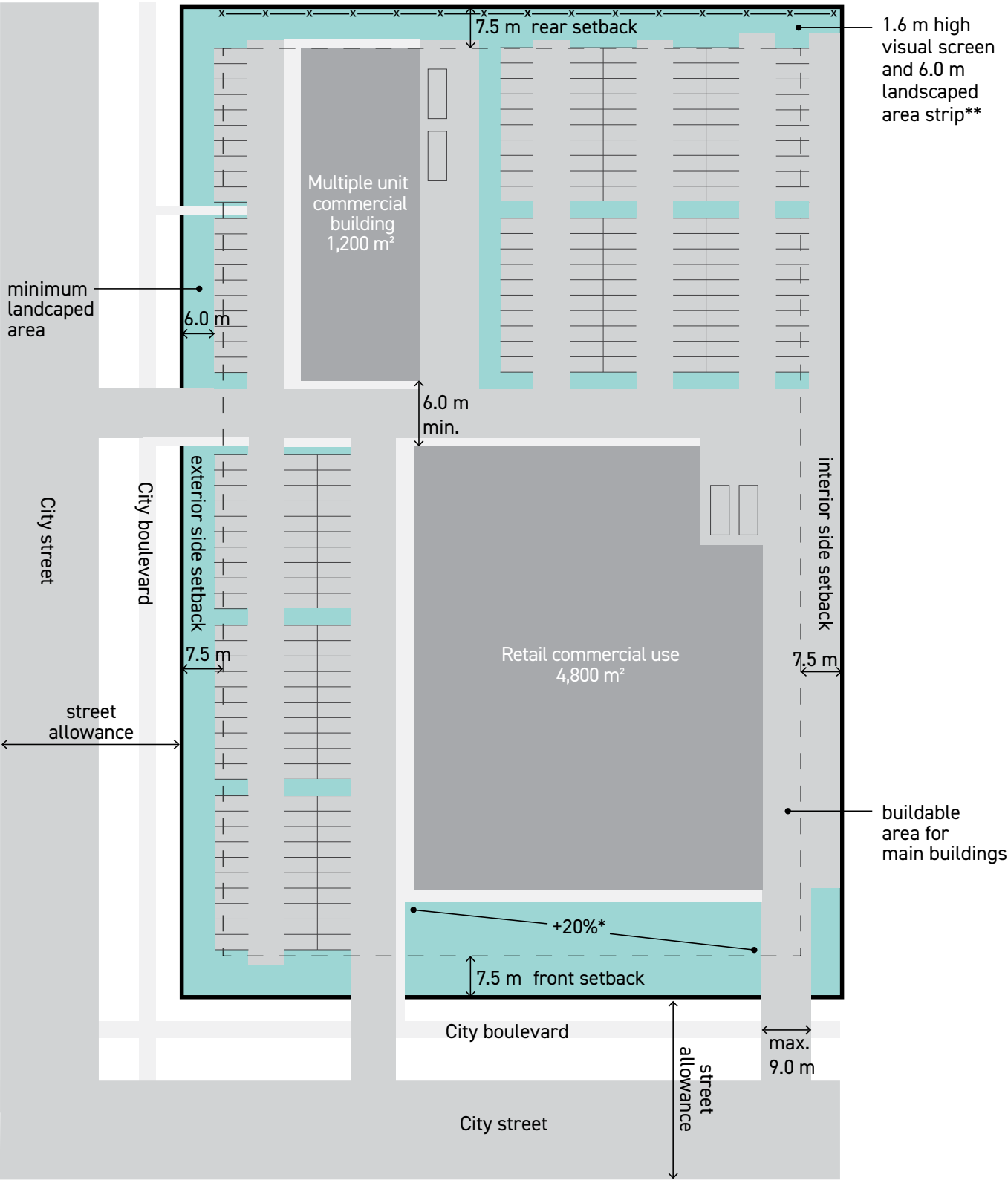


*including 6.0 m landscaped strip along lot lines abutting a street

** where a residential use is permitted on the first storey of adjacent lot

SECTION 5: COMMUTER COMMERCIAL AREAS

Diagram 5b: All uses in Regional Centre Zone



*including 6.0 m landscaped strip along lot lines abutting a street
** where a residential use is permitted on the first storey of adjacent lot

SECTION 6

BUSINESS AREAS

6.1 Permitted uses	67
6.1.1 LI – Light Industrial Zone	67
6.1.2 BU – Business Zone	68
6.2 Height and location requirements	69
6.3 Access, landscaping, and parking requirements	70

SECTION 6: BUSINESS AREAS

Business Areas include offices and workspaces for various industries. Industrial activities must take place indoors, must not be disruptive, and must screen any outdoor storage from view from streets and adjacent properties. Restaurants and recreation uses also support these areas.

6.1 Permitted uses and density standards



6.1.1 LI – Light Industrial Zone

The purpose of the Light Industrial Zone is to permit a range of commercial and non-disruptive industrial uses. Industrial facilities may have outdoor storage provided it is screened from view from streets and adjacent properties.

a. The following **uses** are permitted as a **main use**:

- Building supply outlet
- Furniture store
- Health centre
- Indoor recreation use
- Indoor self-storage
- Light industrial use
- Microbrewery
- Motor vehicle sale or rental
- Motor vehicle service use
- Office
- Outdoor self-storage
- Research facility or laboratory
- Restaurant
- Retail warehouse
- Warehouse

b. There is no limit on the number of **main uses** that may be located within the same **building**.

c. The following **uses** are permitted as a **secondary use** to a permitted **main use**:

- Drive-through
- Outdoor display
- Outdoor storage

Table 6.1.1: Light Industrial Zone – Density standards

Regulation	Main use permitted in Sections 6.1.1
Minimum lot area	930 m ²
Minimum lot frontage	20.0 m
Maximum number of main uses	No maximum
Minimum number of homes	Not applicable
Maximum number of homes	Not applicable
Maximum number of secondary uses	No maximum
Maximum number of main buildings	No maximum
Maximum lot coverage	35% of the lot area
Minimum GFA of a furniture store	1000 m ²
Maximum GFA	500 m ² for each health centre or office 185 m ² for a storefront in a retail warehouse

6.1.2 BU – Business Zone

The purpose of the Business Zone is to create an ideal location for business offices. Complementary uses such as hotels, recreation uses, and restaurants are also permitted.

a. The following **uses** are permitted as a **main use**:

- **Health centre**
- **Hotel**
- **Indoor recreation use**
- **Light industrial use**
- **Microbrewery**
- **Office**
- **Research facility or laboratory**
- **Restaurant**
- **Retail warehouse**
- **Warehouse**

b. There is no limit on the number of **main uses** that may be located within the same **building**.

c. The following **use** is permitted as a secondary use to a permitted **main use**:

- **Drive-through**

Table 6.1.2: Business Zone – Density standards

Regulation	Main use permitted in Sections 6.1.2
Minimum lot area	930 m ²
Minimum lot frontage	20.0 m
Maximum number of main uses	No maximum
Minimum number of homes	Not applicable
Maximum number of homes	Not applicable
Maximum number of secondary uses	No maximum
Maximum number of main buildings	No maximum
Maximum lot coverage	35% of the lot area
Minimum GFA	500 m ² for each office, research facility or laboratory
Maximum GFA	185 m ² for a storefront in a retail warehouse

6.2 Height and location requirements



Any **use, building** or **structure** permitted in any **zone** in Section 6.1 must also meet the requirements set out in this Section 6.2.

Table 6.2a: Location and height requirements for a **building, structure, or outdoor display** in Business Areas

Regulation	Building, structure, or outdoor display
Minimum – maximum height	No minimum – 17.0 m
Minimum – maximum front setback	6.0 – 48.0 m
Minimum – maximum exterior side setback	3.6 – 27.0 m
Minimum rear setback	6.0 m
Minimum interior side setback	3.0 m
Minimum separation distance between main buildings	6.0 m
Minimum separation distance between an accessory building and a main building on the same lot	2.0 m

Table 6.2b: Location and height requirements for **outdoor storage** in Business Areas

Regulation	Outdoor storage
Minimum – maximum height	No minimum – 8.0 m
Minimum – maximum front setback	Front setback of main building that is closest to the front lot line – no maximum
Minimum – maximum exterior side setback	Exterior side setback of main building that is closest to the exterior side lot line – no maximum
Minimum rear setback	0.3 m
Minimum interior side setback	0.3 m
Minimum separation distance	Not applicable

6.3 Access, landscaping, and parking requirements



Any **use** permitted in any **zone** in Section 6.1 must meet the requirements set out in Table 6.3 below.

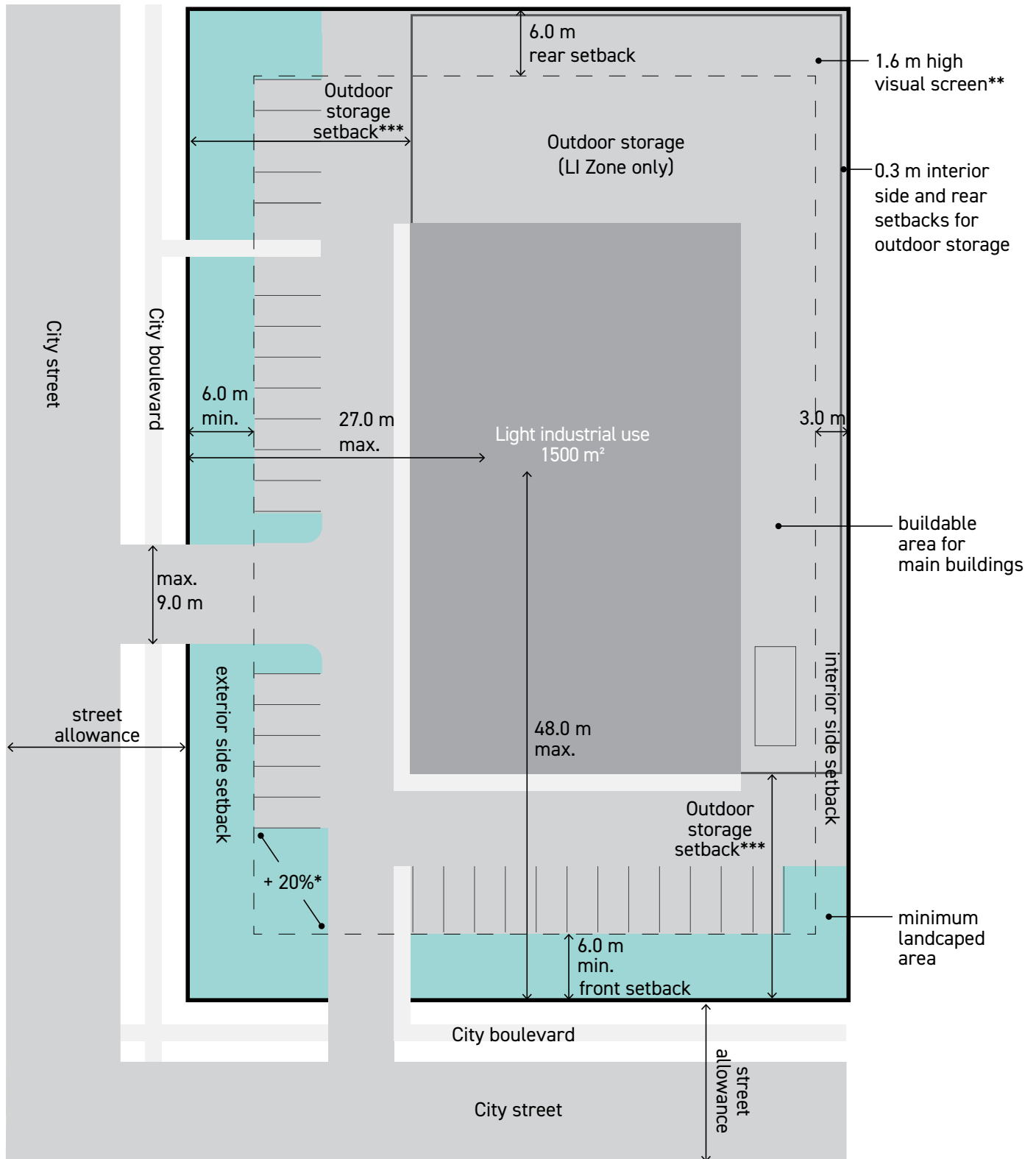
Table 6.3: Access, landscaping, and parking requirements in Business Areas

Regulation	Any use permitted in any zone in Section 6.1
Maximum driveway width	9.0 m
Maximum number of driveways	1 for lots with 6.0 m - 16.0 m of street line 2 for lots with 16.1 m - 31.0 m of street line 1 additional per each additional 50.0 m of street line in excess of 31.0 m
Minimum separation distance between driveways on same lot	6.0 m
Minimum landscaped area	20% of lot area which must include a 6.0 m strip along all lot lines abutting a street allowance or a zone which permits a residential use on the first storey
Minimum visual screen	<ul style="list-style-type: none"> 1.6 m high visual screen around all outdoor storage in the form of a solid fence or wall 1.6 m high visual screen along all lot lines abutting a zone which permits a residential use on the first storey
Minimum number parking spaces	<p>Billiard or poolroom, ice rink, roller rink, swimming pool, video arcade: 1 for every 4 persons that can be accommodated at capacity as specified by the Building Code</p> <p>Bowling alley, curling rink, tennis courts, or similar sports: 4 for each playing surface</p> <p>Building supply outlet or furniture store: 1 per 55 m² of GFA</p> <p>Dine in restaurant: 1 per 10 m² of GFA</p> <p>Drive-through or take out only restaurant: 1 per 20 m² of GFA</p> <p>Hotel: 1 per suite, plus 1 per 30 m² of GFA for the dining or banquet facilities, lounges, restaurants, and meeting rooms</p> <p>Indoor self-storage, light industrial use, microbrewery, retail warehouse, or warehouse: 1 per 65 m² of GFA</p> <p>Motor vehicle sales or rentals or motor vehicle service use: 1 per 40.0 m² of GFA devoted to storage, offices and display area plus 3 per service bay devoted to repair facilities</p> <p>Outdoor self-storage: 1 per 65 m² of GFA devoted to any service area or offices</p> <p>All other permitted uses: 1 per 30 m² of GFA</p> <p>Any building containing four or more permitted uses: 1 per 40 m² of GFA</p>
Minimum number of bicycle spaces	<p>Short term : 4 per each public entrance</p> <p>Long term: No minimum</p>

Regulation	Any use permitted in any zone in Section 6.1
Minimum number of accessible parking spaces	See Section 11.6.3
Minimum number of loading spaces	1 per lot if total GFA of main uses is 500 m ² or greater
Minimum number of stacking spaces	Restaurant: 10 per drive-through Building supply outlet or retail commercial use: 4 per drive-through Self-serve car wash: 2 per stall Automated or full-serve car wash: 8 per stall Fuel bar: 1 per fuel pump or charging station Any other permitted use: 3 per drive-through

SECTION 6: BUSINESS AREAS

Diagram 6: All uses in Business Areas



*including 6.0 m landscaped strip along lot lines abutting a street or zone that permits a residential use on the first store

** around outdoor storage or abutting a lot where a residential use is permitted on the first storey

***same as setback of main building that is closest to the front lot line

SECTION 7

HEAVY INDUSTRIAL AREAS

7.1 Permitted uses and density standards	75
7.1.1 HI – Heavy Industrial Zone	75
7.1.2 AP – Airport Zone	76
7.1.3 US – Utilities and Services Zone	76
7.2 Height and location requirements	77
7.3 Access, landscaping, and parking requirements	78



SECTION 7: HEAVY INDUSTRIAL AREAS

Heavy Industrial Areas provide land for land uses that should be separated from sensitive land uses. Major industries and utilities belong in these areas.

7.1 Permitted uses and density standards



7.1.1 HI – Heavy Industrial Zone

The purpose of the Heavy Industrial Zone is to permit a range of industrial facilities and utilities. Appropriate separation distances from sensitive land uses are also required.

a. The following **uses** are permitted as a **main use**:

- **Heavy industrial use**
- **Indoor self-storage**
- **Light industrial use**
- **Motor vehicle service use**
- **Outdoor storage**
- **Outdoor self-storage**
- **Power and utility facility**
- **Warehouse**

b. There is no limit on the number of **main uses** that may be located within the same **building**.

c. The following **use** is permitted as a **secondary use** to a permitted **main use**:

- **Outdoor display**

Table 7.1.1: Heavy Industrial Zone – Density standards

Regulation	Main use permitted in Section 7.1.1
Minimum lot area	930 m ²
Minimum lot frontage	20.0 m
Maximum number of main uses	No maximum
Minimum number of homes	Not applicable
Maximum number of homes	Not applicable
Maximum number of secondary uses	No maximum
Maximum number of main buildings	No maximum
Maximum lot coverage	No maximum
Minimum GFA	No minimum
Maximum GFA	No maximum

7.1.2 AP – Airport Zone

The purpose of the Airport Zone is to permit and support the functioning of the Thunder Bay International Airport.

a. The following **uses** are permitted as a **main use**:

- **Airport-related use**
- **Hotel**
- **Commercial parking use**

b. There is no limit on the number of **main uses** that may be located within the same **building**.

Table 7.1.2: Airport Zone – Density standards

Regulation	Main use permitted in Section 7.1.2
Minimum lot area	No minimum
Minimum lot frontage	120 m
Maximum number of main uses	No maximum
Minimum number of homes	Not applicable
Maximum number of homes	Not applicable
Maximum number of secondary uses	No maximum
Maximum number of main buildings	No maximum
Maximum lot coverage	No maximum
Minimum GFA	No minimum
Maximum GFA	No maximum

7.1.3 US – Utilities and Services Zone

The purpose of the Utilities and Services Zone is to permit a range of utilities and services to support development.

a. The following **use** is permitted as a **main use**:

- **Power and utility facility**

Table 7.1.3: Utilities and Services Zone – Density standards

Regulation	Main use permitted in Section 7.1.3
Minimum lot area	No minimum
Minimum lot frontage	No minimum
Maximum number of main uses	No maximum
Minimum number of homes	Not applicable
Maximum number of homes	Not applicable
Maximum number of secondary uses	No maximum
Maximum number of main buildings	No maximum
Maximum lot coverage	No maximum
Minimum GFA	No minimum
Maximum GFA	No maximum

7.2 Height and location requirements

Any **use, building** or **structure** permitted in any **zone** in Section 7.1 must meet the requirements set out in Table 7.2 below:

Table 7.2: Location and height requirements for a **building** or **structure, outdoor storage**, or an **outdoor display** in Heavy Industrial Areas

Regulation	Building or structure, outdoor storage, or an outdoor display
Minimum – maximum height	No minimum – no maximum
Minimum – maximum front setback	6.0 m – no maximum
Minimum – maximum exterior side setback	6.0 m – no maximum
Minimum rear setback	6.0 m
Minimum interior side setback	6.0 m
Minimum separation distance between main buildings	6.0 m
Minimum separation distance between an accessory building and a main building on the same lot	2.0 m
Minimum separation distance between a power and utility facility and a lot where a sensitive use is permitted	15.0 m
Minimum separation distance from a shoreline	15.0 m

7.3 Access, landscaping, and parking requirements

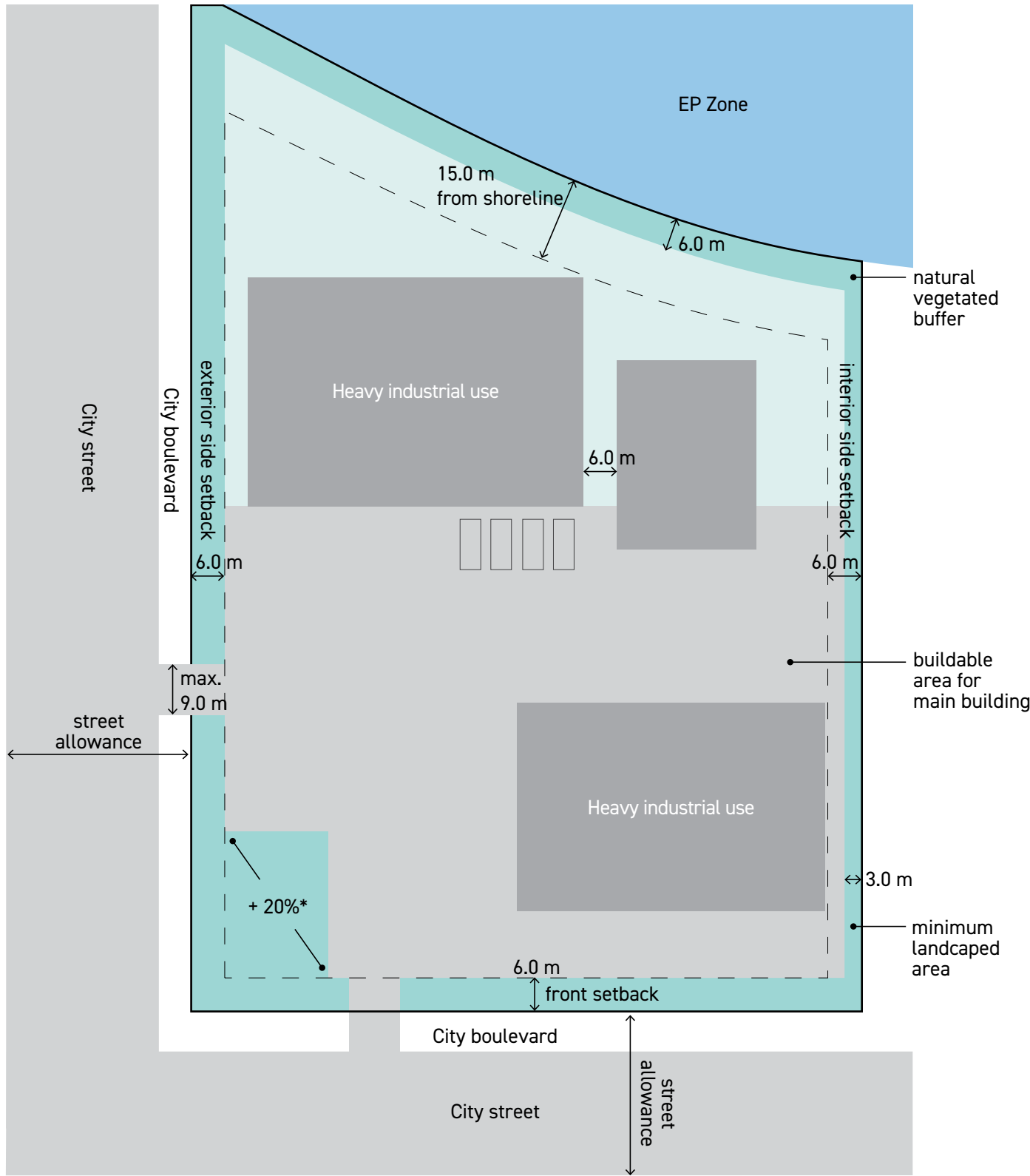


Any **use** permitted in any **zone** in Section 7.1 must meet the requirements set out in Table 7.3 below.

Table 7.3: Access, landscaping, and parking requirements in Heavy Industrial Areas

Regulation	Any use permitted in any zone in Section 7.1
Maximum driveway width	9.0 m
Maximum number of driveways	1 for lots with 6.0 m - 16.0 m of street line 2 for lots with 16.1 m - 31.0 m of street line 1 additional per each additional 50.0 m of street line in excess of 31.0 m
Minimum separation distance between driveways on same lot	6.0 m
Minimum landscaped area	20% of lot area which must include a 6.0 m strip along all lot lines abutting a street allowance and a 3.0 m along all other lot lines 6.0 m high natural vegetated buffer along all lot lines abutting a shoreline and/or abutting the “EP” – Environmental Protection Zone
Minimum visual screen	1.6 m high visual screen along all lot lines abutting a zone which permits a residential use on the first storey
Minimum number of parking spaces	Motor vehicle service use: 1 per 40.0 m ² of GFA devoted to storage, offices and display area plus 3 per service bay devoted to repair facilities All other permitted uses: No minimum
Minimum number of bicycle spaces	No minimum
Minimum number of accessible parking spaces	See Section 11.6.3
Minimum number of loading spaces	Total GFA of main uses is 500 m ² or greater: 1 per lot
Minimum number of stacking spaces	Self-serve car wash: 2 per stall Automated or full-serve car wash: 8 per stall Fuel bar: 1 per fuel pump or charging station

Diagram 7: All uses in Heavy Industrial Areas



*including 6.0 m and 3.0 m landscaped strips

SECTION 8

INSTITUTIONAL AND COMMUNITY AREAS

8.1 Permitted uses and density standards	83
8.1.1 IN – Institutional Zone	83
8.1.2 CM – Community Zone	84
8.2 Height and location requirements	84
8.3 Access, landscaping, and parking requirements	85

SECTION 8: INSTITUTIONAL AND COMMUNITY AREAS

Institutional and Community Areas provide land for major institutions, community centres, and parks. These areas include large open spaces and campuses.

8.1 Permitted uses and density standards



8.1.1 IN – Institutional Zone

The purpose of the Institutional Zone is to permit major institutions. These include hospitals, colleges and universities, secondary schools, and correctional institutions.

a. The following **uses** are permitted as a **main use**:

- Correctional centre, penitentiary, or jail
- **Educational institution**
- **Emergency shelter**
- **Health centre**
- **Hospital**
- **Long term care housing**

b. There is no limit on the number of **main uses** that may be located within the same **building**.

Table 8.1.1: Institutional Zone – Density standards

Regulation	Main use permitted in Section 8.1.1
Minimum lot area	450 m ²
Minimum lot frontage	15.0 m
Maximum number of main uses	No maximum
Minimum number of homes	Not applicable
Maximum number of homes	Not applicable
Maximum number of secondary uses	No maximum
Maximum number of main buildings	No maximum
Maximum lot coverage	35% of lot area
Minimum GFA	No minimum
Maximum GFA	No maximum

8.1.2 CM – Community Zone

The purpose of the Community Zone is to permit public or semi-public recreation and cultural facilities.

a. The following **uses** are permitted as a **main use**:

- **Cemetery and crematorium**
- **Day care centre**
- **Indoor recreation use**
- **Minor institutional use**
- **Water-related use**

b. There is no limit on the number of **main uses** that may be located within the same **building**.

