The Corporation of the City of North Bay

By-Law No. 2015-30

Comprehensive Zoning By-law

Whereas Section 34 of the Planning Act, R.S.O. 1990, c. P.13 provides that the councils of local municipalities may pass by-laws to regulate the use of land and the erecting, location and use of buildings and structures;

And Whereas a new Official Plan for The Corporation of the City of North Bay came into effect on January 6th, 2012;

And Whereas the Council of The Corporation of the City of North Bay wishes to implement the objectives and policies of the new Official Plan;

And Whereas the Council of The Corporation of the City of North Bay has ensured that adequate information has been made available to the public, and has held at least one public meeting on March 23, 2015 after due notice for the purpose of informing the public of this By-law;

And Whereas it is deemed desirable to adopt a new Comprehensive Zoning By-law for the City of North Bay pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended;

And Whereas the Council of The Corporation of the City of North Bay passed Committee Report 2015-13 adopted by Council on April 27, 2015 by Resolution number 2015-192 to approve Zoning By-law 2015-30 as the new Comprehensive Zoning By-law for the City of North Bay;

Now therefore the Council of The Corporation of the City of North Bay hereby enacts as follows:

Section 1 - Interpretation and Administration

1.1 Short Title

1.1.1 The short title of this By-law is The City of North Bay Zoning By-law.
1.2 Effective Date

1.2.1 This By-law shall come into force and effect upon the date of passing by council.

1.2.2 If a notice of appeal of this By-law is filed in accordance with the requirements of s. 34(19) of the Planning Act, R.S.O. 1990 c. P. 13, this By-law, or portions thereof, shall come into force and effect when all appeals have been resolved or withdrawn and the By-law, except for those parts or provisions that have been repealed or modified, shall be deemed to have come into force and effect the day the By-law is passed.

1.3 Litigation

1.3.1 This By-law does not affect the rights of any part of any land concerned in any action, litigation or other proceeding pending on the date the By-law is passed except to the extent to be determined in the final adjudication of the action, litigation or other proceedings.

1.4 Use of Land Restricted

1.4.1 Except as permitted by the Planning Act no building, structure or land shall be used, and no building or structure shall be hereafter erected, placed, structurally altered or enlarged within the limits of the municipality except in conformity with this By-law.

1.5 Administration

1.5.1 This By-law shall be administered by the Managing Director, Community Services Business Unit, the Zoning Administrator and other persons as council may designate from time to time.

1.6 Enforcement

1.6.1 No permit for the use of land or for the erection or use of any building or structure or approval of any application for any Municipal Licence shall be issued or given, where the proposed building, structure or use would violate any provision of this By-law.
1.7 Entry and Inspection

1.7.1 Subject to section 1.7.2, where an officer believes on reasonable grounds that any provision of this By-law is being contravened, the officer or any person acting under his or her instructions may, at all reasonable times and upon producing proper identification, enter and inspect any property on or in respect of which he or she believes the contravention is occurring.

1.7.2 An officer or any person acting under his or her instructions shall not enter any room or place actually used as a dwelling without requesting and obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused and entry made only under the authority of a search warrant.

1.7.3 Section 1.7.2 does not apply where the officer has obtained a search warrant pursuant to section 49.1 of the Planning Act.

1.8 Obstruct

1.8.1 No person shall obstruct or attempt to obstruct an officer or a person acting under the officer’s instruction in the exercise of a power under this section.

1.9 Meaning of “Use”

1.9.1 Unless the context otherwise requires, the expression "use" or "to use" in this By-law includes anything done or permitted by the owner or occupant of any land, building or structure, directly or indirectly, or by or through any trustee, tenant, servant or agent of the owner or occupant for the purpose of making use of the land, building or structure.

1.10 Number and Gender

1.10.1 Words in the singular include the plural and words in the plural include the singular.

1.10.2 Gender-specific terms include both sexes and include corporations.
1.11 Wording Order Clarifications

1.11.1 Where a defined term in this By-law is reversed, it is done so for the ease and convenience of reading and to keep like terms grouped together. The terms shall be considered to be defined in the same manner. An example of this is ‘single detached dwelling’ and ‘dwelling, single detached’.

1.12 Buildings to be Moved

1.12.1 No building shall be moved within the limits of the municipality, except in conformity with this By-law and the Building By-law of the City of North Bay.

1.13 Offences and Penalty

1.13 Every person who contravenes any provision of this By-law is guilty of an offence against the Planning Act and on conviction is liable to the penalties as provided for in the Planning Act.

1.14 Validity

1.14.1 If any provision of this By-law is for any reason declared invalid by a court of competent jurisdiction, all of the remaining provisions of the By-law shall remain in full force and effect until repealed and the declaration shall not affect the validity of the By-law as a whole.

1.15 Repeals

1.15.1 Zoning By-law 28-80 and all amendments thereto are hereby repealed upon this By-law coming into effect save and except By-law 2015-18 and By-law 2015-37.

1.16 Variances

1.16.1 All minor variance applications deemed complete under Section 45 of the Planning Act prior to the enactment of this By-law and eventually approved pursuant to Section 45 of the Planning Act or its predecessor, continue to apply and remain in force as if they are variances to this By-law for lawfully existing lots, buildings, and structures.
1.16.2 Previous City of North Bay Zoning By-laws, including their definitions, shall apply to assist in the interpretation of any minor variances referred to in section 1.16.1 in the context of this By-law.

1.17 Transitional Period

1.17.1 Any application, to be evaluated under the City of North Bay Zoning By-law, which is received and deemed complete during the transitional phase of this By-law, shall be evaluated under both the Zoning By-law 28-80 as well as this Zoning By-law 2015-30. The application must conform and comply with all regulations and provisions in both of the By-laws.

