

OFFICE CONSOLIDATION

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IF THE UPDATE SERVICE IS PROVIDED, IT IS SOLELY ON THE BASIS THAT THE CITY DOES NOT ACCEPT RESPONSIBILITY FOR THE TIMELINESS, COMPLETENESS OR ACCURACY OF THE INFORMATION PROVIDED.

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

BY-LAW 177-1983 EFFECTIVE DATE: MARCH 16, 1987

PASSED: JULY 26, 1983

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Special Notes:

-F SUFFIX Where a zone symbol on the zoning maps has an –F suffix, please refer to Section 5.24

-H SUFFIX Where a zone symbol on the zoning maps has an –H suffix, please refer to the site specific zoning by-law amendment

A By-law to Enact Zoning Regulations
for the City of Thunder Bay.

WHEREAS it is considered advisable and expedient to pass a new Restricted Area Zoning By-law pursuant to Section 39 of The Planning Act, R.S.O., 1980; and

WHEREAS it is considered advisable and expedient to repeal all previous By-laws passed pursuant to Section 39 of The Planning Act, R.S.O., 1980 or a predecessor thereof;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF THUNDER BAY ENACTS AS FOLLOWS:

SECTION 1 GENERAL

1.1 TITLE

This By-law shall be known as the "Zoning By-law" of The Corporation of The City of Thunder Bay.

1.2 APPLICATION

The provisions of this By-law shall apply to all lands within the boundaries of The City of Thunder Bay.

1.3 SCOPE

No lands shall be used and no buildings or structures shall be erected, altered, enlarged or used within The City of Thunder Bay except in conformity with the provisions of this By-law.

The provisions of this By-law are in addition to any other lawful requirements of the Corporation or of the Provincial or Federal Government.

1.4 EFFECTIVE DATE

This By-law shall come into force and take effect upon the approval hereto by The Ontario Municipal Board.

1.5 SPECIAL RELIEF PROVISION

The passage of By-law Number 177-1983 shall not operate to:

- (a) prevent the use of any land, building, or structure, for any purpose prohibited by the by-law if such land, building, or structure was lawfully used for such purpose on the effective date of this by-law, so long as it continues to be used for that purpose;

or

- (b) to prevent the erection or use for a purpose prohibited by the by-law of any building or structure for which a permit has been issued under Section 5 of the Building Code Act, prior to the effective date of this By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under Section 6 of the Building Code Act.

Amended by
B/L 188-1986

In addition, until such time that this By-law receives the approval of the Ontario Municipal Board, the use of land, building, or structure shall continue to be governed by such By-law or By-laws as would be applicable thereto had this By-law not been passed.

1.6 REPEAL OF EXISTING BY-LAWS

Amended by
B/L 188-1986

All By-laws in regard to zoning regulations as they apply to the City of Thunder Bay passed under Section 34 of the Planning Act or predecessors thereof prior to the date when this by-law comes into force, save and except by-laws which amend this By-law, are repealed when this by-law comes into force.

1.7 CONFLICT

Amended by
B/L 281-1989

In the event of any conflict within this By-law or any other By-law passed by The Corporation then the more restrictive provision shall prevail unless the context requires otherwise.

1.8 OFFICIAL PLAN CONFORMITY

This By-law is in accordance with the Official Plan for the City of Thunder Bay.

1.9 SCHEDULE 'A' AND SCHEDULE 'B'

Amended by
B/L 2-1986

1.9.1 SCHEDULE 'A'

Amended by
B/L 2-1986

Schedule 'A' to and forming part of this By-law shall include any addition or deletion of a zone or zone provision as the same relates generally to all lands within the City of Thunder Bay.

1.9.2 SCHEDULE 'B'

Amended by
B/L 2-1986

Schedule 'B' to and forming part of this By-law shall include:

- (a) any change of lands from one zone to another;
- (b) the zone regulations of this By-law as the same relates to specific lands described therein are varied to the extent set forth in this Schedule.

1.10 TOLERANCE PROVISION

Added by
B/L 2-1986

Any provision of this By-law which is followed by the words "metres, square metres, or hectares" shall be deemed to have a tolerance of plus or minus (\pm) 0.02 metres in the case of linear measurement and/or plus or minus (\pm) 200 parts per million in the case of area measurement unless specifically stated otherwise.

SECTION 2 ADMINISTRATION

2.1 VIOLATIONS AND PENALTIES

Amended by
B/L 2-1986

- (a) Any person who contravenes any of the regulations of this By-law is guilty of an offence and on conviction is liable:
 - i) on a first conviction to a fine of not more than \$20,000.00; and
 - ii) on a subsequent conviction to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which he was first convicted.
- (b) Any firm or corporate business who contravenes any of the regulations of this By-law is guilty of an offence and on conviction is liable;
 - i) on a first conviction to a fine of not more than \$50,000.00; and
 - ii) on a subsequent conviction a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the firm or corporation was first convicted.
- (c) Where a conviction is entered under subsection 2.1(a) of this By-law, an addition to any other remedy or any penalty provided by law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.

2.2 LICENCES AND PERMITS

No person is entitled to a permit, certificate or licence for a proposed use of land or a proposed alteration, erection, enlargement or use of any building or structure that is in violation of any provisions of this Bylaw. The issuance of any permit, certificate or licence shall not, however, constitute an acknowledgement that the regulations of this By-law have been complied with.

2.3 CERTIFICATE OF OCCUPANCY

No change may be made in the type of use of any lot covered by this By-law, or of any building, or structure on such lot, or of any part of such lot, building or structure, until a Certificate of Occupancy has been issued by The Corporation or its appointed Official, to the effect that the proposed use complies with this By-law.

SECTION 3 ZONES AND ZONING MAPS

3.1 ESTABLISHMENT OF ZONES

Amended by
B/L 20-1987

In the event that any lands within the City of Thunder Bay have not been included within a zone either by inadvertent or willful omission from the zoning maps or the text of this By-law, such land shall be deemed to be included within the Future Development [FD] Zone.

For the purpose of this By-law, the City of Thunder Bay is divided into the following defined areas herein referred to as zones.

<u>Section Number</u>	<u>Zone Name</u>	<u>Zone Symbol</u>
6	Rural Area Zone	RU
7	Rural Commercial Zone 1	RC1
8	Rural Commercial Zone 2	RC2
9	Residential Estate Zone	RE
10	Residential Suburban Zone	RS
11	Suburban Commercial Zone	SC
12	Residential One Unit Zone	R1
12A	Residential One Unit Zone A	R1A
13	Residential One & Two Unit Zone	R2
13A	Residential One & Two Unit Zone A	R2A
14	Residential Multiple Low Density Zone	RM1
15	Residential Multiple Medium Density Zone A	RM2A
16	Residential Multiple Medium Density Zone B	RM2B
17	Residential Multiple High Density Zone	RM3
18	Residential Mobile Home Park Zone	RMH
19	Residential Future Zone 1	RF1
20	Residential Future Zone 2	RF2
21	Cottage Residential Zone	CR
22	Neighbourhood Commercial Zone 1	NC1
23	Neighbourhood Commercial Zone 2	NC2
24	General Commercial Zone 1	GC1
25	General Commercial Zone 2	GC2
26	Commercial Shopping Centre Zone	CSC
27	Highway Commercial Zone	HC
28	Central Business District Zone	CBD
29	Special Purpose Commercial Zone	SPC
30	Future Industrial Zone	FI
31	Suburban Industrial Zone	SI
32	Light Industrial Zone	LI
33	Light Industrial Park Zone	LIP
34	Heavy Industrial Zone	HI

35	Extractive Industrial Zone	EI
36	Harbour Industrial Zone	HRI
37	Neighbourhood Institutional Zone	NIN
38	Community Institutional Zone	CIN
39	Major Institutional Zone	MIN
40	Open Space Zone	OS
41	Airport Zone	AIR
42	Utilities and Services Zone	US
43	Railway Zone	RR
44	Hazard Land Zone	HL
45	Future Development Zone	FD
46	Prestige Business Park Zone	PBP
Added by B/L 136-2000		
47	General Business Park Zone	GBP
Added by B/L 136-2000		

3.1a ZONE SYMBOLS WITH AN "F" SUFFIX

Added by
B/L 2-1986

Where any zone symbol in Section 3.1. hereof is suffixed by an (F) on the Zoning Map, the lands situate in that part of the Zone are designated as lands susceptible to flooding and the provisions of Section 5.24 hereof shall apply thereto in addition to all other provisions hereof applicable thereto.

3.2 USE OF SYMBOLS

Whenever the word 'zone' is used in this By-law preceded by any of the said symbols, such zone shall mean any area delineated on the Zoning Maps and designated thereon by the said symbol, or any area which may be otherwise described in this By-law.

3.3 INCORPORATION OF ZONING MAP

3.3.1 Boundaries of Zones

The location and boundaries of the zones established by this By-law are shown on the Zoning Maps forming part of this By-law.

3.3.2 Repealed by By-law 188-1986.

3.3.3 Special Zoning Regulations

Indicators in the form of arrows and circled numbers have been placed upon the Zoning Maps depicting lands which are subject to special zoning regulations. These indicators are also for illustration and information purposes, and also do not form part of this By-law.

3.3.4 Updating of Information

Amended by
B/L 188-1986

The Corporation hereby declares its intention that, because of the impracticality of doing otherwise, such information relating to Special Zoning Regulations shall not be updated or made current with individual changes thereto but only at such times as this By-law is consolidated.

3.4 INTERPRETATION OF ZONING MAPS

Where uncertainty exists with respect to the boundaries of the various zones as shown on the Zoning Maps, the following regulations shall apply:

3.4.1 Street, Lane, Right-of-way, or Watercourse:

Unless otherwise shown, a street, lane, railway right-of-way, electrical transmission line right-of-way, creek, or watercourse shall be included within the zone of the adjoining property on the sides thereof and where such street, lane, right-of-way, creek, or watercourse serves as a boundary between two or more zones, the centre line of such street, lane, right-of-way, creek, or watercourse shall be deemed to be the boundary between zones.

3.4.2 Lot Lines:

Where any zone boundary is not shown to be a street, lane, right-of-way, creek, or watercourse, and where the boundary approximately follows the limit of a parcel of land held in unity of ownership, at the date of passage of the relevant Zoning Map, such limit shall be deemed to be the zone boundary.

3.4.3 Closed Street, Lane, or Right-of-way:

In the event a street, lane, or right-of-way and or any portion thereof is closed, and where such street, lane, or right-of-way was a zone boundary, the new zone boundary shall be the former centre line of the closed street, lane, or right-of-way.

3.4.4 Scale from Zoning Maps:

Amended by
B/L 2-1986

Where any zone boundary is left uncertain after application of the provisions of Sections 3.4.1, 3.4.2, and 3.4.3 of this By-law, then the boundary shall be determined by the Chief Building Official by scale and where such measurement involves a zone line, it shall be made by reference to the middle of the width of the zone line shown on the Zoning Maps.

SECTION 4 DEFINITIONS

4.1 GENERAL

- (a) for the purpose of this By-law, the definitions and interpretations given in this Section shall govern;
- (b) in this By-law, the word "shall" is mandatory and not directory;
- (c) reference to Provincial Legislation shall mean Ontario Legislation, R.S.O., 1980, and includes the Act both as amended and revised from time to time or any legislation enacted in substitution therefor

Amended by
B/L 2-1986

4.2 ABATTOIR

Means the use of land, or building, or structure or part thereof, in which animals are slaughtered.

4.2a ABUT

Shall mean a lot line that has any point in common with another lot line that is not part of street line or lane.

Added by
B/L 2-1986

4.3 ACCESSORY

Means a use, or building, or structure subordinate that is incidental and exclusively devoted to the main use(s), building(s) or structure(s) located on the same lot.

Added by
B/L 57-2004

4.3a ADULT DAY CARE FACILITY

Means the use of land, building or structure or part thereof primarily for the purpose of providing temporary care and/or guidance for adults, for a continuous period not to exceed 24 hours.

Added by
B/L 132-2002

4.4 AGRICULTURE

Means the use of land, or building, or structure for any purpose of farming including horticulture, forestry, and animal husbandry, and without limiting the generality of the foregoing, shall include the use of land or buildings or structures for aviary, apiary, and livestock training purposes and the word 'agriculture' shall have a corresponding meaning.

4.5 AIRPORT

Means the use of land, or building, or structure for facilitating the landing and handling of aircraft and their passengers and freight and without limiting the generality of the foregoing, accessory uses may include ticket offices, restaurants, taverns, confections, luggage checking facilities, and parcel shipping facilities.

4.6 ALTER

When used with reference to a building or structure, means to change any one or more of the external horizontal or vertical dimensions of such building or structure or to change the exterior walls or roof thereof.

When used in reference to a lot, 'alter' means to change the location of any boundary of such lot.

4.6a ANIMAL SHELTER

Added by
By-law 33-2000

Means a building or part thereof wherein domestic pets are kept, treated or provided with medical care and which may include the boarding and/or impounding of such animals and/or facilities for the placement and/or adoption of such animals and which may also include a fenced compound for outdoor runs and a pet crematorium.

4.7 ANIMAL UNIT

Includes, without limiting the generality of the foregoing, one (1) cow, or one (1) horse, or one (1) swine, or one (1) sheep, or one (1) goat, or not more than 20 fowl.

4.8 ATTACHED BUILDING

- (a) when referring to an accessory building or structure, means attached horizontally with dependence for structural support or complete enclosure upon a division wall or walls shared in common with the main building on the same lot;
- (b) when referring to a main building, means attached horizontally with dependence for structural support or complete enclosure, upon a division wall or walls shared in common with another main building on the same lot or on an adjacent lot.

4.9 ATTIC

Means that portion of a building between the roof and the ceiling of the top storey.

4.10 AUTOMOTIVE GAS BAR

Amended by
B/L 2-1986

Means the use of land, or building, or structure where vehicle fuel (not including propane), or lubricants, are offered for sale but where no provision is made for the repair or maintenance of vehicles and shall not include any other automotive use specifically defined in this By-law. For the purpose of this definition, the sale of associated sundry items and the sale of prepared foods for consumption off the premises may be allowed in conjunction therewith provided the gross floor area devoted to the sale of such sundry items and prepared foods does not exceed 10.0 square metres.

4.11 AUTOMOTIVE SALES ESTABLISHMENT

Amended by
B/L 2-1986
B/L 281-1989

Means the use of land, or building, or structure for the display and sale of new or used motor vehicles, travel trailers, trailers, boats, mobile homes, or recreational vehicles, and may include servicing, maintenance, and repair of vehicles and the sale of parts, accessories and related products and the leasing or renting of vehicles but does not include any other automotive use specifically defined in this By-law.

4.12 AUTOMOTIVE SERVICE STATION

Amended by
B/L 2-1986
B/L 281-1989

Means the use of land, or building, or structure which includes facilities for the repair, maintenance, and storage of vehicles and where fuels, including propane not exceeding a storage capacity of 7,570 litres, lubricants, parts and accessories may be offered for sale but does not include any other automotive use specifically defined in this By-law. For the purpose of this definition, the sale of associated sundry items and the sale of prepared foods for consumption off the premises may be allowed in conjunction therewith provided the gross floor area devoted to the sale of such sundry items and prepared foods does not exceed 10.0 square metres.

4.13 AUTOMOTIVE WRECKING ESTABLISHMENT

Means the use of land, or building, or structure for the wrecking or dismantling of motor vehicles and for the storage and sale of scrap material, salvage and parts obtained therefrom, but shall not include any other automotive use specifically defined in this By-law.

4.14 BAKERY

Amended by
B/L 2-1986

Means a building or part thereof where baked goods are produced for wholesale or retail distribution and which may include an accessory retail store not exceeding ten (10) percent of the gross floor area or 185.0 square metres, whichever is the lesser.

4.15 BALCONY

Amended by
B/L 244-1987

Means a structure without a roof attached to and extending horizontally from the wall or walls of a main building, and having no separate foundation on the ground to hold it erect, having direct access from the interior of the said building and no direct access to the ground, the floor of which is greater than 0.6 metres above finished grade.

4.16 BANK

Includes an institution where money is deposited, kept, lent, or exchanged.

4.17 BASEMENT

Amended by
B/L 2-1986

Means that portion of a building between two floor levels, which is partly underground. A basement shall be counted as a storey, if the vertical distance between the ceiling and the finished grade level of the adjoining ground is 1.83 metres or more.

4.17a BED AND BREAKFAST

Added by
B/L 55-1994

Means a dwelling unit, situated in a single detached, semi-detached or duplex dwelling, in which not more than three (3) bedrooms or one (1) less than the total number of bedrooms in the dwelling unit, whichever is the lesser, are used to provide overnight accommodation, for profit or gain, with or without meals, to the travelling or vacationing public

4.18 BEER STORE

Means the use of land, or building, or structure, or part thereof in which beer is offered or kept for sale at retail.

4.19 BODY REPAIR SHOP

Means the use of land, or building, or structure for the body repair and painting of vehicles.

4.20 BODY-RUB PARLOUR

Includes any premises or part thereof where a body-rub is performed, offered or solicited in pursuance of a trade, calling, business, or occupation, but does not include any premises or part thereof where the body-rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licenced, or registered under the laws of the Province of Ontario.

4.21 BUFFER STRIP

Amended by
B/L 7-2005

Includes a continuous area of land planted with shrubs, bushes, trees, or other vegetation planted and maintained in a manner that will serve to effectively screen, isolate, conceal, or seclude object, things, places, or people on a year-round basis.

4.22 BUILDING

Means a structure having a roof supported by columns or walls and used for the accommodation or storage of persons, animals, goods, materials, or equipment.

4.23 BUILDING SUPPLY OUTLET

Means the use of land, or building, or structure for the storage of wood and other building supply products for the purpose of wholesale or retail trade and may include accessory facilities for the custom cutting of the wood products.

4.24 BULK FUEL DISTRIBUTION STATION

Means the use of land, or building, or structure for the bulk surface storage of propane and the bulk underground storage of petroleum, petroleum products, chemicals, gases, or similar products for the wholesale or retail distribution thereof.

4.25 BULK FUEL STORAGE FACILITIES

Means the use of land, or building, or structure for the bulk surface or underground storage of propane, petroleum, petroleum products, chemicals, gases or similar products, but shall not include facilities for the retail sale thereof.

4.26 BUS DEPOT

Means the use of land, or building, or structure where commercial motor vehicles pick up and discharge fare paying passengers, and without limiting the generality of the foregoing accessory uses may include, ticket offices, restaurants, confections, luggage checking facilities, parcel shipping facilities, storage facilities for the parking of the vehicles and ancillary offices.

4.27 CABINS

Means two or more buildings in which facilities with or without private cooking facilities are provided for transient lodgers who have a principal residence elsewhere.

4.28 CARPORT

Amended by
B/L 204-1992

Means a covered parking area, the perimeter of which shall remain at least 40% unenclosed, which is designed or intended to be used for the parking or temporary storage of vehicles and/or household articles and for the purpose of this By-law shall be deemed to be part of the main building and which shall have minimum interior dimensions adequate to accommodate a minimum of one (1) required parking space.

4.29 CAR RENTAL AGENCY

Means the use of land, or building, or structure where motor vehicles are kept for lease and where such vehicles may be dropped off or picked up.

- 4.30 CAR WASH
- Means the use of land, or building, or structure for the washing and cleaning of motor vehicles but shall not include any other automotive use specifically defined in this By-law.
- 4.31 Repealed by By-law 2-1986
- 4.32 CEMETERY
- Amended by
B/L 2-1986 Means the use of land, or building, or structure for the burial of the dead including columbariums, crematories, mausoleum, and mortuaries when operated in conjunction with and within the boundary of such land.
- 4.33 CERTIFIED APPRAISER
- Means a real estate appraiser who is an Accredited Appraiser of the Canadian Institute or a similar institution recognized in Ontario.
- 4.34 COMMERCIAL PARKING LOT
- Means an open area other than a street or lane or parking structure, used for the parking of motor vehicles and available for public and/or private use whether or not for compensation. A commercial parking lot shall include three (3) or more parking spaces together with aisles and shall have principal access to a street and shall for the purpose of this By-law, constitute a main use of the lot.
- 4.35 COMMERCIAL PARKING STRUCTURE
- Includes a partially open and/or enclosed area other than a street or lane used for the parking of motor vehicles. A commercial parking structure shall include three or more parking spaces together with aisles and shall have principal access from a driveway to a street and shall for the purpose of this By-law, constitute a main use of the lot.
- 4.36 COMMERCIAL SCHOOL
- Means a school other than an educational institution where instruction is provided for gain or profit, to pupils of any age.
- 4.37 COMMERCIAL VEHICLE
- Amended by
B/L 2-1986 Means a vehicle, other than a private vehicle, licenced for a gross vehicle weight of 11,000 kilograms or greater and shall include a trailer, other than a travel trailer, having an overall length of 5 metres or greater.
- 4.38 COMMERCIAL ZONE
- Includes any zone that has the word "Commercial" in the zone title.
- 4.39 COMMITTEE OF ADJUSTMENT
- Means the Committee of Adjustment of the City of Thunder Bay.
- 4.39a COMMUNITY BAKE SHOP
- Added by
B/L 2-1986 Means a retail store which sells baked good which may be made on or off the premises and which may be consumed on or off the premises and which does not exceed a gross floor area of 185.0 square metres and shall not include a Bakery.

- 4.40 COMMUNITY CENTRE
- Means the use of land, or building, or structure used for community activities of a social, cultural, recreational or philanthropic nature and operated on a non-profit basis, but does not include any use specifically defined in this By-law.
- 4.41 COMMUNITY CLINIC
- Amended by
B/L 2-1986
- Means the use of land or buildings or structures for the professional practise of four or more medical doctors, dentists, and/or drugless practitioners for the purpose of consultation, diagnosis, or treatment and may include therein a pharmacy, an optical dispensary, x-ray and laboratory facilities and other similar facilities located in the same building or buildings therewith.
- 4.42 CONCRETE FOUNDATION
- Means the base of a building, or structure which is comprised of poured concrete but shall not include sona tubes.
- 4.43 CONSERVATORY
- Means the use of land, or building, or structure in which plants, trees and vegetation are viewed by the public whether or not for compensation.
- 4.44 CORNER LOT
- See Lot, Corner.
- 4.45 CORPORATION
- Means The Corporation of The City of Thunder Bay.
- 4.46 COUNCIL
- Means the Council of The Corporation of The City of Thunder Bay.
- 4.46a CRAFTSPERSON
- Added by
B/L 2-1986
- Means a person who produces a finished product within a dwelling or a building or structure accessory to a dwelling and without limiting the generality of the foregoing, may include an artist, a sculptor, a potter, a weaver, a seamstress, a knitter.
- 4.47 CRISIS RESIDENCE
- Amended by
B/L 2-1986
- Means a residence that is licensed or funded under an Act of the Parliament of Canada or Province of Ontario for the short term accommodation of over three persons of up to one month in duration and/or is funded and/or licensed under the Charitable Institutions Act or the Ministry of Correctional Services Act, with such persons living under Supervision in a single housekeeping unit and who by reason of their emotional, mental, social or physical condition, or legal status, require a group living arrangement for their well being.
- 4.48 CROWN AGENCY
- Means a board, commission, railway, public utility, university, manufactory, company, or agency owned, controlled, or operated by Her Majesty in right of Ontario or Canada or by the Government of Ontario or under the authority of the Legislature or the Lieutenant Governor in Council, or by the Government of Canada.

- 4.49 DAY NURSERY
- Amended by
B/L 132-2002 Means the use of land, building or structure or part thereof that is licensed by the Province of Ontario primarily for the purpose of providing temporary care and/or guidance for more than five (5) children, for a continuous period not to exceed 24 hours.
- 4.49a DECK
- Added by
B/L 244-1987 Means a structure without a roof having a foundation to hold it erect, and attached to or abutting one or more walls of a building or constructed separate from a building, with or without direct access to the ground, the floor of which is greater than 0.6 metres above finished grade, and which is designed and intended for use as a sundeck, but shall not include a landing or a stair.
- 4.50 DETACHED
- Means a building or structure which is not dependent on any other building or structure for structural support or enclosure.
- 4.51 DOUBLE-WIDE MOBILE HOME
- See Dwelling, Mobile Home Double Wide.
- 4.52 DRIVE-IN THEATRE
- Means an outdoor theatre where films are viewed by the public from a vehicle and may include accessory refreshment stands.
- 4.52a DRIVEWAY
- Added by
B/L 2-1986 Means a vehicular access from a street or lane to a commercial or private parking area.
- 4.53 DRUGLESS PRACTITIONER
- Means a person who practices or advertises or holds himself out in any way as practicing the treatment of any ailment, disease, defect, or disability of the human body by manipulation, adjustment, manual, or electro-therapy, or by any similar method.
- 4.54 DRUGSTORE
- Means a retail outlet which among other things sells pharmaceutical supplies and associated sundry items.
- 4.55 DRY-CLEANING DEPOT
- Means a building or part thereof used for the purpose of receiving and distributing articles or goods or fabrics to be drycleaned, dyed, cleaned, or pressed off the premises.
- 4.56 DRY-CLEANING PLANT
- Means a building or part thereof used for the purpose of receiving and distributing articles or goods or fabrics to be drycleaned, dyed, cleaned, or pressed on the premises.

4.57 DWELLING

Means a building containing one or more dwelling units.

4.58 DWELLING UNIT

Amended by
B/L 2-1986

B/L 056-2006

Means one or more rooms designed or intended for use by one or more individuals as an independent and separate housekeeping establishment in which separate cooking, sleeping, and sanitary facilities are provided for the exclusive use of such individual(s) with a private entrance from outside the building or from a common hallway or stairway inside the building but shall not include a hotel, motel, Residential Care Facility or any other use not specifically listed and defined in Section 4.59 of this By-law.

4.59 DWELLING TYPES

(a) Apartment Dwelling:

Means a dwelling other than a townhouse dwelling, a lodging house or a converted dwelling, and containing three or more dwelling units located on a single lot, such lot being held under unity of ownership or under condominium ownership pursuant to The Condominium Act.

Added by
B/L 91-2003

(a)(i) Accessory Apartment

Means one self-contained dwelling unit located within and accessory to a single detached dwelling.

(b) Cottage Dwelling:

Means a single detached dwelling not intended for occupancy on a year round basis and where the occupant of such dwelling has a principal residence elsewhere.

(c) Converted Dwelling:

Added by
B/L 65-1989

Amended by
B/L 2-1986

Means a building constructed as a single detached dwelling prior to January 1, 1945 which has a minimum gross floor area of 140.0 square metres and a minimum height of one and one half (1½) storeys on April 27, 1982 and which has been altered or otherwise converted to contain therein more than one dwelling unit.

4.59 (c)a DOUBLE DUPLEX DWELLING

Added by
B/L 2-1986

Means a building consisting of two duplex dwellings which are attached together in whole or in part, either above and/or below grade and divided vertically from each other by a party wall in which each duplex dwelling has a private independent entrance directly from a yard.

(d) Duplex Dwelling:

Means a dwelling other than a semi-detached dwelling, a townhouse dwelling, a lodging house dwelling, or a converted dwelling, containing two dwelling units located on a lot, such lot being held under unity of ownership or under condominium ownership pursuant to The Condominium Act.

Added by
B/L 185-2002

(e) Garden Suite:

Means a one-unit detached dwelling that is ancillary to an existing single detached dwelling located on the same lot therewith and that is designed to be portable.

(f) Group Townhouse:

Means three or more dwelling units which are attached together in whole or in part above and/or below grade and divided vertically from each other by a party wall in which each unit has a private independent entrance directly from a yard, the said dwellings being located on a single lot and being held under unity of ownership or under condominium ownership pursuant to The Condominium Act.

(g) Lodging House:

Means a single detached dwelling occupied and used by the owner of such dwelling as his principal residence, together with more than three bedrooms in the dwelling providing accommodation with or without meals for gain or profit and which said bedrooms contain no cooking or sanitary facilities.

(h) Mobile Home, Double-Wide:

Amended by
B/L 2-1986

Means a factory built dwelling unit designed as one dwelling unit, transported or designed to be transported in two or more separate sections each in its own chassis and joined together to form one (1) dwelling unit and placed on a permanent foundation with or without a basement and connected or designed to be connected to public utilities but shall not include a single-wide mobile home or travel trailer.

(i) Mobile Home, Single Wide:

Means a factory built dwelling unit designed as one dwelling unit, having a floor area of not less than sixty-five (65) square metres, transported or designed to be transported on its own chassis, notwithstanding that its running gear is nor may be removed, placed, or designed to be placed on a permanent foundation, and connected or designed to be connected to public utilities, but shall not include a double-wide mobile home or a travel trailer.

(j) Repealed by By-law 2-1986

(k) Semi Detached Dwelling:

Means two dwelling units which are attached together in whole or in part, either above and/or below grade and divided vertically from each other by a party wall in which each unit has a private independent entrance directly from a yard.

(l) Senior Citizen Dwelling:

Means an apartment or townhouse dwelling providing accommodation for persons with an average age of 60 years and over in each dwelling unit and with such apartment or townhouse dwelling developed and operated by a charitable or non-profit organization recognized as such either by method of incorporation or by the Provincial or Federal Governments or a combination thereof.

(m) Single Detached Dwelling:

Means one dwelling unit which is freestanding and detached from other main buildings or structures on a lot and shall include a double-wide mobile home but shall not include a single-wide mobile home.

(n) Street Townhouse:

Means one of a group of not less than three (3) dwelling units which are attached together in whole or in part above and/or below grade and are divided vertically from each other by a party wall and in which each unit has a private independent entrance directly from a yard with each unit on a separate lot.

4.60 EDUCATIONAL INSTITUTION

Means a school under the jurisdiction of a Board as defined in The Education Act, a college of applied arts and technology, a university, and a nursery school, and shall include a private school under the jurisdiction of a private board of trustees or governors, a religious organization or a charitable institution, but shall not include a commercial school operated for gain or profit.

4.61 EFFECTIVE DATE

This By-law shall come into force and take effect upon the approval hereto by The Ontario Municipal Board.

4.62 ELECTRIC POWER DISTRIBUTION STATION

Amended by
B/L 2-1986

Means the use of land, or building or structure for the purpose of reducing electric power from one distribution level to another.

4.63 ELECTRIC POWER GENERATING STATION

Amended by
B/L 015-2007

Means the use of land, or building or structure or part thereof for the generation of electric power and may include a solar farm, a wind farm, a co-generation facility or other methods of generating electricity.

4.64 ELECTRIC POWER MAIN TRANSFORMER STATION

Amended by
B/L 2-1986
Amended by
B/L 015-2007

Means the use of land, or building or structure to convert power to a distribution voltage.

4.65 EQUIPMENT RENTAL ESTABLISHMENT

Means the use of land, or building, or structure for the purpose of renting equipment and household wares and the sale of such equipment and wares when no longer used for rental purposes.