Table 8.1.2: Community Zone – Density standards for a **main use** permitted in Section 8.1.2

Regulation	Main use permitted in Section 8.1.2
Minimum lot area	No minimum
Minimum lot frontage	15.0 m
Maximum number of main uses	No maximum
Minimum number of homes	Not applicable
Maximum number of homes	Not applicable
Maximum number of secondary uses	No maximum
Maximum number of main buildings	No maximum
Maximum lot coverage	35% of lot area
Minimum GFA	No minimum
Maximum GFA	No maximum

8.2 Height and location requirements

Any **use**, **building** or **structure** permitted by Section 8.1 must also meet the requirements set out in this Section 8.2.

Table 8.2: Location and height requirements for a **building** or **structure** in Institutional and Community Areas

Regulation	IN Zone	CM Zone
Minimum – maximum height	No minimum – 30.0m	No minimum – 15.0 m
Minimum – maximum front setback	7.5m – no maximum	6.0 m – no maximum
Minimum – maximum exterior side setback	7.5 m	3.6 m
Minimum rear setback	7.5 m	6.0 m
Minimum interior side setback	7.5 m	3.0 m
Minimum separation distance between main buildings	6.0 m	6.0 m
Minimum separation distance between an accessory building and a main building on the same lot	2.0 m	2.0 m

8.3 Access, landscaping, and parking requirements



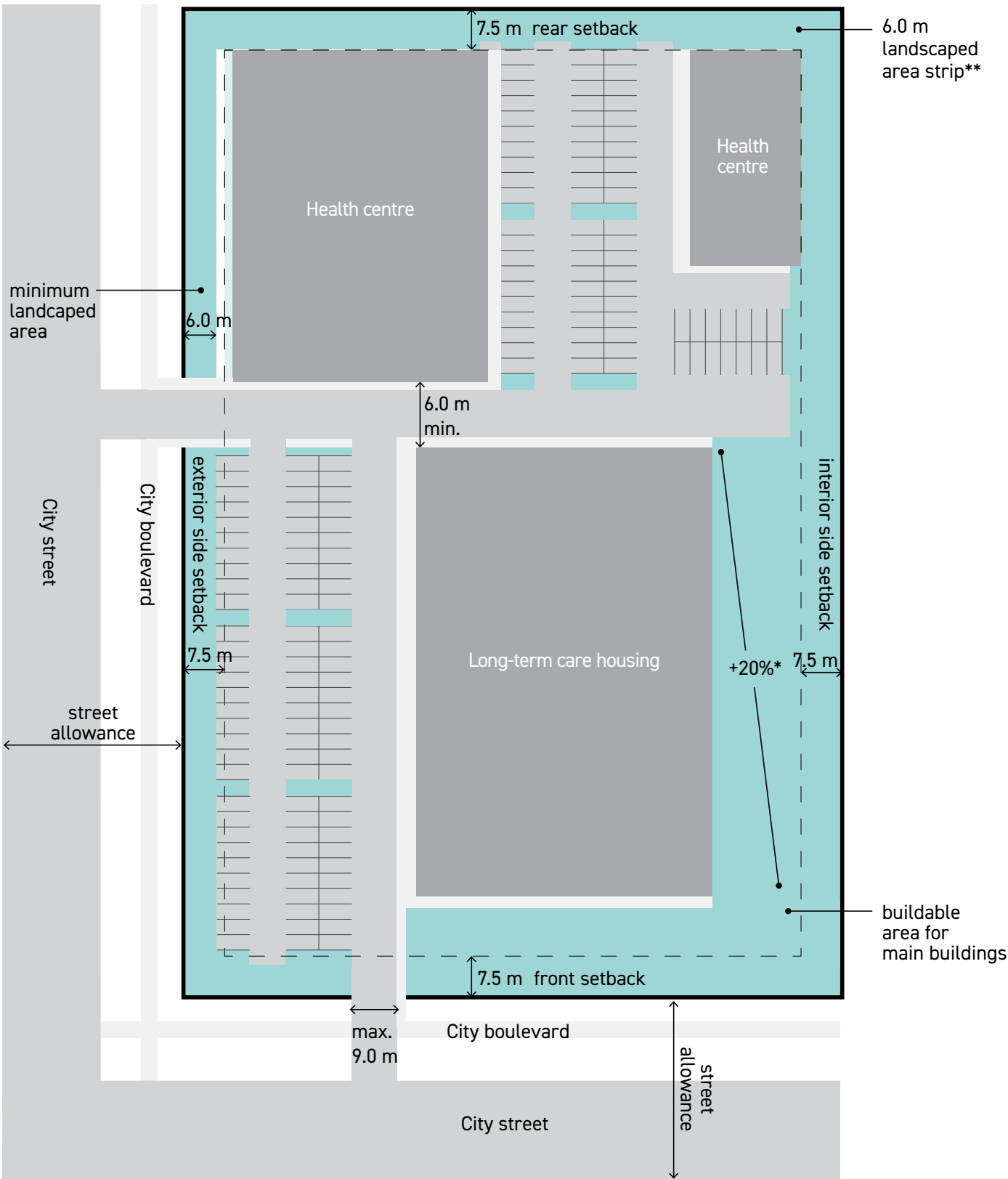
Any **use** permitted in any **zone** in Section 8.1 must meet the requirements set out in Table 8.3 below.

Table 8.3: Access, landscaping, and parking requirements in Institutional and Community Areas

Regulation	Any use permitted in any zone in Section 8.1
Maximum driveway width	9.0 m
Maximum number of driveways	1 for lots with 6.0 m - 16.0 m of street line 2 for lots with 16.1 m - 31.0 m of street line 1 additional per each additional 50.0 m of street line in excess of 31.0 m
Minimum separation distance between driveways on same lot	6.0 m
Minimum landscaped area	20% of lot area which must include a 6.0 m strip along all lot lines abutting a street allowance or a zone which permits a residential use on the first storey
Minimum visual screen	No minimum
Minimum number of parking spaces	No minimum
Minimum number of bicycle spaces	No minimum
Minimum number of accessible parking spaces	See Section 11.6.3
Minimum number of loading spaces	Total GFA of main uses is 500 m ² or greater: 1 per lot

SECTION 8: INSTITUTIONAL AND COMMUNITY AREAS

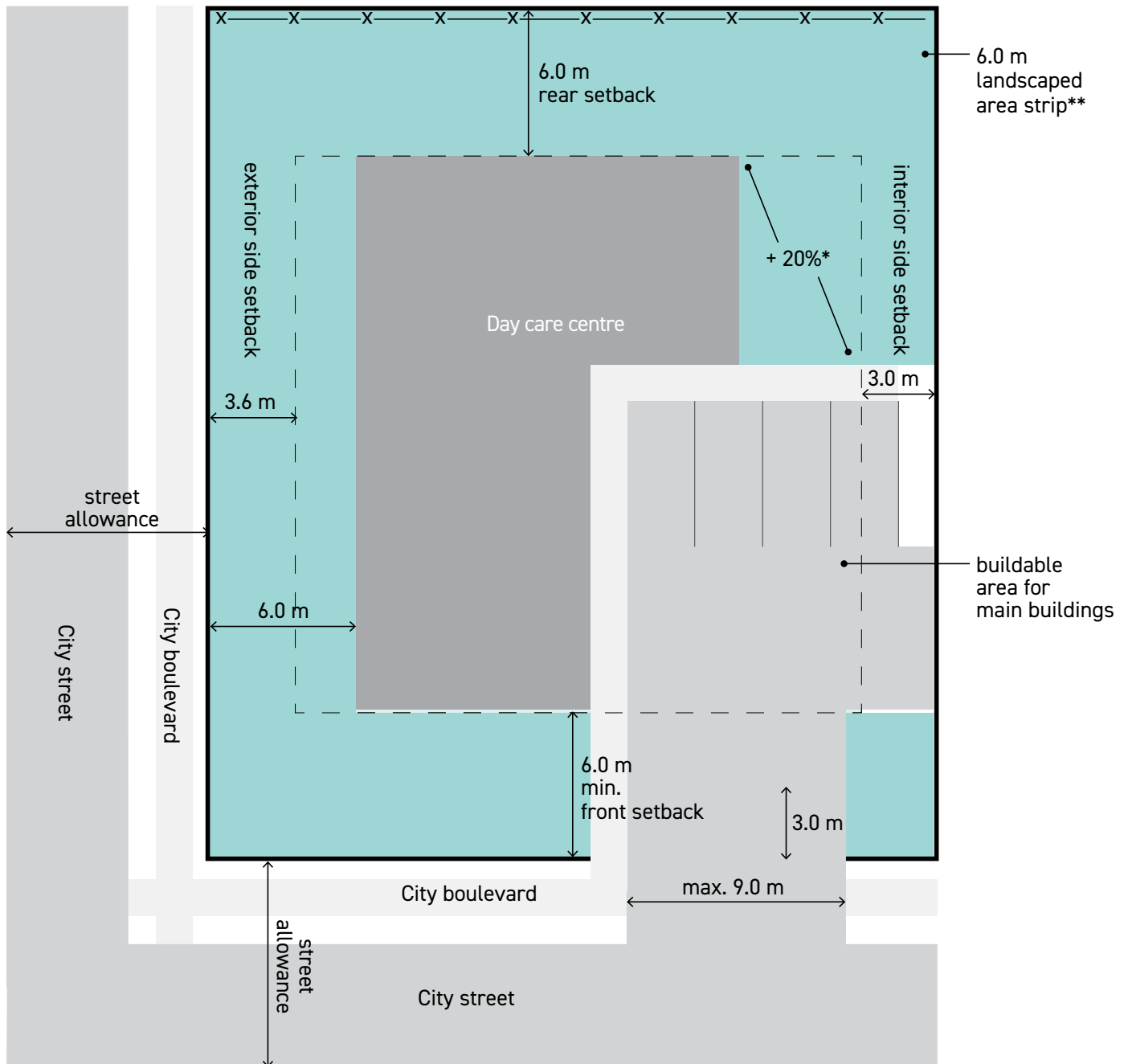
Diagram 8a: All uses in Institutional Zone



*including 6.0 m landscaped strip along lot lines abutting a street

** where a residential use is permitted on the first storey of adjacent lot

Diagram 8b: All uses in Community Zone



* including 6.0 m landscaped strip along lot lines abutting a street

** where a residential use is permitted on the first storey of adjacent lot

SECTION 9

NATURAL HERITAGE AREAS

9.1 Permitted uses and density standards	91
9.1.1 EP – Environmental Protection Zone	91
9.2 Height and location requirements	92
9.3 Access, landscaping, and parking requirements	92



SECTION 9: NATURAL HERITAGE AREAS

Natural Heritage Areas contain significant natural heritage features, such as wetlands, or natural hazard areas, such as eroding riverbanks, where development must be limited to protect the feature or limit risk associated with the hazard.

9.1 Permitted uses and density standards



9.1.1 EP – Environmental Protection Zone

The purpose of the Environmental Protection Zone is to limit development within or near natural heritage features or natural hazard areas.

a. The following **use** is permitted as a **main use**:

- **Water-related use**

b) Permits from the LRCA are required for the construction of any **buildings** or **structures**, the temporary or permanent placement of fill, site grading, interference with a wetland, or any alteration to the shoreline or existing channel of a lake or watercourse.

Table 9.1.1: Environmental Protection Zone – Density standards

Regulation	Main use permitted in Section 9.1.1
Minimum lot area	No minimum
Minimum lot frontage	No minimum
Maximum number of main uses	No maximum
Minimum number of homes	Not applicable
Maximum number of homes	Not applicable
Maximum number of secondary uses	Not applicable
Maximum number of main buildings	No maximum
Maximum lot coverage	No maximum
Minimum GFA	No minimum
Maximum GFA	No maximum

9.2 Height and location requirements



Any **use**, **buildings** or **structure** permitted in any **zone** in Section 9.1 must meet the requirements* set out in Table 9.2 below.

Table 9.2: location and height requirements for a **building** or **structure** in Natural Heritage Areas

Regulation	Use, building, or structure
Minimum – maximum height	No minimum – no maximum
Minimum – maximum front setback	No minimum – no maximum
Minimum – maximum exterior side setback	No minimum – no maximum
Minimum rear setback	No minimum
Minimum interior side setback	No minimum
Minimum separation distance between main buildings	6.0 m
Minimum separation distance between an accessory building and a main building on the same lot	2.0 m

9.3 Access, landscaping, and parking requirements



Any **use** permitted in any **zone** in Section 9.1 must meet the requirements set out in Table 9.3 below.

Table 9.3: Access, landscaping, and parking requirements in Natural Heritage Areas

Regulation	Any use permitted in any zone in Section 9.1
Maximum driveway width	9.0 m
Maximum number of driveways	1 for lots with 6.0 m - 16.0 m of street line 2 for lots with 16.1 m - 31.0 m of street line 1 additional per each additional 50.0 m of street line in excess of 31.0 m
Minimum separation distance between driveways on same lot	6.0 m
Minimum landscaped area	No minimum
Minimum visual screen	No minimum
Minimum number of parking spaces	No minimum
Minimum number of bicycle spaces	No minimum
Minimum number of accessible parking spaces	See Section 11.6.3
Minimum number of loading spaces	No minimum

SECTION 10

FUTURE DEVELOPMENT AREAS

10.1 Permitted uses and density standards	95
10.1.1 FD – Future Development Zone	95
10.1.2 UG – Urban Growth Zone	96
10.2 Height and location requirements	96
10.2.1 Main buildings and structures	96
10.2.2 Accessory buildings and structures	97
10.3 Access, landscaping, and parking requirements	97



SECTION 10: FUTURE DEVELOPMENT AREAS

Future Development Areas are lands that are not currently suitable for development but may be in the future.

10.1 Permitted uses and density standards

10.1.1 FD – Future Development Zone

The purpose of the Future Development Zone is to limit development to protect future development options.

- a. Only **uses**, **buildings**, or **structures** legally existing on the **effective date** which may include extensions or additions are permitted as a **main use**.

Table 10.1.1: Future Development Zone – Density standards

Regulation	Main use permitted in Section 10.1.1
Minimum lot area	Equals the lot area of the lot on the effective date
Minimum lot frontage	Equals the lot frontage of the lot on the effective date
Maximum number of main uses	No maximum
Minimum number of homes	No minimum
Maximum number of homes	No maximum
Maximum number of secondary uses	No maximum
Maximum number of main buildings	No maximum
Maximum lot coverage	No maximum
Minimum GFA	No minimum
Maximum GFA	No maximum

10.1.2 UG – Urban Growth Zone

The purpose of the Urban Growth Zone is to limit development to protect future residential development at an urban scale.

a. The following **use** is permitted as a **main use**:

- **Detached house**

b. The following **uses** are permitted as a **secondary use** to a permitted **main use**:

- **Bed and breakfast**
- **Home day care**

Table 10.1.2: Urban Growth Zone – Density standards

Regulation	Main use permitted in Section 10.1.2
Minimum lot area	Equals the lot area of the lot on the effective date
Minimum lot frontage	Equals the lot frontage of the lot on the effective date
Maximum number of main uses	No maximum
Minimum number of homes	No minimum
Maximum number of homes	1 per lot
Maximum number of secondary uses	1 per lot
Maximum number of main buildings	1 per lot
Maximum lot coverage	No maximum
Minimum GFA	No minimum
Maximum GFA	No maximum

10.2 Height and location requirements



Any **use**, **building** or **structure** permitted in any **zone** in Section 10.1 must meet the requirements set out in this Section 10.2.

10.2.1 Main buildings and structures

Table 10.2.1: Location and height requirements for a **main building** or **structure** in Future Development Areas

Regulation	FD Zone	UG Zone
Minimum – maximum height	No minimum – 10.0 m	No minimum – 10.0 m
Minimum – maximum front setback	10.0 m – no maximum	6.0 m – 10.0 m
Minimum – maximum exterior side setback	10.0 m – no maximum	3.6 m – 6.0 m
Minimum rear setback	10.0 m	10.0 m
Minimum interior side setback	10.0 m	3.0 m
Minimum separation distance between main buildings	6.0 m	6.0 m

10.2.2 Accessory buildings and structures

Table 10.2.2: Location and height requirements for an **accessory building** or **structure** in Future Development Areas

Regulation	FD Zone	UG Zone
Maximum GFA of all accessory buildings and roofed structures	100 m ²	100 m ²
Maximum height	10.0m	4.6 m
Maximum wall height	No maximum	3.2 m
Minimum front setback	10.0 m	1.5 m greater than front setback of main building
Minimum exterior side setback	10.0 m	3.6 m – 6.0 m
Minimum rear setback	10.0 m	0.6 m
Minimum interior side setback	10.0 m	1.5 m for a building or structure less than 20 m from front lot line 0.6 m for a building or structure 20 m or more from front lot line
Minimum separation distance between an eave and lot line	0.3 m	0.3 m
Minimum separation distance between an accessory building and a main building on the same lot	2.0 m	2.0 m

10.3 Access, landscaping, and parking requirements



Any **use** permitted in any **zone** in Section 10.1 must meet the requirements set out in Table 10.3 below.

Table 10.3: Access, landscaping, and parking requirements in Future Development Areas

Regulation	Any use permitted in any zone in Section 10.1
Maximum driveway width	9.0 m
Maximum number of driveways	1 for lots with 6.0 m – 16.0 m of street line 2 for lots with 16.1 m – 31.0 m of street line 1 additional per each additional 50.0 m of street line in excess of 31.0 m
Minimum separation distance between driveways on same lot	6.0 m
Minimum landscaped area	6.0 m wide strip along all lot lines abutting a street allowance
Minimum visual screen	No minimum
Minimum number of parking spaces	No minimum
Minimum number of bicycle spaces	No minimum
Minimum number of accessible parking spaces	No minimum, if less than 4 spaces are provided See Section 11.6.3, if 4 or more spaces provided
Minimum number of loading spaces	No minimum

SECTION 11

SITE DEVELOPMENT STANDARDS

11.1 Access	101	11.6.1 Bicycle parking spaces	108
11.1.1 Minimum lot frontage	101	11.6.2 Vehicle parking spaces	109
11.1.2 Driveways	101	11.6.3 Accessible parking spaces	110
11.2 Decks, pools, and other exterior features	102	11.6.4 Parking space substitution	112
11.2.1 Balconies, decks, and porches	102	11.7 Parking lots	112
11.2.2 Height exemptions	102	11.7.1 Surface treatment	112
11.2.3 Outdoor swimming pools and hot tubs	102	11.7.2 Access and parking aisles	112
11.2.4 Permitted projections	103	11.7.3 Parking attendant shelters	114
11.3 Drive-throughs and other vehicle queues	105	11.7.4 Off-site parking lots	114
11.4 Landscaping	106	11.7.5 Underground parking	115
11.4.1 Minimum landscaped areas	106	11.8 Setbacks and sight triangles	115
11.4.2 Intensification or changes of use	106	11.8.1 Maximum setbacks	115
11.5 Loading areas	107	11.8.2 Sight triangles	115
11.6 Parking spaces	108	11.9 Split zoning	116
		11.10 Visual screens and lighting	116
		11.11 Waste and recycling	117

SECTION 11: SITE DEVELOPMENT STANDARDS

11.1 Access

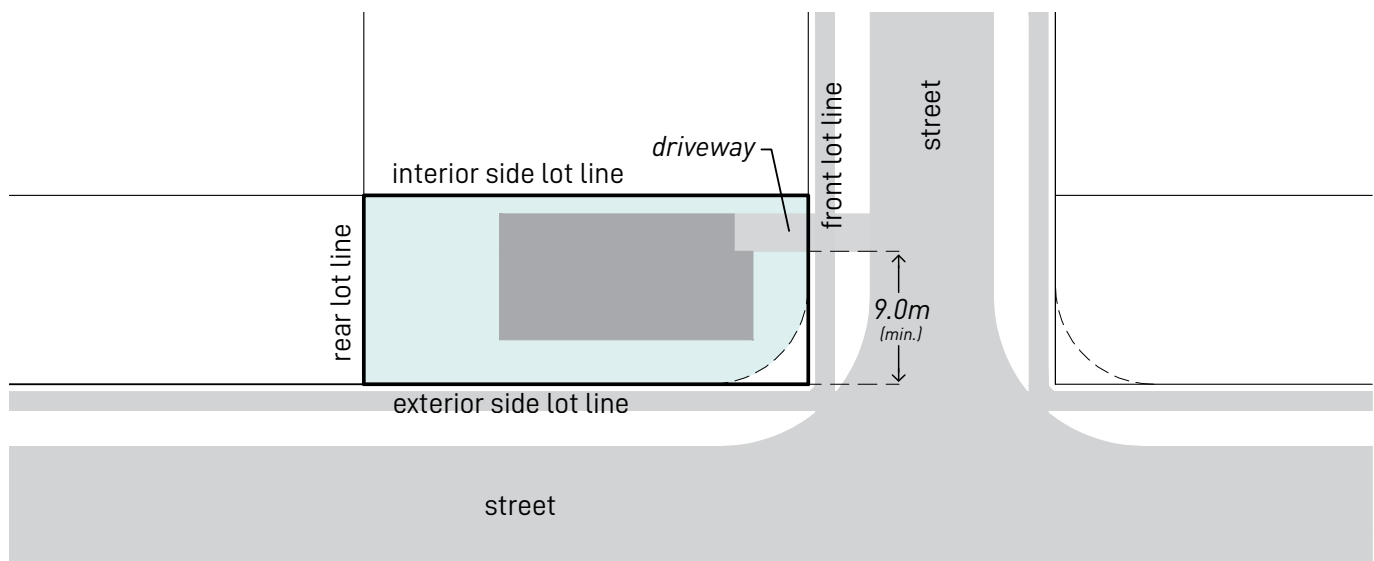
11.1.1 Minimum lot frontage

No **building**, **structure**, or **outdoor storage use** is permitted on a **lot** which has less than 6.0 m of **lot frontage** on an open and maintained **street**.

11.1.2 Driveways

- a. **Driveways** must be located a minimum of 9.0 m from the intersection of two **street allowances**, or from the intersection of a **street allowance** and **rail corridor**, measured from a point where the two **lot lines** abutting a **street allowance** intersect or a **street allowance** and **rail corridor** intersect.
- b. Minimum **driveway** width is measured at the **lot line** in which it intersects.

Diagram 11.1.2: Distance between a driveway and an intersection



- c. For **detached houses**, **semi-detached houses**, or **townhouses** primary or secondary vehicle access to a **lot** must be from a **street** or from a **lane**.
- d. For all **uses** within Urban Neighbourhoods, other than those listed in Section 11.1.2 b), primary vehicle access to a **lot** must be from a **street**. Secondary vehicle access may be from a **lane**.
- e. **Commercial vehicles** must not be parked in a **driveway**.
- f. **Recreational vehicles** in **driveways** must be parked a minimum of 1.5 m from the **front lot line**.

11.2 Decks, pools, and other exterior features

11.2.1 Balconies, decks, and porches

Balconies, decks, and porches are permitted in any minimum **setback** provided that the **balcony, deck, or porch** is:

- a. No closer than 3.0 m from the **front lot line**;
- b. No closer than 1.5 m from the **interior side lot line** unless that **interior side lot line** is a shared **lot line** dividing a **semi-detached house** or **townhouse**. In that case, the minimum **interior side setback** from the applicable **zone** table applies;
- c. No closer than 3.6 m from the **exterior side lot line**; and
- d. No closer than 1.5 m from the **rear lot line**.

11.2.2 Height exemptions

- a. The **height** regulations in this **By-law** do not apply to the following:
 - church spires and clock towers
 - clothes lines and flag poles
 - **communication devices** operated as a private **power and utility facility**
 - ventilators, silos, chimneys, and smoke stacks
 - sky lights
 - 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
 - parapet walls with a maximum projection above the roof of 1.0 m

11.2.3 Outdoor swimming pools and hot tubs

The following regulations apply to outdoor swimming pools and hot tubs:

- a. Outdoor swimming pools and hot tubs are permitted as **accessory uses** to either a commercial or a residential **use** in the **rear setback, interior side setback, and exterior side setback** provided they are set back a minimum of 1.5 m from an **interior side lot line** and a **rear lot line** and 3.6 m from an **exterior side lot line** with the **setback** measured from the water's edge of the swimming pool and the outside wall of the hot tub.
- b. The maximum **height** of a swimming pool or hot tub is 1.5 m above **grade**.

- c. Outdoor swimming pool pumps, filters and heaters, are permitted in the **rear setback**, **interior side setback**, and **exterior side setback**, provided they are set back a minimum of 0.6 m from an **interior side lot line** and a **rear lot line** and 1.5 m from an **exterior side lot line**.
- d. Swimming pools and associated water circulating, heating or treatment equipment must be enclosed by a fence in accordance with the **Building Code** and Fence By-law.