1.17.2 Despite section 1.15 this By-law does not apply to prevent the issuance of a building permit for a project for which a complete application for a building permit, Committee of Adjustment approval, site plan control approval, part lot control approval, approval of draft plan of subdivision or draft plan of condominium, or subdivisions or condominium agreement, has been received on or after January 1, 2012 and on or prior to May 11, 2015.

1.17.3 For the purpose of section 1.17.2, “complete application” means an application which could have been approved or granted on May 11, 2015 had it been processed or disposed of on that day.

1.17.4 Where a project qualifies under section 1.17.2, the building permit for that project may be issued, or the Committee of Adjustment approval, the site plan control approval, the part lot control approval, subdivision or condominium agreement, and the approval of the draft plan of subdivision or draft plan of condominium may be granted if the project in question complies with the provisions of the applicable zoning by-law as in effect on May 11, 2015.

1.17.5 Nothing in this By-law applies so as to continue the exemption provided by this section beyond the issuance of the permit upon which the exemption is founded; and in no case does the exemption mentioned in section 1.17.4 continue beyond the repeal of this subsection.

1.17.6 Once the permit, agreement or approval under section 1.17.2
has been granted, the provisions of this By-law apply to the land in question.

1.17.7 Section 1.17.2 through to 1.17.6 inclusive are repealed 3 years from the date of passing of this By-law.

1.18 Zones

1.18.1 For the purposes of this By-law, the City of North Bay is divided into the following land use **zones** with the following symbols, which symbols shall apply to designate **zones** as shown on Schedules "B" and "C" attached hereto:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential First Density</td>
<td>R1</td>
</tr>
<tr>
<td>Residential Second Density</td>
<td>R2</td>
</tr>
<tr>
<td>Residential Third Density</td>
<td>R3</td>
</tr>
<tr>
<td>Residential Mobile Home Park</td>
<td>R4</td>
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<tr>
<td>Residential Fifth Density</td>
<td>R5</td>
</tr>
<tr>
<td>Residential Sixth Density</td>
<td>R6</td>
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<tr>
<td>Residential Multiple First Density</td>
<td>RM1</td>
</tr>
<tr>
<td>Residential Multiple Second Density</td>
<td>RM2</td>
</tr>
<tr>
<td>Residential Multiple Third Density</td>
<td>RM3</td>
</tr>
<tr>
<td>Residential Holding</td>
<td>RH</td>
</tr>
<tr>
<td>General Commercial (Inner Core)</td>
<td>C1</td>
</tr>
<tr>
<td>General Commercial (Outer Core)</td>
<td>C2</td>
</tr>
<tr>
<td>Regional Shopping Centre</td>
<td>C3</td>
</tr>
<tr>
<td>District Commercial</td>
<td>C4</td>
</tr>
<tr>
<td>Neighbourhood Commercial</td>
<td>C5</td>
</tr>
<tr>
<td>Arterial Commercial</td>
<td>C6</td>
</tr>
<tr>
<td>Arterial Commercial – Fisher Street</td>
<td>C6F</td>
</tr>
<tr>
<td>Arterial Commercial – Lakeshore Drive</td>
<td>C6L</td>
</tr>
<tr>
<td>Tourist Commercial</td>
<td>C7</td>
</tr>
<tr>
<td>Commercial Holding</td>
<td>CH</td>
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<tr>
<td>Light Industrial</td>
<td>M1</td>
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<td>General Industrial</td>
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<td>M3</td>
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<tr>
<td>Restricted Industrial</td>
<td>M4</td>
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<tr>
<td>Industrial-Commercial</td>
<td>MC</td>
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<tr>
<td>Railway</td>
<td>MR</td>
</tr>
<tr>
<td>Industrial Holding</td>
<td>MH</td>
</tr>
<tr>
<td>Industrial Airport Business Park – Airside</td>
<td>MAP-A</td>
</tr>
<tr>
<td>Industrial Airport Business Park – Groundside</td>
<td>MAP-G</td>
</tr>
</tbody>
</table>
Industrial Business Park  MBP
Parkland  P
Open Space  O
Floodway  O1
Floodplain and Erosion  O2
Institutional  N
Rural General  A
Rural Residential Estate  RRE
Rural Residential Lakefront  RRL
Rural Extractive Industrial  RME
Rural Commercial  RC
Rural Marine Commercial  RMC
Rural Institutional  RN
Special Zones  Sp.

1.19 Urban Area Zoning Schedules

1.19.1 The Urban Area of the City of North Bay is defined by the settlement area boundary as defined by the City of North Bay Official Plan and as represented on Schedule “A” of this By-law.

1.20 Rural Area Zoning Schedules

1.20.1 The rural area of the City of North Bay is defined as the rest of the lands not defined in Schedule “A” that are within the Municipal Boundary as defined by the City of North Bay Official Plan.

1.21 Defined Zone Areas

1.21.1 The extent and boundaries of all zones are as shown on Schedules "A", "B" and "C", and all the zones are hereby defined as areas to which the provisions of this By-law shall apply. The area enclosed by any zone boundaries, includes streets, rights-of-way, and watercourses.