4.66 ERECT

Means build, rebuild, construct, reconstruct, alter, locate, or relocate and without limiting the generality of the foregoing, shall include any preliminary physical operations preparatory to construction or reconstruction such as excavating, grading, piling, cribbing, filling, drainage, or structurally altering any existing building or structure by an addition, deletion, enlargement, or extension or any other work which requires a building permit.

4.67 ESTABLISHED GRADE

See Finished Grade.

- 4.68 EXISTING OR EXISTED
Means in existence on the effective date of this By-law.
- 4.69 EXTERIOR SIDE LOT LINE
See Lot Line, Exterior Side.
- 4.70 FAIRGROUNDS
Means the use of land, or building, or structure where the temporary exhibition of music, art, goods, wares, vehicles, and the like are displayed and made available for sale and shall include a midway and a place of amusement.
- 4.71 FINISHED GRADE
Amended by B/L 2-1986 Means the average of the proposed or finished ground adjoining each exterior wall of a building or structure.
- 4.72 FIRST STOREY
See Storey, First.
- 4.72a FITNESS CENTRE
Added by B/L 035-2005 Means a use of land building or structure in which fitness and athletic facilities are provided, including but not limited to: exercise equipment, exercise programs and/or physical fitness consultation, and may include accessory uses such as a retail store, office, lounge, health food shop and juice bar.
- 4.73 FISH PROCESSING PLANT
Means the use of land, or building, or structure where fish may be cleaned, preserved, frozen, or canned and made available to the public at wholesale or retail.
- 4.73a FLOODPROOFED
Added by B/L 2-1986 Means that all openings of buildings shall be above the Regional Flood Elevation as fixed from time to time pursuant to the Conservation Authorities Act and the Regulations thereunder.
- 4.73b FLOOR SPACE INDEX
Added by By-law 136-2000 Means the gross floor area, in square metres, divided by the area of the lot, in square metres.
- 4.74 FLYING SCHOOL
Means a school other than an educational institution where aviation instruction is provided for gain or profit.
- 4.75 FOOD STORE
Amended by B/L 188-1986 Means a retail business, with a minimum gross floor area of 275.0 square metres, selling food and associated small household items.
- 4.76 FRATERNAL ORGANIZATION
Amended by B/L 056-2006 Means the use of land, building or structure for non-government, non-profit, non-commercial, social, cultural, recreational, or welfare programs, which do not include overnight accommodation.
- 4.77 FRONT LOT LINE
See Lot Line, Front.

- 4.78 FRONT YARD
- See Yard, Front.
- 4.78a FUELING SPACE
- Added by
B/L 2-1986 Means a portion of an automotive gas bar or automotive service station which may be used for the temporary parking of one motor vehicle while refuelling.
- 4.79 FUNERAL HOME
- Means the business premises of an undertaker or funeral director whether or not the same includes a crematorium or a school of instruction in embalming for preparation for burial of human remains and which may include a residence for the owner or caretaker provided such residence is located in the same building therewith.
- 4.79a FURNITURE SHOWROOM
- Added by
B/L 2-1986 Means a retail store exceeding a gross floor area of 460.0 square metres where furniture is displayed, stored and offered for sale.
- 4.80 GOLF COURSE
- Means the use of land, or building, or structure for the purpose of playing golf and includes a driving range, a miniature golf course, putting greens, and accessory uses such as a pro shop, a restaurant, and a tavern.
- 4.81 GOVERNMENT BUILDING
- Means the use of a building or structure by a Crown Agency, or any Municipal Government or Local Board.
- 4.82 GREENHOUSE
- Means a building or structure or part thereof where trees, shrubs or plants are grown and/or sold.
- 4.83 GROSS FLOOR AREA
- Means the aggregate area of all storeys measured from the exterior faces of the exterior walls.
- 4.84 GROSS RETAIL FLOOR AREA
- Means the gross floor area designed for the occupancy and exclusive use of the owner and/or tenant including storage areas on the ground floor but excluding storage area in basements, mezzanines, upper floors and outdoor areas.
- 4.85 GROUND FLOOR AREA
- Means the floor area of the first storey of a building measured from the exterior faces of the exterior walls.
- 4.86 GROUP RESIDENCE
- Amended by
B/L 2-1986 Means a residence that is licensed or funded under an Act of the Parliament of Canada, or Province of Ontario, for the accommodation of over ten persons, exclusive of staff or receiving family, living under supervision in a single house-keeping unit and who by reason of their emotional, mental, social, or physical condition, or legal status, require a group living arrangement for their well-being and shall not include a crisis residence.

- 4.87 HARBOUR LINE
- Amended by
B/L 2-1986 Means a lot line or portion thereof which abuts Lake Superior.
- 4.88 HEAVY INDUSTRIAL USE
- Means an industrial use which by reason of the process involved or the method of manufacture or the nature of the material or goods used, produced, or stored is likely to cause by reason of gas or fumes, dust, objectionable odour, noise or vibration, or unsightly storage of goods, wares, merchandise, salvage, junk, waste or other material, a condition which prejudices the character of the neighbourhood or interferes with or may interfere with the normal enjoyment of any land, building or structure.
- 4.89 HEIGHT
- Amended by
B/L 2-1986 Means the vertical distance measured from the finished grade of the lot level to the highest point of a building or structure.
- 4.90 HEREAFTER
- Means after the effective date of this By-law.
- 4.91 HEREIN
- Means anywhere in this By-law.
- 4.92 HEREOF AND HERETO
- Means of this By-law, and to this By-law, respectively.
- 4.93 HIGHWAY, STREET, ROAD
- See Street.
- 4.94 HISTORIC PARK
- Means all lands occupied by Old Fort William.
- 4.95 HOME OCCUPATION
- Amended by
B/L 2-1986 Means an occupation conducted for gain or profit as a secondary use within a dwelling unit or within a building or structure accessory to a dwelling unit.
- 4.96 HORIZONTALLY ATTACHED
- Means attached at right angles to a vertical plane.
- 4.97 HOSPITAL
- Means the use of land, or building, or structure for the treatment of persons affected with or suffering from sickness, disease, or injury or for the treatment of convalescent or chronically ill persons that is approved under The Public Health Act and shall include a Private Hospital and a Sanitorium. In addition accessory uses may be permitted and without limiting the generality of foregoing may include a heliport, a coffee shop, a gift shop and other related uses.
- 4.98 HOTEL
- Means a building, part of a building, or a group of buildings in which guest rooms are provided for transient lodgers, with or without private cooking facilities and which may include dining and other public rooms.

4.99 INDUSTRIAL CENTRE

Amended by
B/L 2-1986

Means a group of two or more uses permitted in the zone which are conceived, designed, developed and managed as an interdependent and interrelated unit whether by a single owner or tenant or by a group of owners or tenants acting in collaboration.

4.100 INDUSTRIAL USE

Means the use of land, or building, or structure for one or more of the following operations:

- (a) the carrying on of any process of manufacture whether or not a finished article results therefrom;
- (b) the dismantling and separating into parts of any article, machinery, or vehicle;
- (c) the breaking up of any articles, goods, machinery, or vehicles;
- (d) the treatment of waste materials;
- (e) the processing of sand, gravel, clay, turf, soil, rock, stone, or similar substances, but not the extraction thereof;
- (f) the repairing and servicing of all vehicles, machinery, and buildings;

and may include:

- i) the storage of goods in connection with or resulting from any of the above operations;
- ii) the provision of amenities for persons engaged in such operations;
- iii) the sale of goods resulting from such operations; and
- iv) any work of administration or accounting in connection with the undertaking;

but does not include a Home Occupation or any use specifically defined elsewhere in this By-law.

4.101 INDUSTRIAL ZONE

Includes any zone that has the word "Industrial" in the zone title.

4.102 INTERIOR LOT

See Lot, Interior.

4.103 INTERIOR SIDE LOT LINE

See Lot Line, Interior Side.

4.104 INSTITUTIONS OF CULTURE

Means the use of land, or building, or structure for the promotion or provision of facilities for the Arts and without limiting the generality of the foregoing, includes theatres with live performances, museums, art galleries, and concert halls and which may include facilities for the serving of meals, refreshments (alcoholic or nonalcoholic) and the sale of retail articles when associated with the main use.

4.105 INSTITUTIONAL ZONE

Includes any zone that has the word "Institutional" in the zone title.

- 4.106 KENNEL
- Means the use of land, or building, or structure where dogs and/or cats and/or similar domestic pets are bred and/or raised and/or boarded or sold or kept for sale.
- 4.106a LANDING
- Added by
B/L 244-1987
- (a) Means a platform with or without a roof having an area not exceeding 2.2 square metres and extending horizontally from the wall of a building no more than 1.25 metres, adjacent to a door and providing direct access to the ground or a stair.
- (b) Means a platform without a roof having an area not exceeding 2.2 square metres and being situated between flights of stairs.
- 4.107 LANDSCAPED OPEN SPACE
- Amended by
By-law 136-
2000
- Means an open area of land which is unoccupied by any buildings or structures, which is situated at grade level on a lot and which is used or intended to be used for the growth and maintenance of grass, flowers, shrubs, bushes, trees, and other vegetation and shall not include surfaced walkways and patios, retaining walls or any other hard landscaped feature, or driveway or parking area regardless of composition, roof-top terrace, or space enclosed within a building.
- 4.108 LANE
- Means a public thoroughfare owned by the municipality, an emergency access route or any other passageway or right-of-way which provides vehicular access to the general public to a street.
- 4.108a LABORATORY
- Amended by
B/L 13-2005
- Means the use of premises not providing services directly to the public for the provision of analytical, research or testing services, including biotechnologies, and energy and environmental technologies. Biotechnologies may include life sciences, biopharmaceuticals and medical devices. Energy and environmental technologies may include batteries and fuel cells, and mining and forestry technology.
- 4.109 LAUNDROMAT
- Means a self-serve, coin operated clothes washing establishment containing one or more washers, dryers, irons, or other incidental equipment.
- 4.110 LIBRARY
- Means a library, branch library, or library distributing station that is approved under The Public Libraries Act.
- 4.111 LIGHT INDUSTRIAL USE
- Means any industrial use in which the building or the structure thereby occupied or employed, the processes carried on, the material used or stored, the machinery employed, and the transportation of materials, goods and commodities to and from the premises will not cause injury to or prejudicially affect the amenity of the locality by reason of the appearance of such building, structure, or materials, or by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste paper, waste products, grit, or oil.
- 4.112 LIQUOR STORE
- Means the use of land, or building, or structure or part thereof in which liquor and/or wine and/or beer is offered or kept for sale at retail.

4.113 LOADING SPACE

Means a space or bay located on a lot which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise, or materials used in connection with the main use of the lot and which has an unobstructed principal or secondary access.

4.114 LOCAL BOARD

Means any school board, public utility commission, transportation commission, public library board, board of park management, board of health, board of commissioners of police, planning board, or any other board, commission, committee, body, or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes of a municipality or of two or more municipalities or portions thereof.

4.114a) LONG-TERM CARE FACILITY

Added by
B/L 239-2002

Amended by
B/L 056-2006

Means a building that is licensed or funded under an Act of the Parliament of Canada, or Legislature of Ontario wherein meals, personal care, nursing services, and/or medical care and/or treatment are provided for gain or profit or as a charity or public service, but does not include a hospital, residential care facility, or a retirement residence as defined herein.

4.115 LOT

Amended by
B/L 188-1986

Means a parcel of land which is capable of being legally conveyed pursuant to Section 49 of The Planning Act.

4.116 LOT AREA

Means the total horizontal area within the lot lines of a lot.

4.117 LOT, CORNER

Amended by
B/L 2-1986
B/L 281-1989

Means, in the case of a lot having three or more lot lines, a lot which is situate at the intersection of and abutting on two street allowances or on two parts of the same street allowance which contain an angle of intersection of 135 degrees or less. The angle of intersection shall be determined at the point where the lot lines or projection thereof abutting the street allowance or street allowances intersect. The corner point of a lot shall be the point of intersection or the point nearest to the point of intersection of the projection of the front lot line and the exterior side lot line.

4.118 LOT COVERAGE

Amended by
B/L 051-2007

Means that percentage of the total lot area covered by buildings, structures, or open storage uses, including accessory buildings, storage containers or structures that are above finished grade level, but shall not include window sills, cornices, eaves and similar architectural features, fire escapes, wheel chair ramps, stairs, or landings.

4.119 LOT DEPTH

Amended by
B/L 2-1986

Means the length of a straight line joining the middle point of the front lot line with either the middle point of the rear lot line, or the intersection of the side lot lines where the lot has only three lot lines, or the middle point of the other lot line where the lot has only two lot lines. Where a lot has only one lot line, there shall be deemed to be no lot depth, and therefore, no minimum lot depth shall be required.

4.120 LOT FRONTAGE

Amended by
B/L 2-1986
B/L 188-1986

Means, in the case of a lot having three or more lot lines, the horizontal distance between the side lot lines, measured between the points on the said lot lines 10 metres from their intersection with the front lot line. In the case of a lot having less than three lot lines, the lot frontage shall be the length of the front lot line.

4.121 LOT, INTERIOR

Means a lot other than a corner lot or a through lot.

4.122 LOT LINE

Means any boundary of a lot and/or the vertical projection thereof.

4.123 LOT LINE, EXTERIOR SIDE

Amended by
B/L 2-1986
B/L 65-1989

Means a lot line, which is not a front or rear lot line, which abuts a street allowance or a strip of land having a width of 0.3048 metres or less which abuts a street allowance.

4.124 LOT LINE, FRONT

Amended by
B/L 2-1986

(a) Interior Lot

Means the lot line abutting a street allowance.

(b) Corner Lot

Means the shorter lot line abutting a street allowance or where the lot lines abutting the street allowances are the same length, the lot line which affords the principal access.

(c) Through Lot

Means, in the case of a lot having only two lot lines abutting a street allowance, the shorter lot line abutting a street allowance or where both lot lines abutting the street allowances are the same length, the lot line which affords the principal access. In the case of a lot having more than two lot lines abutting a street allowance, the shortest lot line abutting a street allowance or where two or more of the lot lines abutting a street allowance are the same length, the lot line which affords the principal access, shall be deemed to be the front lot line.

4.125 LOT LINE, INTERIOR SIDE

Means a lot line other than a front, rear, or exterior side lot line.

4.126 LOT LINE, REAR

Amended by
B/L 188-1986

Means, in the case of a lot having four lot lines, the lot line opposite to the front lot line. In the case of a lot having more than four lot lines, the rear lot line shall be the lot line furthest from and opposite to the front lot line. To determine which lot line is furthest from the front lot line, the distance shall be measured in a straight line from the midpoint of the front lot line to the midpoint of the lot lines opposite thereto. Where a lot has less than four lot lines, there shall be no rear lot line.

4.127 LOT OF RECORD

Amended by
B/L 2-1986

Means a lot, the boundaries of which are definable by documents recorded in the Registry or Land Titles Office for the City of Thunder Bay, which is held under unity of ownership from adjoining lands on January 1, 1984.

- 4.128 LOT, THROUGH
- Amended by
B/L 2-1986 Means a lot other than a corner lot, having two or more lot lines abutting a street allowance.
- 4.129 LOT WIDTH
- Amended by
B/L 2-1986 Means the length of a straight line joining the middle point of each of the side lot lines, except in the case of a lot having less than three lot lines, then the lot width shall be the length of the front lot line.
- 4.130 MAIN USE
- Amended by
B/L 185-2002
B/L 91-2003 Means one or more uses, buildings or structures which constitute the main use or uses of the lot and which use or uses are specifically listed as a permitted use in this By-law except for accessory uses, a garden suite, an accessory apartment, and a home occupation which shall not constitute a main use of the lot.
- 4.131 MARINA
- Means the use of land, or water, or building, or structure, including docking facilities, where boats and boat accessories are berthed, stored, serviced, repaired, or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided.
- 4.132 MARINE FACILITY
- Means an accessory building or structure which is used to take a boat into or out of a body of water, to moor, berth, or store. This definition may include a yacht club, a boat launching ramp, boat lift dock, or boathouse, but shall not include any building used for human habitation or any boat service, repair, or sales facility.
- 4.133 MOBILE HOME PARK
- Means a parcel of land containing two or more mobile home spaces and which is under unity of ownership and management.
- 4.134 MOBILE HOME SPACE
- Means an area within a mobile home park occupied by or intended for occupancy by one mobile home.
- 4.135 MOTEL
- Means a building or part thereof, or a group of buildings in which guest rooms are provided for transient lodgers, with or without private cooking facilities and which may include dining and other public rooms.
- 4.136 MOTOR VEHICLE
- Includes a private vehicle and a commercial vehicle as defined in this By-law.
- 4.137 MOVIE THEATRE
- Includes a building of part thereof where films are viewed by the public and may include accessory refreshment stands.
- 4.138 MUNICIPAL PIPED WATER
- Means the provision of water by a piped water system owned and operated by the Corporation.

- 4.139 MUNICIPAL SEWAGE DISPOSAL
- Means the disposal of sewage by a piped sanitary sewer system owned and operated by the Corporation.
- 4.140 MUNICIPALITY
- Means The Corporation of the City of Thunder Bay.
- 4.140a NAVIGABLE WATER
- Added by
B/L 2-1986
- Means waters in the Kam River, the Current River and the McKellar River.
- 4.140b NEIGHBOURHOOD BAKE SHOP
- Added by
B/L 2-1986
- Means a retail store which sells baked goods on the premises for consumption off the premises with such baked goods being made on or off the premises, but shall not include a community bake shop or a bakery.
- 4.141 NEIGHBOURHOOD CLINIC
- Means a building or part thereof used in the professional practice of not more than three doctors, dentists or drugless practitioners for the purpose of consultation, diagnosis or treatment but shall not include a pharmacy or laboratory accessory to the clinic.
- 4.141b NEIGHBOURHOOD POLICE STATION
- Added by
B/L 252-1996
- Means a building or part thereof operated by the City of Thunder Bay Police Service and is used for neighbourhood policing, but which shall not include any holding or similar detention area.
- 4.142 NET FLOOR AREA
- In the case of a non-residential use, means the aggregate area of all storeys devoted to a particular use measured from the interior face of the interior walls excluding storage areas, mezzanine areas, mechanical rooms, common halls, stairwells, garbage and electrical rooms, common sanitary facilities, and parking structures.
- 4.143 NON-COMPLYING USE
- Amended by
B/L 2-1986
B/L 188-1986
B/L 57-2004
- Means a use of land, building, or structure permitted by this by-law for the zone in which such use is located but which use does not comply with one or more of the general regulations or the regulations of this By-law for the zone in which such use is located, provided such use existed on the effective date of this By-law, provided however,
- (1) in the case of a dwelling, other than a cottage dwelling or a single detached dwelling, the dwelling must meet the minimum lot area, lot depth and lot frontage regulations for the zone in which such dwelling is located or the dwelling shall constitute a non-conforming use,

and

 - (2) in the case of a lot which has more main uses than permitted in the zone in which such lot is located then such uses shall constitute a non-conforming use.
- 4.144 NON-CONFORMING USE
- Amended by
B/L 188-1986
- Means a use of land or building or structure which does not conform to one or more of the uses permitted in the zone in which such land, building or structure is located, or which is deemed to be non-conforming by Section 4.143, provided, in each case, such use legally existed on the effective date of this By-law.

- 4.145 NURSERY
- Means the use of land, or building, or structure where trees, shrubs, and plants are grown and may include the sale thereof.
- 4.146 NURSING HOME
- Means a building wherein meals, personal care, nursing services, and/or medical care and/or treatment are provided for gain or profit or as a charitable public service, but does not include a hospital as defined herein.
- 4.147 OFFICE
- Means a building or part thereof designed, intended, or used for the practice of a professional, the carrying on of a business, the conducting of public administration, or where not conducted on the site thereof the administration of or the accounting in connection with an industry but shall not include a veterinary establishment, a clinic, a retail store, a bank, an industrial use, a warehouse, a place of amusement, or a body-rub parlour.
- 4.148 OFFICIAL PLAN
- Means the Official Plan for the City of Thunder Bay.
- 4.149 ONE-HALF STOREY
- See Storey, One-Half.
- 4.150 OPEN STORAGE
- Amended by
B/L 051-2007
- Means the use of land for the outside storage of equipment, vehicles (excluding a private vehicle), storage containers, goods, or materials. This definition does not include a storage use located in a building or a salvage yard as defined herein.
- 4.150a PAINT, GLASS AND WALLPAPER STORE
- Added by
B/L 281-1989
- Means the use of land, or building, or structure or part thereof where paint and/or glass and/or wallpaper are offered or kept for sale at retail.
- 4.150aa OUTDOOR FURNACE:
- Added by
B/L 60-2002
- Means an appliance situated outside of any building or structure which it is intended to heat, using solid fuel for combustion.
- 4.151 PARCEL OF LAND
- Amended by
B/L 2-1986
- Means an area of land held in unity of ownership.
- 4.152 PARK
- Means an area of land which may include landscaped open space, including but not limited to the generality of the foregoing, a recreational playground, a play area, a bowling green, a skating rink, a tennis or badminton court, a sports field and a conservation area with or without accessory recreational buildings or structures thereon.
- 4.153 PARKING AISLE
- Means a portion of a private parking area, or a commercial parking lot, or a private or a commercial parking structure which abuts a parking space on one or more sides and which provides access from the parking space to a street or lane, and which is not used for vehicular parking.

- 4.154 PARKING SPACE
- Means a portion of a private parking area or a commercial parking lot exclusive of parking aisles which may be used for the temporary parking, of one motor vehicle, trailer, boat, recreational vehicle, or similar transportation device.
- 4.155 PARTY WALL
- Amended by
B/L 2-1986
- Means a wall jointly owned and/or jointly used by two or more parties or an extension of such a wall which is erected on a line separating two parcels of land each of which is or is capable of being held in unity of ownership.
- 4.156 PATIO
- Amended by
B/L 244-1987
- Means a platform without a roof, and with or without a foundation to hold it erect and attached to or abutting one or more walls of a building or constructed separate from a building, with or without direct access to the ground, the floor of which is not more than 0.6 metres above finished grade, which is designed and intended for use as a sundeck but shall not include a landing or stair.
- 4.157 PERMITTED USE
- Means a use which is listed under the heading "Permitted Uses" in the zone where such use is located.
- 4.158 PERSONAL FARMING
- Amended by
B/L 244-1987
- Means the use of land, or building, or structure accessory to a dwelling unit, where animal husbandry may be permitted provided that:
- (a) the yield is for personal use of the inhabitants of the lot; and
- (b) there is no sale of the yield; and
- Amended by
B/L 274-2002
- (c) not more than a total of five (5) animal units shall be permitted on the lot, provided however, in no case shall there be more than one animal unit of fowl.
- 4.159 PERSONAL SERVICE SHOP
- Amended by
B/L 2-1986
- Means a building or part thereof wherein a personal service is conducted, such as a barber shop, beauty salon, shoe repair shop, jewellery repair shop, tailor or dressmaker, photographic studio but shall not include an office as defined in this By-law.
- 4.160 PHARMACY
- Means a retail outlet which dispenses drugs by prescription.
- 4.161 PIT
- Means a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral, or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside pit.
- 4.162 PLACE OF AMUSEMENT
- Means a movie theatre, covered arena, auditorium, public dance hall, public hall, music hall, video arcade, or penny arcade, billiard or poolroom, bowling alley, miniature golf course, driving range, ice or roller skating or curling rink, or a similar use but shall not include a vehicle race track.

- 4.163 PRINCIPAL ACCESS
- Means a direct vehicular and pedestrian entrance and exit to and from a street.
- 4.164 PRINCIPAL RESIDENCE
- Means a dwelling which is occupied or capable of being occupied by the owner or tenant on a year round basis but shall not include a cottage dwelling.
- 4.165 PRIVACY FENCE
- Means a fence that will visually isolate, conceal, or seclude objects, things, places, or people.
- 4.166 PRIVATE CLUB
- Means an athletic, recreational, or social club which is operated for gain or profit.
- 4.167 PRIVATE GARAGE
- Amended by
B/L 2-1986
B/L 204-1992
- Means an accessory building or structure other than a carport, either attached to or detached from the main building in which no business, occupation, except for a home occupation, or service is conducted for profit, or conducted for the benefit of any individuals who do not reside on the lot and which shall have minimum interior dimensions adequate to accommodate one (1) required parking space.
- 4.167a PRIVATE HOME DAY CARE
- Added by
By-law 132-
2002
- Means the temporary care of five (5) or fewer individuals for gain or profit as a secondary use within a dwelling unit other than the dwelling unit of a parent or caregiver.
- 4.168 PRIVATE HOSPITAL
- Means a house in which four or more patients are or may be admitted for treatment, other than:
- (a) a hospital or other establishment or institution supported in whole or in part by provincial aid;
 - (b) an institution in respect of which a licence under the Private Sanitaria Act is in force;
 - (c) an institution for the reclamation and cure of habitual drunkards established under the Municipal Act;
 - (d) a house registered under The Maternity Boarding Houses Act; and
 - (e) a lodging house licenced under a municipal law.
- 4.169 PRIVATE INDUSTRIAL WASTE DISPOSAL SITE
- Means the use of land, or building, or structure approved by the Ministry of the Environment or its designated agent, where industrial waste is treated but shall not include a public sanitary sewage treatment facility.

4.170 PRIVATE PARKING AREA

Amended by
than B/L 2-1986

Means an open or partially open or enclosed area, other a street allowance or lane used for the parking of motor vehicles including a private garage. A parking area shall be accessory to and used in conjunction with the main use of a lot as permitted in the By-law and shall be available for public and/or private use whether free, or whether charged for compensation, to accommodate clients, customers, visitors, or residents. A parking area shall include one or more parking spaces together with parking aisles (when required) and shall have access to a street or lane and may include a private parking structure, or an underground parking area.

4.171 PRIVATE PARKING STRUCTURE

Amended by
B/L 2-1986

Includes a partially open and/or enclosed area other than a street allowance or lane used for the parking of motor vehicles. A private parking structure shall be accessory to and used in conjunction with the main use of a lot as permitted on the By-law and shall be available for public and/or private use whether free, or whether charged for compensation, to accommodate clients, customers, visitors, or residents. A private parking structure shall include more than three parking spaces together with aisles and shall have principal access from a driveway to a street.

4.172 PRIVATE STREET

Means a private thoroughfare or any other passageway or right-of-way which provides vehicular access to a lot but shall not include a street as defined in this By-law.

4.173 PRIVATE VEHICLE

Means an automobile, motorcycle, boat, truck, farm implement, recreational and any other vehicle propelled or driven by any kind of power other than muscular power, which is used for personal use and shall include any apparatus which is capable of being attached thereto but shall not include a commercial vehicle.

4.174 PUBLIC RECREATION

Means the use of land, or building, or structure for any purpose relating to recreational activity which is owned and/or operated by the Corporation, local board or the Provincial or Federal Government or by any crown agency on a non-profit and basis and which may include accessory uses such as a restaurant, a tavern, a pro shop and the like but shall not include a golf course or any other recreational use specifically defined elsewhere in this By-law.

4.175 PUBLIC SANITARY LANDFILL SITE

Means the use of land for disposing of domestic waste and where such landfill site is owned and operated by the Corporation, by another municipality or by the Province of Ontario.

4.176 PUBLIC SANITARY SEWAGE TREATMENT FACILITY

Means the use of land, or building, or structure approved by the Ministry of the Environment or its designated agent, where domestic or industrial waste is treated and includes a sewage pumping station where such facility is operated by the Corporation, by another municipality or by the Province of Ontario.

4.177 PUBLIC SAUNA

Means the use of land, or building, or structure or part thereof where saunas or public baths are made available for public use for a fee and without limiting the generality of the foregoing, may include other associated facilities such as whirlpools, swimming pools, and coffee shops, but shall not include a body-rub parlour.

- 4.177a PUBLIC SIDEWALK
- Added by
B/L 2-1986 Means a public walkway owned by the Municipality which provides for pedestrian traffic.
- 4.178 PUBLIC UTILITY
- Amended by
B/L 2-1986 Means any agency, corporation, board, or commission providing electricity, gas, steam, water, radio or television service, telegraph or telephone including a communications tower, transportation (excluding a taxi service), drainage or sewage or waste collection and disposal services to the public or a use pertaining to any such agency, corporation, board or commission.
- 4.179 PUBLIC WATER TREATMENT FACILITY
- Means the use of land, or building, or structure approved by the Ministry of the Environment or its designated agent where water is treated for human consumption including pumping and purification appurtenances which is owned and operated by the Corporation or by another municipality or by the Province of Ontario.
- 4.180 QUARRY
- Means 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.
- 4.181 RADIO OR TELEVISION ANTENNA
- Amended by
B/L 2-1986 Means an antenna other than a "television earth station" which is capable of sending and/or receiving radio or other electromagnetic waves.
- 4.182 RADIO OR TELEVISION STATION STUDIO
- Amended by
B/L 2-1986 Means the use of a building or structure for a commercial purpose wherein television and/or radio programs are received and/or originate and/or are produced and are subsequently provided for public broadcast to a "radio or television transmitting station".
- 4.183 RADIO OR TELEVISION TRANSMITTING STATION
- Amended by
B/L 2-1986 Means the use of land or building or structure operated by a public utility for a commercial broadcasting purpose where television and/or radio programming is received from a radio or television station studio and is transmitted and/or re-transmitted by a cable system and/or a radio or television antenna and may include a building housing electronic apparatus that transmits and/or re-transmits broadcasting and includes a radio or television antenna existing separately or in conjunction with such building housing electronic apparatus.
- 4.184 RAIL CORRIDOR
- Means the railway right-of-way of any railway company within the boundaries of the Municipality.
- 4.185 RAIL YARD
- Means the use of land, or building, or structure or part thereof for activities directly associated with the operation of a railway. Without limiting the generality of the foregoing such activities may include loading and off-loading freight, and maintenance and repair of railway cars.
- 4.186 REAR ACCESS
- Means a lane which is open for vehicular traffic and maintained on a year-round basis either by the Corporation or privately.

- 4.187 REAR LOT LINE
See Lot Line, Rear.
- 4.188 REAR YARD
See Yard, Rear.
- 4.189 RELIGIOUS INSTITUTION
Means a building commonly used by any religious organization for public worship and may include a rectory or manse, a church hall, day nursery, or religious school associated with or accessory thereto.
- 4.189a RESIDENTIAL CARE UNIT TYPE I
Added by B/L 2-1986
Means a residence that is licensed or funded under an Act of the Parliament of Canada, or Province of Ontario, for the accommodation of over three persons, up to six persons exclusive of staff or receiving family, living under supervision in a single housekeeping unit and who by reason of their emotional, mental, social, or physical condition, or legal status, require a group living arrangement for their well-being and shall not include a crisis residence.
- 4.189b RESIDENTIAL CARE UNIT TYPE II
Added by B/L 2-1986
Means a residence that is licensed or funded under an Act of the Parliament of Canada, or Province of Ontario, for the accommodation of seven to ten persons exclusive of staff or receiving family, living under supervision in a single housekeeping unit and who by reason of their emotional, mental, social, or physical condition, or legal status, require a group living arrangement for their well-being and shall not include a crisis residence.
- 4.189c RESIDENTIAL CARE FACILITY
Added by B/L 056-2006
Means a residence licensed or funded under a federal or provincial statute for the accommodation for over three persons, exclusive of staff or receiving family, living under supervision in a single housekeeping unit and who by reason of their emotional, mental, social, or physical condition, or legal status, require a group living arrangement for their well being.
- 4.189d RESIDENTIAL CARE FACILITY TYPES
Added by B/L 056-2006
- i) Residential Care Facility One
Means a Residential Care Facility intended to accommodate four to six persons.
 - ii) Residential Care Facility Two
Means a Residential Care Facility intended to accommodate seven to ten persons
 - iii) Residential Care Facility Three
Means a Residential Care Facility intended to accommodate more than ten persons.
- 4.190 RESIDENTIAL ZONE
Includes any zone that has the word "Residential" in the zone title.