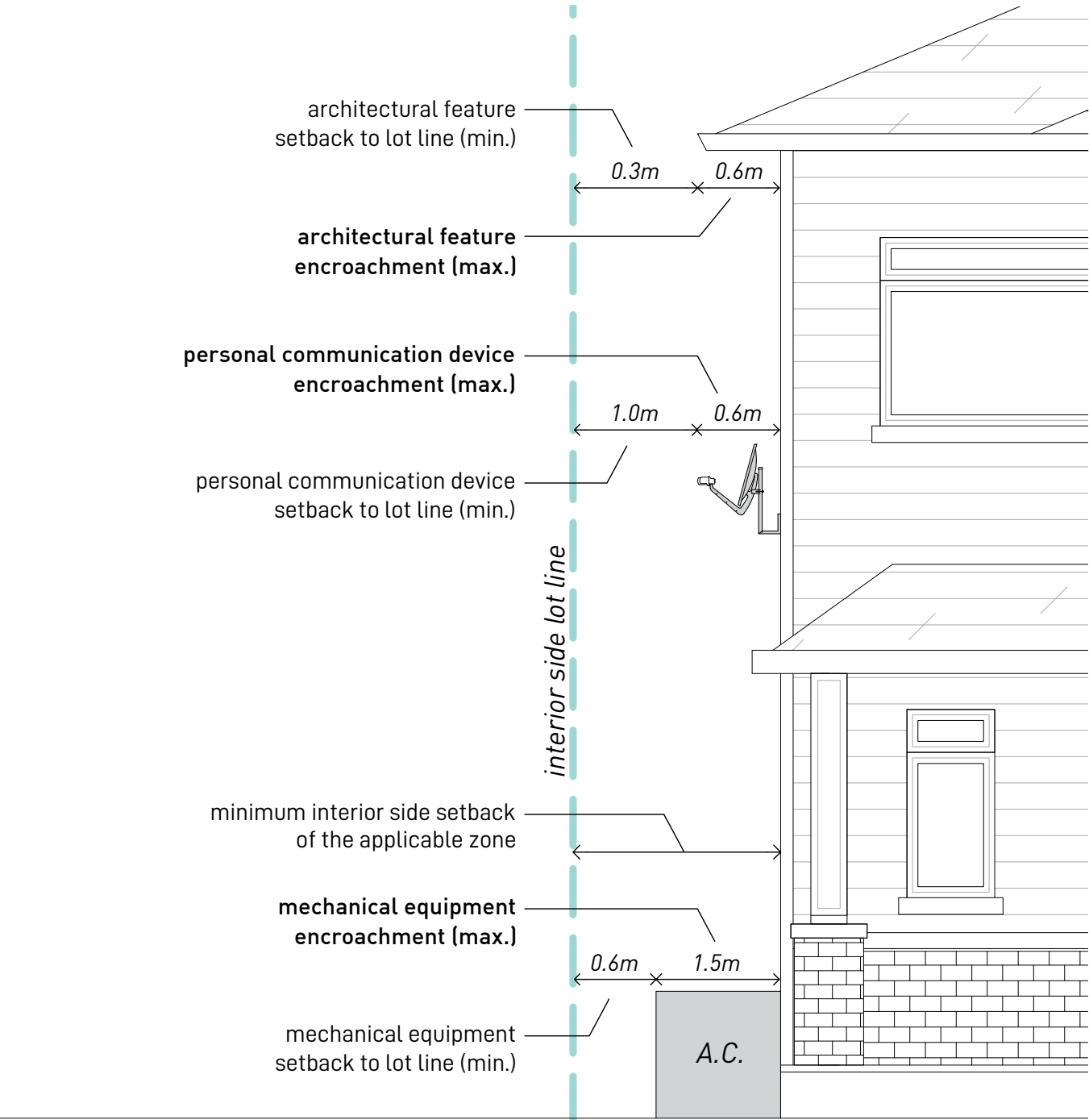
11.2.4 Permitted projections

Table 11.2.4 sets out the permitted projections into minimum **setbacks** for **architectural features**, fires escapes and other exterior **building** features. The object listed in the first column of Table 11.2.4 must meet the regulation prescribed by the three other columns.

Table 11.2.4: Permitted projections

Use, structure or building	Maximum projection into a minimum setback	Minimum distance from a lot line	Maximum projection into a minimum separation distance
Architectural features	0.75 m	0.3 m	0.75 m
Addition of insulation and/or exterior finishing onto an existing building or structure	0.15 m	0.45 m	0.15 m
Buildings and structures dependant on water access , including marinas or docking facilities or boathouses.	no maximum where a lot line abuts a navigable water way	no minimum	no maximum
Electric motor vehicle charging stations	no maximum	3.0 m if the lot line abuts a street allowance 0.6 m otherwise	no maximum
Clotheslines, flagpoles	no maximum	no minimum	no maximum
Fire escape	1.2 m	0.3 m	1.2 m
Fuel bar canopies	no maximum	2.0 m	no maximum
Fuel bar and fuel pump islands	no maximum	5.0 m	no maximum
Landings , stairs and wheel chair ramps/ lifts	no maximum	no minimum	no maximum
Mechanical equipment, including heat pumps, air conditioners, and air exchangers	1.5 m into any minimum setback except the minimum front setback	0.6 m	no maximum
Personal communication devices	0.6 m	1.0 m	no minimum

Diagram 11.2.4: Permitted projections

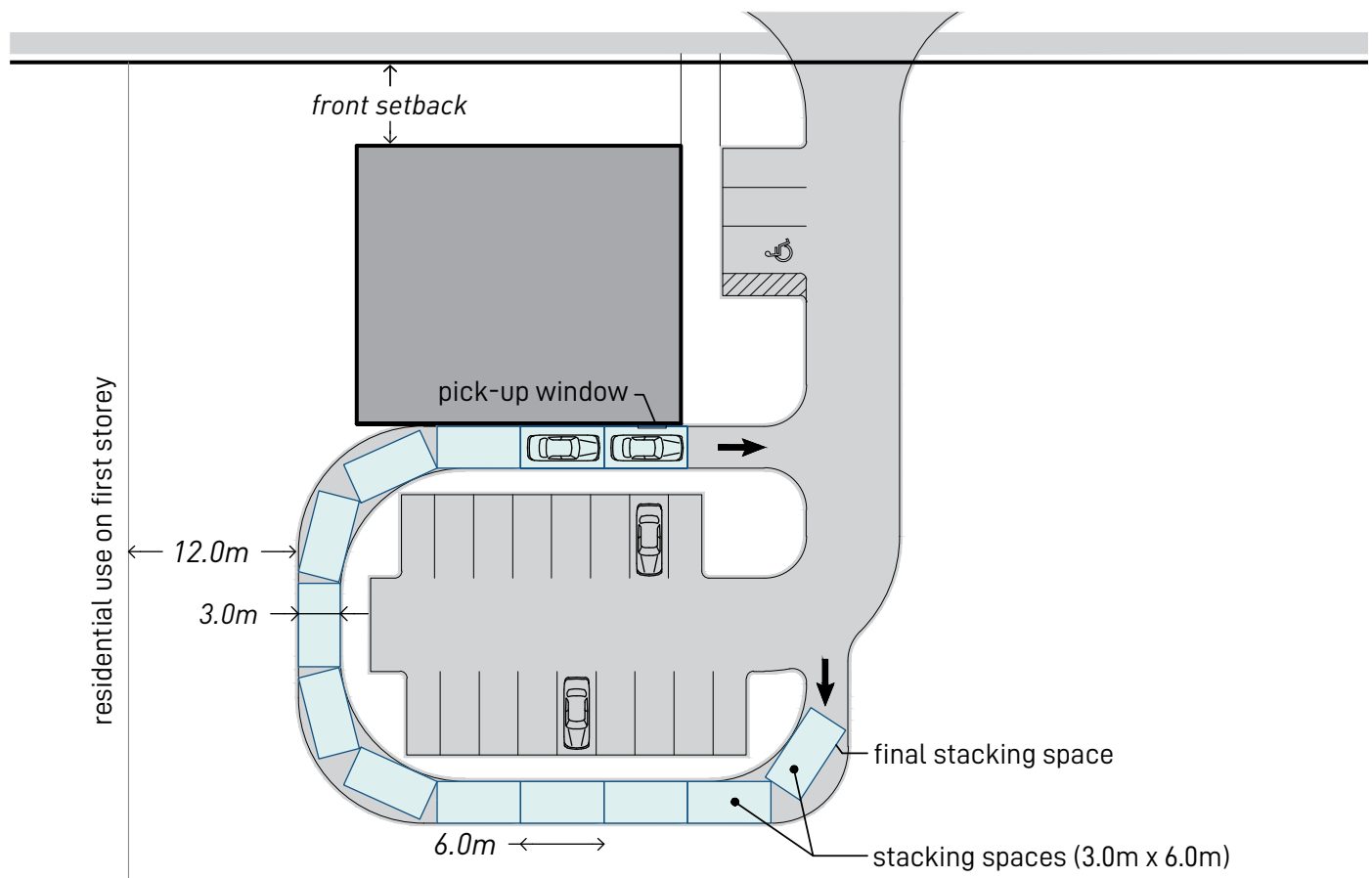


11.3 Drive-throughs and other vehicle queues

Where a **stacking space** is required by this **By-law**, it must be provided and maintained on site in accordance with the following regulations:

- Each **stacking space** must be rectangular in shape with a minimum width of 3.0 m and a minimum length of 6.0 m.
- Stacking spaces** must have exclusive right-of-way for the **use** for which they are intended and may not be co-located in a required **parking aisle** or **driveway** to a **parking lot**.
- Stacking spaces** may not be provided within a **front setback** or a minimum **exterior side setback**, within **street allowances**, or within 12.0 m of a **zone** which permits a residential **use** on the **first storey**.
- Stacking spaces** must be located and calculated from the entrance of the vehicle queue to the product pick-up window or dispensing machine.

Diagram 11.3: Stacking spaces



11.4 Landscaping

11.4.1 Minimum landscaped areas

In addition to all other provisions of this **By-law**, where a minimum **landscaped area** is required, the following regulations apply:

- a. Where a **landscaped area** requirement in a section includes both a percentage of **lot area** and provision of landscaped strips along **lot lines**, the percentage of the **lot area** calculation includes the **landscaped area** strips along the **lot line**.
- b. **Parking spaces** and **parking aisles** are not permitted to encroach onto any **landscaped area**.
- c. Where the minimum **landscaped area** is required in the form of a percentage of the **front setback**:
 - A **driveway** is not permitted to cross over the required **landscaped area** and must not exceed the remaining percentage of the front setback.
 - A pedestrian walkway is permitted to cross over the required **landscaped area** to a maximum width of 1.5 m to connect public sidewalks to **buildings** or on site **parking spaces**.
- d. Where the minimum **landscaped area** is required in the form of a landscaped strip and a percentage of total **lot area**:
 - A **driveway** is permitted to cross over the required **landscaped area** in the form of a landscaped strip to the maximum width permitted in the land use area.
 - A pedestrian walkway is permitted to cross over the required **landscaped area** to a maximum width of 1.5 m to connect public sidewalks to buildings or on site **parking spaces**.
 - The area of the **landscaped area** traversed by a **driveway** or pedestrian walkway does not form part of the calculation in determining the minimum required percentage of **landscaped area** provided.

11.4.2 Intensification or changes of use

Where a **lot** has a **building**, **structure**, or **use** that was legally built or established without **landscaped area** or with **landscaped area** that is less than the minimum required under the applicable **zone** under this **By-law** the following regulation applies:

Notwithstanding anything to the contrary, when the intensity of an existing **lot** is increased through the addition of **homes** or **GFA**, or when the existing **use** of a **lot** is changed to a new **use**, **landscaped area** for such intensified or new **use** must be provided for the **lot** in accordance with the minimum **landscaped area** requirements of the applicable **zone** except where it is prevented by:

- a. The **non-conforming** location of a **building** or **structure** in the case of **landscaped area** in the form of a landscaped strip.

- b. The footprint size of an existing **building** or **structure** in the case of **landscaped area** in the form of percentage of **lot area**.
- c. The existing location of and/or area required for the minimum required **parking spaces** and associated **parking aisles** in the case of **landscaped area** in any form.

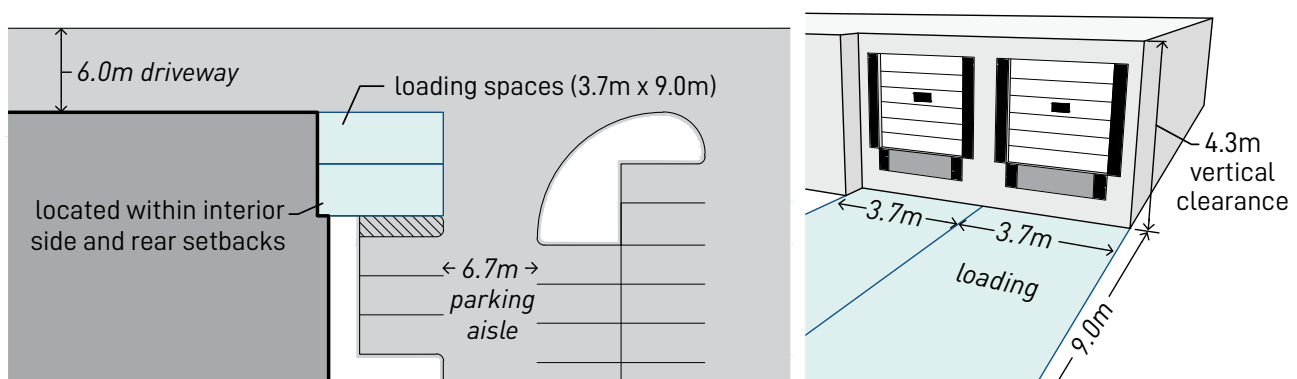
In the above cases the **lot** will comply with the **landscaped area** provisions of the applicable **zone** to the maximum extent possible.

11.5 Loading areas

Where a **loading space** is required by this **By-law**, it must be provided and maintained on the same **lot** as the **building** it serves in accordance with the following regulations:

- a. Each **loading space** must be rectangular in shape, with a minimum width of 3.7 m and a minimum length of 9.0 m and a vertical clearance of 4.3 m.
- b. **Loading spaces** must not be located within a **front setback** or a minimum **exterior side setback**, within **street allowances**, or within a **lane**.
- c. **Loading spaces** are not permitted to occupy any required **parking space**.
- d. An unobstructed ingress and egress of not less than 6.0 m in width to and from a **street** is required for each **loading space**.
- e. 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**.

Diagram 11.5: Loading spaces



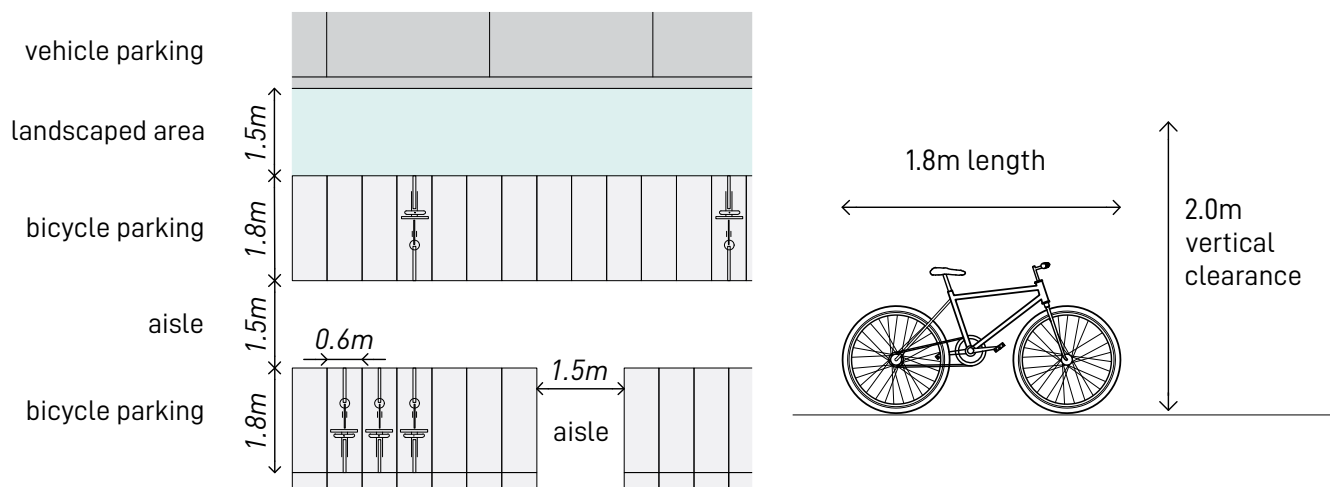
11.6 Parking spaces

11.6.1 Bicycle parking spaces

All required on-site **bicycle spaces** must comply with the following regulations:

- Each **bicycle space** must be rectangular in shape, with a minimum width of 0.6 m, a minimum length of 1.8 m and a minimum vertical clearance of 2.0 m.
- Required **bicycle spaces** must be provided on the same **lot** as the **main use** they serve.
- Unobstructed access to and exit from individual **bicycle spaces** must be provided with an aisle of not less than 1.5 m in width, to be provided and maintained beside or between each row of **bicycle spaces**.
- Required **bicycle spaces** and accesses must be located on surfaces that are hard and dustless in accordance with Section 11.7.1 a).
- Bicycle spaces** must be separated from vehicular parking by a physical barrier or a minimum 1.5 m of **landscaped area**.

Diagram 11.6.1: Bicycle spaces



- If the calculation of the required number of **bicycle spaces** results in a fraction, the required number of **bicycle spaces** is the fraction rounded to the next higher whole number.
- Required **long term bicycle spaces** may be provided within a **building** on the same **lot**
- Notwithstanding anything to the contrary, the requirement for a **short term bicycle space** may be satisfied by a **long term bicycle space**.*

*A long term bicycle space is a secure bicycle space located indoors, within a roofed, or within a bike locker. A short term bicycle space is any other type of bicycle space other than a long term bicycle space, such as outdoor bicycle racks.

11.6.2 Vehicle parking spaces

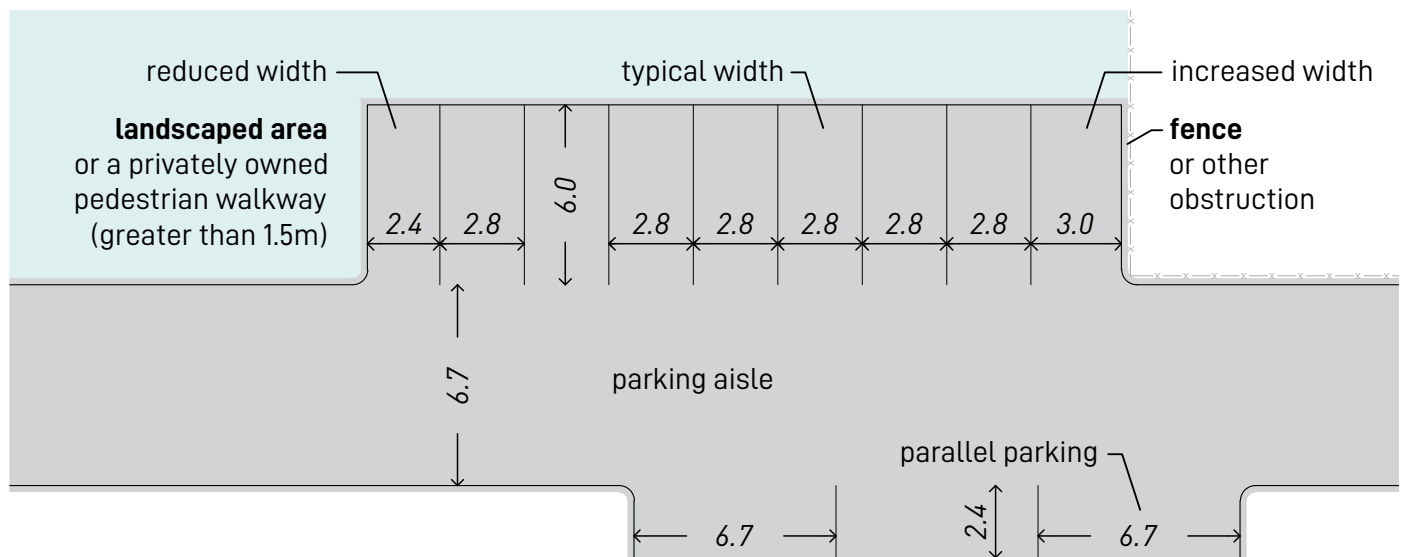
All permanently maintained on-site **parking spaces** must comply with the following regulations:

- Parking spaces** must be provided on the same **lot** as the **main use** they serve or except in accordance with Section 11.7.4.
- Parking spaces** must be rectangular in shape and provided in accordance with the dimension regulations of Table 11.6.2.

Table 11.6.2: Dimensions of standard **parking spaces**

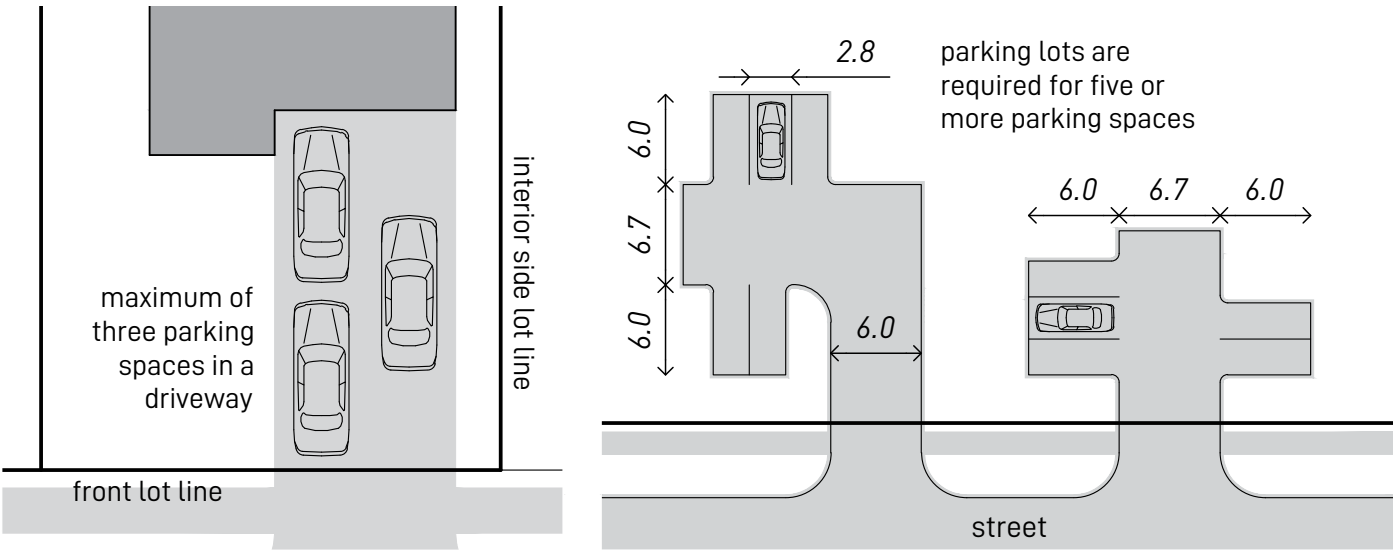
Parking space type	Minimum length	Minimum width
Typical parking space	6.0 m	2.8 m
Where all or part of either side of the parking space abuts a wall, a column, a pillar, a fence, a pole, or other obstruction (not applicable if the obstruction is located within 1.0m of the front of the parking space and does not project more than 0.3m into the parking space)	6.0 m	3.0 m
Where the length of the parking space abuts either an area of landscaped area or a privately owned pedestrian walkway, which landscaped area or walkway is at least 1.5 m in width and at the same grade as the parking space	6.0 m	2.4 m
Where the principal access to the parking space is provided on the longest dimension of that parking space	6.7 m	2.4 m

Diagram 11.6.2a: Parking spaces



- No more than three **parking spaces** may be accommodated on a **driveway** on a **lot**, with two spaces in tandem and the third space beside them.
- Five or more required **parking spaces** must be accommodated within a **parking lot** with a **parking aisle** leading to a **driveway**.

Diagram 11.6.2b: Parking spaces in driveways and parking lots



- e. 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.
- f. The total number of **parking spaces** required is the sum of the requirements for each separate **main use** on the **lot**, unless otherwise specified in this **By-law**.
- g. The required number of **parking spaces** must be in addition to any **parking spaces** used or intended to be used for the storage or parking of **motor vehicles** for hire or gain, display, or sale.

11.6.3 Accessible parking spaces

All **accessible parking spaces** must comply with the following regulations:

- a. **Accessible parking spaces** must be rectangular in shape and provided in accordance with the dimension regulations of Table 11.6.3b.
- b. A minimum of one access aisle is required adjacent to any **accessible parking space**. Access aisles must run the full length of the **accessible parking space** and have the minimum width specified in Table 11.6.3b. Access aisles may be shared by two **parking spaces**.

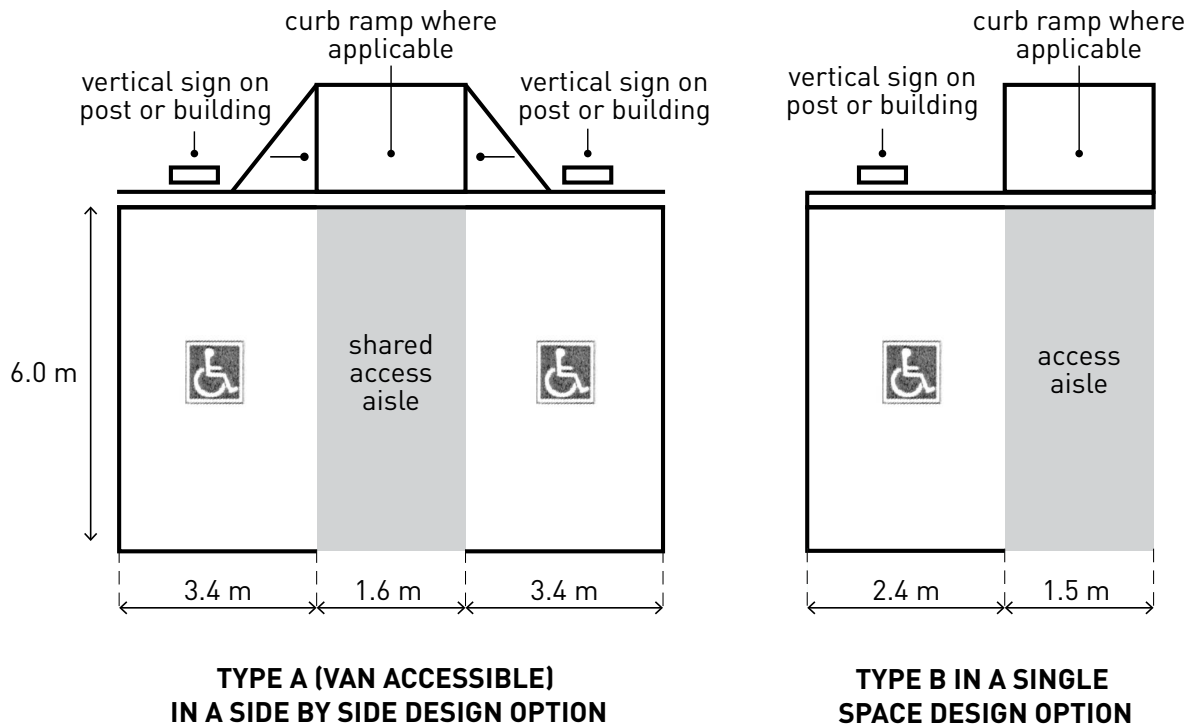
Table 11.6.3b: Dimensions of **accessible parking spaces**

Parking space type	Minimum length of accessible parking space	Minimum width of parking space	Minimum vertical clearance of parking space	Minimum width of access aisle
Type A (van accessible)	6.0 m	3.4 m	3.0 m	1.5 m
Type B	6.0 m	2.4 m	3.0 m	1.5 m

- c. The minimum width of a curb cut connecting an **accessible parking space** to above **grade** sidewalks is 1.5 m.