1.22 Zone Boundary

1.22.1 When determining the boundary of any zone as shown on any Schedule forming part of this By-law, the following provisions shall apply:
1.22.1.1  A boundary indicated as following a **highway**, street or **lane** shall be the centreline of the **highway**, street or **lane**;

1.22.1.2  A boundary indicated as following a watercourse, or the **right-of-way** of a railway or an electrical, gas or oil transmission line shall be the centreline of the watercourse or **right-of-way**;

1.22.1.3  A boundary indicated as following the natural shoreline shall follow the natural shoreline, and in the event of a change in the natural shoreline, the boundary shall be construed as moving with the actual natural shoreline;

1.22.1.4  A boundary indicated as approximately following **lot lines** shown on a Registered Plan of Subdivision, or Reference Plan, or Township **lot lines** shall follow the **lot lines**;

1.22.1.5  Where a boundary is indicated as approximately parallel to a **street line** or other feature, indicated in Sections 1.22.1.1, 1.22.1.2 and 1.22.1.3 above, and the distance from the **street line** or other feature is not indicated, and Section 1.22.1.4 above is not applicable, the boundary shall be construed as being parallel to the **street line** or other feature, and the distance therefrom shall be determined according to the scale shown on the appropriate Schedule; and

1.22.1.6  A boundary indicated as following the limits of the **municipality** shall follow those limits.

### 1.23 Closed Street, Lane or Right-of-way

1.23.1 In the event a dedicated street or **lane** or **right-of-way** shown on any Schedule forming part of this By-law is closed, the property formerly in the street or **lane**, or **right-of-way** shall be included within the **zone** of the adjoining property on either side of the closed street or **lane**, or **right-of-way**. If a closed street or **lane**, or **right-of-way** is the boundary between two or more different **zones**, the new **zone** boundary shall be the former centreline of the closed street or **lane**, or **right-of-way**.
Section 2 - Definitions

For the purposes of this By-law the definitions and interpretation given in this Section shall govern:

Abutting or abut:

Having a common lot line in any yard with an adjacent property, street, or other feature.

Accessory:

A use, building or structure that is detached from the main building and is naturally and normally incidental, subordinate and exclusively devoted to the principal use, building or structure located on the same lot. An accessory structure does not include a structure made wholly, or in a large part, of fabric.

Adult entertainment parlour:

Any premises or part thereof in which services are provided in pursuance of a trade, calling, business or occupation or services appealing to, or designed to appeal to, erotic or sexual appetites or inclinations, and without limiting the generality of the foregoing:

a) "Services" include activities, facilities, performances, exhibitions, viewings and encounters, but does not include the exhibition of film approved under the Film Classification Act, S.O. 2005, c. 17; and

b) "Services designed to appeal to erotic or sexual appetites or inclinations" includes:

i) Services of which a principal feature or characteristic is the nudity or partial nudity of any person; and

ii) Services in respect of which the word "nude", "naked", "topless", "bottomless", "sexy" or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement.
Amenity space:

Open, unobstructed space on a lot which is suitable for landscaping or an open green space, including any part of the site occupied by recreational accessory buildings, any surfaced walk, patio or similar area, any sports or recreational area, swimming pool, any balcony at least 1.5m in width, and the roof or other part of a building or structure open to the air and used for landscaping and as a recreational area, but excluding any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or loading space.

Asphalt/concrete plant:

An industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction, and includes the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises and the storage and maintenance of required equipment. This includes a sale and distribution function.

Attached:

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

Automobile sales, service and leasing establishment:

A commercial establishment within a building and/or lot used for the display and sale or lease of new or used motor vehicles. This may also include the sale of automotive accessories including fluids, tires, lights, parts, and other related products as well as services including cleaning, polishing, greasing, and other related maintenance services. This establishment may also include an automobile service station that can be used to repair motor vehicles as an accessory use.

Automobile service station:

A commercial operation where products for motor vehicles are kept for sale, such as oil, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries. An automobile service station may
also perform servicing essential to the actual operation of the motor vehicle and may also include a gas bar, convenience store or an automobile washing establishment as an accessory to the primary use, but does not include a body shop.

Automobile washing establishment:

A commercial operation containing manual or automated facilities for washing or cleaning vehicles, but does not include an automobile service station, body shop or a gas bar. An automobile washing establishment may also include a car detailing service.

Balcony:

A platform projecting from the face of a wall, other than on the first storey, which is cantilevered or supported by columns or brackets and surrounded by a railing.

Bar:

A licensed drinking establishment, the principal business of which is to serve any sort of beverage alcohol to the public for consumption on the premises, and includes a tavern or nightclub but does not include an Adult entertainment parlour. A bar may also serve food.

Barn:

A large farm building primarily used for the storage of farm equipment and agricultural products and/or the housing of livestock.

Basement:

Any space of the dwelling that is partly below grade which has less than 50% of its interior height measured from floor to ceiling above the average established grade around the exterior of the building.
Bed and breakfast:

An owner-occupied, private, *single detached dwelling* that is the owner’s principal residence. It provides temporary accommodation for the travelling public not exceeding 28 consecutive days, and amenities and services auxiliary to guest accommodation, including the preparation and service of breakfast for an all-inclusive fee, but does not include a *hotel, boarding, lodging or rooming house* or *group home type 1, 2 or 3*.

Boarding, lodging or rooming house:

A *building* or part thereof, in which lodging is provided for more than four *persons* in return for remuneration or for the provision of services or for both, and in which the lodging rooms do not have both bathroom and kitchen facilities for the exclusive *use* of individual occupants, but does not include a *group home type 1, 2 or 3, hotel, hospital, retirement home* or *institutional use* licensed, approved or supervised under Provincial or Federal Legislation.

Boat house:

An *accessory building* or *structure* located on a waterfront *lot*, the sole *use* of which is the provision of shelter or protection to a boat or other form of water transport. A *boat house* shall not include habitable living space, the commercial storage of boats or the sale of fuel or marine products.

Body shop:

A *building* or *structure used* as an *automobile service station* but also includes structural repairs to *vehicles*, painting and refinishing. A *body shop* may also include a towing service and motor *vehicle* rentals for the convenience of the customer while the *vehicle* is being repaired.