- 4.190a RESEARCH AND DEVELOPMENT CENTRE
- Added by
B/L 13-2005
- Means the use of land, building or structure or part thereof for the purpose of conducting pure and applied research and experimentation in any field of science, medicine or technology and includes facilities such as lecture rooms, accessory administrative offices, laboratories, display rooms, and service and machine shops to serve the research centre operation, but does not include an industrial use nor manufacturing operations other than those required in the conduct of permitted research.
- 4.191 RESTAURANT
- Means a building or part thereof, other than a tavern, where food is prepared and offered or kept for retail sale to the public for immediate consumption either on or off the premises and where alcoholic beverages may be served with the meals.
- 4.192 RETAIL STORE
- Means the use of land, or building, or structure or part thereof in which goods, wares, merchandise, substances, or articles are offered or kept for sale at retail.
- 4.193 RETAIL WAREHOUSE
- Means 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 fuel storage tanks but which may include an accessory retail store not exceeding 10 percent of the gross floor area or 185.0 square metres whichever is the lesser.
- 4.193a) RETIREMENT RESIDENCE
- Added by
B/L 239-2002
- Amended by
B/L 056-2006
- Means a residence that provides accommodation primarily for retired persons or couples where each private bedroom or living unit has a separate entrance from a common hall and may have a separate private bathroom, but where common dining areas, lounges and recreation rooms are provided, and where personal care, nursing services and/or medical care may be provided or made available, but does not include a hospital, a rooming house, residential care facility, or a long-term care facility as defined herein.
- 4.194 ROAD
- See Street.
- 4.194a ROOMING HOUSE
- Added by
B/L 2-1986
- Means a building other than a hotel, motel, or lodging house where rooms which contain no cooking or sanitary facilities are provided for gain or profit for the sleeping accommodation of individuals and where communal cooking and sanitary facilities may be provided in the building.
- 4.195 SALVAGE YARD
- Means the use of land, or building, or structure for the wrecking, dismantling, storing, or selling of used goods, wares, or materials including but not limited to the generality of the foregoing, rags, bones, bottles, metals, clothing, furniture, paper, machinery, building materials, ships, vehicles, and parts thereof, but shall not include a second hand shop.
- 4.196 SANITORIUM
- Means the use of land, or building, or structure licenced under the Private Sanitaria Act, for the care and treatment of mental and nervous illness.

- 4.197 SECONDARY ACCESS
- Means a direct vehicular and pedestrian entrance and exit to and from a lane.
- 4.198 SEAPLANE BASE
- Means the use of land, or water, or building, or structure or part thereof, including take-off, landing and docking facilities, where sea planes are stored, serviced, repaired or kept for sale or rent and where facilities for the sale of fuels and lubricants may be provided.
- 4.199 SECONDHAND SHOP
- Means the use of land, or building, or structure or part thereof where used goods, wares, merchandise, substances, or articles are offered or kept for sale but shall not include the wrecking or dismantling of such.
- 4.200 SEPARATION DISTANCE
- Amended by
B/L 2-1986
- Means the minimum perpendicular horizontal distance between the foundation of any building or structure or the nearest part of any storage use and the foundation of any other building or structure or the nearest part of any open storage use located on the same lot therewith.
- 4.201 SERVICE SHOP
- Means a light industrial use in a building or part thereof operated for the sole purpose of repairing or servicing articles, goods, or merchandise, not being vehicles, and limited to a floor area not exceeding 300 square metres.
- 4.202 SETBACK
- Means the minimum perpendicular horizontal distance between a lot line and the nearest part of any building, or structure exclusive of permitted projections or open storage use on the lot.
- 4.203 SHOPPING CENTRE
- Amended by
B/L 2-1986
- Means a group of two or more commercial establishments permitted in the zone, conceived, designed, developed, and managed as an interdependent and interrelated unit whether by a single owner or tenant or by a group of owners or tenants acting in collaboration, but shall not include "strip" commercial establishments with direct access from the building to a public sidewalk, or street.
- 4.204 SIDE YARD
- See Yard, Side.
- 4.205 Repealed by By-law 2-1986.
- 4.206 SIGN
- Includes any visual medium, including its structure and other component parts, which is used or capable of being used to attract attention to a specific subject matter other than itself, for identification, information, or other advertising purposes, and includes an advertising device or notice, and is visible from outside of a building.
- 4.207 SINGLE WIDE MOBILE HOME
- See Dwelling, Single Wide Mobile Home.

- 4.207a SKI RESORT
- Added by
B/L 2-1986 Means the use of land, building or structure for the purpose of providing facilities for the sport of skiing and which may include accessory facilities such as locker rooms, restaurants, taverns, and pro shops, but shall not include any facilities for sleeping accommodations.
- 4.208 STACKING LANES
- Means a portion of a parking area or a parking lot, other than a parking aisle or a parking space which provides standing room for vehicles in a queue and without limiting the generality of the foregoing this may include a queue for a drive through restaurant, a drive-through bank or a drive-through carwash.
- 4.208a STAIR
- Amended by
B/L 244-1987 Means one or more steps providing access to a building, landing, deck or patio.
- 4.208aa STORAGE CONTAINER
- Amended by
B/L 051-2007 Means the trailer portion of a tractor-trailer unit or a transport truck without the running gear, or a rail or seaway container which is traditionally used for the shipping and transportation of goods and materials.
- 4.209 STOREY
- Means 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 not floor above it, that portion between the top of such floor and the ceiling above it.
- 4.210 STOREY, FIRST
- Amended by
B/L 2-1986 Means a storey having its floor level closest to finished grade and its ceiling more than 2.0 metres above finished grade.
- 4.211 STOREY, ONE HALF
- Means that portion of a building or structure situated wholly or partly within the roof and in which there is a vertical distance of less than 1.83 metres measured from finished floor to finished ceiling and which has a floor area equal to at least 50% of the floor area of the storey directly below.
- 4.212 STREET
- Amended by
B/L 2-1986 Means a public highway or public road under the jurisdiction of either the Corporation or the Province of Ontario, and which is presently open and maintained by the Corporation or Province on a year-round basis, or a street as shown on a plan of Subdivision registered after the effective date of this By-law.
- 4.212a STREET ALLOWANCE
- Added by
B/L 2-1986 Means a public highway or public road which is owned by either the Corporation or the Province of Ontario, and which may or may not be opened and maintained by the Corporation or the Province on a year round basis.
- 4.212b STREET FRONTAGE
- Added by
B/L 2-1986
B/L 188-1986 Means that portion of a lot line which abuts a street.
- 4.213 STREET LINE
- Amended by
B/L 2-1986 Means a lot line dividing a lot from a street allowance.

4.214 STRUCTURE

Amended by
B/L 2-1986
B/L 65-1989

Means anything other than a building that is erected, built or constructed or requiring a foundation to hold it erect, including but not limited to a television earth station and an above ground fuel storage tank associated with a non-residential use, but shall not include vegetation, fences, driveways, patios, sidewalks, unenclosed swimming pools or retaining walls.

4.215 TAVERN

Means a "Tavern" as defined by the Liquor Licence Act.

4.216 TAXI STAND

Means the use of land, or building, or structure for dispatching or hiring taxi cabs where taxi-cabs for fare paying passengers.

4.217 TELEVISION EARTH STATION

Amended by
B/L 2-1986

Means an antenna capable of receiving but not transmitting television broadcasting directly from an earth satellite located completely beyond, or beyond the major portion of, the earth's atmosphere, and for the purpose of this by-law will be considered to be a "structure" even if it is mounted upon a trailer or other moveable platform.

4.218 THIS BY-LAW

Means this By-law and any amendments hereto.

4.219 THROUGH LOT

See Lot, Through.

4.220 TRAIN STATION

Means the use of land, or building, or structure for loading and unloading freight and passengers on and off trains including ticket offices, restaurant, luggage checking facilities and similar uses.

4.221 TRANSIT DEPOT

See Bus Depot.

4.222 TRAVEL TRAILER

Amended by
B/L 185-2002

Means a structure or vehicle designed, intended, and used exclusively for travel, recreation, and vacation and which is capable of being drawn by a passenger vehicle or is self-propelled, and shall include tent trailers, vans, motor homes and similar transportable accommodation but shall not include a garden suite, a single wide or double wide mobile home.

4.223 TRUCK DEPOT

Amended by
B/L 2-1986

Means the use of land, or building or structure where more than three vehicles other than private vehicles, each licenced for a gross vehicle weight of 11,000 kilograms or greater are stored and which may allow for the repair and servicing of such vehicles but does not include the use for the display or sale of such vehicles.

- 4.224 UNDERGROUND PARKING AREA
- Amended by
B/L 2-1986
- Means a parking area which is situated below finished grade which is used for the parking of motor vehicles. An underground parking area shall be accessory to and used in conjunction with main use of a lot as permitted in the By-law and shall be available for public and/or private use whether free, or whether charged for compensation, to accommodate clients, customers, visitors, or residents. An underground parking area shall include more than three parking spaces together with aisles and shall have principal access from a driveway to a street.
- 4.225 UNITY OF OWNERSHIP
- Amended by
B/L 2-1986
- Means a parcel of land registered in the Registry Office or the Land Titles Office for Thunder Bay in a name and interest which is distinct and separate from the ownership of any other parcel of land with a common boundary or point therewith.
- 4.226 USE
- Added by
B/L 57-2004
- Means the purpose for which a lot(s), or building(s), or structure(s), or any one or more of them, is (are) designed, arranged, intended, occupied or maintained. 'Used' and 'Uses' have corresponding meanings.
- 4.227 VARIETY STORE
- Amended by
B/L 188-1986
- Means a retail business with a maximum gross floor area of 275.0 square metres selling food and associated small household items and which may include the sale of prepared foods for consumption off the premises, provided the gross floor area devoted to such prepared foods does not exceed 10.0 square metres.
- 4.228 VETERINARY CLINIC
- Includes a building or structure or part thereof wherein animals of any kind are treated by a registered veterinarian and may be kept for the duration of the treatment and may include the boarding thereof.
- 4.229 VIDEO ARCADE
- Means the use of land, or building, or structure where three or more video, electronic or pinball arcade machines are available for public use whether or not for compensation and which may include a refreshment stand or coffee shop provided that it is accessory to the video arcade use.
- 4.229a VIDEO RENTAL SHOP
- Added by
B/L 2-1986
- Shall mean the use of land, building or structure for the purpose of renting video cassette recorders and/or video disc players and/or the rental of video tapes and/or discs.
- 4.230 WAREHOUSE
- Means 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 a fuel storage tank.
- 4.231 WAYSIDE PIT OR WAYSIDE QUARRY
- Means a temporary pit or quarry opened and used by a public road authority for the sole purpose of a particular project or contract of road construction and not located on the road right-of-way.
- 4.232 WELDING SHOP
- Means the use of land, or building, or structure where pieces of metals are welded.

- 4.233 WHOLESALE STORE
- Means the use of land, or building, or structure, or part thereof in which goods, wares, merchandise, substances, or articles are offered or kept for sale at wholesale and may include an accessory retail store.
- 4.234 YARD
- Means an unoccupied space open from the ground to the sky on the same lot as a building, structure, or use.
- 4.235 YARD, FRONT
- Means a yard extending across the full width of the lot between the front lot line and the nearest part of any building or structure or open storage use on the lot.
- 4.236 YARD, REQUIRED FRONT
- Amended by
B/L 2-1986 Means the minimum front yard required by this By-law for a main building or structure or open storage use on a lot.
- 4.237 YARD, REAR
- Amended by
B/L 2-1986 Means, in the case of a lot having no exterior side yard or yards, a yard extending across the full width of the lot between the rear lot line and the nearest part of any building or structure or open storage use on the lot and in the case of a lot having an exterior side yard or yards, a yard extending from the required exterior side yard to the opposite required exterior side yard, if there is one, or to the opposite interior side lot line between the rear lot line and the nearest part of any building or structure or open storage use on the lot. If there is no rear lot line, there shall be deemed to be no rear yard, and therefore, no minimum rear yard shall be required.
- 4.238 YARD, REQUIRED REAR
- Amended by
B/L 2-1986 Means the minimum rear yard required by this By-law for a main building or structure or open storage use on a lot.
- 4.239 YARD, EXTERIOR SIDE
- Amended by
B/L 2-1986 Means a yard extending from the required front yard to the rear lot line and from the exterior side lot line to the nearest part of any building or structure or open storage use on the lot. In the case of a lot that has no rear lot line, the exterior side yard shall extend from the required front yard to the opposite interior or exterior side lot line.
- 4.239a YARD, REQUIRED EXTERIOR SIDE
- Added by
B/L 2-1986 Means the minimum exterior side yard required by this By-law for a main building or structure or open storage use on a lot.
- 4.240 YARD, INTERIOR SIDE
- Amended by
B/L 2-1986 Means a yard extending from the required front yard to the required rear yard and from the interior side lot line to the nearest part of any building or structure or open storage use on the lot. In the case of a lot that has no rear lot line, the interior side yard shall extend from the required front yard to the opposite required interior or exterior side yard.
- 4.240a YARD, REQUIRED INTERIOR SIDE
- Added by
B/L 2-1986 Means the minimum interior side yard required by this By-law for a main building or structure or open storage use on a lot.

4.241 ZONE REGULATION

Means any provision of this By-law which is listed under the heading "Regulation" and includes the General Regulations of Section 5 of this By-law.

4.242 ZOO

Means the use of land or building, or structure for keeping live animals for public exhibition.

SECTION 5 GENERAL REGULATIONS

Unless specifically regulated elsewhere in this By-law, the following regulations shall apply to all lands covered by this By-law.

5.1 ACCESS REGULATIONS

No driveway access to a commercial or private parking area shall be located closer than 9.0 metres from the intersection of two streets measured from a point where the two street lines intersect.

5.1a ACCESSORY APARTMENT

Added by
B/L 91-2003

In addition to all other provisions of this By-law, an accessory apartment shall be permitted in a single detached dwelling, in accordance with the following regulations:

- a) the lot shall be fully serviced with municipal piped water and sanitary sewer;
- b) the lot shall have a minimum lot frontage of 18 metres, a minimum lot depth of 30 metres and a minimum lot area of 540 square metres;
- c) a minimum of three (3) off-street parking spaces shall be provided and maintained;
- d) the maximum driveway width shall be 6.0 metres;
- e) any extensions or additions to a single detached dwelling shall comply with the applicable regulations of the Zoning By-law (i.e. height, lot coverage, yards, etc.);
- f) no single detached dwelling shall contain more than one (1) accessory apartment;
- g) a common party wall shall not be permitted to divide the accessory apartment from the balance of the single detached dwelling;
- h) tandem parking is permitted;
- i) an accessory apartment shall have a maximum gross floor area which does not exceed 40% of the gross floor area of the single detached dwelling, including any extensions or additions to the said single detached dwelling;
- j) for the purposes of determining the maximum area of an accessory apartment, "gross floor area" of the single detached dwelling shall be defined to mean "the aggregate of all storeys, plus the basement, measured from the exterior faces of the exterior walls";
- k) a minimum of 50% of the required front yard shall be provided and maintained as landscaped open space;
- l) no legal non-conforming single detached dwelling shall be permitted to contain an accessory apartment.

5.2 ACCESSORY USES

5.2.1 Uses Permitted:

Amended by
B/L 2-1986

- a) Where this By-law permits the use of land, buildings, or structures, for a specific use or uses, such use shall include any buildings, structures or uses accessory to the permitted use.

Added by
B/L 2-1986

- b) Where an accessory building or structure is separated from its main use as a result of a Committee of Adjustment decision granted under Section 52 of the Planning Act, then such accessory building or structure may exist until a main use is established on the lot, provided that no business, occupation or service is conducted therein for profit or conducted for the benefit of any individuals who do not own the lot.

Amended by
B/L 051-2007

- c) Storage containers are not permitted as an accessory use to dwelling units.

5.2.2

Lot Coverage

Amended by
B/L 2-1986
B/L 65-1989

In the case of buildings and structures accessory to a dwelling the following provisions shall apply:

B/L 281-1989
B/L 204-1992

- a) the total lot coverage shall not exceed fifteen percent (15%) of the area of the lot, and

Amended by
B/L 57-2004

- b) the total gross floor area shall not exceed:
 - (i) 200.0 square metres in the "RU" - Rural Area Zone;
 - (ii) 180.0 square metres in the "RE" - Residential Estate Zone;
 - (iii) 150.0 square metres in the "RS" - Residential Suburban Zone; and
 - (iv) 100.0 square metres in any other zone.

5.2.3

Height

Amended by
B/L 281-1989
B/L 204-1992
B/L 57-2004
B/L 051-2007

- a) Subject to Section 5.6 of this By-law, no buildings or structure accessory to a dwelling shall exceed a height of either one (1) storey; or

- (i) 6.1 metres in the "RU" - Rural Area Zone and the "RE" - Residential Estate Zone;
- (ii) 5.2 metres in the "RS" - Residential Suburban Zone; and
- (iii) 4.6 metres in any other zone.

B/L 051-2007

- b) buildings, storage containers or structures accessory to uses other than a dwelling shall not exceed the height specified in the zone in which it is located.

Added by
B/L 294-2003
B/L 051-2007

- c) buildings, storage containers or structures located on a deck shall not exceed a height of 3.7 metres measured vertically from the finished floor of the deck to the highest point of the building or structure, and the area from the finished grade to the top of the finished floor of the deck shall not be considered a storey.

Amended by
B/L 051-2007

- d) Storage containers accessory to uses other than a dwelling unit shall not exceed a height of 4.5 metres.

5.2.4

Location:

Amended by
B/L 156-1987 B/L
051-2007

- a) No buildings, storage containers or structures accessory to uses other than a dwelling shall be located in a required yard and no storage container shall be located in a front yard;

Amended by
B/L 2-1986
B/L 156-1987

- b) No buildings or structures accessory to a dwelling shall be located in a required front yard, or in a required exterior side yard;

- c) No buildings, storage containers or structures accessory to a dwelling shall be located in a required interior side yard, or in a required rear yard in the "RU" – Rural Area Zone and the "RE" – Residential Estate Zone.
- d) No buildings or structures accessory to a dwelling shall be located in a required interior side yard in any other zone, provided however, that:
 - (i) in the "RS" – Residential Suburban Zone, such buildings or structures may be located in a required interior side yard provided a setback of 20.0 metres is maintained between such buildings or structures and the front lot line and a minimum setback of 1.2 metres is maintained between such buildings or structures and the interior side lot line;
 - (ii) in any other zone, such buildings or structures may be located in a required interior side yard provided a minimum setback of 20.0 metres is maintained between such buildings or structures and the front lot line and a minimum setback of 0.6 metres is maintained between such buildings or structures and the interior side lot line;
 - (iii) in the case of a lot having a depth of less than 30.5 metres and having a public utility easement across the full width of the required rear yard abutting the rear lot line, the minimum setback between the front lot line and an accessory building or structure may be reduced to 19.5 metres; and
 - (iv) in any zone where a minimum 3.0 metre interior side yard is required when there is no attached garage or carport, accessory buildings or structures may be located in that portion of a required interior side yard which is less than 20.0 metres from the front lot line, provided a minimum setback of 1.5 metres is maintained between such buildings or structures and the interior side lot line.
- e) Buildings and structures accessory to a dwelling may be located in a required rear yard in any other zone, subject to the following:
 - (i) in the "RS" – Residential Suburban Zone, a minimum setback of 1.2 metres shall be maintained between such buildings or structures and the rear lot line or an interior side lot line, provided however that, where the rear lot line of a corner lot or a through lot is contiguous to the front 20.0 metres of the interior side lot line of another lot on which a dwelling is a permitted use, a minimum setback of 3.0 metres shall be maintained between such buildings or structures and that portion of the rear lot line which is contiguous with the front 20.0 metres of the interior side lot line of the other lot; and
 - (ii) in any other zone, a minimum setback of 0.6 metres shall be maintained between such buildings or structures and the rear lot line, or an interior side lot line provided however that, where the rear lot line of a corner lot or a through lot is contiguous to the front 20.0 metres of the interior side lot line of another lot on which a dwelling is a permitted use, a minimum setback of 1.5 metres shall be maintained between such buildings or structures and that portion of the rear lot line which is contiguous with the front 20.0 metres of the interior side lot line of the other lot.
- f) in the "RS" – Residential Suburban Zone, the eaves of an accessory building or structure located in a required interior side yard or a required rear yard may project a maximum of 0.6 metres into the minimum setback required from the interior side or rear lot line.
- g) in all other zones, the eaves of an accessory building or structure located in a required interior side yard or required rear yard may project a maximum of 0.3 metres into the minimum setback required from the interior side or rear lot line.

Added by
B/L 156-1987
B/L 204-1992
Amended by
B/L 185-2002
B/L 294-2003

h) a minimum separation distance of 2.0 metres shall be maintained between an accessory building and a main building or a garden suite located on the same lot therewith.

Added by
B/L 051-2007

i) a minimum separation distance of 2.0 metres shall be maintained between a storage container and a main building located on the same lot therewith.

Added by
B/L 051-2007

j) a storage container accessory to a permitted non-residential main use is permitted only at the ground level.

5.2.5 Non-conforming Uses:

Amended by
B/L 188-1986

Where in any zone a cottage dwelling, a duplex dwelling, a semi-detached dwelling or a single detached dwelling exists as a legal non-conforming use, nothing in this By-law shall prevent the construction of a detached building or structure accessory to the said dwelling, provided that all of the other requirements of Section 5.2 are complied with.

5.3 CONSTRUCTION USES

Amended by
B/L 2-1986
B/L 051-2007

Any part of a lot, may be used for temporary buildings, storage containers, or structures associated with construction work provided that the buildings, storage containers, or structures are there only for as long as the work continues, storage containers, or as long as the building permit for construction is valid, whichever comes first. No temporary building, storage containers, or structure may be used for human habitation.

5.4 DWELLING UNITS

Amended by
B/L 2-1986

A dwelling unit is prohibited in the following places:

- attic
- basement of a non-residential building
- any type of vehicle
- accessory building or structure unless such dwelling unit is for an essential workman or caretaker specifically permitted in this By-law.

5.4a GARDEN SUITE

Added by
B/L 185-2002

In addition to all other provisions of this By-law, where a garden suite is a permitted use, the following regulations shall apply:

- a) a garden suite shall be used solely for the temporary accommodation of persons who, because of age, infirmity or illness require and receive care and supervision from the occupants of the single detached dwelling located on the same lot therewith;
- b) only one (1) garden suite shall be permitted on a lot;
- c) a garden suite shall have a minimum gross floor area of 46.4 square metres and a maximum gross floor area of 93 square metres;
- d) a garden suite shall be one (1) storey, having a height not to exceed 4.6 metres;
- e) a garden suite shall not be so constructed or arranged as to constitute a travel trailer;
- f) a minimum separation distance of 6.0 metres and a maximum separation distance of 15.0 metres shall be maintained between the garden suite and the single detached dwelling located on the same lot therewith;
- g) one (1) parking space shall be provided for the garden suite, in addition to the parking spaces required for the single detached dwelling, in accordance with the following regulations:

- (i) such parking space shall have minimum rectangular dimensions of 2.4 metres by 6.0 metres;
 - (ii) such parking space shall be located on the same lot as the single detached dwelling and garden suite;
 - (iii) such parking space may be located in tandem with the parking spaces required for the dwelling unit;
- h) no garden suite shall be located in a front yard or in any required yard;
 - i) no garden suite shall be located on a lot that does not meet the minimum lot area requirements of the applicable zone.

5.5 HAZARD LANDS

No building or structure used for human habitation shall be located closer than 10.0 metres to the boundary of any Hazard Land Zone (HL).

5.6 HEIGHT REGULATIONS

5.6.1 Height Exemptions

Amended by
B/L 2-1986
B/L 209-1990

The height regulations in this By-law do not apply to the following:

- church spires, flag poles, television or radio antennae, television earth stations, communication towers operated as a public utility, ventilators, silos, sky lights, chimneys, clock towers, generation and electrical supply facilities, or a roof structure which is used only as an ornament, or an enclosure to house mechanical equipment or a parapet wall having a maximum height of 0.6 metres

5.6.2 Height Regulations

- a) Notwithstanding the first sentence contained in Section 5, General Regulations, the following regulations shall be considered to supersede the maximum height regulations contained in the individual zone categories for those areas specified in Section 5.6.2b), 5.6.2c) and 5.6.2d).

Amended by
B/L 188-1986

- b) The lands identified as "AREA 1" on EXHIBIT ONE to and forming part of this By-law shall conform to the following regulations:

- (i) no permitted uses shall be constructed in such a way that any portion of it exceeds 216.0 metres above mean sea level, geodetic datum;
- (ii) Section 5.6.1 HEIGHT EXEMPTIONS, shall not apply.

Amended by
B/L 188-1986

- c) The lands identified as "AREA 2" on EXHIBIT ONE to and forming part of this By-law shall conform with the following regulations:

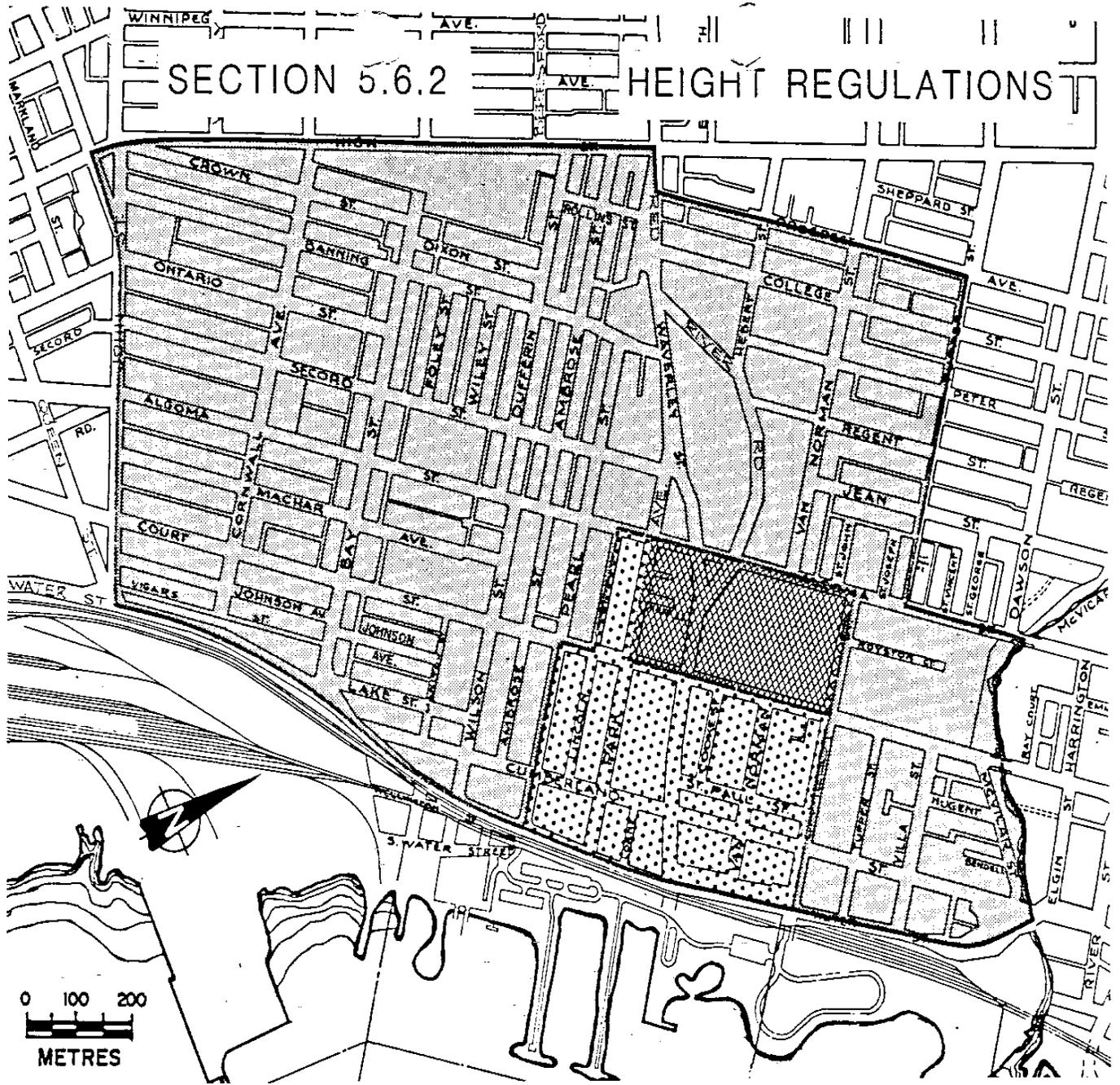
- (i) no permitted uses shall be constructed in such a way that any portion of it exceeds 222.0 metres above mean sea level, geodetic datum;
- (ii) Section 5.6.1 HEIGHT EXEMPTIONS, shall not apply.

Amended by
B/L 281-1989

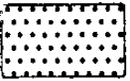
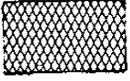
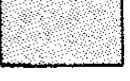
- d) The lands identified as "AREA 3" on EXHIBIT ONE to and forming part of this By-law shall conform to the following regulations:

- (i) the maximum height allowed for any permitted use shall be 10.0 metres.

Amended by
B/L 188-1986



LEGEND

	AREA 1		AREA 2		AREA 3
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THIS IS EXHIBIT ONE TO BYLAW NUMBER 177-1983
 AS ADDED BY BYLAW NUMBER 188-1986

J. B. Masters

 MAYOR

W. Ross

 DEPUTY CITY CLERK

5.6.3 Height, Required Buffering

Added by
B/L 7-2005

In addition to all other provisions of this By-law, where buffering is required, the following regulations shall apply:

- a) Where buffering is required in this By-law, the height of such required buffering shall be measured from the average of the finished grade at the property line.
- b) When buffering is located within the required front yard of a lot, the required exterior yard of a lot, or the required rear yard of a through lot, the height of such buffering shall be a minimum height of 0.75 metres and a maximum height of 1.0 metre.
- c) In the case where the rear lot line of an abutting residential lot or a "RU" – Rural Area Zone lot is contiguous to the interior side lot line of an abutting non-residential lot or contiguous to the interior side lot line of a non-residential lot which abuts a lane, then the minimum height requirements as set out in the non-residential zone shall continue to apply.
- d) In the case where the rear lot line of an abutting residential lot or a "RU" – Rural Area Zone lot is contiguous to the rear lot line of an abutting non-residential lot or contiguous to the rear lot line of non-residential lot which abuts a lane, then the minimum height requirements as set out in the non-residential zone shall continue to apply.