- d. The maximum distance between an **accessible parking space** and a barrier-free **building** entrance is 45.0 m.
- e. All **accessible parking spaces** must be identified and/or marked in accordance with applicable law.

Diagram 11.6.3: Accessible parking spaces



- f. The minimum number of required **accessible parking spaces** is determined by Table 11.6.3f.

Table 11.6.3f: Minimum number of required **accessible parking spaces**

Number of parking spaces on lot	Minimum number of required accessible parking spaces
Less than 5	No minimum
5-12	One (1) Type A accessible parking space
13 – 100	4% of the number of parking spaces must be comprised of accessible parking spaces , at least 50% of which must be Type A
101 – 200	One (1) accessible parking space and an additional 3% of the number of parking spaces must be comprised of accessible parking spaces , at least 50% of which must be Type A
201 – 1000	Two (2) accessible parking spaces and an additional 2% of the number of parking spaces must be comprised of accessible parking spaces , at least 50% of which must be Type A
More than 1000	Eleven (11) accessible parking spaces and an additional 1% of the number of parking spaces on the lot must be comprised of accessible parking spaces , at least 50% of which must be Type A

11.6.4 Parking space substitution

The following substitution may not be used to substitute any required **accessible parking spaces**:

- a) Provided that all of the required **parking spaces** can be accommodated on a **lot**, and that any required **landscaped area** is also provided, then up to 25% of the required **parking spaces** may be replaced either permanently or temporarily by an additional **landscaped area**.

11.7 Parking lots

All **parking lots** must comply with the regulations in this Section 11.7.

11.7.1 Surface treatment

- a. Unless otherwise specified in this **By-law**, all **parking lots**, including any **driveways**, **parking aisles**, **parking spaces**, **stacking spaces**, and **loading spaces**, must be constructed with a surface that is hard and dustless. Surfaces meeting this requirement include permeable surfaces that are dustless, asphalt, concrete, paving stones or, similar hard surfacing on top of a suitable granular base.
- b. Locations of **parking spaces** and **driveways** must be clearly delineated on all surfaced **parking lots**. **Parking aisles** must be clearly identified through the delineations of **parking spaces** and **driveways**.

11.7.2 Access and parking aisles

- a. The width of a **driveway** leading to any **parking lot** must comply with Table 11.7.2a.

Table 11.7.2a: Minimum widths of **driveways** leading to a **parking lot**

Number of parking spaces	Minimum width of driveway
6 or less	3.0 m for one-way traffic
	4.5 m for two-way traffic
More than 6	3.0 m for one-way traffic
	6.0 m for two-way traffic

- b. All **parking lots** must have **parking aisles** which provide unobstructed access from the required **parking spaces** to a **driveway**. All **parking aisles** must comply with Table 11.7.2b.

Table 11.7.2b: Minimum **parking aisle regulations**

Angle of parking space	Minimum parking aisle width
up to and including 45°	4.6 m
over 45° up to and including 70°	5.2 m
over 70° up to and including 80°	6.1 m
over 80° up to and including 90°	6.7 m

Diagram 11.7.2a: Minimum parking aisle regulations

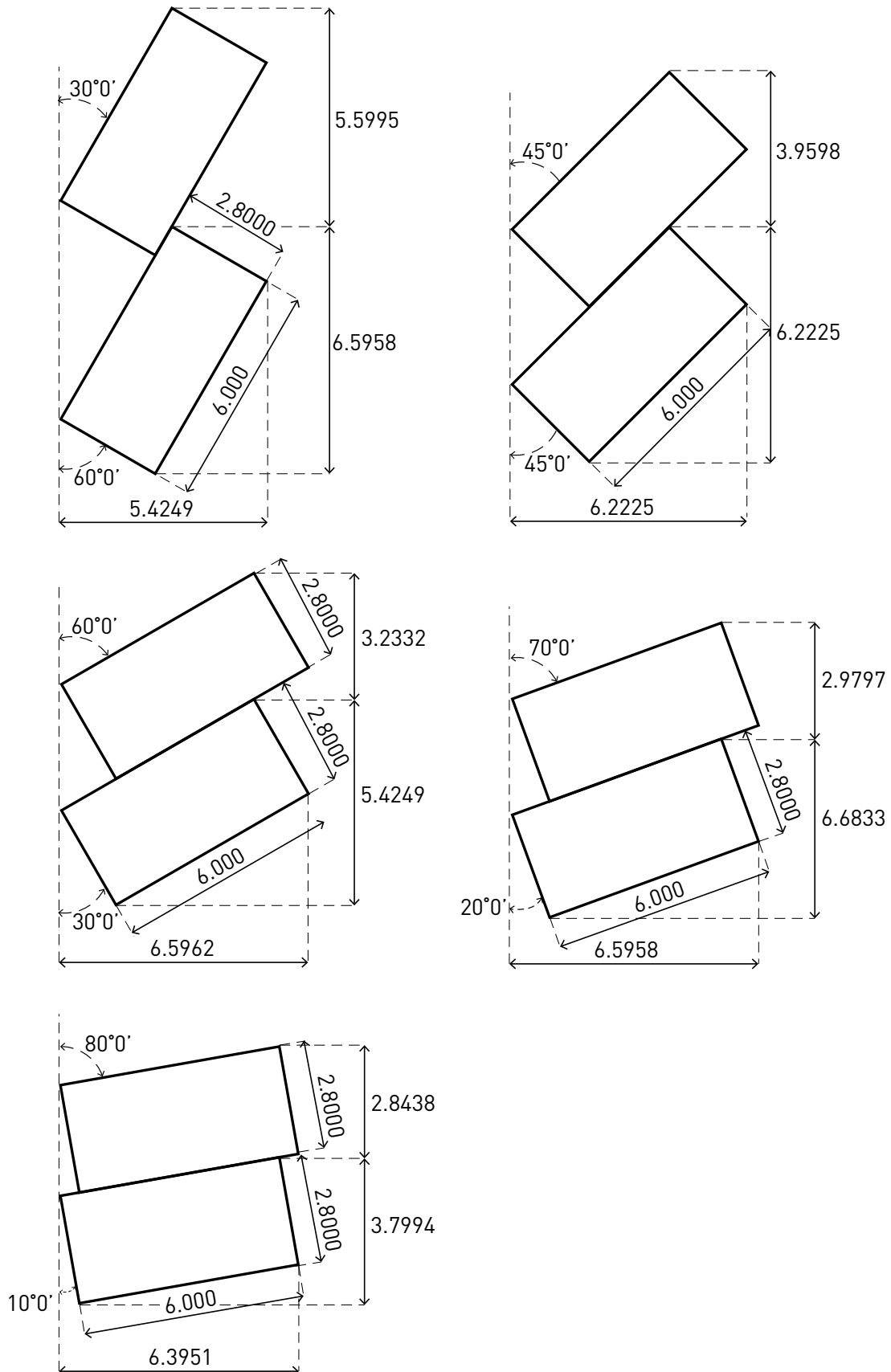
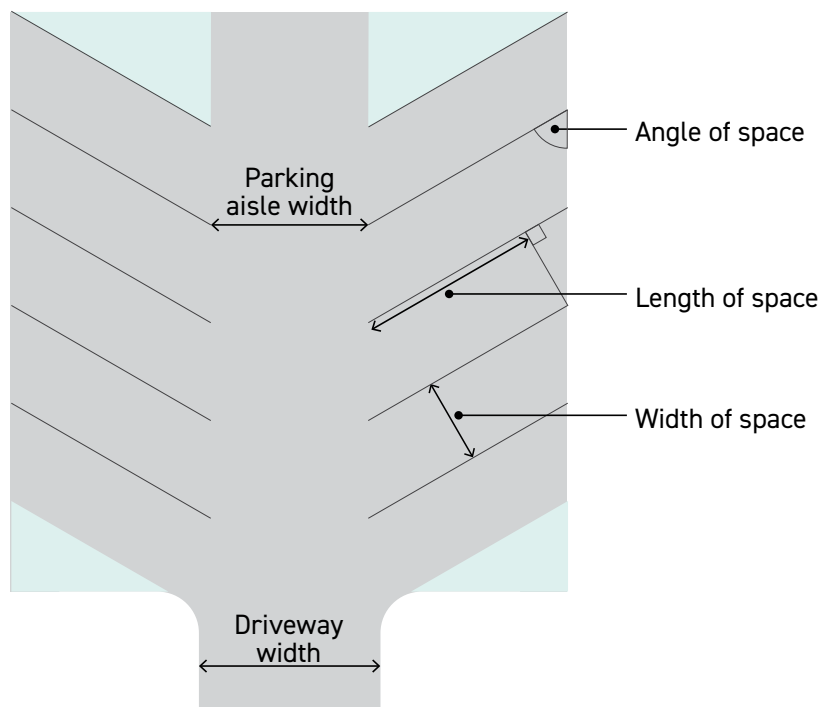


Diagram 11.7.2b: Typical parking lot layout



11.7.3 Parking attendant shelters

Nothing in this **By-law** prevents the construction of an **accessory structure** for **use** solely by parking attendants in any part of a **parking lot**, provided that **structure** is not more than 4.5 m in **height** and has a **GFA** of not more than 5.0 m². The **accessory structure** cannot occupy any **parking space** that is required to be maintained in accordance with the regulations in this **By-law**.

11.7.4 Off-site parking lots

Despite Section 11.6.2 a) an additional **parking lot** may be used to assemble the required number of **parking spaces** provided that all of the following regulations are complied with:

- That the additional **parking lot** is located within 50.0 m of the closest boundary of the **lot** bearing the **use** for which the **parking spaces** are required OR, in the case of a **use** 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.
- That the additional **parking lot** is located on land that is held in the same name and ownership as the **lot** where the **main use** is located, or is under lease with the **Corporation**.
- That the land where the additional **parking lot** is located is not 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.
- That the **main use** must be permitted on the **lot** where the additional **parking lot** is provided.

11.7.5 Underground parking

Nothing in this **By-law** applies to prohibit the location of underground **parking lots** in/under any minimum **setback**, provided the following:

- a. No part of any underground **parking lot** is to be situated above **grade** in any minimum **setback**
- b. No part of any underground **parking lot** is to be located within the limits of a **street allowance** or a **lane**.

11.8 Setbacks and sight triangles

11.8.1 Maximum setbacks

- a. Where more than one **main building** is located on the same **lot** the following applies:
 - i. The maximum **front setback** applies only to the **main building** that is closest to the **front lot line**, all other **buildings** are exempt from the maximum **front setback**.
 - ii. The maximum **exterior side setback** applies only to the **main building** that is closest to the **exterior side lot line**, all other **buildings** are exempt from the maximum **exterior side setback**.
- b. Where more than one building face is oriented towards the **front lot line** or the **exterior lot line**, the applicable maximum **setback** applies to the widest face. If the widest faces are of equal size, the majority of the equal faces must comply.

11.8.2 Sight triangles

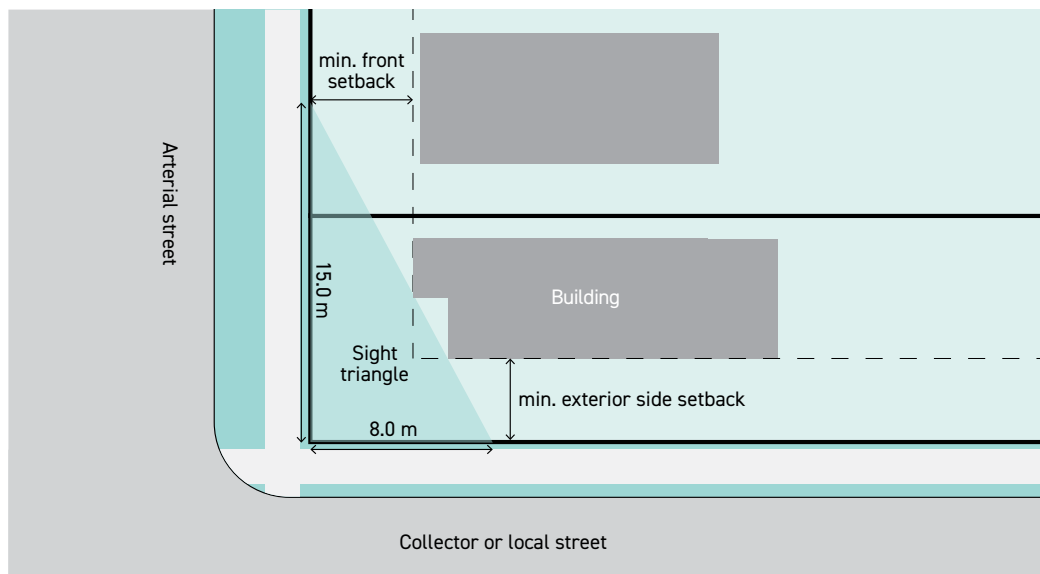
- a. Notwithstanding any other provisions of this **By-law**, within any **sight triangle**, a **building**, **structure**, or **visual screen** must not be erected, **outdoor storage** or **outdoor display** must not be placed, a **motor vehicle** must not be parked, a **lot** must not be graded, and landscaping materials must not be permitted to grow, in such a manner as to impede or obstruct the vision of persons driving **motor vehicles** on an abutting **street** above a **height** of 0.6 m above the elevation of the centreline of the said **street**.
- b. For the purposes of calculating the extent of a **sight triangle**, the distance between the point of intersection of the two **lot lines** and their respective points of intersection with the line constituting the third side of the triangle must comply with Table 11.8.

Table 11.8: Requirements for **sight triangles**

Type of intersecting street	Minimum distance from point of intersection of lot lines to the third side of the sight triangle
Intersecting streets are classified as arterials or higher	15.0 m
All other intersecting streets	8.0 m

- c) Notwithstanding any other provision in this **By-law**, there is no maximum **front setback** or **exterior side setback** for a **corner lot** where it would prevent a **building**, **structure**, **outdoor storage use**, or **outdoor display** on said lot from complying with Table 11.8.

Diagram 11.8: Sight triangles



11.9 Split zoning

Where a **lot** has more than one **zone** applying to it, as a result of the passing of this **By-law**, the following regulations apply:

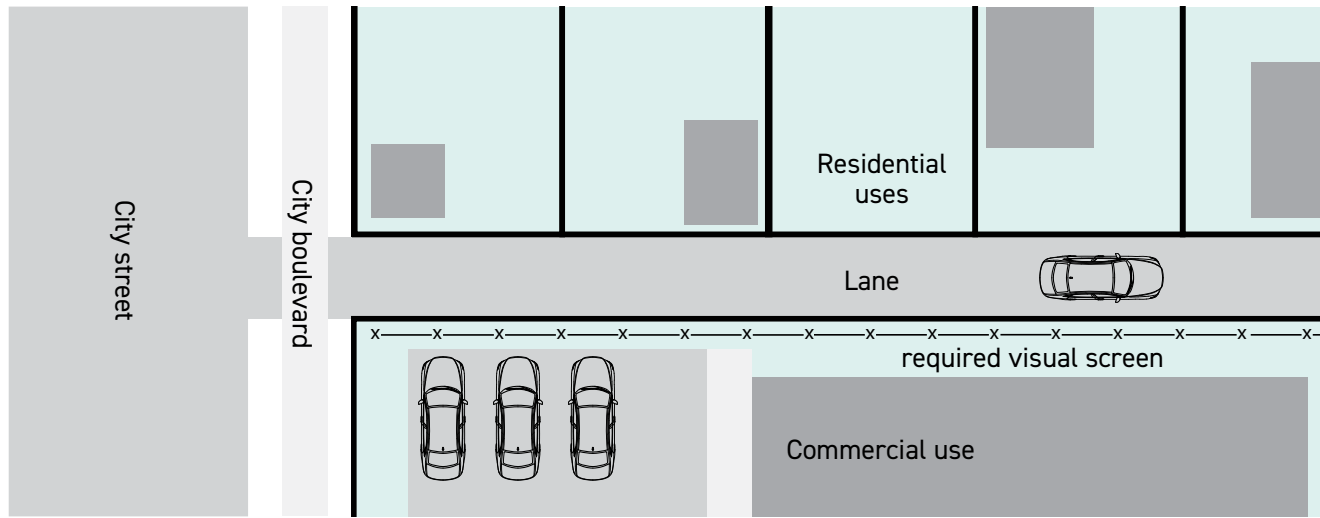
- Where the **main use** is permitted in all of the **zones** that apply to the **lot**, the regulations associated with the **zone** where 50% or more of the **main use, building or structure** is, or is intended to be, located apply.
- When the **main use** is not permitted in all of the **zones** that 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.
- Where a holding symbol applies to a portion of a **lot**, the **zone** boundary of the holding symbol is considered a **lot line** for the purposes of applying minimum **setbacks**.

11.10 Visual screens and lighting

In addition to all other provisions of this **By-law**, where a **visual screen** is required or exterior lighting is provided, the following regulations apply:

- The **height** of a **visual screen** is measured from the **grade** of the **lot** at the **lot line** along which the **visual screen** is required.
- When a **visual screen** is located within the minimum **setback** abutting a **street allowance**, the **visual screen** must have a minimum **height** of 0.75 m and a maximum **height** of 1.0 m.
- Where a **lot** abutting a **lane** would have a **visual screen** requirement if it were abutting a **lot** on the other side of that **lane**, a **visual screen** is required along the **lot line** abutting that **lane**.

Diagram 11.10: Visual screen on a lot abutting a lane



- d. Any exterior lights used to illuminate a **lot** must be shielded to direct light towards the ground and away from adjacent properties.

11.11 Waste and recycling

All waste and recycling generated by any **use**, other than the uses listed below, must be stored inside a **waste storage enclosure**:

- Any **use** located in Rural Areas, Rural Settlements, or Heavy Industrial Areas
- **detached house**
- **converted house**
- **semi-detached house**
- **townhouse**
- **apartment** with less than 6 **homes**
- **shared housing** with less than 6 **rooming units**

In addition to all other provisions of this **By-law**, where a **waste storage enclosure** is required, the following regulations apply:

- a. All **waste storage enclosures** must be located within the **interior side setback** or **rear setback** and must maintain a minimum distance of 0.3 m to the **lot line**.
- b. **Waste storage enclosures** may not occupy any required **parking spaces, bicycle spaces, loading spaces, stacking spaces**, and the access to these spaces or any required **landscaped area**.
- c. A minimum 4.5 m wide driving aisle with an unencumbered vertical clearance of 4.4 m is required between a minimum 6.0 m wide **driveway** and the **waste storage enclosure**.

SECTION 12

USE-SPECIFIC REGULATIONS

12.1 Accessory uses, buildings, and structures	121	12.9 Power and Utility Facilities	127
12.1.1 Home businesses	122	12.10 Public Uses	127
12.2 Backyard homes	123	12.10.1 Public uses in Urban neighbourhoods	127
12.3 Bed and breakfasts	124	12.11 Sensitive uses	128
12.4 Condominiums	124	12.12 Temporary Uses	128
12.4.1 Standard condominiums	124	12.12.1 Construction	128
12.4.2 Vacant land condominiums	124	12.12.2 Garden centres	128
12.4.3 Common element condominiums	124	12.12.3 Restaurant patios	129
12.5 Community gardens	125	12.12.4 Pits and quarries	129
12.6 Legal non-conforming uses	125	12.12.5 Storage containers	129
12.6.1 Repair, restoration, or rebuilding	125	12.12.6 Tents	129
12.6.2 Public action	125	12.12.7 Vehicle storage	129
12.6.3 Non-conforming building locations	125	12.13 Undersized lots	130
12.6.4 Legal non-conforming houses	125	12.13.1 Zoning relief	130
12.7 Outdoor displays	127	12.13.2 Lot additions	130
12.8 Outdoor storage	127	12.13.3 Strengthening to a safe condition	130

SECTION 12: USE-SPECIFIC REGULATIONS

12.1 Accessory uses, buildings, and structures

Accessory uses, buildings, and structures are permitted in all **zones** subject to the following provisions:

- a. No detached **accessory building** or **structure** may be used for human habitation or an occupation for gain, unless specifically permitted by this **By-law**.
- 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. In any **zone** where any **home** exists as a non-conforming **use**, nothing in this **By-law** prevents the construction of a detached **building** or **structure accessory** to said **home**, provided that all applicable regulations for an **accessory building** or **structure** in that **zone** are complied with.
- d. Notwithstanding Section 12.1.1 a), the **uses** listed below are not considered **accessory uses** by this By-law and are only permitted in **zones** where they are expressly permitted and only in accordance with the applicable regulations:
 - **Backyard home**
 - **Bed and breakfast**
 - **Caretaker's home**
 - **Drive-through**
 - **Home day care**
 - **Garden suite**
 - **Outdoor display**
 - **Outdoor furnace**
 - **Outdoor storage**

12.1.1 Home businesses

A **home business** is permitted as an **accessory use** to any **home** in accordance with this Section 12.1.1.

Home businesses may include any of the following, but are not limited to:

- an **office**
- a single chair barber, hairstylist, or esthetician
- a commercial school with a maximum of two pupils at any one given time
- an electrical contractor or master electrician
- a plumbing contractor or master plumber
- a photographer
- an **artisan**'s workshop
- day time boarding or training for up to five **domestic pets**

No **home business** may involve any of the following:

- any type of **heavy equipment** mechanical service
- any type of **motor vehicle** mechanical service or body repairs
- any type of **industrial use**
- a **retail commercial use**
- a **restaurant**

- a. The **home business** must be conducted entirely within the **home** and/or entirely within one or more **buildings** or **structures** that are **accessory** to the **home** in accordance with Table 12.1.1a.

Table 12.1.1a: Maximum **GFA** devoted to a **home business**

Regulation	Rural Areas	All other land use areas
Maximum GFA on the lot devoted to a home business	25% of the combined GFA of the home and all accessory buildings and structures on the lot	25% of the GFA of the home

- b. The **home business** must not change the character, or in any significant way **alter** the exterior appearance of, the **buildings** or **structures** that contain it.
- c. The **home business** must be carried on by the inhabitants of the **home** on the same **lot**.
- d. The sale of goods on the premises is permitted as part of a **home business** only where the sale of goods is incidental and subordinate to the service provided by the **home business**.
- e. The sale of goods manufactured or assembled by an **artisan** is permitted.
- f. A maximum of one person who is not a resident in the **home** in which the **home business** is located in, may assist or be employed on the premises.

- g. The **home business** must be operated in a manner which prevents noise, dust and/or odour, beyond any that are reasonably expected from a **home**, from escaping to adjoining premises.
- h. Notwithstanding, Section 12.1.1a, **outdoor storage** in the form of a maximum of 2 **commercial vehicles**, 1 **storage container**, 1 piece of **heavy equipment**, and materials or finished products associated with a **home business** is permitted in Rural Areas.
- i. No external on-site advertising is permitted on the same **lot** as the **home business**, except a maximum of one non-illuminated sign. Any sign for a **home business** must comply with the regulations provided in Table 12.1.1b

Table 12.1.1b: Signage a **home business**

Regulation	Rural Areas and Rural Settlements	All other land use areas
Permitted location	Front setback or exterior side setback	Exterior wall or window of the main building or the exterior wall or window of an accessory building
Minimum – maximum front setback	3.0 – 15.0 m	Not applicable
Minimum – maximum exterior side setback	3.0 – 15.0 m	Not applicable
Maximum sign face area	0.6 m ²	0.3 m ²

12.2 Backyard homes

- a. A **building** containing a **backyard home** may not be located in any **front setback** or **exterior side setback** of any **lot** or on an **inside potential lot** of a **townhouse**.
- b. A **backyard home** is only permitted on **lots** with both **municipal water service** and **municipal sewer service**.
- c. A **backyard home** is not permitted on an **undersized lot** or on a **lot** with a legal **non-conforming main use**.
- d. A walkway providing direct access and egress from the doorway of the **backyard home** to the **street allowance** is required. The walkway must be of a hard and dustless surface such as concrete and be at least 1.5 m in width.
- e. The floor of a **backyard home** is not permitted below **grade**.

12.3 Bed and breakfasts

- a. A **bed and breakfast** must be conducted entirely within a **detached house** that contains no more than one (1) **home**.
- b. One bedroom less than the total number of bedrooms in the **home** may be used to provide overnight accommodation for the **bed and breakfast** operation.
- c. The **bed and breakfast** must be operated only by a person who resides in the **home** containing the **bed and breakfast**.
- d. Required **parking spaces** must be located on the same **lot** as the **bed and breakfast**. The additional required **parking spaces** may be located in tandem with any **parking spaces** required for the **home**.
- e. No external on-site advertising is permitted on the same **lot** as the **bed and breakfast**, except a maximum of one non-illuminated sign. Any sign for a **bed and breakfast** must comply with the regulations provided in Table 12.1.1b: Signage for a **home business**.

12.4 Condominiums

12.4.1 Standard condominiums

Provided that all provisions of this **By-law** relative to the whole **lot** and its external **lot lines**, existing prior to any condominium plan registration are complied with, internal **lot lines** created by:

- A registration of a plan of condominium; or
- A plan or plans of condominium registered on all or a portion of a **lot** which is part of a comprehensively planned development subject to a development agreement pursuant to Section 41 of the Planning Act

are not deemed to be **lot lines** for the purposes of applying regulations in this **By-law**.