Broadcast studio or newsroom:

Any *building* or *structure used* primarily for the purpose of preparing and broadcasting news, music or other information over a variety of mediums including radio, television and internet.
Buffer:

A strip of vegetated land devoted exclusively to the provision of visual amenity and barrier between adjacent uses which lessens the incompatibility between different land uses.

Builder’s supply yard:

A business that provides building supplies for renovation and construction projects to contractors and other people. The primary focus of a builder’s supply yard is the bulk sale of raw materials associated with building and construction. This type of establishment does not typically sell smaller home decorating and minor repair supplies that could be found in a home improvement centre.

Building:

A structure, whether permanent or temporary, with walls, a floor, or a roof, or part thereof, used or intended to be used for shelter, accommodation or enclosure of persons, animals and/or goods.

Building line:

Any line regulating the position of a building or structure on a lot relative to the property lines or established by the setback regulations of this By-law.

Bulk sales establishment:

The use of land, structure or building for the purpose of buying and selling fuels, building and landscaping materials, ice or other commodities, but does not include any manufacturing, assembling or processing uses.

Camping establishment:

A commercial operation used for a range of overnight camping experiences, from tenting to serviced trailer sites, including accessory facilities which support the use and requirements of the clientele, such as administration offices, laundry facilities or a convenience store.
Card lock gas facility:

A gas dispensing facility that is not open to the general public and is generally directed towards transport trucks and other larger vehicles and equipment consuming a lot of fuel. These are generally not manned by any employees on a regular basis and are activated through a card or pin system established by the operator.

Carport:

A covered structure attached to the wall of the main building for the purpose of shielding a vehicle and a portion of the driveway and is often supported by piers or columns so that it is open on two or more sides. A carport does not include any structure made of fabric.

Cemetery:

Land that is set apart or used as a place for interment of human remains in accordance with Funeral, Burial and Cremation Service Act, 2002, S.O. 2002, C. 33 and amendments thereto. A cemetery may include accessory uses such as a mausoleum, crematorium and columbarium.

Commercial agricultural use:

The cultivation of crops and animal husbandry for profit or commercial purposes including the packaging or production incidental to those uses, but not including the commercial slaughter, processing or packaging of animals. This may include, but is not limited to, apiaries, greenhouses and nurseries, commercial fruit and vegetable production, forestry related operations, poultry or game farms, fish hatcheries, and operations including livestock or horses and any buildings or structures directly associated with these uses.

Commercial parking lot:

An open lot or parking structure, other than a street, used for the temporary parking of two or more vehicles for profit or gain.

Commercial motor vehicle:
A **vehicle** that is **used** to serve the needs of a commercial operation in some way. A **commercial motor vehicle** may include but is not limited to a bus, trailer, utility van, cube truck, tow truck, tilt and load style truck, dump truck, tractor trailer, semi-trailer, ambulance or hearse.

**Common wall:**

A vertical wall separating two **dwelling units** between the top of the footings to the underside of the roof **deck**, and shall be mutually common to both **dwelling units**.

**Community centre:**

A community facility designed to provide residents with a place to go for social activities and planned events for varying periods of time, but limited to the daytime hours only. A **community centre** is designed to serve the needs of the immediate neighbourhood.

**Conservation area:**

An area that is protected for the purpose of conservation of natural land features either privately or for the enjoyment of the public. A **conservation area** may be privately held or may be maintained and stewarded by a public organization such as the North Bay-Mattawa **Conservation Authority**.

**Conservation authority:**

The Government body responsible for the administration of a **conservation area** as established and defined by the **Conservation Authorities Act**, R.S.O. 1990, c. C.27 and amendments thereto. In the City of North Bay, this body is the North Bay-Mattawa **Conservation Authority**.

**Contractor's yard:**

An area with or without **buildings** or **accessory structures used** for the storage of materials and equipment related to the construction industry where a contractor may perform shop or assembly work, but shall not include a **salvage yard**.
**Convenience store:**

An establishment that is primarily engaged in providing the sale of everyday personal items of use or necessity to the local area. Some of these items may include, but are not limited to, food and snacks, beverages, pharmaceutical drugs, tobacco products, lottery items, and newspaper and magazine products.

**Council:**

The *council* of The Corporation of the City of North Bay.

**Courier distribution depot:**

A business that acts as a regional hub for a courier distribution service and is *used* as a central point where packages are shipped to and locally distributed by courier *vehicles*. Courier *vehicles* and *accessory* warehousing and storage may form part of a *courier distribution depot*.

**Data storage and processing firm:**

A business that specializes in the collection, storage, and processing of raw data. This would be a digital information hub that consists of multiple servers and processing systems that deal with very large amounts of data. Similar *uses* that deal with internet communications, data, and data servers would fall under this heading.

**Day nursery:**

A commercial operation licensed under the *Child Care and Early Years Act, 2014*, S.O. 2014, c.11, Sched. 1 that receives more than five children who are not of common parents, primarily for the purpose of providing temporary care or guidance for a continuous period not exceeding twenty-four hours, where the children are:

a) Under eighteen years of age in the case of a *day nursery* for children with a developmental disability;

b) Under ten years of age in all other cases;

c) But does not include a public *school*, separate *school*, private *school* or a *school* for children with developmental disabilities
under the accessibility for Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11.

Daylight corner:

A corner lot located at the intersection of two streets where no visual obstruction will be permitted that will obstruct the vision of any motorist in any way.

Deck:

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 0.3m above the established grade but shall not include a landing or a stair.

Driveway:

That portion of a lot used to provide parking or access from the street to a parking space or spaces and which has been graded and gravelled or surfaced with concrete, brick, asphalt, crushed stone or other hard surface and dustless materials.

Drive through:

A facility that makes up a component of a commercial operation that allows clients to remain in their vehicles before, during, and after a commercial transaction occurring on the premises. This might include but is not limited to restaurants, retail and services uses.