5.7 HOME OCCUPATION

Amended by
B/L 111-2003

A home occupation shall be permitted in all zones which permit a dwelling unit, including buildings accessory to the dwelling unit, in accordance with the following regulations:

- a) the occupation shall be lawfully conducted entirely within a dwelling and/or entirely within a building or structure accessory to a dwelling;
- b) it must be clearly incidental and secondary to the dwelling;
- c) it must not change the character or in any way alter the exterior appearance of the dwelling, except by the placement of a sign;
- d) the sale of goods on the premises shall be permitted as part of a home occupation, provided that the sale of goods is incidental and subordinate to the service provided by the home occupation;
- e) a craftsperson may sell the product of such craft, by appointment only, with a maximum of two (2) clients per day;
- f) the home occupation shall be carried on by the inhabitants of the dwelling, except in the case of a home occupation carried on in a single detached dwelling;
- g) in the case of a home occupation carried on in a single detached dwelling, a maximum of one (1) person not residing in the dwelling may assist or be employed provided a minimum of three (3) off-street parking spaces is provided and a minimum of 50% of the required front yard is provided and maintained as landscaped open space;
- h) there shall be no external storage of materials, containers, or finished products, or storage of commercial vehicles unless such vehicle is enclosed in a building or structure that is normally considered incidental to a residential use;

- i) there shall be no external advertising, except that a maximum of one (1) non-illuminated sign shall be permitted in association with a home occupation provided that the sign face area is not greater than 0.3 square metres, and provided that the sign is intended solely to identify a lawful home occupation, or home occupations, located on the premises where the sign is situated and provided that the sign is mounted on the front wall of the dwelling unit or in a front window of the dwelling unit;
- j) no noise, dust, or odour arising from such occupation shall escape to adjoining premises;
- k) the area devoted to such occupation, whether located in the dwelling and/or in an accessory building or structure, shall not exceed a total gross floor area equal to twenty-five percent (25%) of the gross floor area of the dwelling;
- l) without limiting the generality of the foregoing, may include an office, including a doctor's or dentist's office, a single chair barber shop, a single chair hairdresser, a commercial school with a maximum of two pupils at any one given time, an electrical contractor, a master electrician, a transient trader, a plumbing contractor, a master plumber, an auctioneer, a transient photographer, provided that the requirements of subsections (a) to (k) of this Section are complied with, but shall not include any type of automotive service or repairs.

5.8 Repealed by By-law 2-1986.

5.9 Repealed by By-law 2-1986.

5.10 NON-COMPLYING USE

5.10.1 Rebuilding or Repair:

Amended by
B/L 2-1986
B/L 188-1986

Nothing in this By-law shall prevent the rebuilding or repair of a non-complying use, if such use is destroyed by accidental fire or natural disaster after the effective date of this By-law provided that the building or structure is built to its prior gross floor area or to a gross floor area which would not further contravene any of the regulations of this By-law, at its prior location on the lot or at a location on the lot that would not further contravene any of the regulations of this By-law and provided further that if the use is altered in any way that the use would not further contravene any of the regulations of this By-law.

5.10.2 Extensions Permitted:

Nothing in this By-law shall prevent an extension or addition or strengthening to a safe condition of any non-complying use provided such extension, addition or strengthening does not further contravene any of the regulations of this By-law and provided further that:

5.10.2
Amended by
B/L 2-1986

- (i) a minimum separation distance of 0.6 metres is maintained from any lot line to such extension or addition.
- (ii) Repealed by By-law 2-1986.
- (iii) Repealed by By-law 2-1986.

5.10.3 Alterations to a Lot

Added by
B/L 2-1986

A Non-Complying Use shall not lose its status as such, if the boundaries of the lot are changed, provided such change conforms to all other regulations of the By-law and provided that such change does not cause a further contravention of the By-law.

5.10.4 Change of Use:

Added by
B/L 188-1986

Nothing in this By-law shall prevent a non-complying use from changing to another use permitted in the zone in which such use is situated provided that the change in use does not further contravene any of the regulations of this By-law. Where a change in use occurs, in accordance with this paragraph, the new use shall be deemed to be a non-complying use for the purpose of Section 5.10 unless such use complies with all of the regulations of this By-law.

5.11 NON-CONFORMING USE

5.11.1 Rebuilding or Repair:

- a) where in any zone, an existing occupied dwelling exists as a legal non-conforming use and the dwelling is damaged or destroyed by accidental fire or a natural disaster, this By-law does not prevent the reconstruction of the dwelling to its prior dimensions or to smaller dimensions and at its prior location or at a location that would be more in conformity with the By-law;
- b) where in any zone, an existing building, structure, or use exists as a legal non-conforming use other than a dwelling, and which has been damaged by accidental fire or natural disaster to the extent of more than sixty percent (60%) of its value, it shall not be restored except in conformity with the permitted uses and regulations of this By-law for the zone in which it is located, unless a decision of the Committee of Adjustment rules otherwise;

For the purpose of this Subsection, 60% of the value is exclusive of walls below grade and shall be determined at the date of damage by fair building standards and two estimates by certified appraisers shall be obtained with the average estimated percentage deemed to be the percent of the building damaged.

5.11.2 Restoration:

Subject to the regulations of Subsection 5.11.1 of this Section, nothing in this By-law shall prevent the strengthening or restoration to a safe condition of all or part of any building, structure, or use provided that such repair or restoration does not increase the height, size, or volume or change in any way the use of such building, structure, or lot.

5.11.3 Alteration to the Size of a Lot

Added by
B/L 2-1986

Except by an amendment to this By-law there shall be no change in the size of a lot which is occupied by a non-conforming use.

5.12 OFF-STREET LOADING SPACE REQUIREMENTS

Where a loading space is required by this By-law, no person shall erect or use any building, structure, or land in any zone unless such loading spaces are provided and maintained in accordance with the following requirements and restrictions:

5.12.1 Size of Loading Spaces:

- a) a loading space shall be a rectangular area measuring not less than 3.66 metres in width and 9.0 metres in length;
- b) each loading space shall have a minimum vertical clearance of 4.3 metres.

5.12.2 Location:

- a) no loading space shall be provided within the required front yard or within the required exterior side yard of the lot;
- b) no loading space shall be upon or partly upon any street allowance or lane;

Amended by
B/L 2-1986

- c) no loading space shall occupy any required parking space.

5.12.3 Access:

- a) each loading space shall have an unobstructed ingress and egress of not less than 6.0 metres in width to and from a street or lane;
- b) each loading space shall be accessible from a street or lane by means of driveways, aisle maneuvering, or similar areas, no part of which shall be used for the parking or temporary storage of motor vehicles.

5.12.4 Number of Loading Spaces Required:

Use	Minimum Number of Loading Spaces
a) <u>Residential Use</u>	
an apartment dwelling containing more than eight units	one space
b) <u>Non-residential Use</u>	
The number of loading spaces required on a lot shall be based on the total gross floor area of all the non-residential uses on the said lot for which loading spaces are required, in accordance with the following:	
less than 500 square metres of gross floor area	zero spaces
500 square metres of gross floor area up to and including 2,500 square metres of gross floor area	one space
over 2,500 square metres of gross floor area up to and including 10,000 square metres of gross floor area	two spaces
over 10,000 square metres of gross floor area	two spaces plus one additional space for every 10,000 square metres of gross floor area or part thereof in excess of 10,000 square metres

5.12.5 Exemption for Central Business District Zone:

Notwithstanding any other regulations hereof to the contrary, no loading spaces shall be required for any building or structure or use located within the Central Business District Zone. (CBD)

5.13 OFF-STREET PARKING REQUIREMENTS

Permanently maintained off-street parking spaces shall be provided in accordance with the following regulations:

5.13.1 Access to Parking Areas and Spaces:

5.13.1
Amended by
B/L 2-1986

a) Every lot shall have one or more unobstructed driveways not exceeding 9.0 metres in width, provided that no lot shall have more than two (2) driveways for the first 30.0 metres of street line thereof plus one (1) driveway for each additional 30.0 metres of street line.

Amended by
B/L 2-1986

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

Amended by
B/L 2-1986

c) Except for a cottage dwelling, a duplex dwelling, a mobile home double wide or single wide, a residential care unit Type I or Type II dwelling, a semi-detached dwelling, a single detached dwelling, and a street townhouse, where a parking area is required to contain three or more parking spaces, such parking areas shall have unobstructed access to an aisle leading to a driveway;

d) aisles leading to parking spaces and providing unobstructed access from each parking space to a driveway or street shall be established on the following basis:

<u>Angle of Parking</u>	<u>Minimum Aisle Width</u>
(i) up to and including 45 degrees	4.6 metres
(ii) over 45 degrees up to and including 70 degrees	5.2 metres
(iii) over 70 degrees up to and including 80 degrees	6.1 metres
(iv) over 80 degrees up to and including 90 degrees	6.7 metres

e) any lights used for the illumination of the parking facilities shall be so arranged as to divert light away from the adjacent lots.

Added by
B/L 72-2005

f) a minimum of one access aisle, being 2.8 metres in width and 6.0 metres in length, is required adjacent to a designated barrier-free parking space.

Added by
B/L 72-2005

g) the minimum vertical clearance of a designated barrier-free parking space shall be 3.0 metres.

Added by
B/L 72-2005

h) the minimum width of a curb cut connecting a designated barrier-free parking space to above grade sidewalks shall be 1.0 metre.

Added by
B/L 72-2005

i) the maximum distance between a barrier-free parking space and a barrier-free building entrance shall be 45.0 metres.

Added by
B/L 72-2005

j) the maximum distance between a barrier-free parking space and a curb cut that leads to a barrier-free building entrance shall be 30.0 metres.

5.13.2 Addition to Existing Use:

Amended by
B/L 2-1986
B/L 65-1989

Where a building or structure or use has insufficient parking spaces, and insufficient lot area to provide sufficient parking spaces on the effective date of this By-law, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition or a change of use, provided however, that any additional parking spaces required by this By-law for such addition or change of use are provided in accordance with all regulations hereof respecting parking spaces and parking areas.

5.13.3 Calculation of Spaces:

- a) if the calculation of the required parking spaces results in a fraction, the required parking spaces shall be the next higher whole number;
- b) where a building or structure or lot accommodates more than one use, the total parking space requirement for such building, structure or lot shall be the sum of the requirements for each separate use except that in the case of a shopping centre or an industrial centre, the parking space requirement for a shopping centre or industrial centre shall apply regardless of the uses within the centre;
- c) parking spaces required in accordance with this By-law shall not include any parking spaces used or intended to be used for the storage or parking of vehicles for hire or gain, display, or sale;
- d) where seating is provided in the form of fixed benches or pews, then 0.6 metres of each such bench or pew shall be considered as equalling one seat.

5.13.4 Dimensions of Parking Spaces:

A parking space required hereby shall have minimum rectangular dimensions of 2.8 metres by 6.0 metres, except that:

- a) notwithstanding any other regulation hereof to the contrary, the minimum width of a parking space accessory to a single or semi-detached dwelling shall be 2.4 metres;
- b) where the principal access to a parking space is provided on the longest dimension of such parking space, the minimum dimensions of the said parking space shall be 2.4 metres by 6.7 metres;
- c) where the side of a parking space abuts a wall, a column, a pillar, a fence, a pole, or other obstruction or part thereof, the minimum width of the said parking space shall be 3.0 metres;
- d) where the length of a parking space abuts an area of landscaped open space or a pedestrian walkway greater than 1.0 metres in width, the minimum width of the said parking space shall be 2.4 metres.
- e) the minimum size of a designated barrier-free parking space shall be 2.8 metres in width and 6.0 metres in length.
- f) where the principal access to a designated barrier-free parking space is provided on the longest dimension of such parking space; the minimum dimensions of the said parking space shall be 4.2 metres in width and 7.0 metres in length.

Added by
B/L 72-2005

Added by
B/L 72-2005

5.13.5 Exemption for Central Business District Zone:

Amended by
By-law 83-1997

Despite any other provision of this By-law, no parking spaces shall be required for any building, structure or use located within the Central Business District Zone except for a building containing one or more dwelling units, other than a senior citizen dwelling, in which case a minimum of 1.0 parking spaces per dwelling unit shall be provided.

5.13.6 Location of Parking Areas:

All required parking spaces shall be provided on the same lot or on an additional lot within 40.0 metres of the closest boundary of the said lot, provided however, except for parking standards the additional lot used for parking shall not be used to determine any of the minimum requirements for the main use.

5.13.7 Parking Shelter:

Amended by
B/L 2-1986

Nothing in this By-law shall prevent the erection of a shelter for use solely by parking attendants in any part of a parking area, provided such shelter is not more than 4.5 metres in height and has a gross floor area of not more than 5.0 square metres.

5.13.8 Underground Parking Area:

Nothing in this By-law shall apply to prohibit the location of underground parking areas in any yard, provided that:

- a) no part of any underground parking area shall be situated above finished grade in any required yard;
- b) no part of any underground parking area shall be located within the limits of a street allowance or a lane.

Amended by
B/L 2-1986

5.13.9 Parking Spaces Required:

Except as otherwise provided herein, the following parking regulations shall apply to the use of any land, building, or structure:

Use	Minimum Number of Parking Spaces
a) <u>Residential Uses</u>	
Converted Dwelling	one space per unit
Lodging House	1.5 spaces per dwelling unit plus one space for every five rooms or portion thereof provided in the dwelling for accommodation
Residential Care Facility One and/or Residential Care Facility Two	2.0 spaces
Rooming House	one space for every five rooms or portion thereof provided in the dwelling for accommodation
Senior Citizen Dwelling	0.5 spaces per unit
All Other Dwellings	1.5 spaces per unit
b) <u>Non-Residential Uses</u>	
Adult Day Care Facility	one space for every staff member plus one space for every four clients.

Amended by
B/L 2-1986

Amended by
B/L 056-2006

Added by
B/L 132-2002

Added by
By-law 33-2000

Animal Shelter one space for every 23.0 square metres of gross floor area

Amended by
B/L 2-1986

Automotive Gas Bar in addition to the fueling spaces provided at the fuel pump island, one space for every two fueling spaces shall be provided

Automotive Sales Establishment one space for every 37.0 square metres of gross floor area devoted to storage, offices and display area plus three spaces for every service bay devoted to repair facilities

Amended by
B/L 2-1986

Automotive Service Station in addition to the fueling spaces provided at the fuel pump island, one space for every two fueling spaces shall be provided plus three spaces for every service bay devoted to repair facilities

Added by
B/L 2-1986

Bakery one space for every 31.0 square metres of gross floor area devoted to a retail use plus one space for every 372.0 square metres of gross floor area devoted to the non-retail aspect of the bakery

Bank one space for every 11.0 square metres of gross floor area

Beer Store one space for every 26.0 square metres of gross floor area

Body Repair Shop three spaces for every service bay devoted to repair facilities

Building Supply Outlet one space for every 55 square metres of gross retail floor area for an outlet with 930.0 square metres or more of gross floor area

five spaces or one space for every 37.0 square metres of gross retail floor area, whichever is the greater, for an outlet with less than 930.0 square metres of gross floor area

Bus Depot a minimum of 20 spaces

Cabins one space for every cabin

Car Rental Agency one space for every 23.0 square metres of gross floor area

Deleted by
B/L 244-1987

Cemetery twenty spaces which may be arranged in a stacking lane

Commercial School one space for every staff member plus one space for every four pupils

Added by
B/L 2-1986

Community Bake Shop five spaces or one space for every 23.0 square metres of gross floor area devoted to a retail use, whichever is the greater, plus one space for every 92.0 square metres of gross floor area devoted to the non-retail aspect of the bake shop

Community Centre one space for every six fixed seats and one space for every 6.0 square metres of floor area used for assembly where there are no fixed seats

Community Clinic one space for every 23.0 square metres of gross floor area

Crisis Residence one space for every 23.0 square metres of gross floor area

Day Nursery one space for every staff member plus one space for every four pupils

Drug Store five spaces, or one space for every 37.0 square metres of gross retail floor area, whichever is the greater

Dry Cleaning Depot five spaces, or one space for every 37.0 square metres of gross retail floor area, whichever is the greater

Amended by
B/L 2-1986

Educational Institution 1.25 spaces for every class room plus an additional three spaces for every classroom in a secondary school, college or university

Fairgrounds one space for every 9.0 square metres of lot area

Added by
B/L 035-2005

Fitness Centre one space for every 20.0 square metres

Food Store one space for every 20.0 square metres of gross retail floor area

Fraternal Organization one space for every six seats and one space for every 6.0 square metres of floor area used for assembly where there are no fixed seats

Funeral Home one space for every six fixed seats and one space for every 6.0 square metres of floor area used for assembly where there are no fixed seats

Added by
B/L 2-1986

Furniture Showroom one space for every 55.0 square metres of gross retail floor area plus one space for every 372.0 square metres devoted to storage

Golf Course fifty spaces for every nine holes

Government Building one space for every 23.0 square metres of gross floor area

Greenhouse one space for every 37.0 square metres of gross floor area

	Group Residence	one space for every 23.0 square metres of gross floor area
	Hospital	one space for every 1.5 hospital beds
	Hotel	one space for every bed-room plus one space for every five persons that can be accommodated at any one time in the dining or banquet facilities, lounges and meeting rooms
	Institution of Culture	one space for every six fixed seats and one space for every 6.0 square metres of floor area used for assembly where there are no fixed seats
	Kennel	four spaces
Added by B/L 13-2005	Laboratory	one space for every 23.0 square metres of gross floor area
	Laundromat	one space for every three washing machines
	Library	one space for every 23.0 square metres of gross floor area
	Liquor Store	one space for every 20.0 square metres of gross floor area
Added by B/L 239-2002	Long Term Care Facility	one space for every two beds
	Motel	one space for every bedroom plus one space for every five persons that can be accommodated at any one time in the dining or banquet facilities, lounges and meeting rooms
	Movie Theatre	one space for every six fixed seats
Added by B/L 2-1986	Neighbourhood Bake Shop	three spaces or one space for every 23.0 square metres of gross floor area devoted to a retail use, whichever is the greater, plus one space for every 92.0 square metres of gross floor area devoted to the non-retail aspect of the bake shop
	Neighbourhood Clinic	one space for every 23.0 square metres of gross floor area
	Nursery	one space for every 37.0 square metres of gross floor area
Amended by B/L 239-2002	-	-
	Office	one space for every 23.0 square metres of gross floor area
Added by B/L 281-1989	Paint, Glass and Wallpaper Store	one space for every 55 square metres of gross retail floor area for a store with 930.0 square metres or more of gross floor area

	five spaces or one space for every 37.0 square metres of gross retail floor area, whichever is the greater, for a store with less than 930.0 square metres of gross floor area
Park	no minimum
passive leisure activity or a playlot with activity equipment for children	
organized activities including a bowling green, outdoor skating rink, tennis or badminton courts, sportsfield, conservation area and the like	
0 to 10.0 hectares of lot area	one space for every 700.0 square metres of lot area
10.01 to 100.0 hectares of lot area	one space for every 5,000.0 square metres of lot area
100.01 or more hectares of lot area	one space for every 10,000.0 square metres of lot area
Personal Service Shop	one space for every 19.0 square metres of gross floor area
Place of Amusement	
arena, auditorium, dance hall, public hall, or music hall or similar use	one space for every six fixed seats and one space for every 6.0 square metres of floor area used for assembly where there are no fixed seats
billiard or poolroom, ice rink, roller rink, swimming pool, video arcade	one space for every four persons that can be accommodated at capacity
bowling alley	four spaces for every bowling lane
curling rink	eight spaces for every sheet of ice
driving range	one space for every driving pad
miniature golf course	eighteen spaces
Private Club	one space for every six fixed seats and one space for every 6.0 square metres of floor area used for assembly where there are no fixed seats
Public Recreation	refer to requirements for park and place of amusement
Public Sauna	1.5 spaces for each sauna unit
Religious Institution	one space for every six fixed seats plus one space for every 6.0 square metres of floor area used for assembly where there are no fixed seats

Added by B/L 13-2005	Research and Development Centre	one space for every 23.0 square metres of gross floor area
Added by B/L 056-2006	Residential Care Facility Three	One space for every 23.0 square metres of gross floor area
	Restaurant	one space for every 6.25 square metres of gross floor area
Amended by B/L 2-1986	Retail Store	
	with a gross floor area of less than 930.0 square metres	five spaces or one space for every 37.0 square metres of gross retail floor area whichever is the greater
	with a gross floor area of 930.0 square metres or more	one space for every 55.0 square metres of gross retail floor area
	Retail Warehouse	one space for every 31.0 square metres of gross floor area devoted to a retail use plus one space for every 372.0 square metres of gross floor area devoted to warehousing
Added by B/L 239-2002	Retirement Residence	one space for every two private bedrooms or living units
	Second Hand Shop	five spaces or one space for every 37.0 square metres of gross retail floor area whichever is the greater
	Service Shop	one space for every 37.0 square metres of gross floor area
	Shopping Centre with a gross floor area of less than 930.0 square metres	one space for every 17.0 square metres of gross retail floor area
Amended by B/L 194-1990	Shopping Centre with a gross floor area of 930.0 square metres to 9,300.0 square metres	one space for every 21.0 metres of gross retail floor area plus, in cases where storage areas devoted to an individual establishment within the shopping centre are located in the basements, mezzanines or upper floors and exceed 35% of the gross retail floor area of such establishment, one space for every 35.0 square metres of gross floor area of such storage areas.
Amended by B/L 194-1990	Shopping Centre with a gross floor area of more than 9,300.0 square metres	one space for every 17.5 square metres of gross retail floor area plus in cases where storage areas devoted to an individual establishment within the shopping centre are located in basements, mezzanines or upper floors, and exceed 35% of the gross retail floor area of such establishment, one space for every 35.0 square metres of gross floor area of such storage areas.

Tavern	one space for every five persons that can be legally accommodated at full capacity
Taxi Stand	one space for every taxi
Train Station	a minimum of 20 spaces
Variety Store	one space for every 23.0 square metres of gross floor area
Veterinary Clinic	one space for every 23.0 square metres of gross floor area
Warehouse	one space for every 372.0 square metres of gross floor area
any use permitted in a commercial or institutional zone that is not specifically listed in this subsection	one space for every 23.0 square metres of gross floor area

5.13.10 Barrier-free Parking Spaces Required:

Added by
B/L 72-2005

All parking areas must have parking spaces designated as barrier-free in accordance with the following:

- a) For all uses except for Hospitals, Clinics, Long-term Care Facilities, Retirement Residences, Senior Citizen Dwellings, Adult Day Care Facilities, Pharmacies, and Drugstores

Total Required Parking Spaces:	Minimum number of barrier-free parking spaces of total required:
20 – 25	1
26 – 50	2
51 – 75	3
76 – 100	4
101 – 150	5
151 – 200	6
201 – 300	7
301 – 400	8
401 – 500	9
501 – 1,000	2% of Total rounded to next whole number
1,000 or greater	20 plus 1 for each 100 over 1,000

- b) For Hospitals, Clinics, Long-term Care Facilities, Retirement Residences, Senior Citizen Dwellings, Adult Day Care Facilities, Pharmacies, and Drugstores:

Total Required Parking Spaces:	Minimum number of barrier-free parking spaces of total required:
20 – 25	2
26 – 50	3
51 – 75	4
76 – 100	5
101 – 150	6
151 – 200	7
201 – 300	8
301 – 400	9
401 – 500	10
501 – 1,000	3% of Total rounded to next whole number
1,000 or greater	30 plus 1 for each 100 over 1,000

5.13.11 Signage Requirements for Designated Barrier-free Parking Spaces:

Added by
B/L 72-2005

- a) All designated barrier-free parking spaces must be identified with the international symbol of accessibility painted on the pavement in the centre of the space, with such symbol painted white in a square field of blue being 1.0 square metre in area.
- b) All lines marking a designated barrier-free parking space and access aisle must be painted in blue.
- c) All designated barrier-free parking spaces must be identified by a sign located not less than 1.5 metres above ground level with the international symbol of accessibility and the words "Permit Required".

5.13a OUTDOOR FURNACE:

Added by
B/L 60-2002
April 8, 2002

Notwithstanding any other provision of this By-law, an outdoor furnace is permitted only on lots having a minimum lot frontage of 60.0 metres and a minimum lot area of 2.0 hectares, in accordance with the following regulations:

- a) An outdoor furnace shall be located only in a rear yard.
- b) An outdoor furnace shall be located a minimum of 12.0 metres from any rear lot line or side lot line.
- c) A minimum separation distance of 15.0 metres shall be provided:
 - (i) between any outdoor furnace and the main building or dwelling located on the same lot as the furnace; and
 - (ii) from an existing main building or an existing dwelling that is not located on the same lot as the furnace.
- d) A minimum separation distance of 3.0 metres shall be provided between the furnace and any accessory building.

5.14 PERMITTED YARD ENCROACHMENTS

5.14.1 Architectural Features:

(a) Required Yard

Amended by
B/L 2-1986

In any required yard, the projection of windows or window sills, chimneys, cornices, eaves, and similar architectural features shall be permitted provided that they do not project more than 0.6 metres into any required yard, and that a minimum distance of 0.3 metres shall be maintained between the projection and any lot line.

(b) Separation Distance

Added by
B/L 2-1986

Where a separation distance is required in this By-law, the projection of windows or window sills, chimneys, eaves, and similar architectural features shall be permitted provided that they do not project more than 0.6 metres into the required separation distance.

5.14.2 Fire Escapes:

(a) Required Yard

Amended by
B/L 2-1986

Fire escapes may be constructed in a side and/or rear yard provided that such fire escape does not project more than 1.2 metres into the required side and/or required rear yard.

(b) Separation Distance

Added by
B/L 2-1986

Where a separation distance is required in this By-law, the projection of a fire escape shall be permitted provided that it does not project more than 1.2 metres into the required separation distance.

5.14.3 Deck:

Amended by
B/L 244-1987

(a) Required Yard

A deck may project into a required front yard or required rear yard a maximum distance of 1.5 metres, provided however, no enclosure of such deck exceeds a height of 1.2 metres above its floor and provided that a minimum distance of 1.5 metres shall be required between the lot line and the nearest part of any deck and provided further that the floor of the deck is not more than 1.5 metres above finished grade.

Amended by
B/L 294-2003

(b) Separation Distance

Where a separation distance is required in this By-law, a deck may project into the required separation distance

5.14.4 Landings, Stairs and Wheel Chair Ramps

Amended by
B/L 244-1987

(a) Required Yard:

Landings, stairs and wheelchair ramps may project into any required yard.

(b) Separation Distance:

Where a separation distance is required in this By-law, landings, stairs and wheelchair ramps may project.

5.14.5 Balconies:

Amended by
B/L 244-1987

(a) Required Yard

A balcony may project into any required front yard or required rear yard a maximum distance of 1.5 metres, provided however, no enclosure of such balcony exceeds a height of 1.2 metres above its floor and provided that a minimum distance of 1.5 metres shall be required between the lot line and the nearest part of any balcony.

(b) Separation Distance

Where a separation distance is required in this By-law, a balcony shall not project into the required separation distance.

5.14.6 Patio:

Added by
B/L 294-2003

(a) Required Yard

A patio may project into any required side yard, provided however, the floor is at the finished ground level of the side yard.

(b) Separation Distance

Where a separation distance is required in this By-law, a patio may project.

5.14a PRIVATE HOME DAY CARE

Added by
B/L 132-2002

A private home day care is permitted in all zones that permit a dwelling unit.

5.15 PROHIBITED USES

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

5.16 PUBLIC UTILITY

Amended by
B/L 2-1986

Nothing in this By-law shall be so interpreted as to interfere with the construction, maintenance, and operation of any public utility in any zone, provided that, except for a Electric Power Distribution Station no building or structure associated with such utility exceeds a maximum gross floor area of 140.0 square metres. However, if a public utility is specifically permitted in a zone, then all the regulations of the zone shall apply.

5.17 REDUCTION IN REGULATIONS AS A RESULT OF PUBLIC ACTIONS

5.17.1 Reduced Lot Area and/or Lot Frontage and/or Lot Depth of a Vacant Lot:

If the lot area and/or lot frontage and/or lot depth is reduced on a vacant lot as a result of the action of the Corporation or of the Provincial or Federal Government or Crown Agency, then a permitted use may be located on the vacant lot provided all other regulations of the By-law are complied with.

5.17.2 Reduced Regulations of a Lot with an Existing Permitted Use:

Where, as a result of the action of the Corporation or of the Provincial or Federal Government or Crown Agency, a lot with an existing permitted building, structure, or use becomes non-complying with one or more regulations of this By-law, then the existing building, structure or use may be repaired, renovated, altered, or enlarged, provided that the repair, renovation, alteration, or enlargement does not cause a further contravention to the regulations of this By-law.

5.18 Repealed by By-law 2-1986

5.19 SIGNS

Amended by
B/L 2-1986

Unless specifically prohibited elsewhere in this By-law, a sign shall be permitted in all zones in accordance with the City of Thunder Bay Sign By-law and the regulations contained therein.

5.20 SPLIT ZONING

Where a lot has more than one zone applying to it, then the regulations of the zone where 50% or more of the use, building or structure is or is intended to be located shall apply.

In addition, regardless of the number of zones applying to a lot the total lot may be used to satisfy the minimum requirements of this By-law.

5.20a STREET FRONTAGE

Added by
B/L 2-1986

Notwithstanding any other provision of this By-law, no building or structure or open storage shall be permitted on a lot which has a street frontage of less than 6.0 metres.

5.20b STREETS

Added by
B/L 188-1986

Highways, roads, streets, lanes and public sidewalks shall be permitted in all zones.

5.20c STORAGE CONTAINER

Added by
B/L 051-2007

A storage container shall be used exclusively for the storage of goods and materials and may not be used to accommodate work areas, shops, office uses, retail sales, or human habitation.

5.21 SWIMMING POOLS

Swimming pools accessory to a residential use are permitted in any zone provided the following regulations are complied with:

5.21.1 Below Finished Grade Unenclosed

Amended by
B/L 2-1986

Swimming pools with the walls of the pool completely below finished grade and not located within a building or structure may be allowed in an interior side yard or a rear yard provided that the walls of the pool are a minimum of 1.5 metres from the interior side or rear lot line and that any filters, pumps, or similar operating machines, whether open or enclosed or in an accessory structure, are a minimum distance of 0.6 metres from any lot line and a minimum distance of 3.0 metres from any main building on the lot.