12.4.2 Vacant land condominiums

More than one **detached house**, **semi-detached house**, or **townhouse** is permitted on a **lot** provided that each has direct access to a **street**. A unit in a Vacant Land Condominium must be accessed by an internal private drive aisle or road that is a common element in the registered Condominium.

For purposes of this regulation, the **front lot line** for each unit in a Vacant Land Condominium is be deemed to be that **lot line** abutting the internal private drive aisle or road portion of the common element wherever the **driveway** access is, and the **detached house**, **semi-detached house**, or **townhouse** must comply with all applicable regulations.

12.4.3 Common element condominiums

Despite Section 11.1.1, **detached houses**, **semi-detached houses**, or **townhouses** are permitted on **lots** without **lot frontage** on a **street** provided that they are located on Parcels of Tied Lands to a Common Element Condominium consisting of at least a private **driveway** connecting to a **street**.

For purposes of this regulation, the **front lot line** for each Parcel of Tied Lands associated with a Common Element Condominium is deemed to be that **lot line** abutting the internal private drive aisle or road portion of the Common Element Condominium, or the **lot line** abutting a **street** wherever the **driveway** access is, and the **detached house**, **semi-detached house**, or **townhouse** must comply with all applicable regulations.

Where lands have been comprehensively planned and are subject to an approved site plan and a development agreement pursuant to Section 41 of the Planning Act, any zoning deficiencies resulting from the creation of the Parcels of Tied Lands, are deemed to comply with the regulations of this **By-law**, provided that:

- a. All provisions of this **By-law** relative to the whole **lot** and its external **lot lines** existing prior to any condominium plan registration are complied with; and,
- b. Any additions or **alterations** to the **home**, **accessory buildings**, changes to **setbacks**, and **driveways** added subsequent to the registration of the condominium, which are not shown on the approved site plan, must comply with the applicable regulations for the **detached houses**, **semi-detached houses**, or **townhouses** contained within the Parcels of Tied Land. For the purposes of this regulation, the **front lot line** is deemed to be the shortest **lot line** abutting a **street**, internal **driveway**, or internal walkway which provides primary access to the **home**.

12.5 Community gardens

A **community garden** is permitted in all **zones**, except the EP Zone, as either an **accessory use** or a **main use**, subject to the following regulation:

- a. On a **lot** previously used for industrial or commercial **uses**, raised beds with soil from an uncontaminated source must be used to grow fruits and vegetables, unless it has been demonstrated that the ground soil on the **lot** is suitable for growing fruits and vegetables intended for human consumption.

12.6 Legal non-conforming uses

Legal **non-conforming** status applies to **uses**, **buildings** and **structures**, and the locations of **buildings** and **structures** on a **lot** in accordance with the Planning Act and this Section 12.6.

Nothing in this **By-law** prevents the **use** of any land, **building**, or **structure** for any purpose prohibited by this **By-law** provided that such land **building**, or **structure** was actually and lawfully used for such purpose on the **effective date** and continues to be used for such purpose without interruption. Vacancy of the land will not be deemed to be an interruption unless efforts have been made to discontinue or change that **use**.

12.6.1 Repair, restoration, or rebuilding

Nothing in this **By-law** prevents the repair, restoration, or rebuilding of a **building** or **structure** or any part thereof that is **non-conforming** with respect to this **By-law**, provided that:

- a. The repair, restoration, or rebuilding does not increase the **height**, size, or volume of the **building** or **structure**;
- b. The location of the **building** or **structure** either remains the same or complies with the minimum **setbacks** and **sight triangles** of the applicable **zone**; and
- c. The repair, restoration, or rebuilding results in the elimination of any encroachment into a neighbouring property, a utility easement, or **street allowance** or there is formal acknowledgement of the encroachment.

12.6.2 Public action

Where, as a result of taking of land by the **Corporation** or another a body having expropriation authority, any land, existing **building** or existing **structure** becomes **non-conforming** to this **By-law**, such land, existing **building** or existing **structure** is deemed to conform to this **By-law**.

12.6.3 Non-conforming building locations

Where the location of the existing **building** or **structure** on the **lot** is such that it does not conform to the provisions of the applicable **zone**, the location of the existing **building** or **structure** on the **lot** is deemed to conform to the **By-law** where all of the following are met:

- a. The **use** of an existing **building** or **structure** or the intended **use** of an existing **building** or **structure** conforms to this **By-law**.
- b. The size of the **lot** for such **use** or intended **use** conforms to this **By-law**.
- c. The **parking** requirements of this **By-law** for such **use** or intended **use** are satisfied or capable of being satisfied.

If the location of the existing **building** or **structure** on the lot is deemed to conform, nothing in this **By-law** prevents an **alteration** from being made to the existing **building** or **structure** provided the **alteration** does not further reduce compliance with any of the regulations of this **By-law**, and provided further that a minimum **separation distance** of 0.6 m is maintained from any lot line to the **building** or **structure**.

12.6.4 Legal non-conforming houses

Notwithstanding any other section of this **By-law**, where a lawfully established **detached house**, **semi-detached house**, or **townhouse** is located in a **zone** that does not permit its use the following applies:

- a) For a **detached house**, **semi-detached house**, or **townhouse** that is serviced by **municipal water service** and **municipal sewer service**, Section 3.2 applies.
- b) For a **detached house** that is serviced by **municipal water service** but not **municipal sewer service**, Section 2.2 applies.
- c) For a **detached house** that is not serviced by **municipal water service** nor **municipal sewer service**, Section 1.2 applies.

12.7 Outdoor displays

Where an **outdoor display** is located on a **lot**, the following provisions apply:

- a. The **outdoor display** must be located outside of any required **parking spaces**, loading areas, walkways and required **landscaped area**; and
- b. Notwithstanding subsection a), if the **outdoor display** is temporary (meaning a period of time not exceeding 120 days in a calendar year), it may occupy up to 10% of the **parking spaces**, required by this **By-law** for the uses that exist on the same **lot**. See Section 12.12.2 Garden Centres.

12.8 Outdoor storage

The following **outdoor storage** provisions apply:

- a. **Outdoor storage** is only permitted in **zones** where it is expressly permitted in Sections 1-10 or 12.1.1 h) of this **By-law**.
- b. Parked **motor vehicles** must be licenced, insured, and fully operational. Any **motor vehicle** that is not licenced, insured, and fully operational is considered **outdoor storage** for the purposes of this **By-law**.

12.9 Power and Utility Facilities

Nothing in this **By-law** interferes with the construction, maintenance, and operation of any **power and utility facility** in any **zone**, provided that, except for a **power distribution station**, no **building** or **structure** associated with that **power and utility facility** exceeds a maximum **GFA** of 140.0 m². However, if a particular **power and utility facility** is specifically permitted in a **zone**, then all the regulations of the **zone** apply.

12.10 Public Uses

Subject to the regulations in this Section 12.10, 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.

12.10.1 Public uses in Urban neighbourhoods

Where Section 12.10 permits a **use** in a **zone** within Urban Neighbourhoods that would not otherwise be permitted, the following regulations apply to that **use**:

- a. No **outdoor storage** is permitted.
- b. Any **building** or **structure** erected must be designed and maintained wherever possible in general harmony with the **buildings** or **structures** permitted in the **zone** in which it is located.

12.11 Sensitive uses

All **buildings** containing **sensitive uses** must meet the minimum separation distances described in Table 12.11.

Table 12.11: Minimum **separation distances** for **sensitive uses**

Building, structure, use, or zone boundary from which a building containing a sensitive use must maintain a separation distance from	Minimum separation distance
A building or structure used for the feeding, raising or breeding of livestock , or a manure pit or manure storage facility on another lot	Agricultural use: 150.0 m Large personal farm: 85.0 m Small personal farm: 40.0 m
Zone boundary of the RR – Rural Resource Zone	300.0 m
Zone boundary of the US – Utilities and Services Zone	15.0 m

12.12 Temporary Uses

12.12.1 Construction

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.

12.12.2 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 in association with a permitted **retail commercial use** or **building supply outlet** for one period of a maximum of 120 days between May and October provided that all the following regulations are complied with:

- All minimum **setbacks** and minimum **separation distances** are met.
- The combined area of the greenhouse and associated **outdoor display** does not displace more than 10% of the required **parking spaces**.

12.12.3 Restaurant patios

Temporary **patios**, associated with a permitted **restaurant**, may be used for seasonal outdoor dining for one period of a maximum of 120 days between May and October provided that all the following regulations are complied with:

- a. All minimum **setbacks** and minimum **separation distances** are met.
- b. The combined area of the **patio** does not displace more than 50% of the required **parking spaces**.

12.12.4 Pits and quarries

A minimum **separation distance** of 30.0 m is required between a temporary wayside pit and/or quarry and related portable asphalt plants and portable concrete plants operated by a **public authority** and any **lot line**.

12.12.5 Storage containers

Notwithstanding any other provision in this **By-law**, the temporary placement of one (1) **storage container** is permitted per **lot** in any **zone** within Rural Areas, Rural Settlements, or Urban Neighbourhoods provided that that of all the following regulations are complied with:

- a. The **storage container** must be located on the **driveway**.
- b. The **storage container** must be located a minimum of 1.0 m from any **lot line**.
- c. The **storage container** must have a maximum **height** of 2.5 m, a maximum width of 2.5 m, and a maximum length of 6.0 m.
- d. The **storage container** is permitted on the **lot** for no more than 30 days in a calendar year.

12.12.6 Tents

Notwithstanding any other provision in this **By-law**, the temporary placement of an event tent is permitted in any **zone** provided that of all the following regulations are complied with:

- a) The tent must be located a minimum of 1.0 m from any **lot line** or **main building**.
- b) The tent is permitted on the **lot** for no more than 7 days in a calendar year.

12.12.7 Vehicle storage

Temporary **structures** that are typically designed or intended to cover a **motor vehicle** are permitted for one period of a maximum of 120 days between October and May provided that:

- a. The temporary **structure** is not located within the **front setback** or **exterior side setback**; and
- b. The temporary **structure** is located no closer than 1.2 m from the **rear lot line** and **interior side lot line**.

12.13 Undersized lots

An undersized **lot** is a **lot** that is **non-conforming** in that it has insufficient **lot frontage**, **lot area**, 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-conforming** since that time;
- it is a parcel of land created between January 1, 1984 and the **effective date** through a severance approved by the Committee of Adjustment; or
- it is a **lot** on a plan of subdivision which received draft approval between December 11, 1992 and August 26, 2019 and has not lapsed.

12.13.1 Zoning relief

An exisiting undersized **lot** may only be used in accordance with Section 12.13.1. provided that:

- a. all other provisions of the **By-law** are satisfied;
- b. the **lot** is serviced by **municipal water service** and **municipal sewer service** or alternatively meets the requirements of the **public authority** having jurisdiction; and
- c. the **lot** has a minimum **lot frontage** of 6.0 m or on a publicly owned and maintained **street**.

Table 12.13.1: Permitted **uses**, **setbacks**, and **lot coverage** for undersized **lots**

Regulation	Zone where a detached house is permitted	Zone where an apartment is a permitted use and a detached house is not
Permitted uses	Detached house with a maximum of one home per lot	Apartment with no more than three homes per lot
Minimum interior side setback	10% of the lot frontage being no less than 0.6 m	10% of the lot frontage being no less than 0.6 m
Minimum rear setback	20% of the lot depth being no less than 3.0 m	20% of the lot depth being no less than 3.0 m

12.13.2 Lot additions

An undersized **lot** entitled to relief provided for in Table 12.13.1 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.

12.13.3 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**.

SECTION 13

AREA-SPECIFIC REGULATIONS

13.1 Height Restricted Areas	133
13.1.1 Public viewshed	133
13.1.2 Aircraft traffic	134
13.2 Privately serviced lands	134

SECTION 13: AREA-SPECIFIC REGULATIONS

13.1 Height Restricted Areas

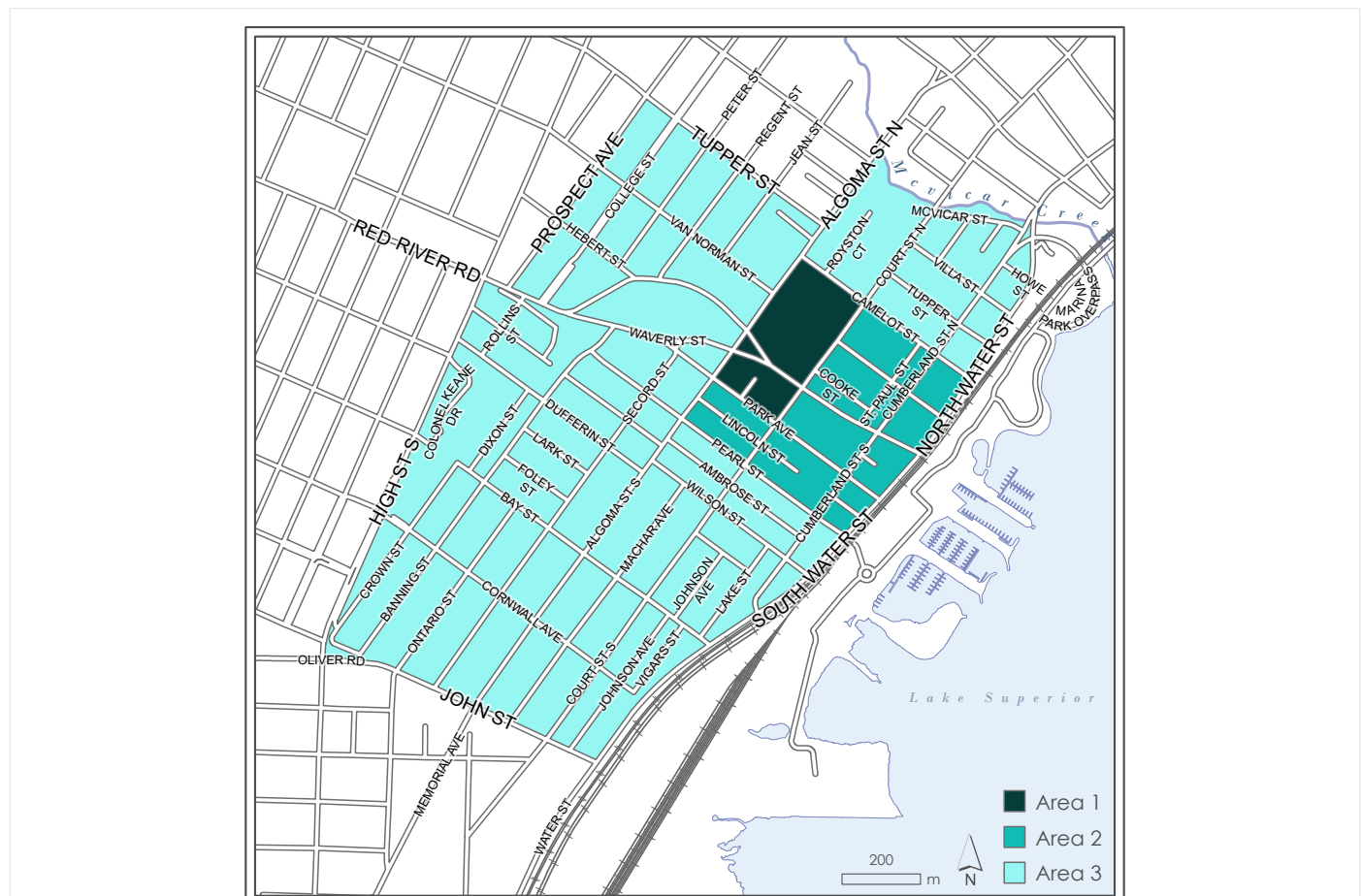
13.1.1 Public viewshed

Any development on lands within the area identified on Figure 13.1.1 must comply with the **height** regulations provided in Table 13.1.1. The regulations in this section apply notwithstanding the maximum **height** regulations contained in the individual **zone** categories.

Table 13.1.1: **Height** regulations for public viewshed

Area on map	Maximum height of all buildings and structures	Section 11.2.2: Exemptions from all height regulations
Area 1	Elevation of 216.0 m above mean sea level	Does not apply
Area 2	Elevation of 222.0 m above mean sea level	Does not apply
Area 3	10.0 m	Applies

Figure 13.1.1: Height restricted area for public viewshed



SECTION 13: AREA-SPECIFIC REGULATIONS

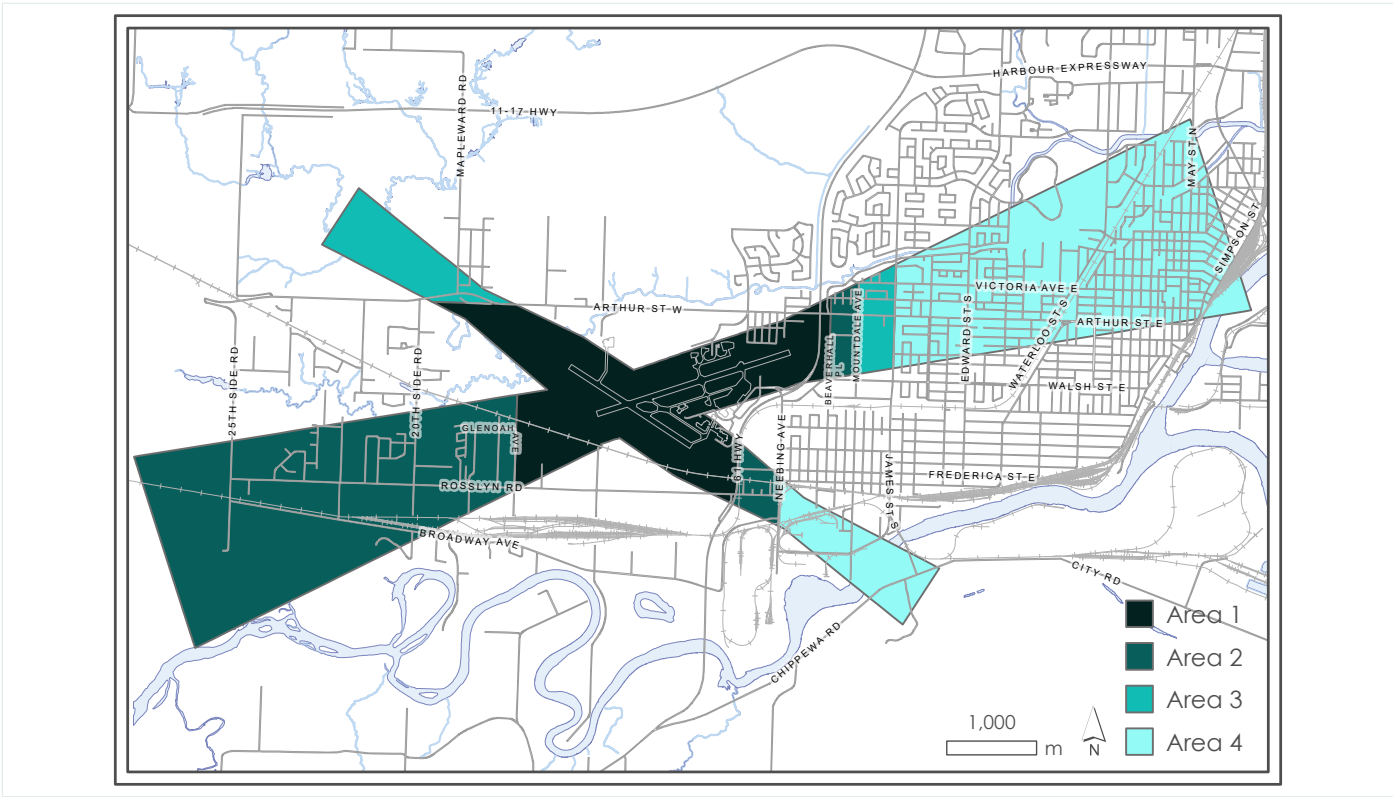
13.1.2 Aircraft traffic

Any development on lands within the area identified on Figure 13.1.2 must comply with the **height** regulations provided in Table 13.1.2. The regulations in this section apply notwithstanding the maximum **height** regulations contained in the individual **zone** categories.

Table 13.1.2: **Height** restricted area for aircraft traffic

Area on map	Maximum height of all buildings, structures, and construction equipment	Section 11.2.2: Exemptions from all height regulations
Area 1	6.0 m	Does not apply
Area 2	10.0 m	Does not apply
Area 3	15.0 m	Does not apply
Area 4	20.0 m	Applies

Figure 13.1.2 Height restricted area for aircraft traffic



13.2 Privately serviced lands

Notwithstanding all other sections of this **By-law**, the following **uses** are not permitted on **lots** without both **municipal water service** and **municipal sewage service**:

- car wash
- laundromat
- **long term care housing**
- **hospital**

SECTION 14

DEFINITIONS

SECTION 14: DEFINITIONS

Accessory – 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**.

Airport-related use – a **use** directly associated with or serving an airport or directly related to the operation of aircraft which may include aerospace-related education facilities, industrial uses, storage facilities, research and development, and transportation including but not limited to passenger terminals and vehicle rental, parking, bus, and taxi services. The term includes an airport and associated aircraft storage, maintenance and repair facilities, and fuel storage.

Agricultural use – the **use** of land for the growing of crops, excluding cannabis, raising of **livestock**, aquaculture, apiaries, agro-forestry, maple syrup production, and riding/boarding stables.

Agricultural commercial use – a commercial **use** primarily serving farm and resource operations in the area, such as the sale of agricultural products, the sale of farm supplies, farm equipment sales and service, and greenhouse operations.

Alter – 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 interior or 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 – a noun referring to the physical change resulting when a person **alters** a **building**, **structure**, or **lot**.

Apartment – Residential **building** containing three (3) or more **homes** that typically share one **main building** entrance and may be located on different floors. See **Diagram 14.2**.

Architectural feature – the projection of windows, window sills, chimneys, cornices, eaves (which includes the eavestrough), and/or similar features of a **building** or **structure**. The term excludes **balconies**, fire escapes, porches, or **decks**.

Arterial – a **street** classified as an arterial in the **Official Plan**.

Artisan – 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 clothing maker, a wood carver, woodworker, and similar persons. The term excludes **tradespersons**.

Attached – 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**.

Attic – the space between the roof and the ceiling of the top **storey** of a **building**.

Balcony – a horizontal platform that is **attached** to a **building** above the **first storey** and intended for **use** as an outdoor amenity area. See **Diagram 14.1**.

Bed and breakfast – a business conducted within a **detached house** containing a maximum of one (1) **home** in which overnight accommodation, with or without meals, is provided to the travelling public.

SECTION 14: DEFINITIONS

Bicycle space – an area used exclusively for the parking of bicycles. Every **bicycle space** falls within one of the following two categories:

Short term bicycle space– Any **bicycle space** other than a **long term bicycle space**.

Long term bicycle space– Secure **bicycle space** located within a roofed structure, a **building**, or a bike locker. For the purposes of this definition “secure” means enclosed on four sides with a lockable gateway or doorway. Shared storage areas must also include racks for individual bicycle locking.

Building – a type of **structure** that is constructed in either a factory or at the final building location, having a roof supported by columns or walls designed for **use** for the accommodation or storage of persons, animals, goods, materials, or equipment. The term excludes a **mobile house** or a **recreational vehicle**.

Building Code – is Ontario Regulation 350/06, passed under the Building Code Act, 1992 and any amendments in effect on the **effective date**.

Building supply outlet – a **place** where primarily **building** products are sold, including wood, lumber, wallpaper, paint, glass, tiles, flooring, fixtures, home and decorating supplies, and/or tools. The use may include the **outdoor display** of such products.

By-law – this **By-law**, as amended from time to time, including its recitals and schedules, which are integral parts of it.

Care housing – a residential **building** where in-home assistance such as supervision, personal care, medical care, education, and/or counselling is provided to residents. **Care housing** may include **homes** and/or **rooming units**.

Cemetery or crematorium – land that has been established as a cemetery under provincial legislation or a **building** that has been established as a crematorium under provincial legislation.

Commercial parking use – the **use** of land for the parking, on a temporary basis, of four or more licensed **motor vehicles** that is not associated with another **main use** on the same **lot**.

Communications device – a radio, television, or telecommunications antenna.

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.

Converted house – a residential **building** constructed before January 1, 1945 as a **detached house** with no more than one (1) **home** that has since been renovated to include additional **homes**.

Corporation – the **Corporation** of the City of **Thunder Bay**. Where the context allows, the term includes its employees, servants, and agents.

Day care centre – a **place** operated by a person licensed under provincial legislation to operate a child care centre for the purpose of providing temporary care to children for a continuous period not to exceed twenty-four (24) hours or a **place** for the purpose of providing temporary care to 5 or more adults for a continuous period not to exceed twenty-four (24) hours.

Deck – a **structure** without a roof raised above **grade** that is supported by posts or blocks that extend from the ground

and is intended for **use** as an outdoor amenity area. The surface of a **deck** is typically made of slats of wood or composite material spaced to provide for permeability. The term does not include a **balcony, landing, patio, porch** or **stair**. See **Diagram 14.1**.

Detached house – Residential **building** containing up to two (2) **homes** that typically share one **main building** entrance and may be located on different floors. See **Diagram 14.2**.

Domestic pet – an animal intended to be kept for the duration of its natural life by domestic households for pleasure and companionship. Examples include dogs, cats, rabbits, guinea pigs, canaries, budgies, and small rodents including hamsters or mice. The term excludes **livestock** or 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.

Drive-through – 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. Where an order, payment, and service may be completed at separate stations, only the station where the goods or services are obtained will be counted as the **drive-through**.

Driveway – an access for **motor vehicles** from any **street** or a **private street** to a **parking lot** or to one or more **parking spaces**.

Educational institution – a public or private secondary school as defined in provincial legislation, a college of applied arts and technology, or a university. The term does not include an elementary school, commercial school or an industrial school.

Effective date – the date on which this **By-law** was passed by Council, or in the case of any part of this **By-law** which, on appeal, is amended by an order of the Ontario Land Tribunal pursuant to section 34 (26) of the Planning Act, on the day of such order coming into force.

Emergency shelter – a **place** licensed or funded under by a **public authority** or a charitable or non-profit organization which provides temporary accommodations and services to persons requiring them.