Dry cleaning depot:

A building or structure used for the purpose of collection and distribution of articles or goods of fabric to be subjected to the process of dry cleaning at a dry cleaning establishment.

Dry cleaning establishment:

A building or structure used for the purpose of collection, distribution and the processing of articles or goods of fabric to be subjected to the process of
dry cleaning, dry dyeing, cleaning, spotting and stain removal, and for the pressing and alterations of any articles or goods which have been subjected to any of the above processes.

Dwelling:

A building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, but shall not include hotels, boarding, lodging or rooming houses, recreational vehicles and group homes type 2 and 3 or other institutional uses.

Dwelling, accessory:

A dwelling where the residential function is secondary to the primary use in the zone, and may be contained either within its own building or as part of the primary building.
Dwelling, apartment:

A building consisting of five or more dwelling units, which units have a common entrance either directly to the outside or through a common vestibule and the occupants of which have the right to use, in common, halls, stairs, elevators, yards or any combination of the above but shall not include a townhouse.

Dwelling, duplex:

A separate building that is divided into two dwelling units, each of which has an independent entrance either directly to the outside or through a common vestibule.

Dwelling, fourplex:

A separate building that is divided into four dwelling units, each of which has an independent entrance either directly to the outside or through a common vestibule, but shall not include a townhouse.
Dwelling, semi-detached:

A building that is divided vertically into two dwelling units by a common wall which prevents internal access between semi-detached dwelling units and extends from the base of the foundation to the roof line; each semi-detached dwelling unit shall be designed to have access to, and front onto, a street.

![Semi-detached dwelling diagram]

Dwelling, single detached:

A completely detached dwelling unit to which entrance is gained only by a private entrance directly from outside the building.

![Single detached dwelling diagram]

Dwelling, townhouse (cluster):

A building, or group of buildings, that are divided vertically by common walls into three or more dwelling units, each of which has independent entrances, to a front and rear yard immediately abutting the front and rear walls of each dwelling unit. Buildings in a cluster townhouse may front onto private driveways and may face different directions from each other and be oriented a number of different ways on the lot.
Dwelling, townhouse (stacked):

A building, or multiple buildings that are divided by common walls into units that are stacked on top of each other, as well as connected to the unit beside with all units having independent private entrances. A stacked townhouse may front onto a municipal roadway as a street front townhouse would, or may front onto a private driveway as a cluster townhouse would.

Dwelling, townhouse (street front):

A building, or multiple buildings that are divided vertically by common walls into three or more dwelling units, each of which has independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit, with each unit fronting onto a municipal roadway.

Dwelling, triplex:

A building that is divided into three dwelling units, each of which has an independent entrance either directly to the outside or through a common vestibule, but shall not include a townhouse.
Dwelling unit:

A room or suite of habitable rooms which:

a) Is located in a building;

b) Is used or intended to be used by one or more persons as a single, independent and separate household unit;

c) Contains food preparation and sanitary facilities for the exclusive common use of the occupants; and

d) Has a means of egress directly to the outside of the building or through a common vestibule.

Dwelling Unit, Secondary:

A dwelling unit that is ancillary and subordinate to the main dwelling unit that may be contained within the main building on a lot or within an accessory building on the same lot, but not both.

Easement:

A vested or acquired right by statute or registered agreement at The Land Registry Office to use land, other than as a tenant, for a specific purpose with the right being held by someone other than the registered owner.

Efficiency unit:

A dwelling unit consisting of one main room and some combination of bathroom, kitchen, closets, dining alcove and hall space.

Erect:

To build, to construct, to reconstruct, to alter, to enlarge or to relocate and, without limiting the generality of the foregoing, includes any associated physical operation such as excavating or grading, or structurally altering any existing building or structure by an addition, deletion, enlargement, or extension.
Established building line:
The average distance from the street line of existing buildings in any block where more than half the frontage has been built upon at the date of the date this By-law came into effect.

Exhibition building:
A building built for manufacturing, warehousing or other industrial purposes, or an arena used for the purpose of exhibiting and or the demonstrating of trades, goods and services.

Existing:
When used in relation to a use, building or structure means legally present on or before the day this By-law came into effect.

Farmer's market:
The use of lands, buildings or structures or part thereof, by farmers and other vendors, for the purpose of selling agricultural, horticultural food products and crafts to the general public and activities associated with the above uses.

Financial institution:
An establishment which provides money management services directly to the public, including a bank, trust company, or a credit union.

Flea market:
A building in which stalls or sales areas are set aside and rented or otherwise provided, and which are intended for use by various unrelated individuals to sell articles that are either homemade, home grown, handcrafted, old, obsolete, or antique, and may include the selling of goods at retail by businesses or individuals who are generally engaged in retail trade.

Floor area:
The space of any storey of a building between exterior walls and required fire walls, including the space occupied by interior walls and partitions. A fire wall located on a property line separating two properties under separate ownership shall, for the purpose of this definition, be considered an exterior wall.

Floor area, commercial:
The sum of the areas of all floors of a building or part thereof used for commercial purposes measured between the internal faces of the exterior walls, excluding the furnace room, laundry room, washrooms, stairwell and elevator shaft.
Floor area, gross:

The sum of all floor areas above grade, except in the case of an apartment building where part of the area of the basement is used for a dwelling unit(s), in which case the area constitutes part of the gross floor area measured between the internal faces of the exterior walls of the building at the level of each floor, including any part of the building above grade used for the storage or parking of motor vehicles, locker storage and laundry facilities, but excluding any part of the building used for mechanical purposes which are an integral part of the building.

Freight container:

Standardized reusable steel box that is generally associated with the overseas shipping industry.