5.21.2 Enclosed and/or Above Finished Grade

Amended by
B/L 2-1986
B/L 204-1992

- a) Swimming pools located within a building or enclosed structure detached from the main building shall conform to the General Regulations of this By-law relating to "Accessory Uses"; and
- b) Swimming pools located within a building or structure attached to the main building shall be considered part of the main building and shall conform to all regulations of the zone in which it is located.

5.21.3 Above Finished Grade

Swimming pools with any portion of the walls of the pool above finished grade may be located in an interior side yard or a rear yard, provided the walls of the pool are a minimum of 1.5 metres from the interior side or rear lot line and that any filters, pumps, or similar operating machines, whether open or enclosed or in an accessory structure, are a minimum distance of 0.6 metres from any lot line and a minimum distance of 3.0 metres from any main building on the lot.

5.22 TEMPORARY RADIO OR TELEVISION BROADCASTING

Added by
B/L 2-1986

Notwithstanding anything contained in this By-law, a "radio or television station studio" will be permitted to be temporarily located in any zone if such studio is created for the purpose of broadcasting a single happening or event.

5.23 UNDERSIZED LOTS

Added by
B/L 2-1986

5.23.1 Permitted Use

A permitted use may be located on an undersized lot in the following circumstances on the following lands:

- a) Where a lot of record has insufficient lot area and/or lot frontage and/or lot depth; or
- b) Where a parcel of land has insufficient lot area and/or lot frontage and/or lot depth and was subject to a Committee of Adjustment decision permitting a severance between January 1, 1980 and the effective date of this By-law, and which was subsequently conveyed; or
- c) Where a parcel of land has insufficient lot area and/or lot frontage and/or lot depth after January 1, 1984 and was a lot on a plan of subdivision which received draft approval between January 1, 1972 and the effective date of this By-law and which was subsequently conveyed,

provided that the following conditions are met by the lands referred to in Section 5.23.1(a), (b) and (c):

- (i) in a residential zone where a single detached dwelling is a permitted use, then only one dwelling unit shall be permitted on the undersized lot; and
- (ii) in a residential zone where an apartment dwelling is a permitted use and a single detached dwelling is not permitted, then a maximum of three dwelling units shall be permitted on the undersized lot; and
- (iii) the lot has a minimum of 6.0 metres of lot frontage; and
- (iv) provided that all other regulations of this By-law are complied with except that;

Amended by
B/L 188-1986

- 1) the interior side yard requirements for each interior side yard may be reduced to 10% of the lot frontage of the lot;
- 2) the rear yard requirement may be reduced to 20% of the lot depth;

Added by
B/L 57-2004

- 3) the maximum lot coverage may be increased to 40%.

5.23.2 Increasing the Size of an Undersized Lot

An undersized lot entitled to relief provided for in Section 5.23.1 shall not become disentitled thereto whereby because the size of the holding has increased, and the additional lands added to the original holding shall be deemed to constitute part of the undersized lot as at the relevant date for the purpose of Section 5.23.1

5.23.3 Strengthening to a Safe Condition

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of all or part of any building, structure or use on an undersized lot, provided that such repair or restoration does not increase the height, size or volume or change in any way the use of such building, structure or lot.

5.24 Lands Susceptible to Flooding

Added by
B/L 2-1986

5.24.1 No building used for human habitation shall be constructed, erected or otherwise located on lands with a zone symbol with the suffix (F) on the Zoning map referred to in Section 3.1(a) to which this Section applies, unless such building is flood-proofed. However, this shall not restrict or prevent the construction of any alteration or extension to a building lawfully existing on the effective date of this By-law, or any works necessary thereto for strengthening, repair, or otherwise maintaining such building in a proper structural state.

5.24.2 The requirements of this Section are in addition to any applicable requirements of the Lakehead Region Conservation Authority (which may also require features and works to secure structural integrity under storm conditions, among other matters) or any other body having similar jurisdiction over such lands.

5.24.3 No person shall be entitled to any municipal permit, certificate or licence unless the requirements of the Lakehead Region Conservation Authority or such body have been complied with.

5.25 LONG STANDING USES:

Added by
B/L 244-1987

For the purpose of this By-law:

- a) Where any land, building or structure was used as at January 1, 1970, for a purpose permitted in the zone in which it was then located, such use is deemed to have been a legally conforming use as at that date, notwithstanding any violation or lack of conformity or compliance of any other provision of the applicable Zoning By-law; and
- b) Where any land, building or structure was used as at January 1, 1970, for a purpose not permitted in the zone in which it was then located, such use is deemed to have been a legally non-conforming use as at that date, notwithstanding any other violation or lack of conformity or compliance of the applicable By-law.

5.26 BED AND BREAKFAST

Added by
B/L 55-1994

A bed and breakfast is permitted in any zone which permits a single detached dwelling, a semi-detached dwelling or a duplex dwelling as a main use, in accordance with the following regulations:

- a) the operation of a bed and breakfast shall be incidental and secondary to the main use as a dwelling unit;
- b) the operation of a bed and breakfast shall not change the character or in any way alter the exterior appearance of the dwelling;
- c) the bed and breakfast shall be operated only by a person or persons whose principal residence is the dwelling unit containing the bed and breakfast;
- d) the maximum length of stay for a guest in a bed and breakfast shall not exceed ten (10) consecutive days;
- e) one (1) parking space shall be provided for every two (2) bedrooms used to provide accommodation to the travelling or vacationing public, in addition to the parking spaces required for the dwelling unit, in accordance with the following regulations:
 - (i) such parking space(s) shall have minimum rectangular dimensions of 2.4 metres by 6.0 metres;
 - (ii) such parking space(s) shall be located on the same lot as the bed and breakfast; and
 - (iii) such parking space(s) may be located in tandem with the parking spaces required for the dwelling unit;
- f) the operation of a bed and breakfast is not permitted in conjunction with the rental of accommodations to roomers or boarders; and
- g) one (1) non-illuminated identification sign with a maximum size of 0.185 square metres mounted on the wall of the dwelling is permitted.

5.27 NEIGHBOURHOOD POLICE STATION

Added by
B/L 252-1996

A neighbourhood police station is a permitted use in all zones, except the "HL" - Hazard Land Zone. This use is not subject to any of the regulations of this By-law, except Section 5.5.

SECTION 6 RURAL AREA ZONE (RU)

6.1 PERMITTED USES

Amended by
B/L 2-1986
B/L 244-1987

- agriculture
- a single detached dwelling for an essential workman, owner, caretaker required to live on site for a use permitted in this Section

Deleted by
B/L 187-2004

-
- greenhouse
- kennel
- nursery
- park
- public recreation

Amended by
B/L 056-2006

- residential care facility one
- riding and boarding stables
- single detached dwelling which may include personal farming
- veterinary clinic
- wayside pit or quarry
- buildings, structures, or uses accessory to a permitted use in this Section

6.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Rural Area Zone (RU):

6.2.1 Minimum Lot Area

Amended by
B/L 2-1986
B/L 244-1987

- a) Single Detached Dwelling which may include personal farming only when not associated with an essential workman, owner or caretaker as listed in Section 6.1:

2.0 hectares

- b) Other Uses:

2.0 hectares

6.2.2 Minimum Lot Frontage

Amended by
B/L 2-1986
B/L 244-1987

- a) Single Detached Dwelling which only may include personal farming only when not associated with an essential workman, owner or caretaker as listed in Section 6.1:

60.0 metres

- b) Other Uses:

90.0 metres

6.2.3 Minimum Front Yard:

Amended by
B/L 2-1986
B/L 244-1987

- a) Single Detached Dwelling which may include personal farming:

10.0 metres

- b) Other Uses:

15.0 metres

6.2.4

Minimum Exterior Side Yard:

Amended by
B/L 244-1987
B/L 294-2003

- a) Single Detached Dwelling which may include personal farming:
6.0 metres for each exterior side yard
- b) Other Uses:
15.0 metres for each exterior side yard

6.2.5

Minimum Interior Side Yard:

Amended by
B/L 244-1987

- a) Single Detached Dwelling which may include personal farming:
3.0 metres for each interior side yard
- b) Other Uses:
15.0 metres for each interior side yard

6.2.6

Minimum Rear Yard:

Amended by
B/L 244-1987

- a) Single Detached Dwelling which may include personal farming:
10.0 metres
- b) Other Uses:
15.0 metres

6.2.7

Maximum Height:

Amended by
B/L 244-1987

- a) Single Detached Dwelling which may include personal farming:
10.0 metres
- b) Other Uses:
15.0 metres

6.2.8

Maximum Number of Main Uses and Main Buildings Per Lot:

Amended by
B/L 244-1987

- a) Uses:
one only except that a dwelling unit for an essential workman, owner or caretaker may also be allowed
- b) Buildings:
 - (i) single detached dwelling which may include personal farming one only
 - (ii) buildings other than those listed in Section 6.2.8(b)(i) of this By-law:
no maximum provided that a minimum distance of 6.0 metres separate each main building

6.2.9

Separation Distance for Agricultural Buildings:

No building or structure used for the feeding, raising, or breeding of livestock and no manure pits or manure storage facilities shall be permitted closer than 150.0 metres from any dwelling that is not located on the same lot as an agricultural use. Provided however, if an agricultural building or structure exists on the effective date of this By-law and is closer than 150.0 metres from any dwelling not located on the same lot as an agricultural use, it may be used for the feeding, raising, or breeding of livestock.

6.2.10

Separation Distance for Dwellings which are not located on the same lot as an Agricultural Use:

No dwelling shall be permitted closer than 150.0 metres from any existing building or structure used for the feeding, raising, or breeding of livestock or closer than 150.0 metres from an existing manure pit or manure storage facility.

6.2.11

Separation Distance for a Wayside Pit or Quarry:

No wayside pit or quarry shall be located closer than 30.0 metres from any street line nor closer than 15.0 metres from any lot line.

6.2.12

Separation Distance for a Residential Care Facility

Amended by
B/L 056-2006

No residential care facility shall be located closer than 960.0 metres from the boundary of a lot of any other residential care facility.

SECTION 7 RURAL COMMERCIAL ZONE 1 (RC1)

7.1 PERMITTED USES

Amended by
B/L 2-1986

- automotive gas bar
- automotive service station
- dwelling unit for the owner or caretaker of a use permitted in this Section
- variety store
- buildings, structures or uses accessory to a permitted use in this Section

7.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Rural Commercial Zone 1 (RC1):

7.2.1 Minimum Lot Area:

2.0 hectares

7.2.2 Minimum Lot Frontage:

90.0 metres

7.2.3 Minimum Front Yard:

10.0 metres

7.2.4 Minimum Exterior Side Yard:

10.0 metres for each exterior side yard

7.2.5 Minimum Interior Side Yard:

3.0 metres for each interior side yard

7.2.6 Minimum Rear Yard:

10.0 metres

7.2.7 Maximum Height:

10.0 metres

7.2.8 Maximum Number of Main Uses and Main Buildings Per Lot:

a) Uses:

no maximum

b) Buildings

Two, provided that a minimum distance of 6.0 metres separates each main building.

7.2.9 Buffering:

Amended by
B/L 7-2005

A privacy fence and/or buffer strip with a minimum height of 1.6 metres shall be provided and maintained along each lot line that is not a street line abutting a Rural Area Zone (RU) or a Residential Estate Zone (RE) and along each lot line abutting a lane which abuts a Rural Area Zone (RU) or a Residential Estate Zone (RE).

7.2.10

Fuel Pump Island Location:

Amended by
B/L 2-1986

Nothing in this By-law shall prevent the location of a fuel pump island, exclusive of any above ground fuel storage facility, in any part of a required front or interior or exterior side yard provided that:

- (a) the minimum distance between any portion of a fuel pump island and any street line or lot line shall be 5.0 metres, provided that, a canopy may project a maximum of 3.0 metres into the 5.0 metre setback requirement.

SECTION 8 RURAL COMMERCIAL ZONE 2 (RC2)

8.1 PERMITTED USES

Amended by
B/L 2-1986

- automotive gas bar
- automotive service station
- dwelling unit for the owner or caretaker of a use permitted in this Section
- variety store
- buildings, structures, or uses accessory to a permitted use in this Section

8.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Rural Commercial Zone 2 (RC2):

8.2.1 Minimum Lot Area:

Amended by
B/L 30-2001

1.0 hectare

8.2.2 Minimum Lot Frontage:

60.0 metres

8.2.3 Minimum Front Yard:

10.0 metres

8.2.4 Minimum Exterior Side Yard:

10.0 metres for each exterior side yard

8.2.5 Minimum Interior Side Yard:

3.0 metres for each interior side yard

8.2.6 Minimum Rear Yard:

10.0 metres

8.2.7 Maximum Height:

10.0 metres

8.2.8 Maximum Number of Main Uses and Main Buildings Per Lot:

a) Uses:

no maximum

b) Buildings:

Two, provided that a minimum distance of 6.0 metres separates each main building.

8.2.9 Buffering:

Amended by
B/L 7-2005

A privacy fence and/or buffer strip with a minimum height of 1.6 metres shall be provided and maintained along each lot line that is not a street line abutting any Rural Area Zone (RU) or Residential Zone and along each lot line abutting a lane which abuts a Rural Area Zone (RU) or a Residential Zone.

8.2.10

Amended by
B/L 2-1986

Fuel Pump Island Location:

Nothing in this By-law shall prevent the location of a fuel pump island, exclusive of any above ground fuel storage, facility, in any part of a required front or interior or exterior side yard provided that:

- a) the minimum distance between any portion of a fuel pump island and any street line or lot line shall be 5.0 metres provided that, a canopy may project a maximum of 3.0 metres into the 5.0 metre setback requirement.

SECTION 9 RESIDENTIAL ESTATE ZONE (RE)

9.1 PERMITTED USES

Amended by
B/L 2-1986

- greenhouse
- nursery
- park
- public recreation

Amended by
B/L 056-2006

Amended by
B/L 274-2002

- residential care facility one
- single detached dwelling

Amended by
B/L 274-2002

- single detached dwelling which includes personal farming
- wayside pit or quarry
- buildings, structures or uses accessory to a permitted use on this Section

9.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Residential Estate Zone (RE):

9.2.1 Minimum Lot Area:

Amended by
B/L 274-2002

- a) Single detached dwelling which includes personal farming:
2.0 hectares

Amended by
B/L 274-2002

- b) Other uses:
1.0 hectare

9.2.2 Minimum Lot Frontage:

60.0 metres

9.2.3 Minimum Front Yard:

10.0 metres

9.2.4 Minimum Exterior Side Yard:

Amended by
B/L 294-2003

6.0 metres for each exterior side yard

9.2.5 Minimum Interior Side Yard:

3.0 metres for each interior side yard

9.2.6 Minimum Rear Yard:

10.0 metres

9.2.7 Maximum Height:

10.0 metres

9.2.8 Maximum Number of Main Uses and Main Buildings Per Lot:

- a) Uses: one only
- b) Buildings: one only

- 9.2.9 Separation Distance for a Wayside Pit or Quarry:
- No wayside pit or quarry shall be closer than 30.0 metres from any street line nor closer than 15.0 metres from any lot line.
- 9.2.10 Separation Distance for a Residential Care Facility
- Amended by
B/L 056-2006 No residential care facility shall be located closer than 960.0 metres from the boundary of a lot of any other residential care facility
- 9.2.11 Special Regulations for a Single Detached Dwelling which includes Personal Farming
- Added by
B/L 274-2002 Notwithstanding the provisions of Section 5.23 Undersized Lots, a single detached dwelling which includes personal farming shall not be permitted on an undersized lot of record.
- 9.2.12 Separation Distance for a Single Detached Dwelling which includes Personal Farming
- Added by
B/L 274-2002 a) No building or structure used for the feeding, raising, or breeding of livestock and no manure pits or manure storage facilities shall be permitted closer than 85.0 metres from any dwelling that is not located on the same lot as the building or structure used for the feeding, raising, or breeding of livestock or the manure pit or manure storage facility.
- b) Despite Section 9.2.12 a), if a building or structure used for the feeding, raising, or breeding of livestock exists on the effective date of this By-law and is closer than 85.0 metres from any dwelling not located on the same lot as a personal farming use, it may be used for the feeding, raising, or breeding of livestock.
- 9.2.13 Separation Distance for Dwellings which are not located on the same lot as a Single Detached Dwelling which includes Personal Farming
- Added by
B/L 274-2002 No dwelling shall be permitted closer than 85.0 metres from any existing building or structure used for the feeding, raising, or breeding of livestock or closer than 85.0 metres from an existing manure pit or manure storage facility.

SECTION 10 RESIDENTIAL SUBURBAN ZONE (RS)

10.1 PERMITTED USES

Amended by
B/L 2-1986
Amended by
B/L 056-2006

- park
- residential care facility one

- single detached dwelling

Amended by
B/L 274-2002

-

- buildings, structures or uses accessory to a permitted use in this Section

10.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Residential Suburban Zone (RS):

10.2.1 Minimum Lot Area:

Amended by
B/L 30-2001

- a) Lots without municipal piped water:

1.0 hectare

Amended by
B/L 274-2002

- b) Lots with municipal piped water:

1850.0 square metres

10.2.2 Minimum Lot Frontage:

Amended by
B/L 274-2002

- a) Lots without municipal piped water:

60.0 metres

- b) Lots with municipal piped water:

30.0 metres

10.2.3 Minimum Front Yard:

10.0 metres

10.2.4 Minimum Exterior Side Yard:

Amended by
B/L 294-2003

6.0 metres for each exterior side yard

10.2.5 Minimum Interior Side Yard:

3.0 metres

10.2.6 Minimum Rear Yard:

10.0 metres

10.2.7 Maximum Height:

10.0 metres

10.2.8

Maximum Number of Main Uses and Main Buildings Per Lot:

a) Uses:

one only

b) Buildings

one only

10.2.9

Amended by
B/L 274-2002

-

10.2.10

Separation Distance for a Residential Care Facility:

Amended by
B/L 056-2006

No residential care facility shall be located closer than 480.0 metres from the boundary of a lot of any other residential care facility

SECTION 11 SUBURBAN COMMERCIAL ZONE (SC)

11.1 PERMITTED USES

Amended by
B/L 2-1986

- automotive gas bar
- automotive service station
- dwelling unit for the owner or caretaker of a use permitted in this Section
- variety store
- buildings, structures, or uses accessory to a permitted use in this Section

11.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Suburban Commercial Zone (SC):

11.2.1 Minimum Lot Area:

Amended by
B/L 30-2001

- a) Lots without municipal piped water:
1.0 hectare
- b) Lots with municipal piped water:
1,850.0 square metres

11.2.2 Minimum Lot Frontage:

- a) Lots without municipal piped water:
60.0 metres
- b) Lots with municipal piped water:
30.0 metres

11.2.3 Minimum Front Yard:

10.0 metres

11.2.4 Minimum Exterior Side Yard:

10.0 metres for each exterior side yard

11.2.5 Minimum Interior Side Yard:

3.0 metres for each interior side yard

11.2.6 Minimum Rear Yard:

10.0 metres

11.2.7 Maximum Height:

10.0 metres

11.2.8 Maximum Number of Main Uses and Main Buildings Per Lot:

- a) Uses:
no maximum

b) Buildings:

Two, provided that a minimum distance of 6.0 metres separates each main building.

11.2.9

Buffering:

Amended by
B/L 7-2005

A privacy fence and/or buffer strip with a minimum height of 1.6 metres shall be provided and maintained along each lot line that is not a street line, abutting a Rural (RU) Zone or a Residential Zone and along each lot line abutting a lane which abuts a Rural Area Zone (RU) or a Residential Zone.

11.2.10

Fuel Pump Island Location:

Amended by
B/L 2-1986

Nothing in this By-law shall prevent the location of a fuel pump island, exclusive of any above ground fuel storage, facility, in any part of a required front or interior or exterior side yard provided that:

- a) the minimum distance between any portion of a fuel pump island and any street line or lot line shall be 5.0 metres provided that, a canopy may project a maximum of 3.0 metres into the 5.0 metre setback requirement.

SECTION 12 RESIDENTIAL ONE UNIT ZONE (R1)

12.1 PERMITTED USES

Amended by
B/L 132-2002
Amended by
B/L 2-1986

-
-
- park
- residential care facility one
- single detached dwelling
- buildings, structures or uses accessory to a permitted use in this Section

Amended by
B/L 056-2006

12.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Residential One Unit Zone (R1):

12.2.1 Minimum Lot Area:

Amended by
B/L 30-2001

- a) lots without municipal piped water and without municipal sewage disposal:
1.0 hectare
- b) lots with municipal piped water but without municipal sewage disposal:
1,850.0 square metres
- c) lots with municipal piped water and municipal sewage disposal:
450.0 square metres

12.2.2 Minimum Lot Frontage:

- a) lots without municipal piped water and without municipal sewage disposal:
60.0 metres
- b) lots with municipal piped water but without municipal sewage disposal:
30.0 metres
- c) lots with municipal piped water and municipal sewage disposal:
15.0 metres

12.2.3 Minimum Lot Depth:

- a) lots without municipal piped water and without municipal sewage disposal:
133.0 metres
- b) lots with municipal piped water but without municipal sewage disposal:
60.0 metres
- c) lots with municipal piped water and municipal sewage disposal:

30.0 metres

12.2.4 Minimum Front and Rear Yard:

A combined front yard and rear yard of 15.0 metres shall be maintained, provided however, that a minimum front yard and rear yard of 6.0 metres each shall be required. If a lot has no rear lot line, then a minimum front yard of 7.5 metres shall be required.

12.2.4 a) Minimum Front and Rear Yard Infill Construction

Added by
B/L 294-2003

Notwithstanding the combined front and rear yard regulations in Section 12.2.4, where a main building is to be constructed or expanded on an interior lot where a main building exists on each of the immediately abutting lots, construction may occur closer to the front lot line than is otherwise permitted, provided that such construction is not erected closer to the front lot line than the average distance of the existing front yards of the main buildings on either side, provided that a minimum distance of 1.5 metres is maintained to the front lot line. Where a front yard of less than 6.0 metres is provided pursuant to this Section 12.2.4 a), a minimum rear yard of 9.0 metres shall be required.

12.2.5 Minimum Side Yards

Amended by
B/L 2-1986

(a) Minimum Exterior Side Yard:

3.0 metres for each exterior side yard

(b) Minimum Interior Side Yard:

(i) where rear access is provided or there is an attached garage or carport or there is an exterior side yard:

1.5 metres for each interior side yard

(ii) where no rear yard access is provided and there is no attached garage or carport and there is no exterior side yard:

3.0 metres for one interior side yard and 1.5 metres for the other side yard.

12.2.6 Maximum Height:

10.0 metres

12.2.7 Maximum Number of Main Uses and Main Buildings Per Lot:

a) Uses:

one only

b) Buildings:

one only

12.2.8 Maximum Lot Coverage:

35%

12.2.9

Separation Distance for a Residential Care Facility

Amended by
B/L 056-2006

No residential care facility shall be located closer than 240.0 metres from the boundary of a lot of any other residential care facility

SECTION 12A RESIDENTIAL ONE UNIT ZONE A (R1A)

12A.1 PERMITTED USES

Added by
B/L 56-1992

- single detached dwelling
- buildings, structures, or uses accessory to a permitted use in this Section

12A.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Residential One Unit Zone A (R1A):

12A.2.1 Minimum Lot Area:

315.0 square metres

12A.2.2 Lot Frontage:

Minimum 10.5 metres
Maximum 15.0 metres

12A.2.3 Minimum Lot Depth:

30.0 metres

12A.2.4 Minimum Front and Rear Yard:

A combined front yard and rear yard of not less than 15.0 metres shall be maintained, provided however, that a minimum front yard and rear yard of 6.0 metres each shall be required. If a lot has no rear lot line, then a minimum front yard of 7.5 metres shall be required.

12A.2.5 Minimum Side Yards:

(a) Minimum Exterior Side Yard:

3.0 metres for each exterior side yard

(b) Minimum Interior Side Yard:

- (i) where rear access is provided or there is an attached garage or carport or there is an exterior side yard:

1.5 metres for each interior side yard

- (ii) where no rear yard access is provided and there is no attached garage or carport and there is no exterior side yard:

3.0 metres for one interior side yard and 1.5 metres for the other interior side yard.

12A.2.6 Maximum Height:

10.0 metres

12A.2.7 Maximum Number of Main Uses and Main Buildings Per Lot:

a) Main Uses:

one only

b) Main Buildings:

one only

12A.2.8 Maximum Lot Coverage:

35%

SECTION 13 RESIDENTIAL ONE AND TWO UNIT ZONE (R2)

13.1 PERMITTED USES

Amended by
B/L 2-1986

Amended by
B/L 132-2002

Amended by
B/L 056-2006

- converted dwelling
-
- duplex dwelling
- park
- residential care facility one
- semi-detached dwelling
- single detached dwelling
- buildings, structures, or uses accessory to a permitted use in this Section

13.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Residential One and Two Unit Zone (R2):

13.2.1 Minimum Lot Area:

Amended by
B/L 2-1986
B/L 056-2006

- a) converted dwelling with municipal piped water and municipal sewage disposal:
 - i) with two units:
300.0 square metres
 - ii) with three or more units:
450.0 square metres for a dwelling with three units, plus 90.0 square metres for each additional unit
- b) day nursery, park, residential care facility one, single detached dwelling with municipal piped water and municipal sewage disposal:
450.0 square metres
- c) duplex dwelling, semi-detached dwelling with municipal piped water and municipal sewage disposal:
270.0 square metres for each unit
- d) single detached dwelling with municipal piped water but without municipal sewage disposal:
1,850.0 square metres
- e) single detached dwelling without municipal piped water and without municipal sewage disposal:
1.0 hectare

Amended by
B/L 30-2001

13.2.2 Minimum Lot Frontage:

- a) Converted dwelling with municipal piped water and municipal sewage disposal:
 - i) with two units:
10.0 metres

ii) with three or more units:

15.0 metres

Amended by
B/L 2-1986
B/L 056-2006

b) day nursery, park, residential care facility one, single detached dwelling with municipal piped water and municipal sewage disposal:

15.0 metres

c) duplex dwelling, semi-detached dwelling with municipal piped water and municipal sewage disposal:

9.0 metres for each unit

d) single detached dwelling with municipal piped water but without municipal sewage disposal:

30.0 metres

e) single detached dwelling without municipal piped water and without municipal sewage disposal:

60.0 metres

13.2.3 Minimum Lot Depth:

30.0 metres

13.2.4 Minimum Front and Rear Yard:

A combined front yard and rear yard of 15.0 metres shall be maintained, provided however, that a minimum front yard and rear yard of 6.0 metres each shall be required. If a lot has no rear lot line then a minimum front yard of 7.5 metres shall be required.

13.2.4 a)
Added by
B/L 294-2003

Minimum Front and Rear Yard Infill Construction

Notwithstanding the combined front and rear yard regulations in Section 13.2.4, where a main building is to be constructed or expanded on an interior lot where a main building exists on each of the immediately abutting lots, construction may occur closer to the front lot line than is otherwise permitted, provided that such construction is not erected closer to the front lot line than the average distance of the existing front yards of the main buildings on either side, provided that a minimum distance of 1.5 metres is maintained to the front lot line. Where a front yard of less than 6.0 metres is provided pursuant to this Section 13.2.4 a), a minimum rear yard of 9.0 metres shall be required.

13.2.5 Minimum Side Yards for a Converted Dwelling

Amended by
B/L 2-1986

a) Minimum Exterior Side Yard:

3.0 metres for each exterior side yard

(b) Minimum Interior Side Yard:

(i) where rear access is provided or there is an attached garage or carport or there is an exterior side yard:

10% of the frontage of the lot or 1.5 metres, whichever is the lesser, for each interior side yard.

(ii) where no rear access is provided and there is no attached garage or carport and there is no exterior side yard:

3.0 metres for one interior side yard and for the other interior side yard, 10% of the frontage of the lot or 1.5 metres, whichever is the lesser.

13.2.6 Minimum Side Yards for a Semi-detached Dwelling

Amended by
B/L 2-1986

(a) Minimum Exterior Side Yard

3.0 metres for each exterior side yard.

(b) Minimum Interior Side Yard

(i) Where rear access is provided or there is an attached garage or carport:

0.0 metres from the interior side yard along the common lot line and 1.5 metres for other interior side yard

(ii) where no rear access is provided and there is no attached garage or carport:

0.0 metres for the interior side yard along the common lot line and 3.0 metres for the other interior side yard.

13.2.7 Minimum Side Yards for Uses Other than a Converted Dwelling or a Semi-detached Dwelling

Amended by
B/L 2-1986

(a) Minimum Exterior Side Yard:

3.0 metres for each exterior side yard

(b) Minimum Interior Side Yard

Amended by
B/L 188-1986

(i) where rear access is provided or there is an attached garage or carport or there is an exterior side yard:

1.5 metres for each interior side yard.

Amended by
B/L 188-1986

(ii) where no rear access is provided and there is no attached garage or carport and there is no exterior side yard:

3.0 metres for one interior side yard and 1.5 metres for the other side yard.

13.2.8 Maximum Height:

10.0 metres

13.2.9 Maximum Number of Main Uses and Main Buildings Per Lot:

a) Uses:

one only

b) Buildings:

one only

13.2.10 Maximum Lot Coverage:

35%

13.2.11

Special Provisions for a Converted Dwelling:

a) Notwithstanding any other regulations to the contrary, an extension or addition may be permitted provided that the extension or addition does not increase the size of the building as it existed on the effective date of this By-law, by more than 10% and provided that the extension or addition be added to the top floor or rear portion of the building and provided further that all other requirements of this By-law are met.

b) The minimum gross floor area for each unit in a converted dwelling shall be as follows:

Bachelor Unit:	51.0 square metres
1 Bedroom Unit:	60.0 square metres
2 Bedroom Unit:	74.0 square metres
3 Bedroom Unit:	83.0 square metres
More than 3 Bedrooms:	83.0 square metres for the first three bedrooms plus 9.0 square metres for each additional bedroom

13.2.12

Separation Distance for a Residential Care Facility

Amended by
B/L 056-2006

No residential care facility shall be located closer than 240.0 metres from the boundary of a lot of any other residential care facility

SECTION 13A RESIDENTIAL TWO UNIT ZONE (R2A)

13A.1 PERMITTED USES

Added by
B/L 56-1992

- duplex dwelling
- semi-detached dwelling
- buildings, structures, or uses accessory to a permitted use in this Section

13A.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Residential Two Unit Zone (R2A)

13A.2.1 Minimum Lot Area:

270.0 square metres for each dwelling unit

13A.2.2 Minimum Lot Frontage:

9.0 metres for each dwelling unit

13A.2.3 Minimum Lot Depth:

30.0 metres

13A.2.4 Minimum Front and Rear Yard:

A combined front yard and rear yard of not less than 15.0 metres shall be maintained, provided however, that a minimum front yard and rear yard of 6.0 metres each shall be required. If a lot has no rear lot line, then a minimum front yard of 7.5 metres shall be required.