Environmental overlay – a mapping overlay shown as grey shading on the zoning maps. It applies to lands that are subject to the Lakehead Region Conservation Authority's regulated area. It is designed and intended to alert readers of this **By-law** to areas of **Thunder Bay** where the Lakehead Region Conservation Authority may have permitting requirements that are pre-requisites to land development. Refer to Section 16.15.2 of this **By-law** for more information.

Funeral establishment – a **place** used for the care and preparation of human remains, excluding a crematorium, and may include an ancillary visitation centre and chapel for funeral services.

Furniture store – a **place** where primarily furniture is sold.

Garage building face – the portion of the ground floor **building** façade which faces the **street**, and which is occupied by an **attached** garage. See **Diagram 14.9**.

Garden suite – a free standing residential **building** that is designed to be temporary and portable and contains a maximum of one **home**. A **Garden Suite** is a **secondary use** to a **detached house** located on the same **lot**.

SECTION 14: DEFINITIONS

Grade – the average of the elevations of all the natural or finished levels of the ground adjoining all the exterior faces of an existing or proposed **building**, **structure**, or **storage container**; or a fence. See **Diagram 14.9**.

Gross floor area or **GFA** – 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) as measured from the exterior faces of the exterior walls or posts. However, when referring to a unit within a multiple unit **building** or portions of a **building**, the floor areas are measured as follows:

- a. from the centerline of the interior walls to the exterior faces of the included exterior walls if the unit or portion of the **building** has no exterior walls at least one exterior wall; or
- b. from the centerline of all of the interior walls if the unit or portion of the **building** has no exterior walls.

Health centre – a **place** where members of the public are provided with medical, health, welfare, or social support services and resources, but not overnight care or living accommodation. The term also includes a **place** where **domestic pets** are provided with veterinary health and medical care. A **health centre** may include an **accessory** pharmacy or **accessory** fitness area.

Heavy equipment – farm equipment, motorized construction equipment, or any similar machinery. A vehicle that meets the broad definition of **motor vehicle**, but does not fall within the definitions of **private vehicle**, **recreational vehicle**, or **commercial vehicle**, is **heavy equipment**.

Height – 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**. See **Diagram 14.4**.

Home – 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 to a common area or **building** exterior. The term excludes a **recreational vehicle**. In addition to a typical **home**, there are two types of **homes** with distinct characteristics:

Backyard home – a type of **home** contained within a **building** that is **accessory** to a **detached house**, **semi-detached house**, or **townhouse** on the same **lot**.

Caretaker's home – a type of **home** occupied by the owner or caretaker of a non-residential permitted **use**.

Home business – a business conducted within a **home** or within a **building** or **structure** which is **accessory** to such **home**, which is neither a **home day care** nor a **bed and breakfast**.

Home day care – a business involving the temporary care of either:

- a. five or less individuals where unlicensed under provincial legislation; or
- b. six or less children where licensed under provincial legislation,

and where such care is provided within a **home** or within a **building** or **structure** which is **accessory** to such **home** for a continuous period not exceeding twenty-four (24) hours.

Hospital – 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.

Hotel – a **place** where rooms are used or designed to be used for temporary overnight accommodation of the travelling or vacationing public, but not including **bed and breakfast**, **care housing**, **emergency shelter**, or **shared housing**.

Indoor recreation use – a **building** used for commercial indoor leisure activities, cultural or social promotion, or entertainment. The term includes museum, art gallery, movie theatre, social club, public hall, fitness centre, convention centre, theatre for the performing arts, covered arena or field, gymnasium, 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 **outdoor recreation uses**.

Industrial use - is any of the following operations including the **accessory** sale of goods resulting from the operations:

- a. the carrying on of any process of manufacture whether or not resulting in a finished product;
- b. the treatment of waste materials;
- c. the processing and/or storage, but not the extraction of, sand, gravel, clay, turf, soil, rock, stone, or similar substances;
- d. display, rental, sale, lease, repair, or maintenance of **heavy equipment**;
- e. the disassembly or reprocessing of any used building materials, goods and/or **motor vehicles**;
- f. the storing of equipment and materials of a **tradesperson**, including an associated shop and area for assembly work; and/or
- g. instruction and training of **tradespersons** including facilities for the training of **heavy equipment** operators, metalworkers, or welders.

Every **industrial use** falls within one of the following two categories:

Light industrial use - an **industrial use** which is unlikely to interfere with the normal enjoyment of any nearby **place**. The operations are entirely enclosed within a **building**, such that adverse effects such as noise, vibration, dust, or odour are negligible. **Outdoor storage** of any kind is prohibited. The term includes but is not limited to small scale production or processing uses, indoor storage and/or workshop for a **tradesperson**, repairs or services for appliances or **small engine equipment**.

Heavy industrial use - an industrial use which is likely to interfere with the normal enjoyment of any nearby place. The operations are permitted outside a **building** and do produce adverse effects such as noise, vibration, dust, or odour and may occur outside the **building**. **Outdoor storage** is permitted. The term includes, but is not limited to, painting/coating, ready-mix and concrete product manufacturing, dry cleaning plants, auto body repair, **heavy equipment** service and rental, transport terminals, chemical storage facilities, asphalt manufacturing, paper manufacturing, rail yards, seaplane bases, and shipyards. The term does not include cannabis production and processing facilities, meat and meat product processes, and scrap yards.

Landing – an outdoor platform with an area not exceeding 2.5 m² which either:

- a. extends horizontally from the wall of a **building** no more than 1.5 m, is adjacent to a door, provides direct access to the ground or a stair, and may have a roof; or
- b. has no roof and is situated between flights of stairs.

A **structure** that would meet this definition, but is in excess of 2.5 m² is a **deck**. See **Diagram 14.1**.

Landscaped area – an open area of land, unoccupied by **buildings** or **structures**, **motor vehicles** or items on

SECTION 14: DEFINITIONS

display, situated at ground level on a **lot** and used for the growth and maintenance of grass, flowers, shrubs, trees or other vegetation. The term does not include surfaced walkways and **patios**, retaining walls or any other hard landscaping features, roof-top terraces, and **driveways** or **parking lots** regardless of composition.

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 typically provides secondary access to a **lot**. This term does not include a **street**.

Livable building face – any part of the **building** façade located at **grade** that faces the **street** and is occupied by habitable living space area. The term excludes the **garage building face**, **porches**, or upper floor building faces that are not in line with the façade at **grade** See **Diagram 14.9**.

Livestock – 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.

Loading space – 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**.

Long term care housing – a **place** regulated by the Ontario Long-Term Care Homes Act, 2007, that provides residential accommodations and a broad range of personal care, support and health services to meet the physical, psychological, social, spiritual, and cultural needs of persons.

Lot – a parcel of land or contiguous parcels of lands held under the same ownership. Every **lot** falls within one of the following three categories:

Corner lot – located either:

- a. at the intersection of, and abutting upon, 2 or more **street allowances**, where the angle of intersection does not exceed 135 degrees; or
- b. on the curve of a **street allowances** where the angle of intersection does not exceed 135 degrees.
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** as described in (b) 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**.

Interior lot – a **lot** other than a **corner lot** or a **through lot**.

Through lot – a **lot**, other than a **corner lot**, with two or more **lot lines** abutting a **street allowance**. See **Diagrams 14.5**.

Lot area – the total horizontal area within the **lot lines** of a **lot**.

Lot coverage – 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**, eaves less than 0.6 m, fire escapes, **outdoor displays**, wheel chair ramps, swimming pools, stairs, **decks, patios** or **landings**.

Lot depth – the straight-line **distance** measured from the mid-points of the **front lot line** and the **rear lot line**.

Lot frontage – the **distance** between the **side lot lines**, measured between the points on the **side lot lines** 10 m from the **front lot line**. See **Diagram 14.6**.

Lot line – any boundary of a **lot**, including its vertical projection. Every **lot line** falls within one of the following four categories:

Exterior side lot line – a **lot line**, which is neither a **front lot line** nor **rear lot line**, and which abuts a **street allowance**.

Front lot line – a **lot line**, which is:

- the lot line abutting a **street allowance**;
- the shortest **lot line** abutting a **street allowance** where there is more than one **lot line** abutting a **street allowance**; or
- the **lot line** that affords the principal access to the lot where the lot lines that abut a **street allowances** are the same length.

Interior side lot line – a **lot line** other than a **front lot line**, **rear lot line**, or **exterior side lot line**.

Rear lot line – a **lot line**, which measured from its midpoint, is farthest from the midpoint of the **front lot line**. Where a **lot** has three or fewer **lot lines**, there is no **rear lot line**.

See **Diagram 14.7**.

Main use – 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**.

Main building – 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**.

Microbrewery – a **place** used for the small-scale production of beverages including beer, wine, cider, and spirits. The terms includes any commercial uses related to the **microbrewery** such as a retail store, a **restaurant**, a tasting room, event space, and **accessory** support spaces.

Minor institutional use – a public or private elementary school as defined in provincial legislation, library, or **place** of worship.

Mobile house – a factory built and transportable residential **building** commonly known as a “mobile home”. The term excludes a **recreational vehicle**.

Motor vehicle – a vehicle propelled or driven otherwise than by muscular power. There are three categories of **motor vehicles**:

Private vehicle – a passenger automobile, motorcycle, pickup truck, and/or passenger van, which is used

SECTION 14: DEFINITIONS

for personal purposes.

Recreational vehicle – 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 a **mobile house**.

Commercial vehicle – 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 school or coach buses and trailers used for hauling goods and/or materials.

Motor vehicle sales or rentals – a **place** where **motor vehicles** are sold or rented.

Motor vehicle service use – a **place** where **motor vehicle** related services are offered for a fee including fueling or electric charging, washing, mechanical servicing or maintenance. The term does not include **heavy industrial use** such as the body repair, painting, or coating of **motor vehicles**.

Municipal law enforcement officer – any person appointed to enforce this **By-law**, or any member of the **Thunder Bay** Police Service or the Ontario Provincial Police.

Municipal sewage service – the disposal of sewage and grey water or wastewater by a piped sanitary sewer system owned and operated by the **Corporation**.

Municipal water service – the provision of water by a piped water system owned and operated by the **Corporation**.

Natural vegetated buffer – an area of land that is solely composed of indigenous vegetation. The term does not include areas that are mown or otherwise maintained or landscaped.

Office – a **place** used for one or more of the following purposes: professional consulting practice, professional advisory services, the administrative functions of a business or industry, the carrying on of a business the main product of which is the creation, processing and/or storage of information rather than the production, retailing, and/or distribution of goods. The term excludes **health centre** or **service commercial use**.

Official Plan – the City of **Thunder Bay** Official Plan, approved and modified by the Ministry of Municipal Affairs and Housing on March 11, 2019.

Outdoor display – the **use** of land for the external storage of merchandise that is displayed for sale to customers of the business which is the **main use** of the land.

Outdoor furnace – an appliance, situated outside of any **building** or **structure**, which it is used to heat that **building** through a combustion process.

Outdoor recreation use – a **place** used for leisure activities which primarily take **place** outdoors, including amusement parks, overnight cabins, **recreational vehicle** parks, driving ranges, golf courses, ski resorts, zoos, and racetracks.

Outdoor storage – the storage of equipment, goods and or materials outside of any **building** or **structure**, including storage in unenclosed portions of any **building** or **structure** which are open to the air on the sides. The term includes the storage of **heavy equipment**, **motor vehicles**, or **storage containers**.

Parking aisle – a portion of a **parking lot** that abuts one or more **parking spaces** and provides access from the

parking spaces to a **street**, a **private street**, or a **lane**.

Parking lot – a **place** used or intended to be used for the parking, on a temporary basis, of four or more licensed **motor vehicles** in rows of delineated **parking spaces** which are accessed from adjacent **parking aisles**.

Parking space – 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.

Accessible parking space – a **parking space** dimensioned, located, and signed to be accessible to persons with disabilities.

Party wall – a wall capable of being jointly owned and/or jointly used by two or more parties which is erected on a **lot line** or separating two **lots** or **potential lots**. The term includes any extension of such a wall.

Patio – an area of land that is the site of decorative stone or other material that rests upon the ground which is intended for **use** as an outdoor amenity area, but excludes a **balcony**, **deck** or **porch**. See **Diagram 14.1**.

Personal farm – a **place** where the raising of **livestock** occurs in small quantities and any yield from said **livestock** is not sold to the public. Every **personal farm** falls within one of the following two categories:

Small personal farm – a **personal farm** with either:

- a. A maximum of one **large animal unit**;
- b. A maximum of one **small animal unit**; or
- c. A maximum of one **animal unit of fowl**.

Large personal farm – a **personal farm** with either:

- a. A maximum of five **large animal units**;
- b. A maximum of four **large animal units** with either one **small animal unit** or one **animal unit of fowl**; or
- c. A maximum of three **large animal units** with up to one **small animal unit** and one **animal unit of fowl**.

A farm that meets the definition of a **personal farm**, but exceeds the maximum number of **animal units** that defines a **large personal farm** is an **agricultural use**.

Animal units – groups of **livestock** defined as follows:

large animal unit – one cow, one horse, one swine, one sheep, one goat, or one similar large **livestock** animal

animal unit of fowl – any number of fowl up to 20

small animal unit – 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 six months (for small animals or fowl.)

SECTION 14: DEFINITIONS

Pit – A **place** where unconsolidated gravel, stone, sand, earth, clay, fill or other material is being or has been removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit.

Place – land, **buildings**, and/or **structures** or any portion of any of them.

Porch – a roofed **structure attached** to a **building** and raised above **grade**, that is intended for **use** as an outdoor amenity area. The term excludes a **balcony, deck, landing, patio** or stair.

Potential lot – a portion of a **lot** covered by one or more **homes** in either a **semi-detached** house or a **townhouse** that meets minimum **lot frontage** and **lot area** requirements for said **homes** and could theoretically be severed along one or more vertical **party walls**. Every **potential lot** falls within one of the following two categories:

Outside potential lot – a **potential lot**, with either an existing **interior side lot line** or **exterior side lot line**, that could only be severed along a single **party wall**.

Inside potential lot – a **potential lot**, without an existing **interior side lot line** or **exterior side lot line**, that could only be severed along a two distinct **party walls**.

See **Diagram 14.11**.

Power and utility facility – Facilities that provide electricity, gas, steam, water, radio or television services, telecommunication services, environmental monitoring, transportation services (excluding a taxi service), and drainage, sewage or waste collection and disposal services to the public. The term includes power generating, transformer, and distribution stations, waste disposal or treatment facilities, bus depots, and train stations. There is a special type of **power and utility facility**:

Power distribution station – a **place** where power is reduced from one distribution level to another.

Public authority – 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.

Public entrance – the doorway or other entrance to a **building** that is open to and intended for use by the general public for ingress and egress during regular business hours. The term excludes entrances which required a key or passcode for entry such as a service entrance, employee entrance, or entrance to the common area of an **apartment**.

Quarry – a **place** where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit metal mine.

Rail corridor – the railway right-of-way of any railway company.

Rail yard – 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.

Research facility or laboratory – a **place** primarily used for research, investigation, testing, or experimentation in any field of science, medicine, or technology. The **use** does include not facilities for the manufacture or sale of

products, except as incidental to the main purpose of the laboratory.

Restaurant – a **place** where food and/or beverages are prepared and served to persons, primarily for immediate consumption on or off the premises.

Retail commercial use – a **place** where food, new and/or used goods, wares, merchandise, substances, or articles are sold directly to the public. The term includes an open-air market and a **place** where an **artisan** makes and sells their wares. The **use** does not include a **building supply outlet** or a **furniture store**.

Retail warehouse – a **place** which is used primarily for the housing, storage, adapting for sale, packaging or wholesale distribution of goods, wares, merchandise, food stuff, substances, articles, and the like and where a portion of the floor area is devoted to the retail sale of said products.

Rooming units – a room, or a suite of rooms, that constitutes a separate, independent residential occupancy, but which is not self-contained and which requires access to other parts of the **building** intended to serve the residents, such as cooking or sanitary facilities.

Rural convenience use – a commercial use that primarily sells food and/or fuel for a **motor vehicle**. The **use** includes **restaurants** with or without a **drive-through**, convenience stores which primarily sell food, and fuel/charging stations for **motor vehicles**.

Rural pet services – a **place** in the Rural Area where pet services such as the veterinarian or non-veterinarian caring, grooming, training, overnight boarding, and/or breeding of **domestic pets** is offered. Services may include an outdoor enclosure. Rural pet services includes a “kennel” as defined in the **Corporation’s** Kennel By-law no. 170-2005.

Secondary use – a type of land **use** that is permitted in addition to a permitted **main use**.

Self-storage – a **building** or part thereof, which is used primarily for the self-storage of household goods, wares, merchandise, articles and the like, but does not include fuel storage. Every **self-storage use** falls within one of the following two categories:

Indoor self-storage – **self-storage** where individual units are accessed from indoors, such as from a hallway in a main **building**.

Outdoor self-storage – **self-storage** where individual units are accessed directly from the outdoors.

Semi-detached house – a residential **building** containing two (2) to four (4) **homes** that have individual entrances and are separated by a single vertical **party wall**. The **building** has potential to be severed along the **party wall**. The term includes a stacked semi-detached **building**, or semi-detached duplex, where **homes** are also stacked on top of each other in addition to being separated by a vertical **party wall**. See **Diagram 14.2**.

Sensitive use – any type of **home, care housing, long term care housing, shared housing, emergency shelter, hospital, health centre, day care centre, minor institutional use, educational institution, correctional centre, penitentiary, or jail**.

Separation distance – the perpendicular horizontal **distance** between two things as specified in this **By-law**. It is

SECTION 14: DEFINITIONS

measured in the following ways:

- a. With respect to **distances** between buildings, 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.
- b. With respect to **distances** between **outdoor storage** and a building or **structure**, **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.
- c. With respect to **distance** between **uses** and **lots**, between the **lot** boundary containing one use and the **lot** boundary containing the other **use** measured at its closest point.
- d. With respect to **distance** between **uses** and **zone** boundaries, between the **use** and the **zone** boundary measured at its closest point.

Service commercial use – a **place** where the main function is offering a service for a fee. This term includes, but is not limited to commercial schools, banks and credit unions, **domestic pet** services, pharmacies, travel agencies, photography studios or print shops, jewellers, florists, optical dispensaries, personal care such as from an esthetician, barber, or hairstylist, and care of apparel such as a tailor, cobbler, self-service laundry, or dry-cleaning drop-off. The **accessory** retailing of products related to the above is also permitted. The term does not include a **motor vehicle service use** or the overnight boarding or breeding of **domestic pets**.

Setback – 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**. **Setbacks** are described by the **lot line** that defines them as: **front setback**, **rear setback**, **interior side setback**, and **exterior side setback** as applicable. See Diagrams 14.7 and 14.8.

Shared housing – a residential **building** containing four (4) or more **rooming units**.

Sight triangle – a triangular area that is clear of any visual obstruction and is formed between points measured along a **lot line** a prescribed **distance** from the intersection of a **street**, provincial highway, or **rail corridor**.

Small engine equipment – motorized personal equipment including lawnmowers, snow blowers, or similar equipment. The term does not include **motor vehicles** or **heavy equipment**.

Stacking space – a space intended for **motor vehicles** in a queue for a **drive through** or in a queue for the fuelling space adjacent to a fuel pump of a fuel bar.

Storage container – a rail or seaway container or other similar container without running gear that is typically used for the shipping and transportation of goods and materials, but is being used for storage purposes.

Storey – 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. See **Diagram 14.3**.

First storey – the **storey** with its floor closest to **grade** and having its ceiling more than 1.8m above **grade**.

Second storey – the **storey** directly above the **first storey**.

Street allowance – an area 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 **setbacks**, 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. See **Diagram 14.12**.

Street – that portion of a **street allowance** that is maintained and open to **motor vehicle** travel on a year-round basis. See **Diagram 14.12**.

Private street – 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**.

Street line – a line that runs along a **lot line** that abuts an open and maintained **street allowance**.

Structure – any type of structure, 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** and temporary shelters that are ineligible for a permit under the **Building Code**.

Thunder Bay – the geographic area under the jurisdiction of the **Corporation**.

Townhouse – residential **building** containing three (3) or more **homes** that have individual entrances and are separated by **party walls**. The **building** has potential to be severed along **party walls**. The term includes a stacked **townhouse** where **homes** are also stacked on top of each other in addition to being separated by vertical **party walls**. See **Diagram 14.2**.

Tradesperson – 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.

Use – a noun meaning the purpose for which any **place** is used, occupied, or intended to be used or occupied.

Visual screen – a visual barrier that conceals objects, **places**, or **uses** from view by others, specifically a solid fence or wall.

Wall height – the average **distance** distance between either:

- a. the ground floor and the roof line above it in the case of a single **storey building**; or
- b. any floor and the ceiling immediately above it in the case of a multiple **storey building**.

SECTION 14: DEFINITIONS

Waste storage enclosure – a **building**, enclosed area, or vessel used to temporarily store bags or bins of waste and/or recycling that is:

- a. an **accessory building**;
- b. an area of land enclosed by a **visual screen** such that no bags or bins are visible while the enclosure is closed; or
- c. a purpose-built polyethylene container than is located partially underground which is designed to be visible.

Warehouse – a **building** or part thereof which is used primarily for the housing, storage, adapting for sale, packaging or wholesale distribution of goods, wares, merchandise, food stuff substances, articles, and the like but does not include chemical storage or **outdoor storage**. The term does not include **retail warehouse** or an **industrial use**.

Water access – adequate and usable access from Lake Superior, the Kaministiquia River, the McKellar River, or the Mission River.

Water-related use – a **use** which relies on **water access** such as docks and/or boat launches, boat houses, flood and/or erosion control, or a marina. The term includes any **place** where boats are docked, launched, berthed, stored, serviced, repaired, and/or kept for sale or rent.

Zone – 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 16.15. The maps in Schedule A to this **By-law** show the boundaries (subject to Section 16.15) of the various **zones**.

Diagram 14.1: Balconies, decks, landings, and patios

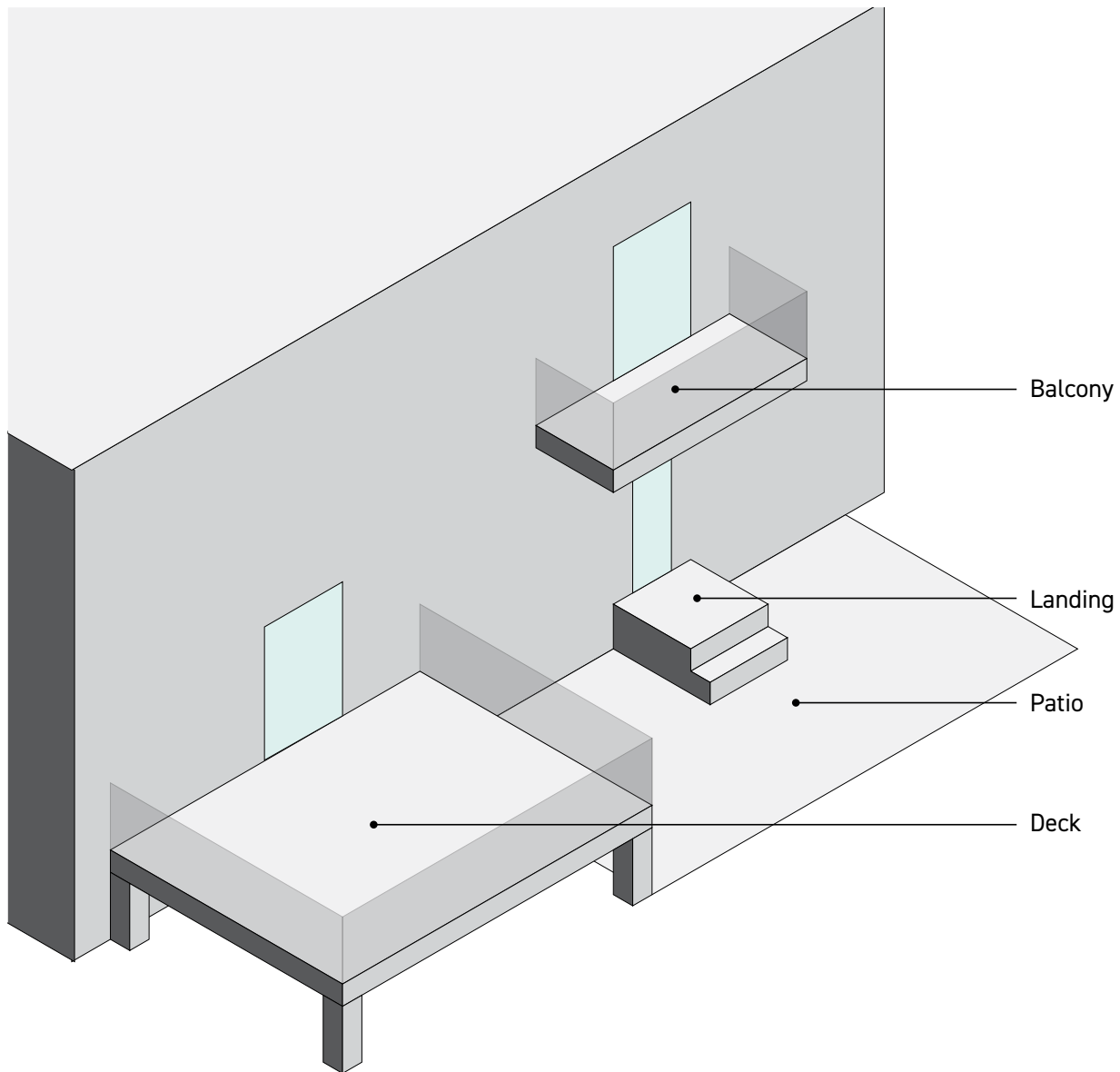
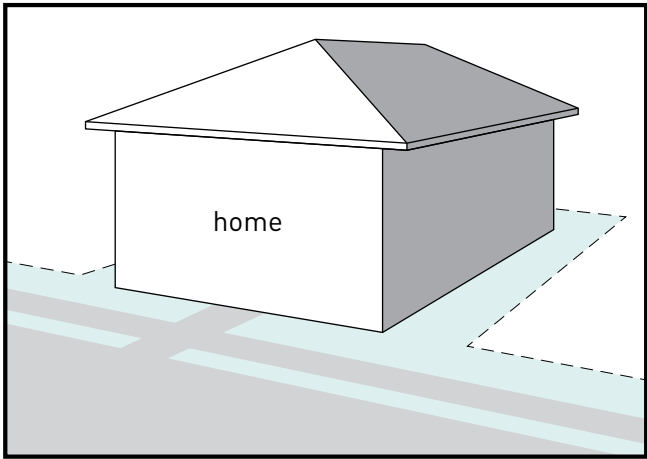
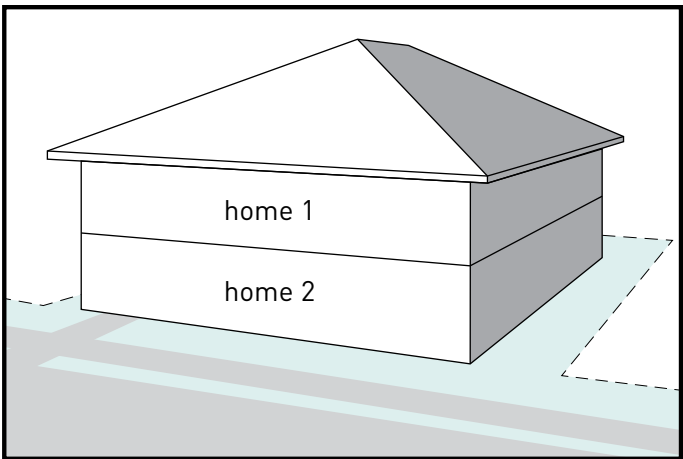