Funeral home:

A commercial establishment providing funeral supplies and services to the public. This may include a crematorium and associated services as outlined by Ontario’s Funeral, Burial, and Cremation Services Act, 2002.

Garage, attached:

A private garage, as part of a dwelling unit, which is on the same lot and is attached to the main building.

Garage, private:

An accessory building either separate from or attached to the main building, which is designed or used for the storage of one or more private vehicles and the storage of household equipment, incidental to residential occupancy.

Garage, temporary:

A temporary prefabricated shelter usually constructed with a metal, wood or plastic frame and covered with a tarpaulin or other similar type of fabric or plastic cover, which is designed or used for the storage of vehicles or other equipment accessory to a residential use only.

Garden centre:

The use of lands, buildings or structures or part thereof for the purpose of buying or selling lawn and garden equipment, furnishings, supplies and nursery stock but does not include the bulk sales of landscaping products or unpackaged landscaping materials. A garden centre may sell produce as well as operate a plant/flower nursery as accessory uses.

Gas bar:

The use of lands, buildings, or structures where vehicle fuel or lubricants are offered for sale, but where no provision is made for the repair or maintenance of vehicles. For the purpose of this definition, a gas bar may
include a convenience store or an automobile washing establishment as an accessory use.

Generator:

An emergency or stand-by machine that runs on fuel, battery or other power source that generates and converts mechanical energy into electrical energy, and is not used as the main source of power.

Golf course:

A public or private area operated for the purpose of playing golf including a par three golf course and including ancillary uses such as a driving range, a miniature golf course, and a clubhouse.

Government lands and buildings:

Lands or buildings used by a municipal, provincial, or federal government agency for the purpose of carrying out their operations and business.

Grade, established:

With reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of all sides of the building, and when used with reference to a structure, means the average elevation of the established grade of the ground immediately surrounding the structure, and, when used with reference to a street, road or highway, will refer to the elevation established by the municipality or other designated authority.

Grocery store:

A building, or a portion of a building, where food and other household items are kept for sale at retail to the general public and which operates on a self-service, cash and carry basis and may include facilities for parcel pick-up.

Group home type 1:

A single housekeeping unit in which up to 4 residents (excluding the staff or receiving family) live as a family under responsible supervision consistent with the requirements of its residents, and the group home is licensed or approved under Provincial or Federal Statute.

Group home type 2:

An occupancy in which up to 8 patients (excluding the staff or receiving family) live and receive treatment under responsible supervision consistent with the requirements of its residents, and the group home is licensed or approved under Provincial or Federal Statute. A group home type 2 may also include a hospice.
Group home type 3:

A residence maintained and operated primarily for persons who have been placed on probation under the provisions of the Children’s Law Reform Act, R.S.O. 1990, c. C.12, the Criminal Code, R.S.C. 1985, C. C-46, the Youth Criminal Justice Act, S.C. 2002, c. 1, or any Act passed to replace the foregoing Acts, or persons who have been released on parole under the provisions of the Ministry of Correctional Services Act, R.S.O. 1990, c. M.22 or Corrections and Conditional Release Act, S.C. 1992, c. 20, or any Act that has been passed to replace the foregoing Acts, or persons who have been charged under the Youth Criminal Justice Act but who have been placed in open or secure custody. A group home type 3 may include a group home type 1 or a group home type 2.

Height of building:

The vertical distance between the established grade at the base of a main wall of the building and:

a) The highest point of the roof surface, if a flat roof;

b) The deck line, if a mansard roof;

c) The midpoint between the eaves and the ridge, if a hip, gable, shed or gambrel roof; or

d) The highest point of the building or structure in all other cases.

Highway:

A public way for purposes of vehicular or pedestrian travel, including the entire dedicated area, with or without provision made for curbs, sidewalks and/or paved gutters and owned and maintained by a public authority or Ministry of Transportation.

Hobby farm:

A parcel of land which includes the principal residence and barns, sheds, pens and similar accessory buildings which are used for the sole purpose of the persons residing at the residence and are not used for commercial agricultural uses.

Home based business:

A commercial undertaking carried on for gain or profit which is accessory and subordinate to the principal residential use of the dwelling unit.

Home improvement centre:

A commercial business that focuses on the sale of building supplies and materials, as well as home finishing and decorating items, which would be used by an individual for work in and around their home. A home improvement centre will focus primarily on individual consumers for their own personal project needs.
Hospice:
A care home, that is generally smaller in size than most medical facilities or *retirement homes*, that provides assistance and care for people who are often very sick or terminally ill.

Hospital:
A *hospital* as defined by the *Public Hospitals Act* R.S.O. 1990, C. P.40, the *Mental Health Act*, R.S.O. 1990, c. M.7, or the *Private Hospitals Act* R.S.O. 1990, c. P.24, as amended, or any act passed to replace the foregoing.

Hotel:
A commercial establishment *used* for temporary rental sleeping accommodations for travellers governed under the *Innkeepers’ Act* R.S.O. 1990, c. I.7. A *hotel* may offer other facilities on premises for the benefit of their customers that are ancillary to the main *use*, such as *personal service establishments, restaurants, retail stores* or commercial recreation. For the purposes of this By-law, a *hotel* shall also include a motel but shall not include any residential *uses*, such as an *efficiency unit*, a *boarding, lodging or rooming house* or a *mobile home park*.

**Industrial class 1:**
Basic industrial *uses* where such operations do not involve the emission of air or water pollutants that exceed the standards set by the appropriate Provincial Regulatory Authority. This type of industrial *use* usually occurs solely inside a *building* and consists of the manufacturing, assembling, processing, warehousing or other treatment of goods, substances or things including, but not limited to, food and beverage, rubber, leather, textiles, value added wood products, transportation and communication industries, or similar *uses* such as construction yards, machining and metal fabrication, recycling, industrial equipment manufacturing, sales, service and storage. This does not include forest product industries, refineries, mills, foundries, chemical plants, mines, *pits*, quarries, oil wells or similar heavy industries.