13A.2.5 Minimum Side Yards:

(a) Minimum Exterior Side Yard:

3.0 metres for each exterior side yard

(b) Minimum Interior Side Yard:

- (i) where rear access is provided or there is an attached garage or carport:

0.0 metres for the interior side yard along the common lot line and 1.5 metres for the other interior side yard.

- (ii) where no rear yard access is provided and there is no attached garage or carport:

0.0 metres for the interior side yard along the common lot line and 3.0 metres for the other interior side yard.

13A.2.6 Maximum Height:

10.0 metres

13A.2.7 Maximum Number of Main Uses and Main Buildings Per Lot:

- a) Main Uses: one only
- b) Main Buildings: one only

13A.2.8 Maximum Lot Coverage:

35%

SECTION 14 RESIDENTIAL MULTIPLE LOW DENSITY ZONE (RM1)

14.1 PERMITTED USES

Added by
B/L 132-2002

- adult day care facility

Amended by
B/L 2-1986

- apartment dwelling containing not more than four units
- converted dwelling
- day nursery
- double duplex dwelling
- duplex dwelling
- group townhouse containing not more than four units
- lodging house
- park

Amended by
B/L 056-2006

- residential care facility one

Amended by
B/L 056-2006

- residential care facility two
- semi-detached dwelling
- single detached dwelling
- street townhouse containing not more than four units
- buildings, structures, or uses accessory to a permitted use in this Section

14.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Residential Multiple Low Density Zone (RM1).

14.2.1 Minimum Lot Area:

a) Apartment Dwelling:

Amended by
B/L 2-1986

- i) with three units
600.0 square metres in total
- ii) with four units:
650.0 square metres in total

b) Converted Dwelling:

- i) with two units:
300.0 square metres in total
- ii) with three or more units:
450.0 square metres for a dwelling with three units in total,
plus 90.0 square metres for each additional unit

Amended by
B/L 056-2006

c) Day Nursery, Lodging House, Park, Residential Care Facility One and Residential Care Facility Two, Single Detached Dwelling:

450.0 square metres

Added by
B/L 2-1986

c)a Double Duplex Dwelling

385.0 square metres for each duplex dwelling.

d) Duplex dwelling, Semi-detached dwelling:

270.0 square metres for each unit

- e) Group Townhouse:
225.0 square metres for each unit
- f) Street Townhouse:
180.0 square metres for each interior unit 225.0 square metres for each exterior unit

14.2.2

Minimum Lot Frontage:

- a) Apartment Dwelling:
 - i) with three units:
18.0 metres
 - ii) with four units:
18.0 metres
- b) Converted Dwelling:
 - i) with two units:
10.0 metres
 - ii) with three or more units
15.0 metres
- c) Day Nursery, Lodging House, Park, Residential Care Facility One and Residential Care Facility Two, Single Detached Dwelling:
15.0 metres
- c)a Double Duplex Dwelling:
11.0 metres for each duplex dwelling.
- d) Duplex dwelling, semi-detached dwelling:
9.0 metres for each unit
- e) Group townhouse:
20.0 metres
- f) Street townhouse:
6.0 metres for each interior unit 7.5 metres for each exterior unit

Amended by
B/L 2-1986
B/L 056-2006

14.2.3

Minimum Lot Depth:

30.0 metres

14.2.4

Minimum Front and Rear Yard:

A combined front yard and rear yard of 15.0 metres shall be maintained, provided however, that a minimum front yard and rear yard of 6.0 metres each shall be required. If a lot has no rear lot line, then a minimum front yard of 7.5 metres shall be required.

14.2.4 a)
Added by
B/L 294-2003

Minimum Front and Rear Yard Infill Construction

Notwithstanding the combined front and rear yard regulations in Section 14.2.4, where a main building is to be constructed or expanded on an interior lot where a main building exists on each of the immediately abutting lots, construction may occur closer to the front lot line than is otherwise permitted, provided that such construction is not erected closer to the front lot line than the average distance of the existing front yards of the main buildings on either side, provided that a minimum distance of 1.5 metres is maintained to the front lot line. Where a front yard of less than 6.0 metres is provided pursuant to this Section 14.2.4 a), a minimum rear yard of 9.0 metres shall be required.

14.2.5

Amended by
B/L 056-2006

Minimum Side Yards for an Apartment Dwelling, Day Nursery, Duplex Dwelling, Group Home, Group Townhouse, Lodging House, Park, Residential Care Facility One, Residential Care Facility Two and Single Detached Dwelling:

Amended by
B/L 2-1986

- (a) Minimum Exterior Side Yard:
3.0 metres for each exterior side yard
- (b) Minimum Interior Side Yard:
 - (i) where rear access is provided or there is an attached garage or carport or there is an exterior side yard:
1.5 metres for each interior side yard
 - (ii) where no rear access is provided, and there is no attached garage or carport and there is no exterior side yard:
3.0 metres for one interior side yard and 1.5 metres for the other interior side yard.

14.2.6

Amended by
B/L 2-1986

Minimum Side Yards for a Converted Dwelling

- (a) Minimum Exterior Side Yard:
3.0 metres for each exterior side yard
- (b) Minimum Interior Side Yard:
 - (i) where rear access is provided or there is an attached garage or carport or there is an exterior side yard:
10% of the frontage of the lot or 1.5 metres, whichever is the lesser, for each interior side yard.
 - (ii) where no rear access is provided and there is no attached garage or carport and there is no exterior side yard:
3.0 metres for one interior side yard and for the other interior side yard, 10% of the frontage of the lot or 1.5 metres, whichever is the lesser.

14.2.7

Amended by
B/L 2-1986

Minimum Side Yards for a Semi-Detached Dwelling and for a Double Duplex Dwelling

- (a) Minimum Exterior Side Yard
3.0 metres for each exterior side yard.

(b) Minimum Interior Side Yard

- (i) Where rear access is provided or there is an attached garage or carport:

0.0 metres for the interior side yard along the common lot line and 1.5 metres for other interior side yard.

- (ii) where no rear access is provided and there is no attached garage or carport:

0.0 metres for the interior side yard along the common lot line and 3.0 metres from the other interior side yard.

14.2.8

Minimum Side Yard for a Street Town House

Amended by
B/L 2-1986

(a) Minimum Exterior Side Yard:

3.0 metres for each exterior side yard

(b) Minimum Interior Side Yard

- (i) where rear access is provided or there is an attached garage or carport:

0.0 metres for each interior side yard along the common lot line of each unit and 1.5 metres for each interior side yard not along a common lot line.

- (ii) where no rear access is provided and there is no attached garage or carport:

0.0 metres for each interior side yard along the common lot line of each unit and 3.0 metres for each interior side yard not along a common lot line.

14.2.9

Maximum Height:

10.0 metres

14.2.10

Maximum Number of Main Uses and Main Buildings Per Lot:

- a) Uses:

one only

- b) Buildings:

one only

14.2.11

Maximum Lot Coverage:

35%

14.2.12

Special Provisions for a Converted Dwelling:

- a) Notwithstanding any other regulations to the contrary, an extension or addition may be permitted provided that the extension or addition does not increase the size of the building, as it existed on the effective date of this By-law, by more than 10% and provided that the extension or addition be added to the top floor or rear portion of the building, and provided further that all other requirements of this By-law are met.

- b) The minimum gross floor area for each unit in a converted dwelling shall be as follows:

Bachelor Unit:	51.0 square metres
1 Bedroom Unit:	60.0 square metres
2 Bedroom Unit:	74.0 square metres
3 Bedroom Unit:	83.0 square metres
More than 3 Bedrooms:	83.0 square metres for the first three bedrooms plus 9.0 square metres for each additional bedroom

14.2.13 Landscaped Open Space:

Every apartment dwelling and group townhouse dwelling shall provide a minimum landscaped open space of 10% of the lot area.

14.2.14 Separation Distance for a Residential Care Facility

Amended by
B/L 056-2006

No residential care facility shall be located closer than 240.0 metres from the boundary of a lot of any other residential care facility

SECTION 15 RESIDENTIAL MULTIPLE MEDIUM DENSITY ZONE A (RM2A)

15.1 PERMITTED USES

Added by
B/L 132-2002

Amended by
B/L 2-1986

- adult day care facility
- apartment dwelling
- day nursery double
- duplex dwelling legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter
- group townhouse
- lodging house dwelling

Added by
B/L 239-2002

- long-term care facility
- park

Amended by
B/L 056-2006

Amended by
B/L 056-2006

Added by
B/L 239-2002

- residential care facility one
- residential care facility two
- retirement residence
- semi-detached dwelling legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter
- senior citizen dwelling
- single detached dwelling legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter
- street townhouse
- buildings, structures, or use accessory to a permitted use in this Section

15.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Residential Multiple Medium Density Zone A (RM2A):

15.2.1 Minimum Lot Area:

a) Apartment Dwelling, Senior Citizen Dwelling:

Amended by
B/L 2-1986

i) three units:

600.0 square metres in total

ii) four units:

650.0 square metres in total

iii) five or more units:

650.0 square metres in total for the first four units plus 90.0 square metres for each additional unit

Amended by
B/L 239-2002
B/L 056-2006

b) Day Nursery, Lodging House, Long-term Care Facility, Park, Residential Care Facility One and Residential Care Facility Two, Retirement Residence, Single Detached Dwelling:

450.0 square metres

b)a Double Duplex Dwelling:

Added by
B/L 2-1986

385.0 square metres for each duplex dwelling

- c) Duplex Dwelling, Semi-detached Dwelling:
270.0 square metres for each unit
- d) Group Townhouse:
225.0 square metres for each unit
- e) Street Townhouse:
180.0 square metres for each interior unit
225.0 square metres for each exterior unit

15.2.2

Minimum Lot Frontage:

- a) Apartment Dwelling, Senior Citizen Dwelling:
 - i) with three units:
18.0 metres
 - ii) with four units:
18.0 metres
 - iii) with five or more units:
20.0 metres
- b) Day Nursery, Lodging House, Long-term Care Facility, Park, Residential Care Facility One and Residential Care Facility Two, Retirement Residence, Single Detached Dwelling:
15.0 metres
- b)a Double Duplex Dwelling:
11.0 metres for each duplex dwelling
- c) Duplex Dwelling, Semi-detached Dwelling:
9.0 metres for each unit
- d) Group Townhouse:
20.0 metres
- e) Street Townhouse:
6.0 metres for each interior unit
7.5 metres for each exterior unit

Amended by
B/L 2-1986,
B/L 239-2002
B/L 056-2006

Added by
B/L 2-1986

15.2.3

Minimum Lot Depth:

30.0 metres

15.2.4

Minimum Front Yard:

7.5 metres

15.2.5
Amended by
B/L 2-1986
B/L 056-2006

Minimum Side Yards for an Apartment Dwelling, or Senior Citizen Dwelling, containing three or four units, Day Nursery, Duplex Dwelling, Group Townhouse, Lodging House, Park, Residential Care Facility One, Residential Care Facility Two and Single Detached Dwelling:

- a) Minimum Exterior Side Yard:
3.0 metres for each exterior side yard
- b) Minimum Interior Side Yard:
 - (i) where rear access is provided or there is an attached garage or carport or there is an exterior side yard:
1.5 metres for each interior side yard
 - (ii) where no rear access is provided, and there is no attached garage or carport and there is no exterior side yard:
3.0 metres for one interior side yard and 1.5 metres for the other interior side yard.

15.2.6
Amended by
B/L 239-2002

Minimum Side Yard for an Apartment Dwelling or a Senior Citizen Dwelling containing five or more dwelling units, a Long-term Care Facility and a Retirement Residence:

- a) Minimum Exterior Side Yard:
3.0 metres for each exterior side yard
- b) Minimum Interior Side Yard:
1.0 metre for each 3.0 metres of building height or portion thereof for each interior side yard

15.2.7

Minimum Side Yards for a Semi-Detached Dwelling and for a Double Duplex Dwelling

Amended by
B/L 2-1986

- a) Minimum Exterior Side Yard
3.0 metres for each exterior side yard.
- b) Minimum Interior Side Yard
 - (i) Where rear access is provided or there is an attached garage or carport:
0.0 metres from the interior side yard along the common lot line and 1.5 metres for other interior side yard.
 - (ii) where no rear access is provided and there is no attached garage or carport:
0.0 metres for the interior side yard along the common lot line and 3.0 metres from the other interior side yard.

15.2.8

Minimum Side Yard for a Street Townhouse

Amended by
B/L 2-1986

- a) Minimum Exterior Side Yard
3.0 metres for each exterior side yard:

- b) Minimum Interior Side Yard
 - (i) where rear access is provided or there is an attached garage or carport:
0.0 metres for each interior side yard along the common lot line of each unit and 1.5 metres for each interior side yard not along a common lot line.
 - (ii) where no rear access is provided and there is no attached garage or carport:
0.0 metres for each interior side yard along the common lot line of each unit and 3.0 metres for each interior side yard not along a common lot line.

15.2.9 Minimum Rear Yard:

7.5 metres

15.2.10 Maximum Height:

Amended by
B/L 239-2002

- a) Apartment Dwelling, Long-term Care Facility, Retirement Residence or Senior Citizen Dwelling:

13.0 metres

Amended by
B/L 239-2002

- b) Uses other than an Apartment Dwelling, Long-term Care Facility, Retirement Residence or Senior Citizen Dwelling:

10.0 metres

15.2.11 Maximum Number of Main Uses and Main Buildings Per Lot:

- a) Uses:

one only

Amended by
B/L 239-2002

- b) Buildings:

One only, except in the case of an apartment dwelling, group townhouse, long-term care facility, retirement residence, or senior citizen dwelling where there shall be no maximum provided that a minimum distance of 6.0 metres separate each main building.

15.2.12 Maximum Lot Coverage:

35%

15.2.13 Landscaped Open Space:

Amended by
B/L 239-2002

Every apartment dwelling, group townhouse dwelling, long-term care facility, retirement residence and senior citizen dwelling shall provide a minimum landscaped open space of 10% of the lot area.

15.2.14 Separation Distance for a Residential Care Facility

Amended by
B/L 056-2006

No residential care facility shall be located closer than 240.0 metres from the boundary of a lot of any other residential care facility

16.1

PERMITTED USES

Added by
B/L 132-2002
Amended by
B/L 2-1986

- adult day care facility
- apartment dwelling
- day nursery
- double duplex dwelling
- duplex dwelling legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter
- group townhouse

Added by
B/L 239-2002

- lodging house dwelling

- long-term care facility

- park

Amended by
B/L 056-2006

- residential care facility one

Amended by
B/L 056-2006

- residential care facility two

Added by
B/L 239-2002

- retirement residence
- semi-detached dwelling legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter
- senior citizen dwelling
- single detached dwelling legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter
- street townhouse
- buildings, structures, or use accessory to a permitted use in this Section

16.2

REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Residential Multiple Medium Density Zone B (RM2B):

16.2.1

Minimum Lot Area:

- a) Apartment Dwelling, Senior Citizen Dwelling:

Amended by
B/L 2-1986

- i) three units:

600.0 square metres in total

- ii) four units:

650.0 square metres in total

- iii) five or more units:

650.0 square metres in total for the first four units plus 65.0 square metres for each additional unit

Amended by
B/L 239-2002
B/L 056-2006

- b) Day Nursery, Lodging House, Long-term Care Facility, Park, Residential Care Facility One and Residential Care Facility Two, Retirement Residence, Single Detached Dwelling:

450.0 square metres

Added by
B/L 2-1986

- b)a Double Duplex Dwelling:
385.0 square metres for each duplex dwelling.
- c) Duplex Dwelling, Semi-detached Dwelling:
270.0 square metres for each unit
- d) Group Townhouse:
225.0 square metres for each unit
- e) Street Townhouse:
180.0 square metres for each interior unit
225.0 square metres for each exterior unit

16.2.2

Minimum Lot Frontage:

- a) Apartment Dwelling, Senior Citizen Dwelling:
 - i) with three units:
18.0 metres
 - ii) with four units:
18.0 metres
 - iii) with five or more units:
20.0 metres

Amended by
B/L 2-1986
B/L 239-2002
B/L 056-2006

- b) Day Nursery, Lodging House, Long-Term Care Facility, Park, Residential Care Facility One and Residential Care Facility Two, Retirement Residence, Single Detached Dwelling:
15.0 metres

Added by
B/L 2-1986

- b)a Double Duplex Dwelling:
11.0 metres for each duplex dwelling.
- c) Duplex Dwelling, Semi-detached Dwelling:
9.0 metres for each unit
- d) Group Townhouse:
20.0 metres
- e) Street Townhouse:
6.0 metres for each interior unit
7.5 metres for each exterior unit

16.2.3 Minimum Lot Depth:

30.0 metres

16.2.4 Minimum Front Yard:

7.5 metres

16.2.5 Minimum Side Yards for an Apartment Dwelling or Senior Citizens Dwelling containing three or four units, Day Nursery, Duplex Dwelling, Group Townhouse, Lodging House, Park, Residential Care Facility One, Residential Care Facility Two and Single Detached Dwelling:
Amended by
B/L 2-1986
B/L 056-2006

a) Minimum Exterior Side Yard:

3.0 metres for each exterior side yard

b) Minimum Interior Side Yard:

(i) where rear access is provided or there is an attached garage or carport or there is an exterior side yard:

10% of the frontage of the lot or 1.5 metres, whichever is the lesser, for each interior side yard.

(ii) where no rear access is provided and there is no attached garage or carport and there is no exterior side yard:

3.0 metres for one interior side yard and for the other interior side, 10% of the frontage of the lot or 1.5 metres, whichever is the lesser.

16.2.6 Minimum Side Yard for an Apartment Dwelling or a Senior Citizen Dwelling containing five or more Dwelling Units, Long-term Care Facility and a Retirement Residence:
Amended by
B/L 239-2002

a) Minimum Exterior Side Yard:

3.0 metres for each exterior side yard

b) Minimum Interior Side Yard:

1.0 metre for each 3.0 metres of building height or portion thereof for each interior side yard

16.2.7 Minimum Side Yards for a Semi-detached Dwelling or for a Double Duplex Dwelling
Amended by
B/L 2-1986

a) Minimum Exterior Side Yard:

3.0 metres for each exterior side yard.

b) Minimum Interior Side Yard:

(i) Where rear access is provided or there is an attached garage or carport:

0.0 metres from the interior side yard along the common lot line and 1.5 metres for other interior side yard.

- (ii) where no rear access is provided and there is no attached garage or carport:

0.0 metres for the interior side yard along the common lot line and 3.0 metres from the other interior side yard.

16.2.8

Minimum Side Yard for a Street Townhouse

Amended by
B/L 2-1986

- a) Minimum Exterior Side Yard:

3.0 metres for each exterior side yard

- b) Minimum Interior Side Yard:

- (i) where rear access is provided or there is an attached garage or carport:

0.0 metres for each interior side yard along the common lot line of each unit and 1.5 metres for each interior side yard not along a common lot line.

- (ii) where no rear access is provided and there is no attached garage or carport:

0.0 metres for each interior side yard along the common lot line of each unit and 3.0 metres for each interior side yard not along a common lot line.

16.2.9

Minimum Rear Yard:

7.5 metres

16.2.10

Maximum Height:

Amended by
B/L 239-2002

- a) Apartment Dwelling, Long-Term Care Facility, Retirement Residence or Senior Citizen Dwelling:

18.0 metres

Amended by
B/L 239-2002

- b) Uses other than an Apartment Dwelling, Long-Term Care Facility, Retirement Residence or Senior Citizen Dwelling:

10.0 metres

16.2.11

Maximum Number of Main Uses and Main Buildings Per Lot:

- a) Uses:

one only

Amended by
B/L 239-2002

- b) Buildings:

One only except in the case of an apartment dwelling, group townhouse, long-term care facility, retirement residence or senior citizen dwelling where there shall be no maximum provided that a minimum distance of 6.0 metres separate each main building.

16.2.12

Maximum Lot Coverage:

35%

16.2.13

Landscaped Open Space:

Amended by
B/L 239-2002

Every apartment dwelling, group townhouse dwelling long-term care facility, retirement residence and senior citizen dwelling shall provide a minimum landscaped open space of 10% of the lot area.

16.2.14

Separation Distance for a Residential Care Facility

Amended by
B/L 056-2006

No residential care facility shall be located closer than 240.0 metres from the boundary of a lot of any other residential care facility.

SECTION 17 RESIDENTIAL MULTIPLE HIGH DENSITY ZONE (RM3)

17.1 PERMITTED USES

Added by
B/L 132-2002

- adult day care facility
- apartment dwelling

Amended by
B/L 2-1986

- day nursery located within one or more units of an apartment dwelling
- park

Added by
B/L 239-2002

- long-term care facility

Amended by
B/L 056-2006

- residential care facility one

Amended by
B/L 056-2006

- residential care facility two

Added by
B/L 239-2002

- retirement residence
- senior citizen dwelling
- buildings, structures, or uses accessory to a permitted use in this Section

17.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Residential Multiple High Density Zone (RM3):

17.2.1 Minimum Lot Area:

Amended by
B/L 2-1986

900.0 square metres in total for the first seven units or portion thereof, plus 40.0 square metres for each additional unit

17.2.2 Minimum Lot Frontage:

30.0 metres

17.2.3 Minimum Lot Depth:

30.0 metres

17.2.4 Minimum Front Yard:

9.0 metres

17.2.5 Minimum Exterior Side Yard:

9.0 metres for each exterior side yard

17.2.6 Minimum Interior Side Yard:

1.0 metre for each 3.0 metres, or portion thereof, of building height for each interior side yard.

17.2.7 Minimum Rear Yard:

Amended by
B/L 2-1986

9.0 metres

17.2.8 Maximum Height:

45.0 metres

17.2.9

Maximum Number of Main Uses and Main Buildings Per Lot:

a) Uses:

One only except that a day nursery may also be permitted if located within one or more units of an apartment dwelling.

b) Buildings:

No maximum, provided that a minimum distance of 9.0 metres separate each main building.

17.2.10

Maximum Lot Coverage:

50%

17.2.11

Landscaping Open Space:

A minimum of 10% of the lot area.

17.2.12

Separation Distance for a Residential Care Facility

Amended by
B/L 2-1986
B/L 056-2006

No residential care facility shall be located closer than 240.0 metres from the boundary of a lot of any other residential care facility.

SECTION 18 RESIDENTIAL MOBILE HOME PARK ZONE (RMH)

18.1 PERMITTED USES

Amended by
B/L 2-1986

A mobile home park containing two or more mobile homes being either single-wide and/or double wide mobile homes, and the said park may include one or more of the following uses:

Amended by
B/L 132-2002

- community centre
-
- dwelling unit for an essential employee or owner of the mobile home park who is required to reside continuously on the premises
- park
- buildings, structures or uses accessory to a permitted use in this Section

18.2 REGULATIONS FOR A MOBILE HOME PARK:

In addition to the regulations of Section 5, the following regulations shall apply to a Mobile Home Park:

18.2.1 Minimum Lot Area:

4,000.0 square metres

18.2.2 Minimum Lot Frontage:

30.0 metres

18.2.3 Minimum Front Yard:

10.0 metres

18.2.4 Minimum Exterior Side Yard:

10.0 metres

18.2.5 Minimum Interior Side Yard:

3.0 metres for each interior side yard

18.2.6 Minimum Rear Yard:

10.0 metres

18.2.7 Maximum Height:

10.0 metres

18.2.8 Maximum Number of Main Uses and Main Buildings Per Lot:

a) Uses:

no maximum

b) Buildings:

No maximum provided that a minimum distance of 3.0 metres separate each mobile home and provide that a minimum distance of 6.0 metres separate any other main buildings on the lot.

18.2.9 Maximum Lot Coverage:

35%

18.2.10 Landscaped Open Space:

A minimum of 10% of the lot area.

18.3 REGULATIONS FOR A PERMITTED USE WITHIN A MOBILE HOME PARK

In addition to the regulations of Section 5, the following regulations shall apply to a permitted use within mobile home park.

For the purpose of Section 18.3 of this By-law, the word 'space' shall have a corresponding meaning to the word 'lot', and the word 'street' shall mean a 'private street' as defined in this By-law.

18.3.1 Minimum Space Area:

- c) Where the mobile home park is serviced with municipal piped water and a municipal sewage disposal system:
 - i) single-wide mobile home:
245.0 square metres
 - ii) double-wide mobile home:
345.0 square metres
- b) Where the mobile home park is serviced with municipal piped water and a private sewage disposal system:
 - iii) single-wide mobile home:
450.0 square metres
 - iv) double-wide mobile home:
540.0 square metres

18.3.2 Minimum Space Frontage:

- a) Where the mobile home park is serviced with municipal piped water and a municipal sewage disposal system:
 - v) single-wide mobile home:
8.0 metres
 - vi) double-wide mobile home:
11.5 metres
- b) Where the mobile home park is serviced with municipal piped water and a private sewage disposal system:
 - vii) single-wide mobile home:
15.0 metres
 - viii) double-wide mobile home:
18.0 metres

- 18.3.3 Minimum Front Yard:
6.0 metres
- 18.3.4 Minimum Side Yard:
- a) Where rear access is provided or there is an attached garage or carport:
1.5 metres for each side yard
 - b) Where no rear access is provided and there is no attached garage or carport:
3.0 metres on one side yard and 1.5 metres on the other side
- 18.3.5 Minimum Rear Yard:
6.0 metres
- 18.3.6 Maximum Height:
6.0 metres
- 18.3.7 Maximum Number of Main Uses or Main Buildings on One Space:
- a) Uses:
one only
 - b) Buildings:
one only
- 18.3.8 Maximum Space Coverage:
35%

SECTION 19 RESIDENTIAL FUTURE ZONE 1 (RF1)

19.1 PERMITTED USES

Amended by
B/L 2-1986

- park
- single detached dwelling
- buildings, structures, or uses accessory to a permitted use in this Section

19.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Residential Future Zone 1 (RF1):

19.2.1 Minimum Lot Area:

Amended by
B/L 30-2001

1.0 hectare

19.2.2 Minimum Lot Frontage:

60.0 metres

19.2.3 Minimum Front Yard:

10.0 metres

19.2.4 Minimum Exterior Side Yard:

10.0 metres for each exterior side yard

19.2.5 Minimum Interior Side Yard:

3.0 metres for each interior side yard

19.2.6 Minimum Rear Yard:

10.0 metres

19.2.7 Maximum Height:

10.0 metres

19.2.8 Maximum Number of Main Uses or Main Buildings Per Lot:

- a) Uses:
 - one only
- b) Buildings:
 - one only

SECTION 20 RESIDENTIAL FUTURE ZONE 2 (RF2)

20.1 PERMITTED USES

The following uses are permitted provided that municipal piped water is available to the lot:

- park
- single detached dwelling
- buildings, structures, or uses accessory to a permitted use in this Section

20.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Residential Future Zone 2 (RF2):

20.2.1 Minimum Lot Area:

1,850.0 square metres

20.2.2 Minimum Lot Frontage:

30.0 metres

20.2.3 Minimum Front Yard:

10.0 metres

20.2.4 Minimum Exterior Side Yard:

10.0 metres for each exterior side yard

20.2.5 Minimum Interior Side Yard:

3.0 metres for each interior side yard

20.2.6 Minimum Rear Yard:

10.0 metres

20.2.7 Maximum Height:

10.0 metres

20.2.8 Maximum Number of Main Uses or Main Buildings Per Lot:

- a) Uses:
 - one only
- b) Buildings:
 - one only

SECTION 21 COTTAGE RESIDENTIAL ZONE (CR)

21.1 PERMITTED USES

Amended by
B/L 2-1986

- cottage dwellings legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter
- park
- buildings, structures, or uses accessory to a permitted use in this Section

21.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Cottage Residential Zone (CR):

21.2.1 Minimum Lot Area:

929.0 square metres

21.2.2 Minimum Lot Frontage:

9.0 metres

21.2.3 Minimum Front Yard:

7.6 metres

21.2.4 Minimum Side Yard:

1.2 metres on each side

21.2.5 Minimum Rear Yard:

Amended by
B/L 188-1986

Shall be the rear yard established by the main building existing on the lot on the effective date of this By-law.

21.2.6 Maximum Height:

7.6 metres

21.2.7 Maximum Number of Main Uses or Main Buildings Per Lot:

- a) Uses:
 - one only
- b) Buildings:
 - one only

21.2.8 Maximum Lot Coverage:

25%

SECTION 22 NEIGHBOURHOOD COMMERCIAL ZONE 1 (NC1)

22.1 PERMITTED USES

Added by
B/L 132-2002

- adult day care facility

Added by
B/L 132-2002

- day nursery

Amended by
B/L 2-1986

- single detached dwelling
- variety store with or without one or more dwelling units to a maximum of four dwelling units located in the same building therewith
- buildings, structures, or uses accessory to a permitted use in this Section

22.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Neighbourhood Commercial Zone 1 (NC1):

22.2.1 Minimum Lot Area:

- a) Single Detached Dwelling:
450.0 square metres
- b) Variety Store:
450.0 square metres plus
90 square metres for each dwelling unit

22.2.2 Minimum Lot Frontage:

15.0 metres

22.2.3 Minimum Lot Depth:

30.0 metres

22.2.4 Minimum Front and Rear Yard:

A combined front yard and rear yard of 15.0 metres shall be maintained, provided however, that a minimum front yard and rear yard of 6.0 metres each shall be required. If a lot has no rear lot line, then a minimum front yard of 7.5 metres shall be required.

22.2.5 Minimum Side Yards

Amended by
B/L 2-1986

- a) Minimum Exterior Side Yard
3.0 metres for each exterior side yard
- b) Minimum Interior Side Yard
 - i) where rear access is provided or where there is an attached garage or carport or where there is an exterior side yard:
1.5 metres for each interior side yard

- ii) where no rear access is provided and there is no attached garage or carport and there is no exterior side yard:

3.0 metres for one interior side yard and 1.5 metres for the other interior side yard.

22.2.6 Maximum Height:

10.0 metres

22.2.7 Maximum Number of Main Uses or Main Buildings per Lot:

- a) Uses:

one only

- b) Buildings:

one only

22.2.8 Maximum Lot Coverage:

35%

22.2.9 Buffering:

Amended by
BL 7-2005

Except in the case of a single detached dwelling, a privacy fence and/or a buffer strip with a minimum height of 1.6 metres shall be provided and maintained along each lot line that is not a street line, abutting a Residential Zone and along each lot line abutting a lane which abuts a Residential Zone.