Diagram 14.2: Residential building types

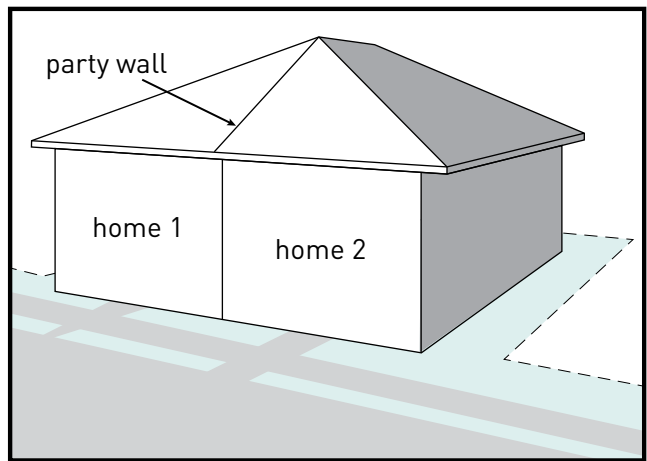
Detached house (1 to 2 homes)



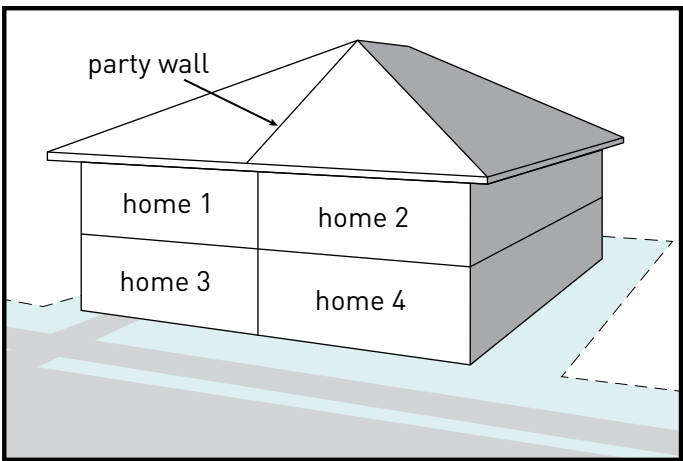
OR



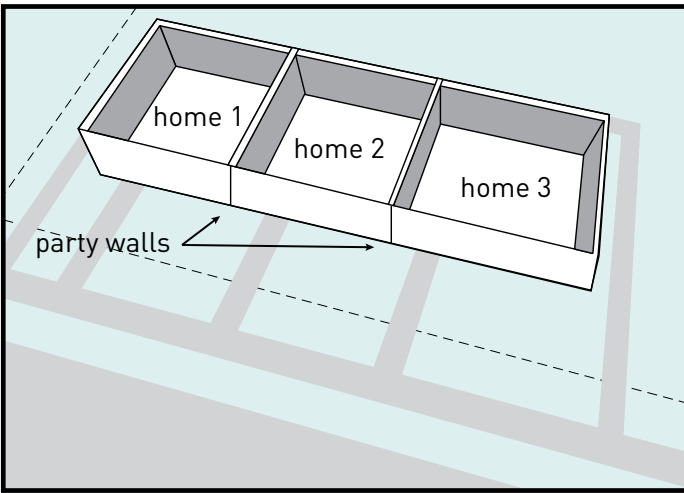
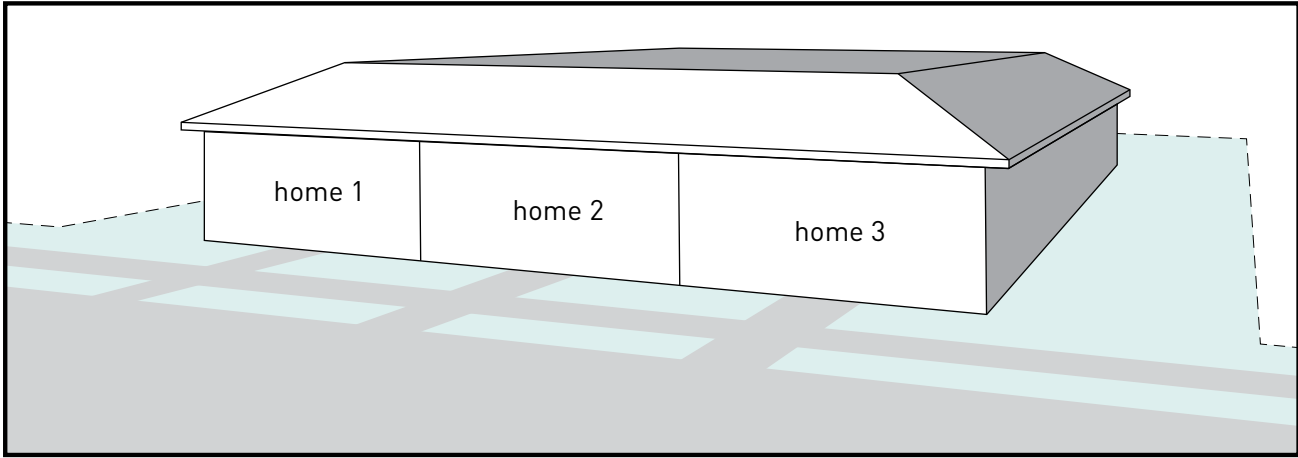
Semi-detached house (2 to 4 homes)



OR



Townhouse (3 or more homes)



SECTION 14: DEFINITIONS

Diagram 14.3: Building storeys (i.e. attic, first storey, and basement)

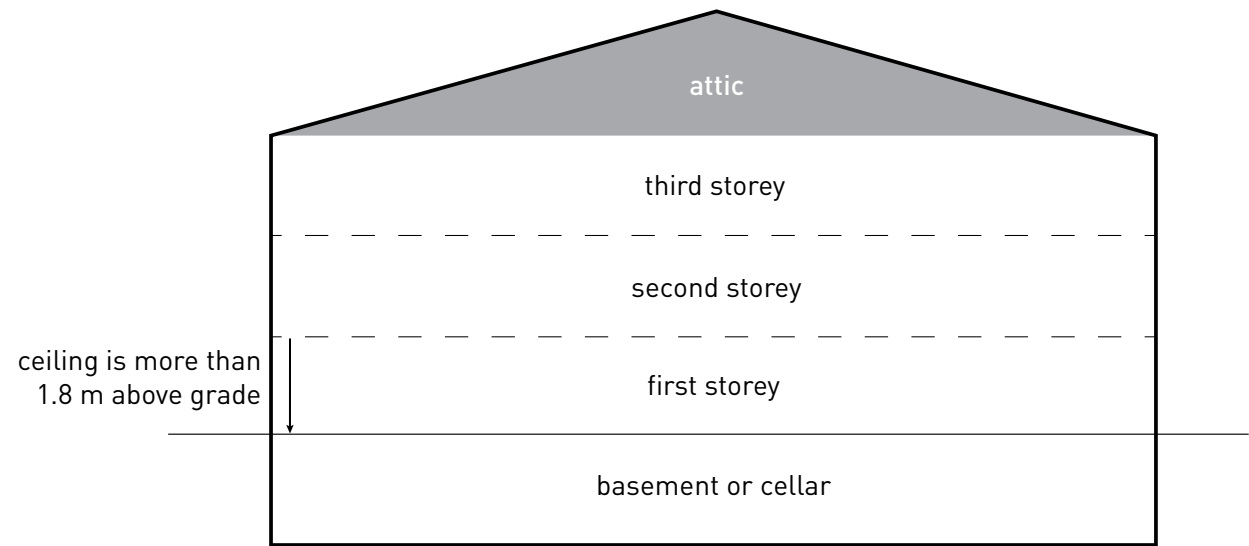


Diagram 14.4: Maximum height and wall height

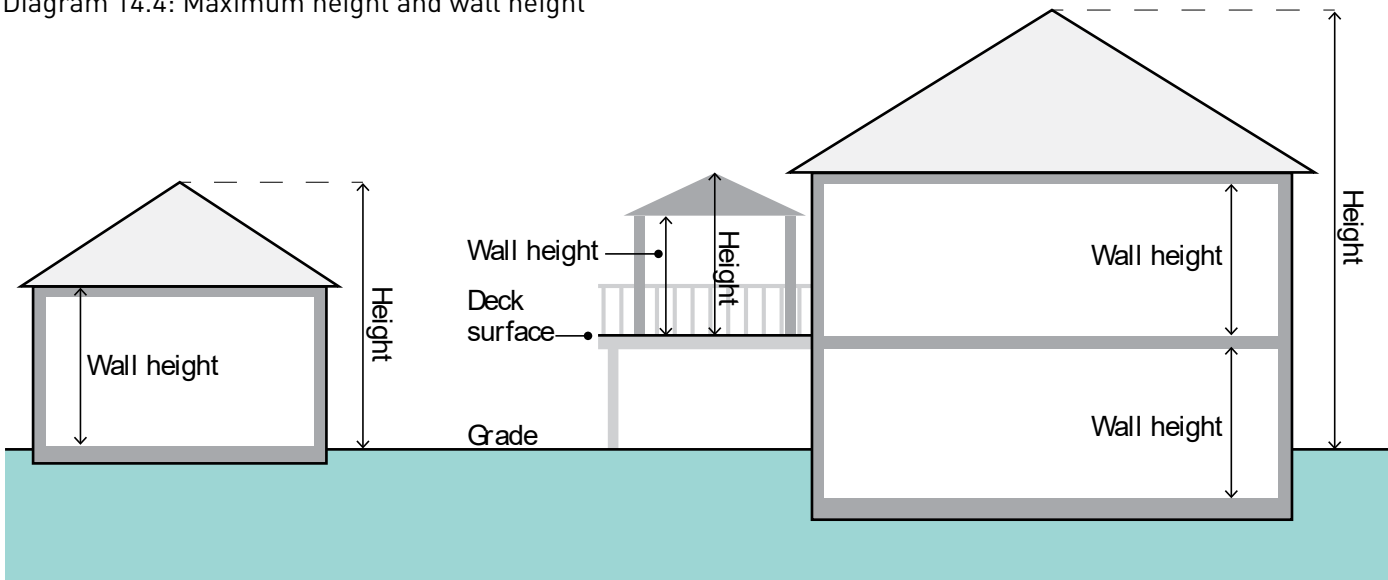


Diagram 14.5: Different lot types (i.e. corner lot, interior lot, and through lot)

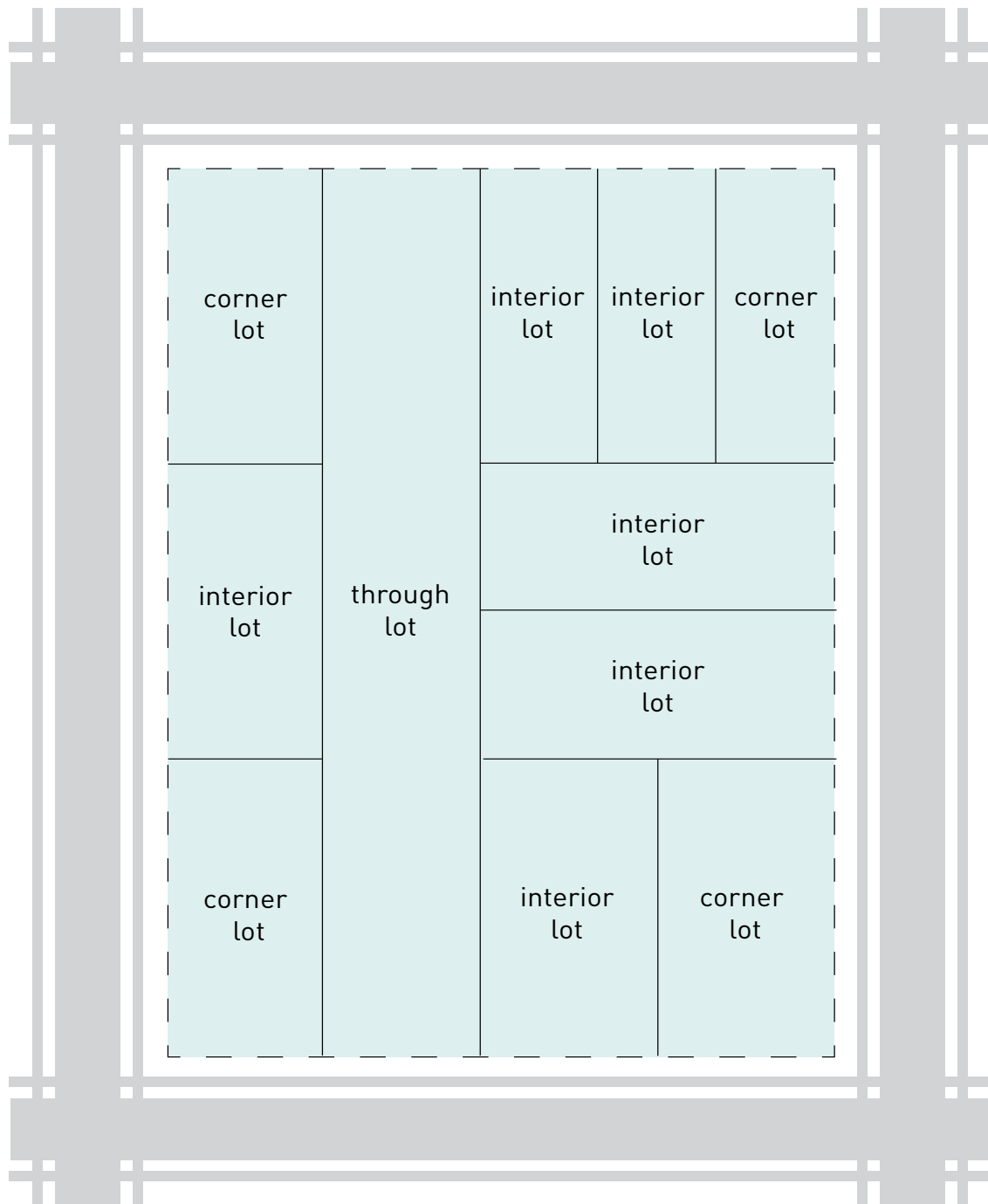
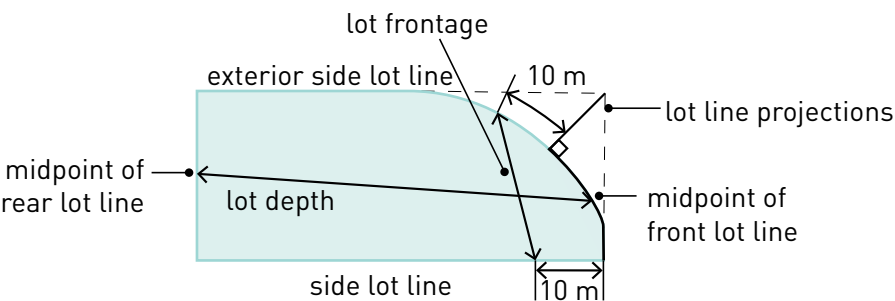
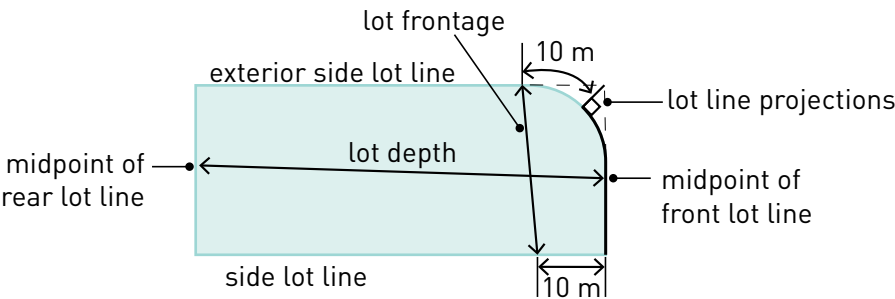


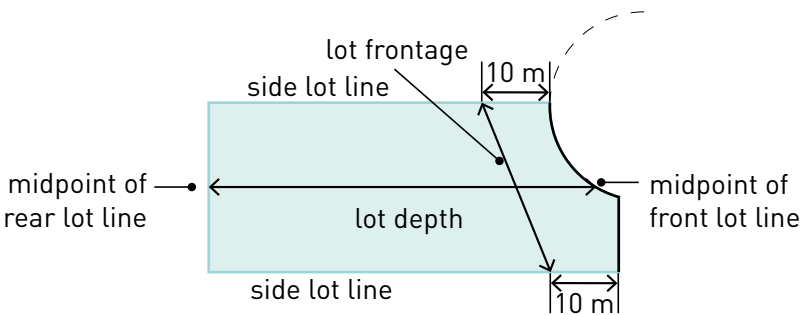
Diagram 14.6: Lot frontage and lot depth on different shaped lots

CORNER LOTS WITH CURVED SIDES

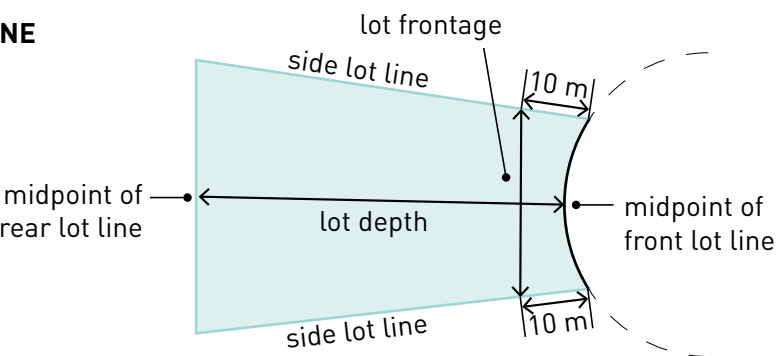
Lot line projections are used to determine what is the front lot line and what is the exterior lot line.



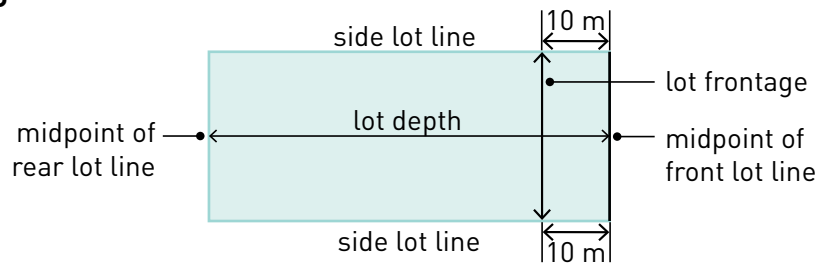
LOT ON A CORNER EYEBROW



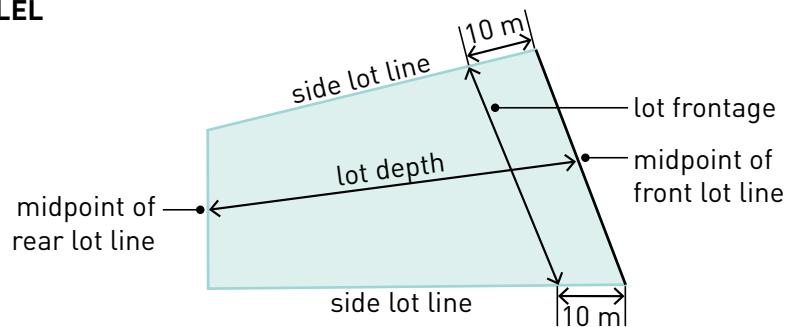
LOT WITH A CONCAVE CURVED FRONT LOT LINE