**Industrial class 2:**
General industrial *uses* where such operations do not involve the emission of air or water pollutants that exceed the standards set by the appropriate Provincial Regulatory Authority. General industrial *uses* commonly consist of the manufacturing, assembling, processing, warehousing or other treatment of goods, substances or things including, but not limited to, food and beverage, rubber, leather, textiles, value added wood products, transportation and communication industries, or similar *uses* such as construction yards, machining and metal fabrication, recycling, industrial equipment manufacturing, sales, service and storage. This does not include forest product industries, refineries, mills, foundries, chemical plants, mines, *pits*, quarries, oil wells or similar heavy industries.

**Industrial class 3:**
Heavy industrial *uses* where such operations do not involve the emission of air or water pollutants that exceed the standards set by the appropriate Provincial Regulatory Authority. Heavy industrial *uses* are generally incompatible with most other land *uses* and consist of the manufacturing, assembling, processing, warehousing or other treatment of goods, substances or things including, but not limited to, refineries, foundries,
chemical plants, or mills. This does not include a mine, pit, quarry, or an oil well.

**Industrial equipment sales, service, and leasing establishment:**

A commercial establishment within a building and/or lot used for the display, sale or lease of new or used industrial equipment. This may also include the sale of accessories including fluids, tires, lights, parts, and other related products as well as services including cleaning, polishing, greasing, and other related maintenance services. This establishment may also include a body shop, as part of the same building that can be used to repair industrial equipment as an accessory use but may not be used for motor vehicles or recreational vehicles.

**Institutional use:**

The use of land, buildings or structures for a public purpose including schools, places of worship, community centres, and hospitals.

**Kennel:**

A place where dogs are bred and raised, sold, kept for sale, or boarded but does not include a veterinary establishment.

**Laboratory:**

A building, or part thereof, used for research, testing, evaluation and development.

**Landscaping:**

Any combination of vegetation including trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, paving, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property, to regulate drainage, and to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land.

**Lane:**

A public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.

**Library, museum, or art gallery:**

Any building or area to be used for the preservation, collection, and display of significant works of artistic, historical, scientific, musical, sporting, or other worth as well as any offices or other facilities in support of, or used in connection with, the library, museum, or art gallery. This also includes any area for the purpose of containing printed, electronic, and pictorial material as well as all supporting facilities.
Limited agricultural:

A basic agricultural use that is to have no buildings or structures as part of the use and to have no added fertilizers or other supplements and have only very limited modification to the landscape. This use shall not incorporate animals in any way.

Loading space:

An area of land which is provided and maintained upon the same lot or lots upon which the main use is located, for the temporary parking of one or more commercial motor vehicles while merchandise or materials are being loaded or unloaded from the vehicles.

Lot:

Any parcel of land which is a separate parcel of record or is shown as a whole lot on a registered Plan of Subdivision, including any part of which is subject to an easement or right-of-way.

Lot area:

The total horizontal area within the lot of a lot. (See Figure 2.1)

Lot coverage:

The percentage of lot area covered by all buildings, main and accessory, above ground level. Where a property has more than one zone the lot coverage in each zone applies and shall be deemed to apply only to that portion of the lot that is located within the zone. (See Figure 2.1)

Lot depth:

The perpendicular distance measured in a horizontal plane between the front and rear lot lines. Where these lines are not parallel, it shall be the length of a line joining the mid-points of the front and rear lot lines. (See Figure 2.1)

Lot frontage:

The horizontal distance between the side lot lines measured along the front lot line, except: (See Figure 2.1) (See Figure 2.2)

a) Where the front lot line is not perpendicular to the side lot lines, which are parallel, lot frontage means the horizontal perpendicular distance between the side lot lines;

b) Where the front lot line is not a straight line and the side lot lines are not parallel, the lot frontage is to be measured from a line 6m back and parallel to the chord of the lot frontage, and for the purpose of this paragraph, the chord is a straight line joining the two point where the side lot lines intersect the front lot line. [amended by By-law 2016-25]
c) Where the lot abuts a shore road allowance that has not been closed, the lot frontage is the distance along the shortest line joining points where the side lot lines intersect the inner limit of the shore road allowance;

d) Where there are no side lot lines, such as in the case of a peninsula, lot frontage is the greatest distance between any two points on the shoreline, or in the case where the shore road allowance has not been closed, the inner limit of the shore road allowance and any point on the rear lot line; and

e) Where there are no side or rear lot lines, such as in the case of an island lot frontage is the greatest distance measured between any two points on the shoreline, or in the case where the shore road allowance has not been closed, the inner limit of the shore road allowance.

Lot frontage, shoreline property:

Where the front lot line abuts a lake, the lot frontage is considered the straight line between the two points where each side lot line meets the water’s edge. The setback shall still be measured from the water’s edge.

Lot line:
Any boundary of a lot. (See Figure 2.4)

Lot, corner:
A lot bounded on two or more sides by one or more public roads, provided that the angle of intersection of the public roads is not more than 135 degrees. (See Figure 2.3)

Lot, interior:
A lot other than a corner lot or a through lot. (See Figure 2.3)

Lot, through:
A lot, with the exception of a corner lot, that connects two more or less parallel streets. (See Figure 2.3)

Lot line, flankage:
The longer lot line which abuts the street on a corner lot. (See Figure 2.4)

Lot line, front:
The lot line that abuts the street except that: (See Figure 2.4)

a) In the case of a corner lot, the shorter lot line that abuts the street shall be deemed to be the front lot line;
b) In the case of water frontage, the **lot line** that **abuts** the body of water, being the surveyed normal water’s edge, shall be deemed to be the **front lot line** and the **lot line** that **abuts** a **road** to the rear of the **lot** shall be considered the **rear lot line**; and

c) In the case of a **through lot**, the shorter **lot line** that **abuts** the **street** shall be deemed to be the **front lot line**.