SECTION 23 NEIGHBOURHOOD COMMERCIAL ZONE 2 (NC2)

23.1 PERMITTED USES

Added by
B/L 132-2002

- adult day care facility

Amended by
B/L 2-1986

- automotive gas bar

Amended by
B/L 188-1986

- automotive service station, existing on the effective date of this By-law, which may include extensions or additions made thereto hereafter, provided however, that the sale of propane shall not be permitted unless the sale of propane was also lawfully existing on the effective date of this By-law, in which case, the sale of propane may continue but shall not be expanded

Added by
B/L 132-2002

- bank
- day nursery

Amended by
B/L 281-1989

- drugstore
- dry-cleaning depot
- dwelling units combined with a non-residential use permitted in this Section provided that a minimum of 50% of the ground floor area of the building is devoted to a non-residential use
- laundromat
- library
- neighbourhood bake shop
- neighbourhood clinic
- personal service shop
- shopping centre containing two or more uses permitted in this Section
- variety store
- video rental shop
- buildings, structures, or uses accessory to a permitted use in this Section

23.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Neighbourhood Commercial Zone 2 (NC2):

23.2.1 Lot Area:

minimum:

450.0 square metres plus additional 90.0 square metres for each dwelling unit

maximum:

4,000.0 square metres

23.2.2 Minimum Lot Frontage:

15.0 metres

23.2.3 Minimum Lot Depth:

30.0 metres

23.2.4 Minimum Front Yard:

7.5 metres

SECTION 24 GENERAL COMMERCIAL ZONE 1 (GC1)

24.1 PERMITTED USES

- Added by
B/L 132-2002 - adult day care facility

- Amended by
B/L 2-1986 - automotive gas bar
- automotive sales establishment
- automotive service station
- bank
- beer store
- bus depot
- car rental agency
- car wash
- commercial parking lot
- commercial school
- community bake shop
- community centre
- community clinic

- Added by
B/L 132-2002 - day nursery
- drugstore
- dry-cleaning depot

- duplex dwelling legally existing on the effective date of this By-law
 which may include extensions or additions made thereto hereafter;

- dwelling units combined with a non-residential use permitted in this
 Section provided that a minimum of 50% of the ground floor area of
 the building is devoted to a non-residential use

- Added by
B/L 035-2005 - fitness centre
- food store
- funeral home
- furniture showroom
- fraternal organization
- hotel
- institution of culture
- laundromat
- library
- liquor store
- motel
- movie theatre

- Amended by
B/L 244-1987 - neighbourhood bake shop
- neighbourhood clinic
- office

- Amended by
B/L 281-1989 - paint, glass and wallpaper store
- personal service shop
- place of amusement
- private club
- public recreation
- public sauna
- public utility
- restaurant
- retail store
- second hand shop

- semi-detached dwelling legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter;
- service shop
- shopping centre containing two or more uses permitted in this Section
- single-detached dwelling legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter.
- tavern
- taxi stand
- variety store
- veterinary clinic
- video rental shop
- buildings, structures, or uses accessory to a permitted use in this Section

24.2 REGULATIONS

In addition to the Regulations of Section 5, the following regulations shall apply to the General Commercial Zone (GC1):

24.2.1 Minimum Lot Area:

60.0 square metres for each dwelling unit

24.2.2 Minimum Lot Frontage:

Amended by
B/L 188-1986

6.0 metres

24.2.3 Minimum Interior Side Yard:

1.0 metre for each interior side yard, provided however, that where a main building is attached to an adjacent main building with a party wall, there shall be no interior side yard requirements along the party wall, provided that where a use abuts a Residential Zone, then a minimum interior side yard of 3.0 metres abutting such zone shall be required.

24.2.4 Minimum Rear Yard:

No minimum required except where a use abuts a Residential Zone, then a minimum rear yard of 3.0 metres shall be required.

24.2.5 Maximum Height:

Amended by
B/L 209-1990

11.0 metres

24.2.6 Maximum Number of Main Uses and Main Buildings Per Lot:

a) Uses:

no maximum

b) Buildings:

No maximum, provided that a minimum distance of 6.0 metres separates each main building.

24.2.7 Maximum Gross Leasable Area of a Shopping Centre:

9,290.0 square metres

24.2.8

Buffering:

Amended by
B/L 7-2005

A privacy fence and/or a buffer strip with a minimum height of 1.6 metres shall be provided and maintained along each lot line that is not a street line, abutting a Residential Zone and along each lot line abutting a lane which abuts a Residential Zone.

24.2.9

Fuel Pump Island Location:

Amended by
B/L 2-1986

Nothing in this By-law shall prevent the location of a fuel pump island, exclusive of any above ground fuel storage, facility, in any part of a required front or interior or exterior side yard provided that:

- a) the minimum distance between any portion of a fuel pump island and any street line or lot line shall be 5.0 metres provided that, a canopy may project a maximum of 3.0 metres into the 5.0 metre setback requirement.

24.2.10

Stacking Lanes for a Car Wash:

Every car wash shall provide a minimum of five vehicular waiting spaces with each space measuring 3.0 metre in width and 6.0 metres in length for each washing bay.

24.2.11

Maximum Floor Space Index for a Shopping Centre:

Added by
B/L 201-2002

0.27

SECTION 25 GENERAL COMMERCIAL ZONE 2 (GC2)

25.1 PERMITTED USES

- Added by B/L 132-2002
 - adult day care facility
- Amended by B/L 2-1986
 - automotive gas bar
 - automotive sales establishment
 - automotive service station
 - bank
 - beer store
 - bus depot
 - car rental agency
 - car wash
 - commercial parking lot
 - commercial school
 - community bake shop
 - community centre
 - community clinic
- Added by B/L 132-2002
 - day nursery
 - drugstore
 - dry-cleaning depot
 - duplex dwelling legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter;
 - dwelling units combined with a non-residential use permitted in this Section provided that a minimum of 50% of the ground floor area of the building is devoted to a non-residential use
- Added by B/L 035-2005
 - fitness centre
 - food store
 - funeral home
 - furniture showroom
 - fraternal organization
 - hotel
 - institution of culture
 - laundromat
 - library
 - liquor store
 - motel
 - movie theatre
- Amended by B/L 244-1987
 - neighbourhood bake shop
 - neighbourhood clinic
 - office
- Amended by B/L 281-1989
 - paint, glass and wallpaper store
 - personal service shop
 - place of amusement
 - private club
 - public recreation
 - public sauna
 - public utility
 - restaurant
 - retail store
 - second hand shop
 - semi-detached dwelling legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter;
 - service shop

- shopping centre containing two or more uses permitted in this Section
- single-detached dwelling legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter.
- tavern
- taxi stand
- variety store
- veterinary clinic
- video rental shop
- buildings, structures, storage containers or uses accessory to a permitted use in this Section

Amended by
B/L 051-2007

25.2 REGULATIONS

In addition to the Regulations of Section 5, the following regulations shall apply to the General Commercial Zone 2 (GC2):

25.2.1 Minimum Lot Area:

450.0 square metres plus
60.0 square metres for each dwelling unit

25.2.2 Minimum Lot Frontage:

15.0 metres

25.2.3 Minimum Front Yard:

10.0 metres

25.2.4 Minimum Exterior Side Yard:

10.0 metres

25.2.5 Minimum Interior Side Yard:

3.0 metres

25.2.6 Minimum Rear Yard

Amended by
B/L 2-1986

7.5 metres except where the rear lot line abuts a street allowance, then a minimum rear yard of 10.0 metres shall be required.

25.2.7 Maximum Height:

Amended by
B/L 209-1990

11.0 metres

25.2.8 Maximum Number of Main Uses and Main Buildings Per Lot:

a) Uses:

no maximum

b) Buildings:

No maximum, provided that a minimum distance of 6.0 metres separates each main building.

25.2.9 Maximum Gross Leasable Area of a Shopping Centre:

9,290.0 square metres

25.2.10

Buffering:

Amended by
B/L 7-2005

A privacy fence and/or a buffer strip with a minimum height of 1.6 metres shall be provided and maintained along each lot line that is not a street line, abutting a Residential Zone and along each lot line abutting a lane which abuts a Residential Zone.

25.2.11

Fuel Pump Island Location:

Amended by
B/L 2-1986

Nothing in this By-law shall prevent the location of a fuel pump island, exclusive of any above ground fuel storage, facility, in any part of a required front or interior or exterior side yard provided that:

- a) the minimum distance between any portion of a fuel pump island and any street line or lot line shall be 5.0 metres provided that, a canopy may project a maximum of 3.0 metres into the 5.0 metre setback requirement.

25.2.12

Stacking Lanes for a Car Wash:

Every car wash shall provide a minimum of five vehicular waiting spaces with each space measuring 3.0 metre in width and 6.0 metres in length for each washing bay.

25.2.13

Maximum Floor Space Index for a Shopping Centre:

Added by
B/L 201-2002

0.27

SECTION 26 COMMERCIAL SHOPPING CENTRE ZONE (CSC)

26.1 PERMITTED USES

A shopping centre containing two or more of the following uses:

- Added by B/L 132-2002
 - adult day care facility
- Amended by B/L 2-1986
 - automotive gas bar
 - automotive service station
 - bank
 - beer store
 - building supply outlet
 - car rental agency
 - car wash
 - commercial parking lot
 - community bake shop
 - community clinic
- Added by B/L 132-2002
 - day nursery
 - drugstore
 - dry-cleaning depot
- Added by B/L 035-2005
 - fitness centre
 - food store
 - furniture showroom
 - hotel
 - laundromat
 - library
 - liquor store
 - motel
 - movie theatre
- Amended by B/L 244-1987
 - neighbourhood bake shop
 - neighbourhood clinic
 - office
- Amended by B/L 281-1989
 - paint, glass and wallpaper store
 - personal service shop
 - place of amusement
 - restaurant
 - retail store
 - secondhand shop
 - tavern
 - variety store
 - video rental shop
- Amended by B/L 051-2007
 - buildings, structures, storage containers or uses accessory to a permitted use in this Section

26.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Commercial Shopping Centre Zone (CSC):

26.2.1 Minimum Lot Area:

8,000 square metres

26.2.2 Minimum Lot Frontage:

60.0 metres

26.2.14

Stacking Lanes for a Car Wash:

Every car wash shall provide a minimum of five vehicular waiting spaces with each space measuring 3.0 metres in width and 6.0 metres in length for each washing bay.

26.2.15

Maximum Floor Space Index:

Added by
B/L 201-2002

0.27

SECTION 27 HIGHWAY COMMERCIAL ZONE (HC)

27.1(a) PERMITTED USES:

Amended by
B/L 2-1986

- automotive gas bar
- automotive sales establishment
- automotive service station
- building supply outlet
- bus depot
- cabins which may include a dwelling unit for the owner or caretaker residing on the same lot therewith
- car rental agency
- car wash

Added by
B/L 035-2005

- fitness centre with accessory retail components not exceeding a cumulative total of ten percent (10%) of the gross floor area of the fitness centre or one hundred eighty five (185 m²) square metres, whichever is the lesser
- greenhouse
- hotel) which may include a dwelling unit for the owner
- motel) or caretaker residing on the same lot therewith
- nursery
- place of amusement
- private club
- public recreation
- public utility
- radio or television transmitting station
- restaurant
- tavern
- taxi stand
- variety store
- veterinary clinic
- buildings, structures, storage containers or uses accessory to a permitted use in this Section

Amended by
B/L 051-2007

27.1(b)

ADDITIONAL PERMITTED USES

Added by
B/L 2-1986

The following additional permitted uses shall be permitted on lots with municipal piped water and municipal sewage disposal:

- bank
- beer store
- community bake shop
- drug store
- cleaning depot
- food store legally existing on the effective date of this By-law which may include extensions or additions thereto
- laundromat
- liquor store
- library
- neighbourhood bake shop
- neighbourhood clinic
- office legally existing on the effective date of this By-law which may include extensions or additions thereto
- paint, glass and wallpaper store
- personal service shop

Amended by
B/L 281-1989

Amended by
B/L 281-1989

- retail store legally existing on the effective date of this By-law which may include extensions or additions thereto
- shopping centre containing two or more uses permitted in this Section
- video rental shop

Amended by
B/L 051-2007

- buildings, structures, storage containers or uses accessory to a permitted use in this Section

27.2

REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Highway Commercial Zone (HC):

27.2.1

Minimum Lot Area:

- a) lots without municipal piped water and without municipal sewage disposal:

1.0 hectare

- b) lots with municipal piped water but without municipal sewage disposal:

1,850.0 square metres

- c) lots with municipal piped water and municipal sewage disposal:

930.0 square metres

Amended by
B/L 30-2001

27.2.2

Minimum Lot Frontage:

- a) lots without municipal piped water and without municipal sewage disposal:

60.0 metres

- b) lots with municipal piped water but without municipal sewage disposal:

30.0 metres

- c) lots with municipal piped water and municipal sewage disposal:

23.0 metres

27.2.3

Minimum Front Yard:

10.0 metres

27.2.4

Minimum Exterior Side Yard:

10.0 metres

27.2.5

Minimum Interior Side Yard:

3.0 metres

27.2.6

Minimum Rear Yard:

10.0 metres

27.2.7

Maximum Height:

10.0 metres

27.2.8

Maximum Number of Main Uses and Main Buildings Per Lot:

a) Uses:

no maximum

b) Buildings:

no maximum, provided that a minimum distance of 6.0 metres separates each main building

27.2.9

Maximum Lot Coverage:

35%

27.2.10

Buffering:

Amended by
B/L 7-2005

A privacy fence and/or buffer strip with a minimum height of 1.6 metres shall be constructed and maintained along each lot line that is not a street line, abutting a Residential Zone and along each lot line abutting a lane which abuts a Residential Zone.

27.2.11

Fuel Pump Island Location:

Amended by
B/L 2-1986

Nothing in this By-law shall prevent the location of a fuel pump island, exclusive of any above ground fuel storage, facility, in any part of a required front or interior or exterior side yard provided that:

a) the minimum distance between any portion of a fuel pump island and any street line or lot line shall be 5.0 metres provided that, a canopy may project a maximum of 3.0 metres into the 5.0 metre setback requirement.

27.2.12

Stacking Lanes for a Car Wash:

Every car wash shall provide a minimum of five vehicular waiting spaces for each washing bay with each space measuring 3.0 metres in width and 6.0 metres in length.

SECTION 28 CENTRAL BUSINESS DISTRICT ZONE (CBD)

(AS AMENDED BY BY-LAW 83-1997)

28.1 PERMITTED USES

Added by
B/L 132-2002

- adult day care facility
- apartment dwelling
- automotive gas bar
- automotive sales establishment
- automotive service station
- bank
- beer store
- bus depot
- car rental agency
- car wash
- commercial parking lot
- commercial parking structure
- commercial school
- community bake shop
- community centre
- community clinic
- converted dwelling

Amended by
B/L 056-2006

-
- day nursery
- double duplex dwelling
- drugstore
- dry-cleaning depot
- duplex dwelling legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter
- educational institution

Added by 035-2005

- fire hall
- fitness centre
- food store
- fraternal organization
- funeral home
- furniture showroom
- government building

Amended by
B/L 056-2006

-
- group townhouse
- hospital
- hotel
- institution of culture
- laundromat
- library
- liquor store
- live/work unit
- lodging house

Added by B/L 239-2002

- long-term care facility
- motel
- movie theatre
- neighbourhood bake shop
- neighbourhood clinic

Amended by
B/L 239-2002

-

- office
- one or more dwelling units in combination with one or more non-residential uses permitted in this Section
- paint, glass and wallpaper store
- park
- personal service shop
- place of amusement
- police station
- private club
- public recreation
- public sauna
- public utility
- radio or television studio
- radio or television transmitting station
- religious institution
- residential care facility three
- restaurant
- retail store
- retail warehouse
- retail workshop
- retirement residence
- rooming house
- secondhand shop
- semi-detached dwelling legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter
- senior citizen dwelling with or without one or more non-residential uses permitted in this Section
- service shop
- shopping centre containing two or more uses permitted in this Section
- single-detached dwelling legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter
- street townhouse
- tavern
- taxi stand
- variety store
- veterinary clinic
- video rental shop
- wholesale store
- buildings, structures, or uses accessory to a permitted use in this Section

Added by
B/L 056-2006

Added by
B/L 239-2002

28.2

DEFINITIONS

Notwithstanding the provisions of Sections 4.58, 4.81 and 4.201, and in addition to all other provisions of Section 4, the following definitions shall apply to the Central Business District Zone (CBD):

a) Government Building

Means the use of a building or structure by a Crown Agency, or by the Federal or Provincial Governments or the Corporation or a local board thereof.

b) Live/Work Unit

Means a dwelling unit that is also used as a commercial school, office, personal service shop, service shop, or a studio for a photographer, craftsman or artist. The sale of any artifacts produced therein shall be permitted only as an accessory use.

c) Retail Workshop

Means a building or portion thereof which is used primarily for a manufacturing process from which a finished article results; and where the gross floor area does not exceed 300 square metres; and which may include the storage of goods in connection with or resulting from the manufacturing process; and which shall include a retail store with a minimum gross floor area of 10 square metres devoted to the sale of the goods resulting from the manufacturing process. Without limiting the generality of the foregoing, retail workshop may include cabinet making, furniture making, upholstering and drapery making.

d) Service Shop

Means a building or part thereof operated for the purpose of repairing or servicing articles, goods or merchandise, not being vehicles, and limited to a gross floor area not exceeding 300 square metres, and which may also include the storage of the said articles, goods and merchandise.

28.3 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Central Business District Zone (CBD):

28.3.1 Minimum Interior Side Yard:

a) Apartment Dwelling, Senior Citizen Dwelling:

no minimum except where an interior side lot line abuts a Residential Zone, in which case a minimum interior side yard of 1.0 metre for each 3.0 metres, or portion thereof, of building height abutting such Zone shall be required;

b) Converted Dwelling, Double Duplex Dwelling, Group Townhouse, Lodging House, Residential Care Facility Three, Street Townhouse:

no minimum except where an interior side lot line abuts a Residential Zone, in which case a minimum interior side yard of 1.5 metres abutting such Zone shall be required;

c) Uses other than those listed in Clauses 28.3.1a) and b) of this By-law:

no minimum except where an interior side lot line abuts a Residential Zone, in which case a minimum interior side yard of 3.0 metres abutting such Zone shall be required.

Amended by
B/L 056-2006

28.3.2

Minimum Rear Yard:

- a) Apartment Dwelling, Senior Citizen Dwelling:
no minimum except where the rear lot line abuts a Residential Zone, in which case a minimum rear yard of 9.0 metres shall be required;
- b) Converted Dwelling, Double Duplex Dwelling, Group Townhouse, Lodging House, Residential Care Facility Three, Street Townhouse:
no minimum except where the rear lot line abuts a Residential Zone, in which case a minimum rear yard of 7.5 metres shall be required;
- c) Uses other than those listed in Clauses 28.3.2a) and b) of this By-law:
no minimum except where the rear lot line abuts a Residential Zone, in which case a minimum rear yard of 3.0 metres shall be required.

Amended by
B/L 056-2006

28.3.3

Maximum Number of Main Uses and Main Buildings Per Lot:

- a) Uses:
- i) Converted Dwelling, Residential Care Facility Three, Lodging House:
one only
- ii) Uses other than those listed in Subclause 28.3.3a)(i) of this By-law:
no maximum
- b) Buildings:
- i) Converted Dwelling, Residential Care Facility Three, Lodging House:
one only
- ii) Buildings other than those listed in Subclause 28.3.3.b) (i) of this By-law:
no maximum

Amended by
B/L 056-2006

Amended by
B/L 056-2006

28.3.4

Maximum Lot Coverage:

- a) Converted Dwelling, Residential Care Facility Three, Lodging House:
35%
- b) Uses other than those listed in Clause 28.3.4a) of this By-law:
no maximum

Amended by
B/L 056-2006

28.3.5

Maximum Number of Dwelling Units:

350 dwelling units per hectare of lot area

28.3.6

Special Provisions for a Converted Dwelling:

a) Despite any other provision of this By-law, an extension or addition may be permitted provided that the extension or addition does not increase the size of the building as it existed on the effective date of this By-law, by more than 10% and provided that the extension or addition is added to the top floor or rear wall of the building, and provided further that all other requirements of this By-law are met;

b) The minimum gross floor area for each unit in a converted dwelling shall be as follows:

Bachelor Unit: 51.0 square metres

1 Bedroom Unit: 60.0 square metres

2 Bedroom Unit: 74.0 square metres

3 Bedroom Unit: 83.0 square metres

More than 3 Bedrooms: 83.0 square metres for the first three bedrooms plus 9.0 square metres for each additional bedroom.

28.3.7

Fuel Pump Island Location:

The minimum distance between any portion of a fuel pump island and any street line or lot line shall be 5.0 metres provided that, a canopy may project a maximum of 3.0 metres into the 5.0 metre setback requirement.

28.3.8

Stacking Lanes for a Car Wash:

Every car wash shall provide a minimum of five vehicular waiting spaces with each space measuring not less than 3.0 metres in width and not less than 6.0 metres in length for each washing bay.

28.3.9

Separation Distance for a Residential Care Facility

Added by
B/L 056-2006

No residential care facility shall be located closer than 240.0 metres from the boundary of a lot of any other residential care facility.

29.1

PERMITTED USESAdded by
B/L 035-2005

- car wash
- fitness centre with accessory retail components not exceeding a cumulative total of ten percent (10%) of the gross floor area of the fitness centre or one hundred eighty five (185 m²) square metres, whichever is the lesser
- fraternal organization
- hotel or motel which may include a dwelling unit for the owner or caretaker residing on the same lot therewith
- nursery
- office
- place of amusement
- private club
- public recreation
- public utility
- restaurant
- tavern
- veterinary clinic
- buildings, structures, or uses accessory to a permitted use in this Section

29.2

REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Special Purpose Commercial Zones (SPC):

29.2.1

Minimum Lot Area:

930.0 square metres

29.2.2

Minimum Lot Frontage:

23.0 metres

29.2.3

Minimum Front Yard:

10.0 metres

29.2.4

Minimum Exterior Side Yard:

10.0 metres

29.2.5

Minimum Interior Side Yard:

3.0 metres

29.2.6

Minimum Rear Yard:

10.0 metres

29.2.7

Maximum Height:

10.0 metres

29.2.8

Maximum Number of Main Uses or Main Buildings Per Lot:

a) Uses:

one only

b) Buildings:

one only

29.2.9 Landscaped Open Space:

A minimum of 10% of the lot area.

29.2.10 Buffering:

Amended by
B/L 7-2005

A privacy fence and/or a buffer strip with a minimum height of 1.6 metres shall be constructed and maintained along each lot line that is not a street line, abutting a Residential Zone and along each lot line abutting a lane which abuts a Residential Zone.

29.2.11 Stacking Lanes for a Car Wash:

Every car wash shall provide a minimum of five vehicular waiting spaces for each washing bay with each space measuring 3.0 metres in width and 6.0 metres in length.

SECTION 30 FUTURE INDUSTRIAL ZONE (FI)

30.1 PERMITTED USES

Amended by
B/L 2-1986

- buildings, structures or uses legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter.

30.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Future Industrial Zone (FI):

30.2.1 Minimum Lot Area:

Shall be the area of the lot as it exists on the effective date of this By-law.

30.2.2 Minimum Lot Frontage:

Shall be the frontage of the lot as it exists on the effective date of this By-law.

30.2.3 Minimum Front Yard

Added by
B/L 2-1986

10.0 metres

30.2.4 Minimum Exterior Side Yard

Added by
B/L 2-1986

10.0 metres

30.2.5 Minimum Interior Side Yard

Added by
B/L 2-1986

10.0 metres

30.2.6 Minimum Rear Yard

Added by
B/L 2-1986

10.0 metres

30.2.7 Minimum Height

Added by
B/L 2-1986

10.0 metres

SECTION 31 SUBURBAN INDUSTRIAL ZONE (SI)

31.1 PERMITTED USES

The following uses are permitted provided that municipal piped water is available to the lot:

Amended by
B/L 2-1986

- automotive gas bar
- automotive sales establishment
- automotive service station
- bakery
- body repair shop
- building supply outlet
- bulk fuel distribution station
- bus depot
- car rental agency
- car wash
- community bake shop
- dry cleaning plant

Amended by
B/L 134-2002

-
- equipment rental establishment
- furniture showroom
- industrial centre containing two or more uses permitted in this Section
- light industrial uses including an accessory retail use provided such retail use is located in the same building as the main use and provided that the gross floor area of the retail use does not exceed 10% of the gross floor area of the industrial use or 185.0 square metres, whichever is the lesser
- office accessory to a permitted use in this Section
- office legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter
- open storage
- public utility
- radio or television station studio
- radio or television transmitting station
- retail store legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter
- service shop
- truck depot
- veterinary clinic
- warehouse
- welding shop
- buildings, structures, storage containers or uses accessory to a permitted use in this Section

Amended by
B/L 051-2007

31.2 REGULATIONS

In addition to the Regulations of Section 5, the following regulations shall apply to the Suburban Industrial Zone (SI):

31.2.1 Minimum Lot Area:

1,850.0 square metres

31.2.2 Minimum Lot Frontage:

30.0 metres

SECTION 32 LIGHT INDUSTRIAL ZONE (LI)

32.1 PERMITTED USES

Added by
By-law 33-2000

- animal shelter

Amended by
B/L 2-1986

- automotive gas bar
- automotive sales establishment
- automotive service station
- bakery
- bank
- body repair shop
- building supply outlet
- bulk fuel distribution station
- bus depot
- car rental agency
- car wash
- community bake shop
- dry cleaning plant

Amended by
B/L 134-2002

-

Added by
B/L 035-2005

- equipment rental establishment
- fitness centre with accessory retail components not exceeding a cumulative total of ten percent (10%) of the gross floor area of the fitness centre or one hundred eighty five (185 m²) square metres, whichever is the lesser
- fraternal organization
- furniture showroom
- industrial centre containing two or more uses permitted in this Section
- light industrial use including an accessory retail use provided such retail use is located in the same building as the main use and provided that the gross floor area of the retail use does not exceed 10% of the gross floor area of the industrial use or 185.0 square metres, whichever is the lesser
- office accessory to a permitted use in this Section
- office legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter
- open storage
- private club
- public recreation
- public utility
- radio or television station studio
- radio or television transmitting station
- restaurant
- retail store legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter
- retail warehouse
- service shop
- truck depot
- veterinary clinic
- warehouse
- welding shop
- wholesale store
- buildings, structures, storage containers or uses accessory to a permitted use in this Section

Amended by
B/L 051-2007

32.2 REGULATIONS

In addition to the Regulations of Section 5, the following regulations shall apply to the Light Industrial Zone (LI):

32.2.1 Minimum Lot Frontage:

Amended by
B/L 188-1986

6.0 metres

32.2.2 Minimum Front Yard:

6.0 metres

32.2.3 Minimum Exterior Side Yard:

6.0 metres for each exterior side yard

32.2.4 Minimum Interior Side Yard:

1.0 metres for each interior side yard, provided however:

- i) where a main building is attached to an adjacent main building with a party wall, there shall be no interior side yard requirements along the party wall
- ii) where a use abuts a Residential Zone, then a minimum interior side yard abutting such zone shall be 3.0 metres
- iii) where windows of a building face the interior side yard then an interior side yard of 1.0 metres for each 3.0 metres or portion thereof, of building height shall be provided

32.2.5 Minimum Rear Yard:

Amended by
B/L 2-1986

7.5 metres except where the rear lot line abuts a street allowance, then a minimum rear yard of 6.0 metres shall be required.

32.2.6 Maximum Height:

Amended By
B/L 209-1990

Shall not exceed either 17.0 metres or 4 storeys

32.2.7 Ma

ximum Number of Main Uses and Main Buildings Per Lot:

- a) Uses:

one only

- b) Buildings:

No maximum, provided that a minimum distance of 6.0 metres separates each main building.

32.2.8 Separation Distance from a Dwelling Unit:

Amended by
B/L 2-1986
Amended by
B/L 134-2002

No light industrial use shall be located closer than 7.5 metres to any dwelling unit, or to any Residential Zone.

32.2.9

Buffering

Amended by
B/L 2-1986
Amended by
B/L 7-2005

A privacy fence and/or buffer strip with a minimum height of 1.8 metres shall be constructed along each lot line that is not a street line, abutting a Residential Zone and along each lot line abutting a lane which abuts a Residential Zone.

32.2.10

Fuel Pump Island Location:

Amended by
B/L 2-1986

Nothing in this By-law shall prevent the location of a fuel pump island, exclusive of any above ground fuel storage, facility, in any part of a required front or interior or exterior side yard provided that:

- a) the minimum distance between any portion of a fuel pump island and any street line or lot line shall be 5.0 metres provided that, a canopy may project a maximum of 3.0 metres into the 5.0 metre setback requirement.

32.2.11

Stacking Lanes for a Car Wash:

Every car wash shall provide a minimum of five vehicular waiting spaces for each washing bay with each space measuring 3.0 metres in width and 6.0 metres in length for each washing bay.

32.2.12

Special Regulations for an Animal Shelter

Added by
By-law 33-2000

- a) the use of an outdoor run shall be restricted to the hours between 8:00 a.m. and 6:00 p.m.

SECTION 33 LIGHT INDUSTRIAL PARK ZONE (LIP)

33.1 PERMITTED USES

Added by
By-law 33-2000

- animal shelter

Amended by
B/L 2-1986

- automotive gas bar
- automotive sales establishment
- automotive service station
- bakery
- bank
- body repair shop
- building supply outlet
- bulk fuel distribution station
- bus depot
- car rental agency
- car wash
- community bake shop
- dry cleaning plant

Amended by
B/L 134-2002

-

Added by
B/L 035-2005

- equipment rental establishment
- fitness centre with accessory retail components not exceeding a cumulative total of ten percent (10%) of the gross floor area of the fitness centre or one hundred eighty five (185 m²) square metres, whichever is the lesser
- fraternal organization
- furniture showroom
- industrial centre containing two or more uses permitted in this Section
- light industrial uses including an accessory retail use provided such retail use is located in the same building as the main use and provided that the gross floor area of the retail use does not exceed 10% of the gross floor area of the industrial use or 185.0 square metres, whichever is the lesser
- office accessory to a permitted use in this Section
- office legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter
- open storage
- private club
- public recreation
- public utility
- radio or television station studio
- radio or television transmitting station
- restaurant
- retail store legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter
- retail warehouse
- service shop
- truck depot
- veterinary clinic
- warehouse
- welding shop
- wholesale store
- buildings, structures, storage containers or uses accessory to a permitted use in this Section

Amended by
B/L 051-2007

33.2 REGULATIONS

In addition to the Regulations of Section 5, the following regulations shall apply to the Light Industrial Park Zone (LIP):

33.2.1 Minimum Lot Area:

930.0 square metres

33.2.2 Minimum Lot Frontage:

22.0 metres

33.2.3 Minimum Front Yard:

6.0 metres

33.2.4 Minimum Exterior Side Yard:

6.0 metres for each exterior side yard

33.2.5 Minimum Interior Side Yard:

3.0 metres for each interior side yard

33.2.6 Minimum Rear Yard

Amended by
B/L 2-1986

7.5 metres except where the rear lot line abuts a street allowance, then a minimum rear yard of 6.0 metres shall be required.

33.2.7 Maximum Height:

Amended by
B/L 209-1990

Shall not exceed either 17.0 metres or 4 storeys

33.2.8 Maximum Number of Main Uses and Main Buildings Per Lot:

- a) Uses: one only
- b) Buildings: No maximum, provided that a minimum distance of 6.0 metres separates each main building.