LOT WITH PARALLEL FRONT AND REAR LOT LINES



LOT WITH LOT LINES NOT PARALLEL



LOT WITH INTERSECTING SIDE LOT LINES

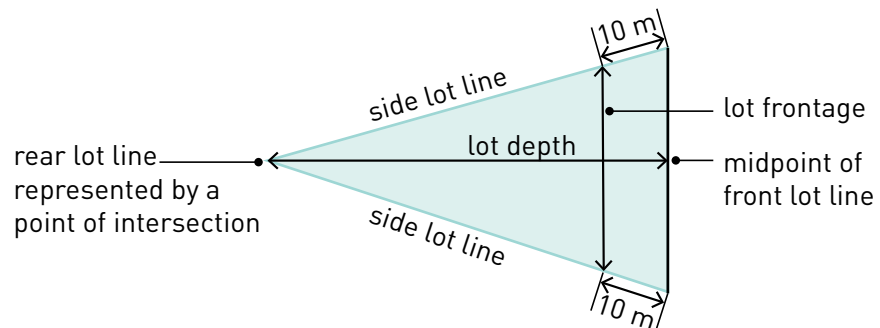


Diagram 14.7: Lot lines and setbacks on typical lot

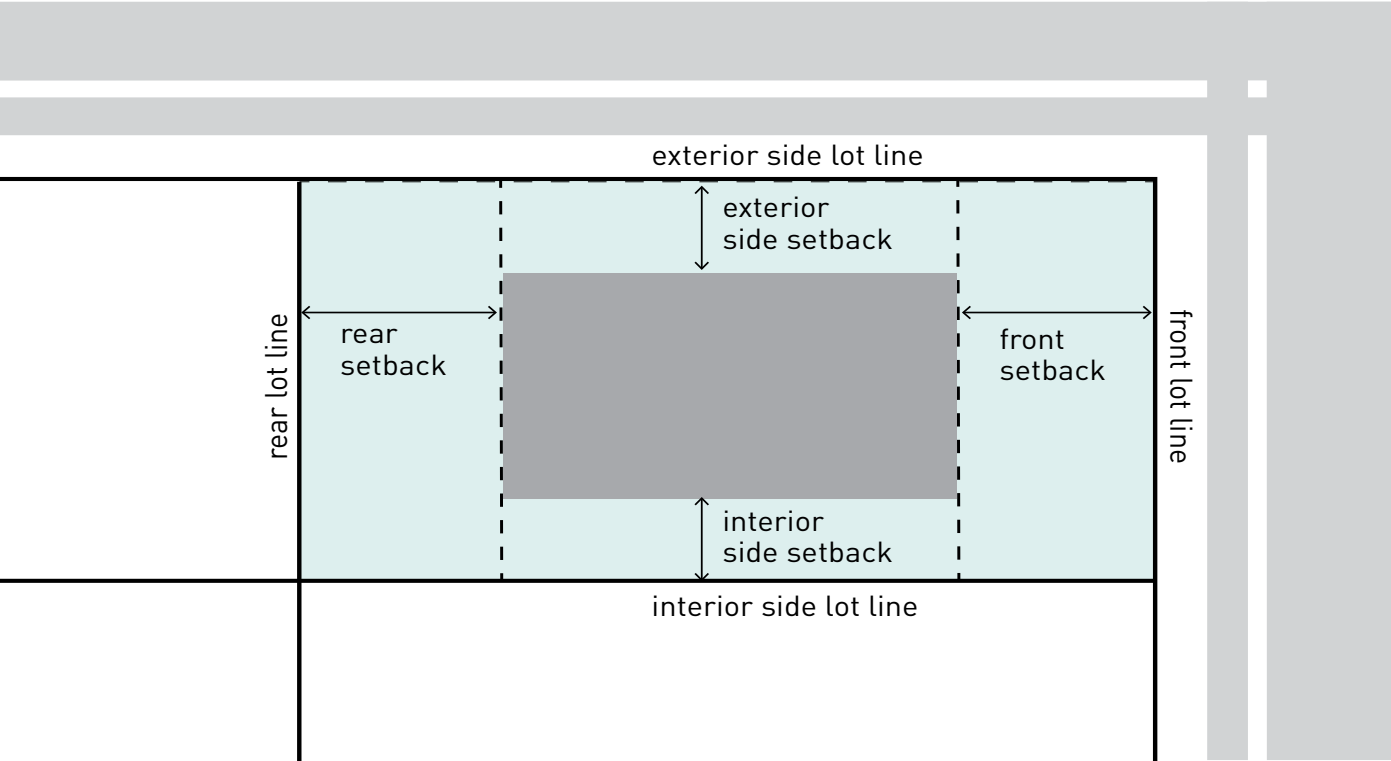


Diagram 14.8: Lot lines and setbacks on irregular lot

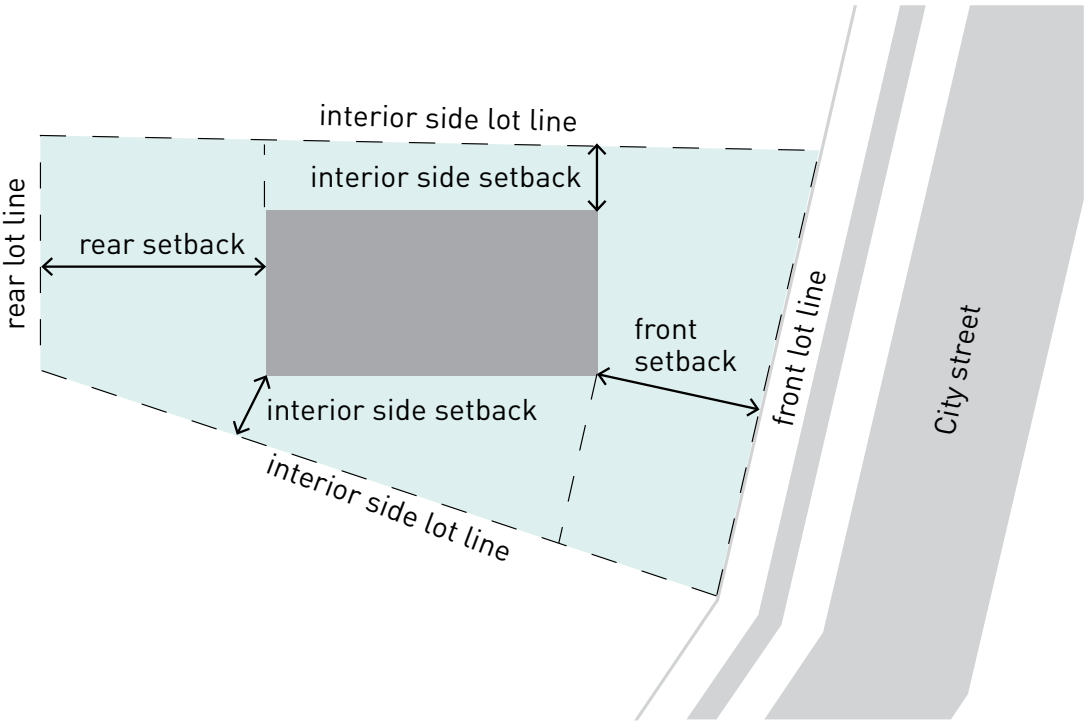


Diagram 14.9: Garage building face and livable building face

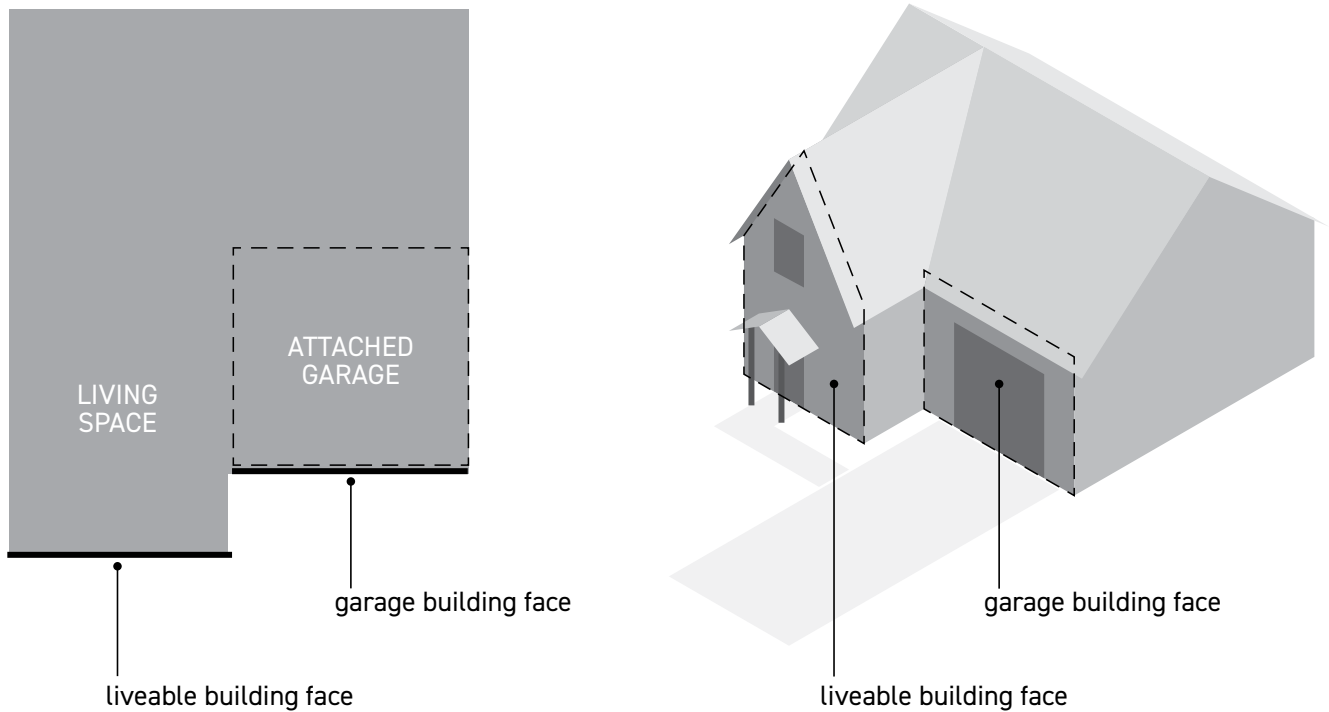


Diagram 14.10: Grade

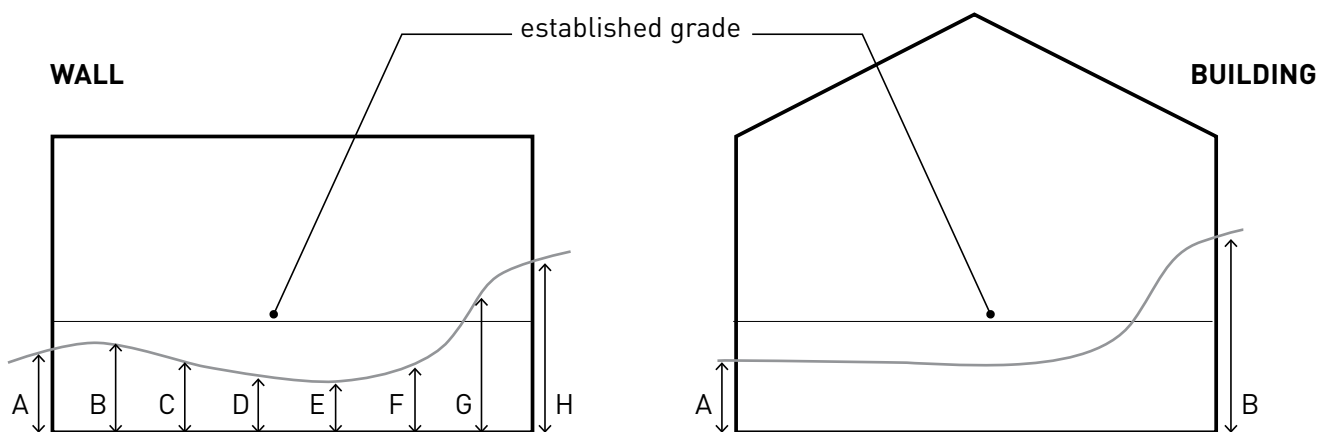


Diagram 14.11: Potential lots (i.e. inside or outside)

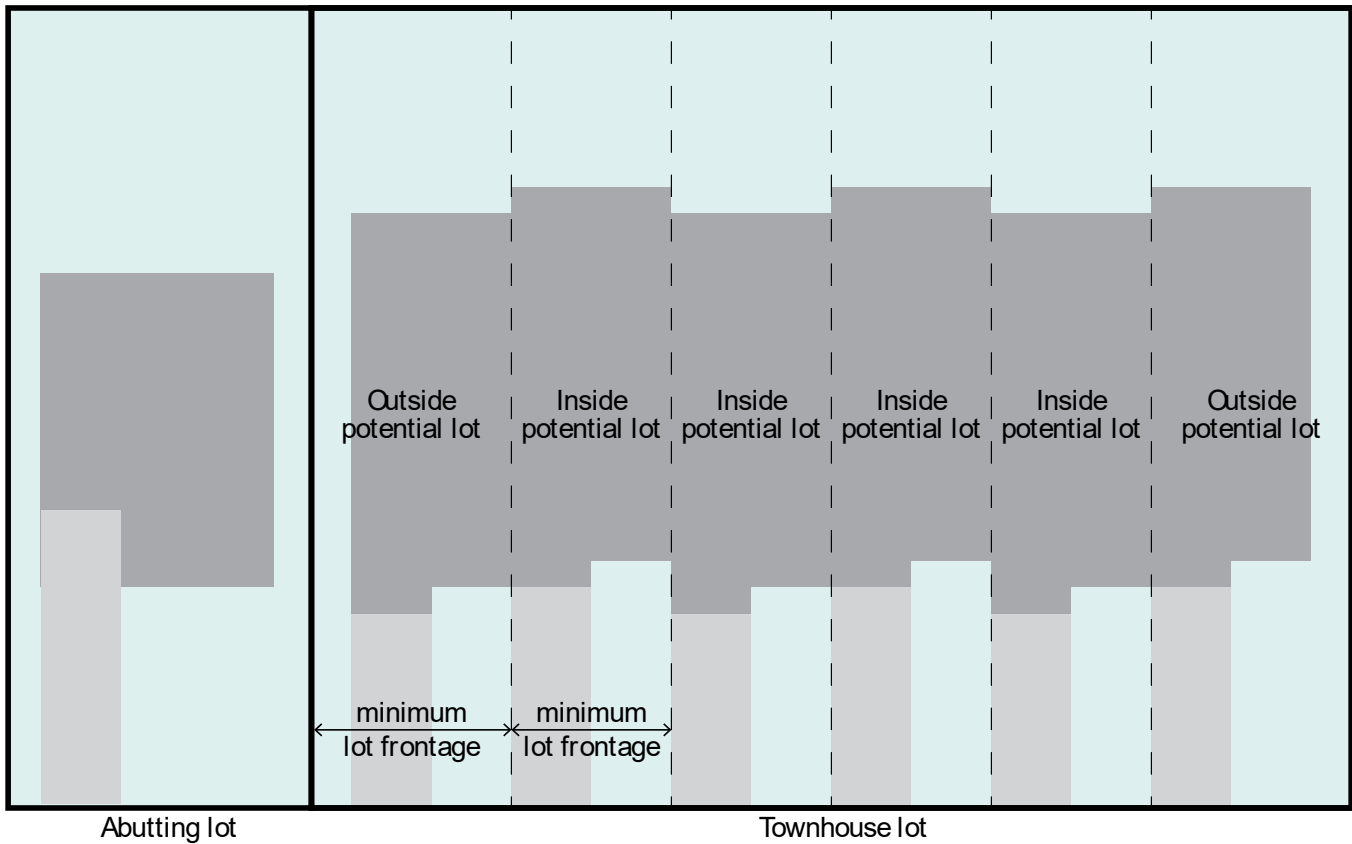
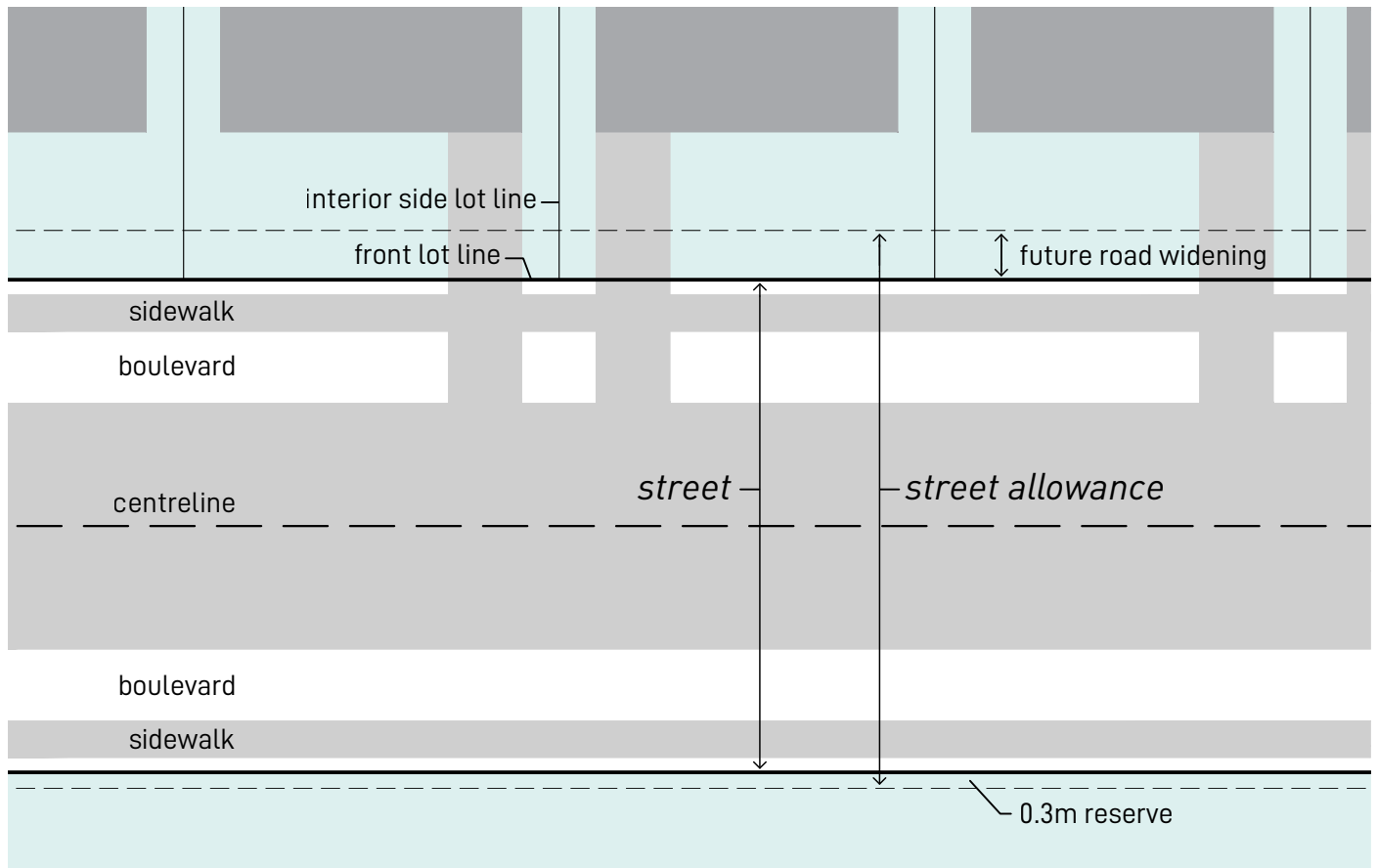


Diagram 14.12: Streets and street allowances



SECTION 14: DEFINITIONS

SECTION 15

GENERAL SCOPE AND ADMINISTRATION

15.1 Short title	165
15.2 Application of this By-Law	165
15.2.1 Lands subject to this By-Law	165
15.2.2 Compliance with this By-Law	165
15.3 Compliance with other legislation	165
15.4 Validity or severability	165
15.5 Effective date	165
15.6 Repeal of existing Zoning By-Law	165
15.7 Technical Revisions	165
15.8 Contents of this By-law	165
15.8.1 Regulations	165
15.8.2 Figures and tables	165
15.8.3 Maps	165
15.8.4 Diagrams and other reference aids	165
15.9 Administration	166

SECTION 15: GENERAL SCOPE AND ADMINISTRATION

15.1 Short title

The Short Title of this **By-law** is the “Zoning **By-law**”.

15.2 Application of this By-Law

15.2.1 Lands subject to this By-Law

The provisions of this **By-law** apply to all lands within the boundaries of the **Corporation** of the City of **Thunder Bay** as shown on the maps in Schedule ‘A’ of this **By-law**.

15.2.2 Compliance with this By-Law

A **building** or **structure** must not be erected or **altered**, and any change of use or occupancy of any **building**, **structure**, land, premises, or any part thereof must not be made except in compliance with the provisions of this **By-law**. All **uses** of land must be considered to be prohibited uses unless specifically permitted by this **By-law**.

15.3 Compliance with other legislation

Nothing in this **By-law** exempts any person from complying with the requirements of any other by-law of the City or any other government statute and/or regulation that may otherwise affect the **use** of land, **buildings**, or **structures**.

15.4 Validity or severability

A decision of a court of competent jurisdiction that any section, clause, or provision of this **By-law**, or anything contained in any Schedule of this **By-law** are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the **By-law** as a whole or any part thereof, other than the section, clause, provision or Schedule so declared to be invalid. All remaining sections, clauses, provisions or Schedules of this **By-law** remain in full force and effect until repealed, despite that one or more sections, clauses, provisions or Schedules thereof have been declared to be invalid.

15.5 Effective date

This **By-law** comes into force and takes effect on the **effective date**.

15.6 Repeal of existing Zoning By-law

By-law 100-2010 and all amendments thereto are repealed.

15.7 Technical Revisions

Technical revisions may be made to this **By-law** without the need for a Zoning By-law Amendment. Technical revisions include the following:

- a. changing section numbers or the order of text, provided that no sections are added or deleted;
- b. consolidating Council-approved amendments to this **By-law**;
- c. correcting clerical typographic, punctuation, grammatical, cross-referencing, or mapping errors which do not affect the intent or application of this **By-law**;
- d. re-wording provisions or re-illustrating figures or diagrams only for the purpose of clarification without changing the intent or purpose of the provisions, figures, or diagrams; or
- e. inserting footnotes or similar annotations to indicate the origin and approval of a provision.

15.8 Contents of this By-law

15.8.1 Regulations

A regulation is a provision within this **By-law** that prescribes any condition under which a permitted **use** on a **lot** is authorized. 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 has legal non-conforming status.

15.8.2 Figures and tables

Figures form part of this **By-law**. Tables form part of this **By-law** and specify regulations.

15.8.3 Maps

Schedule “A” forms a part of this **By-law** and is comprised of a series of maps which together form maps of Thunder Bay, with the **zone** labels applied to indicate geographic boundaries of **zones**.

15.8.4 Diagrams and other reference aids

Reference aids such as how to use this **By-law**, tables of contents, marginal notes, headers, footers, headings, and illustrations are included for convenience of reference only and do not form part of this **By-law**. For greater certainty, diagrams are to be used as examples to show the application of a regulation or definition, and cannot be construed to have general application beyond their context.

15.9 Administration

Administration of this By-law, in accordance with applicable law, is under the authority of the Corporation’s Director of Planning Services.

SECTION 16

INTERPRETATION, CLASSIFICATION, AND LIMITS OF ZONES

16.1 Interpretation	169	16.10.2 “Must” and “may”	171
16.2 Promotion of health, safety, and general welfare	169	16.10.3 Gender	171
16.3 Acting directly or indirectly	169	16.10.4 “Includes”	171
16.4 Text organization	169	16.10.5 All or any part of	171
16.5 Conflicts with other by-laws	169	16.11 Reference to legislation	171
16.6 Conflicting regulations	169	16.12 Use of tables	171
16.7 Permits	169	16.13 Use of short forms	171
16.8 Measurement tolerances:	170	16.14 Reference to land use area	172
16.9 Transition Provisions	170	16.15 Zone schedules	172
16.9.1 Building permit applications	170	16.15.1 Zones	172
16.9.2 Site plan approval applications	170	16.15.2 Environmental overlay	172
16.9.3 Minor variances	170	16.15.3 Site specific provisions	172
16.10 Word Usage	171	16.15.4 Holding provisions	172
16.10.1 Tense and plurality	171	16.16 Limits of zones	173
		16.17 Definitions	173

SECTION 16: INTERPRETATION, CLASSIFICATION, AND LIMITS OF ZONES

16.1 Interpretation

The interpretation rules set out in this Section 16 apply to all of the provisions of this **By-law**, unless the text expressly provides otherwise.

16.2 Promotion of health, safety, and general welfare

In the interpretation and application of the provisions of this **By-law**, the provisions are to be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience, amenity and general welfare, as it relates to land **use**.

16.3 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.

16.4 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, figures, and other elements.

16.5 Conflicts with other by-laws

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.

16.6 Conflicting regulations

Where regulations in this **By-law** conflict, the most restrictive regulation applies.

16.7 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 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.

16.8 Measurement tolerances:

Unless the text expressly provides otherwise, any measurement provided for in this **By-law** has a tolerance of plus or minus 0.05 m in the case of linear measurement, and/or plus or minus 0.5% in the case of area measurement.

16.9 Transition Provisions

Section 16.9 applies for three years from the **effective date**. Until such time, the following transitional provisions apply.

16.9.1 Building permit applications

Nothing in this **By-law** prevents the erection or **use** of a **building** or **structure** for which an application for a building permit was filed on or prior to the date this **By-law** was passed by Council, if the development in question complies, or the building permit application for the development is amended to comply, with the provisions of the applicable Zoning By-law as it read on the day before the **effective date** of this **By-law**. Once a permit has been granted, the provisions of this **By-law** apply in all other respects to the land in question.

16.9.2 Site plan approval applications

Nothing in this **By-law** prevents the erection or **use** of a **building** or **structure** for which a complete application for site plan approval under Section 41 of the Planning Act was filed on or prior to the **effective date** of this **By-law** provided that:

Such application complies, or the application for the said development is amended to comply, with the provisions of the applicable Zoning By-law as it read on the day before the **effective date** of this **By-law**; and

An application for a building permit for said development has been received and deemed complete by the Chief Building Official within three years of the **effective date** of this **By-law**.

16.9.3 Minor variances

Nothing in this **By-law** prevents the erection or **use** of a **building** or **structure** which is permitted by an application pursuant to Section 45 of the Planning Act which was made prior to the **effective date** of this **By-law** provided that:

Such application has been approved either by the Committee of Adjustment or, on appeal, by the Ontario Land Tribunal or its predecessor, before or after the **effective date** of this **By-law**; and

An application for a building permit for the erection or **use** of a **building** or **structure** has been received and deemed complete by the Chief Building Official within three years of the **effective date** of this **By-law**.

16.10 Word Usage

16.10.1 Tense and plurality

Words used in the present tense include the future tense; words used in the future tense include the present tense, words in the singular include the plural; words in the plural include the singular.

16.10.2 “Must” and “may”

The word “must” is to be construed as being always mandatory and requires full compliance. The word “may” is to be construed as being permissive.

16.10.3 Gender

Words imparting gender must be interpreted to refer to any gender, as applicable in the context.

16.10.4 “Includes”

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.

16.10.5 All or any part of

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”.

16.11 Reference to legislation

Where any legislation or portion thereof is referenced herein, it is intended that such references should be interpreted to include any subsequent legislation and related regulations, policies and guidelines that may amend or replace the specific statute.

16.12 Use of tables

Many of the regulations in this **By-law** are contained within tabular format. To use a table locate the applicable regulation in the first column of the table. Read across the table and locate the measurement or requirement in the same row as the applicable regulation. The measurement or requirement in that table cell is the one that applies to the regulation in the first column and to the permitted **use** to which the table applies.

16.13 Use of short forms

The notation ‘**GFA**’ means **gross floor area**, the notation ‘%’ means percent, the notation ‘m’ means metres, and the notation “m²” means square metres

16.14 Reference to land use area

Sections 1 through 10 comprise different land use areas that include one or more **zones**. A reference made to a land use area includes all **zones** within that land use area.

16.15 Zone schedules

16.15.1 Zones

The location, extent, and boundaries of all **zones** are shown on Schedule “A”.

16.15.2 Environmental overlay

The location, extent, and boundaries of the **environmental overlay** are shown on Schedule “A” with a shading over top of the underlying **zones**.

- a. The **Corporation** acknowledges that areas adjacent to floodplains, wetlands, talus slopes, and watercourses in **Thunder Bay** are under the jurisdiction of the Lakehead Region Conservation Authority (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 applied the **environmental overlay** to the maps.
- b. 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**.

16.15.3 Site specific provisions

The location, extent, and boundaries of site specific provisions are shown on Schedule “A” where a **zone** symbol is followed by the letters “SP” and a number in parentheses in superscript.

16.15.4 Holding provisions

The location, extent, and boundaries of holding provisions are shown on Schedule “A” where a **zone** symbol is followed by the letter “H” and a number in parentheses in superscript.

16.16 Limits of zones

When determining the boundary of any **zone** as shown on Schedule “A”, the following applies:

- a. A boundary indicated as following a **street, lane**, railway right-of-way, utility corridor, or watercourse will be the centre-line of the applicable feature and the applicable feature must be included within the **zone** of the adjoining **lot(s)** on the sides thereof.
- b. A boundary indicated as following **lot lines** on the **effective date** of this **By-law** or the municipal boundaries of the City must follow such **lot lines** or boundary.
- c. 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 is considered to be the **lot** boundary.
- d. The closure of a **street, lane**, or right-of-way that formed a **zone** boundary under Section 16.16 a) 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 is considered to be the centre line of the former **street, lane**, or right-of-way.
- e. Where any **zone** boundary is left uncertain after the application of the provisions of this Section, the boundary will be determined by the **Corporation’s** Director of Planning Services by scale. Where a measurement falls within a **zone** boundary line on any map, the measurement must be taken to be the middle of the width of the **zone** boundary line as shown on the relevant map.
- f. Where the Holding **zone** boundary is located on a **lot**, it is deemed to be a **lot line** for the purposes of this **By-law**.

16.17 Definitions

Wherever a term appears in the text of this **By-law** in bold letters, the term is intended to have the meaning set out for it in Section 14. Wherever a term 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.

SECTION 17

ENFORCEMENT & PENALTIES

17.1 Enforcement	177
17.2 Offences relating to use	177
17.3 Offences relating to change of use	177
17.4 Offences relating to regulations	177
17.5 Offences relating to interference	177
17.6 Penalty provisions	177

SECTION 17: ENFORCEMENT AND PENALTIES

17.1 Enforcement

This **By-law** may be enforced by any **Municipal Law Enforcement Officer**.

17.2 Offences relating to use

Use of any land, **building** or **structure** within a **zone** for a **use** that is not permitted within that **zone** is prohibited.

17.3 Offences relating to change of use

Any change of **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 of **use** is prohibited.

17.4 Offences relating to regulations

Undertaking 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 is prohibited.

17.5 Offences relating to interference

Interfering 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 is prohibited.

17.6 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.



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