33.2.9 Landscaped Open Space:

A minimum of 10% of the lot area.

33.2.10 Separation Distance from a Dwelling Unit:

Amended by
B/L 2-1986
Amended by
B/L 134-2002

No light industrial use shall be located closer than 7.5 metres from any dwelling unit, or to any Residential Zone.

33.2.11 Buffering

Amended by
B/L 2-1986
Amended by
B/L 7-2005

A privacy fence and/or buffer strip with a minimum height of 1.8 metres shall be constructed along each lot line that is not a street line, abutting a Residential Zone and along each lot line abutting a lane which abuts a Residential Zone.

33.2.12 Fuel Pump Island Location:

Amended by
B/L 2-1986

Nothing in this By-law shall prevent the location of a fuel pump island, exclusive of any above ground fuel storage, facility, in any part of a required front or interior or exterior side yard provided that:

- a) the minimum distance between any portion of a fuel pump island and any street line or lot line shall be 5.0 metres provided that, a canopy may project a maximum of 3.0 metres into the 5.0 metre setback requirement.

33.2.13

Stacking Lanes for a Car Wash:

Every car wash shall provide a minimum of five vehicular waiting spaces for each washing bay with each space measuring 3.0 metres in width and 6.0 metres in length.

33.2.14

Special Regulations for an Animal Shelter

Added by
By-law 33-2000

- a) the use of an outdoor run shall be restricted to the hours between 8:00 a.m. and 6:00 p.m.

SECTION 34 HEAVY INDUSTRIAL ZONE (HI)

34.1 PERMITTED USES

Added by
By-law 33-2000

- animal shelter

Amended by
B/L 2-1986

- automotive gas bar
- automotive service station
- automotive wrecking establishment
- bakery
- bank
- body repair shop
- building supply outlet
- bulk fuel distribution station
- bulk fuel storage facilities
- bus depot
- car rental agency
- car wash
- community bake shop
- dry-cleaning plant

Added by
B/L 015-2007

- electric power generating station

Added by
B/L 015-2007

- electric power main transformer station

Added by
B/L 015-2007

- electric power distribution station

Amended by
B/L 134-2002

-
- equipment rental establishment
- fraternal organization
- furniture showroom
- heavy industrial use
- industrial centre containing two or more uses permitted in this Section
- light industrial uses including an accessory retail use provided such retail use is located in the same building as the main use and provided that the gross floor area of the retail use does not exceed 10% of the gross floor area of the industrial use or 185.0 square metres, whichever is the lesser
- office accessory to a permitted use in this Section
- office legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter
- open storage
- private club
- private industrial waste disposal accessory to a permitted use in this Section to dispose of waste created on the same site as the use
- public recreation
- public utility
- radio or television station studio
- radio or television transmitting station
- restaurant
- retail store legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter
- retail warehouse
- salvage yard
- service shop
- truck depot
- veterinary clinic
- warehouse
- welding shop

Amended by
B/L 051-2007

- wholesale store
- buildings, structures, storage containers or uses accessory to a permitted use in this Section

34.2 REGULATIONS

In addition to the Regulations of Section 5, the following regulations shall apply to the Heavy Industrial Zone (HI):

34.2.1 Minimum Lot Area:

- a) lots without municipal piped water and without municipal sewage disposal:

1.0 hectare

- b) lots with municipal piped water but without municipal sewage disposal:

1,850.0 square metres

- c) lots with municipal piped water and municipal sewage disposal:

450.0 square metres

34.2.2 Minimum Lot Frontage:

- a) lots without municipal piped water and without municipal sewage disposal:

60.0 metres

- b) lots with municipal piped water but without municipal sewage disposal:

30.0 metres

- c) lots with municipal piped water and municipal sewage disposal:

15.0 metres

34.2.3 Minimum Front Yard:

9.0 metres

34.2.4 Minimum Exterior Side Yard:

9.0 metres for each exterior side yard

34.2.5 Minimum Interior Side Yard:

3.0 metres for each interior side yard

34.2.6 Minimum Rear Yard:

Amended by
B/L 2-1986

7.5 metres except where the rear lot line abuts a street allowance, then a minimum rear yard of 9.0 metres shall be required.

34.2.7 Maximum Number of Main Uses and Main Buildings Per Lot:

- a) Uses:

one only

- b) Buildings:

No maximum, provided that a minimum distance of 6.0 metres separates each main building.

34.2.8 Separation Distance from a Dwelling Unit:

Amended by
B/L 2-1986
Amended by
B/L 134-2002

a) No light industrial use shall be located closer than 7.5 metres from any dwelling unit, or to any Residential Zone.

Amended by
B/L 134-2002

b) No heavy industrial use including petroleum, propane or gaseous storage facilities not associated with an automotive service station or automotive gas bar shall be located closer than 7.5 metres from any dwelling unit, or to any Residential Zone.

34.2.9 Buffering:

Amended by
B/L 2-1986
Amended by
B/L 7-2005

A privacy fence and/or a buffer strip with a minimum height of 2.5 metres shall be provided and maintained along each lot line that is not a street line, abutting any zone and along each lot line abutting a lane which abuts any zone other than an Industrial Zone or Railway Zone.

34.2.10 Fuel Pump Island Location:

Amended by
B/L 2-1986

Nothing in this By-law shall prevent the location of a fuel pump island, exclusive of any above ground fuel storage, facility, in any part of a required front or interior or exterior side yard provided that:

a) the minimum distance between any portion of a fuel pump island and any street line or lot line shall be 5.0 metres provided that, a canopy may project a maximum of 3.0 metres into the 5.0 metre setback requirement.

34.2.11 Stacking Lanes for a Car Wash:

Every car wash shall provide a minimum of five vehicular waiting spaces for each washing bay with each space measuring 3.0 metres in width and 6.0 metres in length.

34.2.12 Special Regulations for an Animal Shelter

Added by
By-law 33-2000

a) the use of an outdoor run shall be restricted to the hours between 8:00 a.m. and 6:00 p.m.

SECTION 35 EXTRACTIVE INDUSTRIAL ZONE (EI)

35.1 PERMITTED USES

Amended by
B/L 051-2007

- pit
- quarry
- wayside pit
- wayside quarry
- buildings, structures, storage containers or uses accessory to a permitted use in this Section

35.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Extractive Industrial Zone (EI):

35.2.1 Minimum Front Yard:

30.0 metres

35.2.2 Minimum Exterior Side Yard:

30.0 metres

35.2.3 Minimum Interior Side Yard:

15.0 metres

35.2.4 Minimum Rear Yard:

Amended by
B/L 2-1986

15.0 metres except where the rear lot lines abuts a street allowance, in which case a minimum rear yard of 30 metres shall be required.

35.2.5 Separation Distance from a Dwelling Unit:

No pit or quarry which involves blasting shall be located closer than 450.0 metres from the boundary of any land zoned to permit dwelling units.

No pit or quarry or wayside pit or quarry which does not involve blasting shall be located closer than 90.0 metres from the boundary of any land zoned to permit dwelling units.

SECTION 36 HARBOUR INDUSTRIAL ZONE (HRI)

36.1 PERMITTED USES

Amended by
B/L 2-1986

Any use identified hereunder is permitted in the Harbour Industrial Zone (HRI) provided that access to the Harbour or navigable waters in the Harbour is essential to the operation of the use:

Added by
B/L 015-2007
Added by
B/L 015-2007
Added by
B/L 015-2007
Amended by
B/L 134-2002

- automotive wrecking establishment
- electric power generating station
- electric power main transformer station
- electric power distribution station
-
- fish processing plant
- heavy industrial use including but not limited to facilities for the underground and surface storage of petroleum and other gaseous products, grain elevators, pulp and paper mills, and coal storage facilities
- lighthouse
- light industrial use
- marina or marine facility
- office accessory to a use permitted in the HRI Zone
- office legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter
- public utility
- use permitted in the Railway Zone (RR)
- salvage yard
- seaplane base
- shipyard
- warehouse
- buildings, structures, storage containers or uses accessory to a permitted use in this Section

Amended by
B/L 051-2007

36.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Harbour Industrial Zone (HRI):

36.2.1 Minimum Lot Frontage or Water Frontage:

15.0 metres

36.2.2 Minimum Front Yard

Amended by
B/L 2-1986

6.0 metres

36.2.3 Minimum Exterior Side Yard

Amended by
B/L 2-1986

6.0 metres unless the exterior side yard abuts the water, then no exterior side yard shall be required

36.2.4 Minimum Interior Side Yard

Amended by
B/L 2-1986
B/L 188-1986

3.0 metres unless the interior side yard abuts the water, then no interior side yard shall be required

36.2.5 Minimum Rear Yard

Amended by
B/L 2-1986

7.5 metres unless the rear yard abuts the water, then no rear yard shall be required. Where the rear lot line abuts a street allowance then a minimum rear yard of 6.0 metres shall be required.

36.2.6 Number of Main Uses and Main Buildings Per Lot:

a) Uses:

no maximum

b) Buildings:

No maximum, provided that a minimum distance of 6.0 metres separates each main building.

36.2.7 Buffering

Amended by
B/L 2-1986
Amended by
B/L 7-2005

A privacy fence and/or a buffer strip with a minimum height of 2.5 metres shall be provided and maintained along each lot line that is not a street line, abutting any zone and along each lot line abutting a lane which abuts any zone other than an Industrial or Railway Zone, provided however, that no part of the privacy fence and/or buffer strip shall be located along the Harbour Line.

36.2.8 Separation Distance from a Dwelling Unit:

Amended by
B/L 2-1986

No building or structure used for heavy industrial purposes or petroleum or gaseous storage facilities shall be located closer than 7.5 metres from a dwelling unit or from any Residential Zone.

SECTION 37 NEIGHBOURHOOD INSTITUTIONAL ZONE (NIN)

37.1 PERMITTED USES

Added by
B/L 132-2002

- adult day care facility

Amended by
B/L 2-1986

- day nursery
- dwelling unit accessory to a use permitted in this Section
- educational institution
- park
- public recreation
- religious institution
- buildings, structures, or uses accessory to a permitted use in this Section

37.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Neighbourhood Institutional Zone (NIN):

37.2.1 Minimum Lot Area:

Amended by
B/L 25-1991

- a) lots without municipal piped water and without municipal sewage disposal:
2.0 hectares
- b) lots with municipal piped water but without municipal sewage disposal:
4000.0 square metres
- c) lots with municipal piped water and municipal sewage disposal:
450.0 square metres

37.2.2 Minimum Lot Frontage:

Amended by
B/L 25-1991

- a) lots without municipal piped water and without municipal sewage disposal:
90.0 metres
- b) lots with municipal piped water but without municipal sewage disposal:
30.0 metres
- c) lots with municipal piped water and municipal sewage disposal:
15.0 metres

37.2.3 Minimum Front Yard:

7.5 metres

37.2.4 Minimum Exterior Side Yard:

7.5 metres for each exterior side yard

37.2.5 Minimum Interior Side Yard:

3.0 metres for each interior side yard

37.2.6 Minimum Rear Yard:

7.5 metres

37.2.7 Maximum Height:

10.0 metres

37.2.8 Maximum Number of Main Uses and Main Buildings Per Lot:

a) Uses:

one only

b) Buildings:

No maximum, provided that a minimum distance of 6.0 metres separates each main building.

37.2.9 Buffering:

Amended by
B/L 2-1986
Amended by
B/L 7-2005

A privacy fence and/or a buffer strip with a minimum height of 1.6 metres shall be provided and maintained along each lot line that is not a street line, abutting any Residential Zone and along each lot line abutting a lane which abuts any Residential Zone.

37.2.10 Special Regulations for lots without municipal sewage disposal:

Amended by
B/L 25-1991

With the exception of an educational institution, all uses will be prohibited which require a septic tank capacity in excess of 6,819.0 litres, in total, per lot.

SECTION 38 COMMUNITY INSTITUTIONAL ZONE (CIN)

38.1 PERMITTED USES

Added by
B/L 132-2002

- adult day care facility

Amended by
B/L 2-1986

- community centre
- community clinic
- day nursery
- dwelling unit accessory to a permitted use in this Section
- educational institution
- fire hall
- fraternal organization
- library

Added by
B/L 239-2002

- long-term care facility

Amended by
B/L 239-2002

- neighbourhood clinic
-

- park
- police station
- private club
- religious institution
- retirement residence

Added by
B/L 239-2002

- buildings, structures, or uses accessory to a permitted use in this Section

38.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Community Institutional Zone (CIN):

38.2.1 Minimum Lot Area:

Amended by
B/L 25-1991

- a) lots without municipal piped water and without municipal sewage disposal:
2.0 hectares
- b) lots with municipal piped water but without municipal sewage disposal:
4000.0 square metres
- c) lots with municipal piped water and municipal sewage disposal:
450.0 square metres

38.2.2 Minimum Lot Frontage:

Amended by
B/L 25-1991

- a) lots without municipal piped water and without municipal sewage disposal:
90.0 metres
- b) lots with municipal piped water but without municipal sewage disposal:
30.0 metres

- c) lots with municipal piped water and municipal sewage disposal:
15.0 metres

38.2.3 Minimum Front Yard:

7.5 metres

38.2.4 Minimum Exterior Side Yard:

7.5 metres for each exterior side yard

38.2.5 Minimum Interior Side Yard:

3.0 metres for each interior side yard

38.2.6 Minimum Rear Yard:

7.5 metres

38.2.7 Maximum Height:

Amended by
B/L 209-1990

11.0 metres

38.2.8 Maximum Number of Main Uses and Main Buildings Per Lot:

- a) Uses:

one maximum

- b) Buildings:

No maximum, provided that a minimum distance of 6.0 metres separates each main building.

38.2.9 Buffering:

Amended by
B/L 2-1986
Amended by
B/L 7-2005

A privacy fence and/or a buffer strip with a minimum height of 1.6 metres shall be provided and maintained along each lot line that is not a street line, abutting any Residential Zone and along each lot line abutting a lane which abuts any Residential Zone.

38.2.10 Special Regulations for lots without municipal sewage disposal:

Amended by
B/L 25-1991

With the exception of an educational institution, all uses will be prohibited which require a septic tank capacity in excess of 6,819.0 litres, in total, per lot.

SECTION 39 MAJOR INSTITUTIONAL ZONE (MIN)

39.1 PERMITTED USES

- Added by B/L 132-2002 - adult day care facility

- Amended by B/L 2-1986 - cemetery
- community centre
- community clinic
- correctional centre or penitentiary

- Amended by B/L 056-2006 -
- day nursery
- dwelling unit accessory to a permitted use in this Section
- educational institution
- fairgrounds
- fire hall
- fraternal organization
- government building

- Amended by B/L 056-2006 -
- group residence
- hospital
- institution of culture

- Added by B/L 13-2005 - laboratory

- library

- Added by B/L 239-2002 - long-term care facility

- Amended by B/L 239-2002 -

- park
- police station
- private club
- public recreation
- religious institution

- Added by B/L 13-2005 - research and development centre

- Amended by B/L 056-2006 - residential care facility three

- Added by B/L 239-2002 - retirement residence

- Amended by B/L 25-1991 - senior citizen dwelling only on lots with municipal piped water and municipal sewage disposal
- buildings, structures, or uses accessory to a permitted use in this Section

39.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Major Institutional Zone (MIN):

39.2.1 Minimum Lot Area:

- Amended by B/L 2-1986 a) Senior citizen dwelling with piped municipal water and municipal sewage disposal:

900.0 square metres in total for the first seven units or portion thereof, plus 40.0 square metres for each additional unit.

Amended by
B/L 25-1991

- b) Uses other than a senior citizen dwelling:
 - i) lots without municipal piped water and without municipal sewage disposal:
2.0 hectares
 - ii) lots with municipal piped water but without municipal sewage disposal:
4000.0 square metres
 - iii) lots with municipal piped water and municipal sewage disposal:
450.0 square metres

39.2.2

Minimum Lot Frontage:

Amended by
B/L 25-1991

- a) Senior citizen dwelling with piped municipal water and municipal sewage disposal:
30.0 metres
- b) Uses other than a senior citizen dwelling:
 - i) lots without municipal piped water and without municipal sewage disposal:
90.0 metres
 - ii) lots with municipal piped water but without municipal sewage disposal:
30.0 metres
 - iii) lots with municipal piped water and municipal sewage disposal:
15.0 metres

39.2.3

Minimum Front Yard:

9.0 metres

39.2.4

Minimum Exterior Side Yard:

9.0 metres for each exterior side yard

39.2.5

Minimum Interior Side Yard:

3.0 metres for each interior side yard

39.2.6

Minimum Rear Yard:

Amended by
B/L 2-1986

9.0 metres

39.2.7

Maximum Height:

30.0 metres

39.2.8

Maximum Number of Main Uses and Main Buildings Per Lot:

a) Uses:

no maximum

b) Buildings:

No maximum, provided that a minimum distance of 9.0 metres separates each main building.

39.2.9

Separation Distance for a Residential Care Facility

Amended by
B/L 056-2006

No residential care facility shall be located closer than 240.0 metres from the boundary of a lot of any other residential care facility.

39.2.10

Buffering:

Amended by
B/L 2-1986
Amended by
B/L 7-2005

A privacy fence and/or a buffer strip with a minimum height of 1.8 metres shall be provided and maintained along each lot line that is not a street line, abutting any Residential Zone and along each lot line abutting a lane which abuts any Residential Zone.

39.2.11

Special Regulations for lots without municipal sewage disposal:

Amended by
B/L 25-1991

With the exception of an educational institution; and the correctional centre located on the lands and premises more particularly described as follows, namely:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Thunder Bay, in the District of Thunder Bay and being composed of Lots 24 and 25, Concession III, S.K.R.; Lots 23, 24, 25 and the west half of Lot 22, Concession IV, S.K.R. and Lots 23, 24 and 25, Concession V, S.K.R.,

all uses will be prohibited which require a septic tank capacity in excess of 6,819.0 litres, in total, per lot.

SECTION 40 OPEN SPACE ZONE (OS)

40.1 PERMITTED USES

Amended by
B/L 2-1986

- community centre
- conservatory
- golf course
- greenhouse
- historic park
- institutions of culture
- marina
- marine facility
- nursery
- park
- public recreation
- ski resort
- zoo
- buildings, structures, or uses accessory to a permitted use in this Section

40.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Open Space Zone (OS):

40.2.1 Minimum Lot Frontage:

15.0 metres

40.2.2 Minimum Front Yard:

9.0 metres

40.2.3 Minimum Exterior Side Yard:

6.0 metres for each exterior side yard

40.2.4 Minimum Interior Side Yard:

3.0 metres for each interior side yard

40.2.5 Minimum Rear Yard:

9.0 metres

40.2.6 Maximum Height:

15.0 metres

40.2.7 Maximum Number of Main Uses and Main Buildings Per Lot:

a) Uses:

no maximum

b) Buildings:

No maximum, provided that a minimum distance of 6.0 metres separates each main building.

SECTION 41 AIRPORT ZONE (AIR)

41.1 PERMITTED USES

- airport
- bus depot
- car rental agency
- commercial parking lot
- flying school
- restaurant
- storage facilities for vehicles and aircraft, and facilities for storage of materials required for aircraft maintenance including fuel and related repair facilities
- tavern
- taxi stand
- buildings, structures, or uses accessory to a permitted use in this Section

41.2 REGULATIONS

In addition to the Regulations of Section 5, the following regulations shall apply to the Airport Zone (AIR):

41.2.1 Minimum Lot Frontage:

120.0 metres

41.2.2 Minimum Front Yard:

30.0 metres

41.2.3 Minimum Exterior Side Yard:

30.0 metres for each exterior side yard

41.2.4 Minimum Interior Side Yard:

30.0 metres for each interior side yard

41.2.5 Minimum Rear Yard:

30.0 metres

41.2.6 Maximum Number of Main Uses and Main Buildings Per Lot:

a) Uses:

no maximum

b) Buildings:

No maximum, provided that a minimum distance of 6.0 metres separate each main building.

SECTION 42 UTILITIES AND SERVICES ZONE (US)

42.1 PERMITTED USES

Added by
B/L 015-2007

- electric power distribution station
- electric power generating stations and main transformer stations
- private industrial waste disposal site
- private sewage lagoon facilities
- public sanitary landfill site
- public sanitary sewage treatment facilities
- public utility
- public water treatment facilities
- radio or television transmitting station
- transit depot

Amended by
B/L 051-2007

- buildings, structures, storage containers or uses accessory to a permitted use in this Section

42.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Utilities and Services Zone (US):

42.2.1 Maximum Number of Main Uses and Main Buildings Per Lot:

a) Uses:

no maximum

b) Buildings:

No maximum, provided that a minimum distance of 6.0 metres separate each main building.

42.2.2 Buffering:

Amended by
B/L 7-2005

A privacy fence and/or buffer strip with a minimum height of 1.8 metres shall be provided and maintained along each lot line that is not a street line, abutting a Residential Zone. In addition, no building or structure shall be erected closer than 15.0 metres from the boundary of any Residential Zone and along each lot line abutting a lane which abuts any Residential Zone.

SECTION 43 RAILWAY ZONE (RR)

43.1 PERMITTED USES

- rail corridors
- rail yards
- train station
- facilities for the repair, storage, and maintenance of rail equipment and machinery
- buildings, structures, storage containers or uses accessory to a permitted use in this Section

Amended by
B/L 051-2007

SECTION 44 HAZARD LAND ZONE (HL)

44.1 PERMITTED USES

- agriculture exclusive of buildings or structures
- flood control
- a park exclusive of buildings or structures
- uses accessory to the permitted uses

SECTION 45 FUTURE DEVELOPMENT ZONE (FD)

45.1 PERMITTED USES

Amended by
B/L 2-1986

Buildings, structures or uses legally existing on the effective date of this By-law which may include extensions or additions made thereto hereafter.

45.2 REGULATIONS

In addition to the regulations of Section 5, the following regulations shall apply to the Future Development Zone (FD).

45.2.1 Minimum Lot Area:

Shall be the area of the lot as it exists on the effective date of this By-law.

45.2.2 Minimum Lot Frontage:

Shall be the frontage of the lot as it exists on the effective date of this By-law.

45.2.3 Minimum Front Yard

Added by
B/L 2-1986

10.0 metres

45.2.4 Minimum Exterior Side Yard

Added by
B/L 2-1986

10.0 metres

45.2.5 Minimum Interior Side Yard

Added by
B/L 2-1986

10.0 metres

45.2.6 Minimum Rear Yard

Added by
B/L 2-1986

10.0 metres

45.2.7 Maximum Height

Added by
B-L 2-1986

10.0 metres

SECTION 46 PRESTIGE BUSINESS PARK ZONE (PBP)

46.1 DEFINITIONS

Amended by Notwithstanding the provisions of Section 4.233 and in addition to all the
By-law 136-2000 other provisions of Section 4, the following definitions shall apply:

a) INFORMATION TECHNOLOGY USE

Means the use of premises for the development and/or production of computer software, and which may also include the design and/or research of computer, electrical, electronic or communications equipment, and similar products.

b) LABORATORY

Means the use of premises not providing services directly to the public for the provision of analytical, research or testing services, including biotechnologies, and energy and environmental technologies. Biotechnologies may include life sciences, biopharmaceuticals and medical devices. Energy and environmental technologies may include batteries and fuel cells, and mining and forestry technology.

c) TECHNICAL SCHOOL

Means a commercial school or an educational institution, not including a nursery school, limited to the study of an applied art, science or craft.

d) WHOLESALE STORE

Means the use of land or building or structure or part thereof in which goods, wares, merchandise, substances, or articles are offered or kept for sale at wholesale

46.2 PERMITTED USES

Added by
B/L 132-2002

- adult day care facility
- bakery
- bank
- day nursery
- industrial centre containing two or more permitted uses
- information technology use
- laboratory

- light industrial use including an accessory retail use provided such retail use is located within the same building as the main use and provided that the gross floor area of the retail use does not exceed 10% of the total built gross floor area of such building or 185 square metres, whichever is the lesser
- public utility
- technical school
- warehouse
- wholesale store
- buildings, structures, or uses accessory to a permitted use in this Section, provided that:
 - (i) in the case of an accessory office use such office use is located in the same building as the main use and provided that such office use does not exceed 50% of the total built gross floor area of such building; and

- (ii) in the case of accessory outside storage use no such outside storage use shall be permitted in any yard abutting a street and provided that such outside storage use is located on a lot with a main building having not less than 500.0 square metres of gross floor area and such outside storage use does not exceed 30% of the lot area.

46.3 REGULATIONS

In addition to the regulations in Section 5, the following regulations shall apply:

46.3.1 Minimum Lot Area:

3,000.0 square metres

46.3.2 Minimum Lot Frontage:

40.0 metres

46.3.3 Minimum Front Yard:

6.0 metres

46.3.4 Minimum Exterior Side Yard:

6.0 metres for each exterior side yard

46.3.5 Minimum Interior Side Yard:

6.0 metres for each interior side yard

46.3.6 Minimum Rear Yard:

12.0 metres

46.3.7 Minimum Setback from Highways 11/17 and 61

13.7 metres

46.3.8 Maximum Height:

17.0 metres or 4 storeys whichever is greater

46.3.9 Maximum Number of Main Uses and Main Buildings Per Lot:

a) Uses:

One only

b) Buildings:

No maximum

46.3.10 Maximum Floor Space Index:

0.6

46.3.11 Landscaped Open Space:

A minimum of 15% of the lot area.

46.3.12 Off-Street Parking Requirements:

In addition to the provisions of Section 5.13.9 of this By-law, the following provisions shall apply:

- a) "Information technology use" - one space for every 23.0 square metres of gross floor area.
- b) "Laboratory" - one space for every 23.0 square metres of gross floor area.
- c) "Technical school" - one space for every staff member plus one space for every four pupils. "

47.1 DEFINITIONS

Amended by
By-law 136-2000

Notwithstanding the provisions of Section 4.233 and in addition to all the other provisions of Section 4, the following definitions shall apply:

a) CALL CENTRE

Means an office which functions primarily as a centre for processing large volumes of incoming and/or outgoing telephone calls and/or electronic/computer transactions, having a minimum gross floor area of 1,000 square metres.

b) INFORMATION TECHNOLOGY USE

Means the use of premises for the development and/or production of computer software, and which may also include the design and/or research of computer, electrical, electronic or communications equipment, and similar products.

c) LABORATORY.

Means the use of premises not providing services directly to the public for the provision of analytical, research or testing services, including biotechnologies, and energy and environmental technologies. Biotechnologies may include life sciences, biopharmaceuticals and medical devices. Energy and environmental technologies may include batteries and fuel cells, and mining and forestry technology.

d) TECHNICAL SCHOOL

Means a commercial school or an educational institution, not including a nursery school, limited to the study of an applied art, science or craft.

e) WHOLESALE STORE

Means the use of land or building or structure or part thereof in which goods, wares, merchandise, substances, or articles are offered or kept for sale at wholesale.

47.2 PERMITTED USES

Added by
B/L 132-2002

- adult day care facility
- automotive gas bar
- automotive sales establishment
- automotive service station
- bakery
- bank
- body repair shop
- bulk fuel distribution station
- bus depot

- call centre
- car rental agency
- car wash
- community bake shop
- day nursery
- equipment rental establishment
- industrial centre containing two or more permitted uses
- information technology use
- laboratory
- light industrial uses including an accessory retail use provided such retail use is located within the same building as the main use and provided that the gross floor area of the retail use does not exceed 10% of the total built gross floor area of such building or 185 square metres, whichever is the lesser
- public utility
- radio or television station studio
- radio or television transmitting station
- restaurant
- service shop
- technical school
- warehouse
- welding shop
- wholesale store
- buildings, structures, storage containers or uses accessory to a permitted use in this Section, provided that:
 - (i) in the case of an accessory office use such office use is located in the same building as the main use and provided that such office use does not exceed 50% of the total built gross floor area of such building; and
 - (ii) in the case of accessory outside storage use no such outside storage use shall be permitted in any yard abutting a street and provided that such outside storage use is located on a lot with a main building not less than 500.0 square metres gross floor area and such outside storage use does not exceed 30% of the lot area.

Amended by
B/L 051-2007

47.3 REGULATIONS

In addition to the regulations in Section 5, the following regulations shall apply:

47.3.1 Minimum Lot Area:

2,000.0 square metres

Off-Street Parking Requirements:

In addition to the provisions of Section 5.13.9 of this By-law, the following provisions shall apply:

- a) "Call centre" - one space for every 23.0 square metres of gross floor area.
- b) "Information technology use" - one space for every 23.0 square metres of gross floor area.
- c) "Laboratory" - one space for every 23.0 square metres of gross floor area.
- d) "Technical school" - one space for every staff member plus one space for every four pupils. "

SECTION 48 WATERFRONT DEVELOPMENT ZONE (WD)

48.1 PERMITTED USES

- apartment dwelling with 100% of the ground floor area of the building being devoted to any one of or combination of a personal service shop, a restaurant, a retail store, a variety store; and with the second floor being devoted to any one of or combination of a personal service shop, a restaurant, a retail store, a variety store, an office, a residential use.
- commercial parking lot
- commercial parking structure
- hotel which may include on the ground floor level an office, a personal service shop, a restaurant, a retail store, a variety store
- buildings, structures, or uses accessory to a permitted use in this Section
- buildings, structures or uses which legally existed on the date of passing of this by-law.

48.2 REGULATIONS

In addition to the regulations in Section 5, the following regulations shall apply:

48.2.1 There shall be no Minimum Lot Area; no Minimum Lot Frontage; no Minimum Front Yard; no Minimum Exterior Side Yard and no Minimum Interior Side Yard required.

48.2.2 Minimum Setback from edge of Railway Right-of-Way:

30.0 metres for an Apartment Dwelling and for a Hotel

48.2.3 Minimum Setback from the water's edge of Lake Superior:

20.0 metres

48.2.4 Maximum Height:

- a) Maximum of 10.0 metres for a Commercial Parking Structure.
- b) Maximum of 7 storeys which shall not exceed 25.0 metres in height for an Apartment Dwelling and for a Hotel.

48.2.5 Maximum Number of Main Uses and Main Buildings Per Lot:

- a) No maximum number of uses.
- b) A maximum number of four buildings consisting of One Hotel, Two Apartment Dwellings and a Commercial Parking Structure.

48.2.6 Maximum Lot Coverage:

No maximum

48.2.7 Minimum Number of Dwelling Units in one Apartment Dwelling:

40 dwelling units

48.2.8 Minimum Number of Bedrooms in a Hotel:

60 bedrooms

48.2.9 Off-Street Parking Requirements:

Notwithstanding the provisions of Section 5.13.9 of By-law 177-1983, as amended, the minimum number of parking spaces required shall be:

- a) 1 space per dwelling unit;
- b) 1 space per bedroom in a Hotel;
- c) Plus a minimum of 55 spaces for each Main Building, excluding a Commercial Parking Structure, to accommodate the non residential uses."