**Lot line, rear:**

The **lot line** furthest from or opposite to the **front lot line**. **(See Figure 2.4)**

**Lot line, side:**

A **lot line** other than a front or **rear lot line**. **(See Figure 2.4)**
FIGURE 2.1

Lot Coverages, Area, and Frontage

Lot Area: Curved Corner Lot
Lot Coverage (20%)
Lot Depth
Lot Frontage
Different Frontage Examples

FIGURE 2.2
FIGURE 2.3

Types of Lots

Corner Lot
Interior Lot
Corner Lot
Through Lot
Interior Lot
Corner Lot
Corner Lot
Lot Frontage
Street
Street
Street
Lot Line Examples

CORNER LOT

INTERIOR LOT

Lot Line, Front
Lot Line, Front
Lot Line, Side
Lot Line, Side
Lot Line, Rear
Lot Line, Rear

Street

Lot Line, Frontage
Main building:
The building designed or used for the principal use on the lot and includes any attached use, such as a garage or carport.

Main wall:
The exterior front, side or rear wall of a building, and all structural members essential to the support of a fully or partially enclosed space or roof, where the members are nearer to a lot line than the exterior wall.

Marina:
A commercial establishment containing docking or mooring facilities where boats or boat accessories are berthed, stored, serviced, repaired, constructed or kept for sale or lease. A marina may also include ancillary uses that support the operation of the marina, such as but not limited to the sale of marine fuels or lubricants, restaurants, convenience stores, or water taxi services. A marina may also include similar facilities to accommodate water borne aircrafts.

Medical practitioner:
An individual who practices any of the health disciplines regulated under a Provincial Act. This shall include, but is not limited to, a dentist, psychiatrist, chiropractor, physician, or optometrist but does not include a veterinarian.

Mobile home:
Any dwelling that is designed to be made mobile and constructed or manufactured to provide a permanent residence for one or more persons, but does not include recreational vehicles such as a travel trailer, tent trailer, or trailer otherwise designed.

Mobile home park:
A number of mobile home lots provided with full municipal services where mobile homes are used for permanent residence, and includes all accessory buildings necessary to the operation of the park.

Municipality:
The Corporation of the City of North Bay.

Non-complying, legal:
A use which was legally established on or before the date that this By-law came into effect, which does not comply with the regulations or provisions of this By-law as of the date the By-law took effect so long as it continues to be used for that purpose.
Non-conforming, legal:

A use which was legally established on or before the date that this By-law came into effect, which is not a permitted use in the zone in which the use is situated for the purposes of this By-law so long as it continues to be used for that purpose.

Non-profit use:

Facilities provided by any group or organization without profit or gain for special purposes such as, but not limited to, a club, or a community centre, but does not include school facilities, public parks, playgrounds, arenas, stadiums, swimming pools, skating rinks, commercial-recreational establishments or any class of group home.

Office, business:

Building or part thereof in which the administrative functions of agencies, foundations, brokers or similar organizations are carried out, but does not include professional offices, veterinary establishments or personal service establishments.

Office, corporate administrative:

An establishment primarily engaged in overall management and general supervisory functions such as executive, personnel, finance, legal, and sales activities, performed in a single location or building for other branches or divisions of a firm involved in any use that would normally be permitted within the zone. A corporate administrative office specifically excludes professional offices, clinics, banks and other similar uses, such as a realtor, legal office, financial services and medical offices.

Office, professional:

A building, or part thereof, in which a professional service is performed or consultation given. Without limiting the generality of the foregoing, this includes but is not limited to the offices of a lawyer, a planner, an architect, a surveyor, an engineer or a chartered accountant, but does not include a personal service establishment, a veterinary establishment, corporate administrative office or a business office.

Officer:

The Director, Community Development and Growth and his or her designate, the Zoning Administrator and his or her designate, and any person or class or person appointed by council as a by-law enforcement officer to enforce this By-law.

Open space:

An area that is landscaped and designed to be used as a recreational area for the inhabitants of the dwelling unit.
Outside storage:
The storage of goods in the open air and in unenclosed portions of buildings which are open to the air on the sides.

Park, public:
A park owned, maintained or controlled by the municipality or by any Board, Commission, or other authority established under any federal or provincial statute.

Parking area:
An area on a lot used for the parking of motor vehicles as accommodation for visitors, clients, customers, members of the public, residents or employees, whether free or for profit.

Parking space:
That portion of a parking area exclusive of any driveway or aisle which is used for the parking of not more than one motor vehicle.

Person:
Any person, association, partnership, corporation, municipal corporation, corporation created under the Condominium Act, 1998, S.O. 1998, c. 19, organization, agent or trustee and the heirs, executors or other legal representatives of a person to whom the provisions and regulations of this By-law can apply according to law.

Personal service establishment:
An establishment in which personal services are provided and otherwise administered for the benefit of people and the community. Without limiting the generality of the foregoing, this may include the premises of a barber, hairdresser, beautician, tailor, or a tanning shop but excludes funeral homes, medical offices, pharmacy and any manufacturing or fabrication of goods for sale.

Pet daycare facility:
An establishment conducted during regular business hours, which is engaged in grooming and supervision of pet animals. A pet daycare facility is not a kennel or a veterinary establishment and does not operate on a 24 hour basis.

For the purpose of this By-law, the North Bay District Humane Society shall be considered a Pet Daycare Facility with the exception of the hours of operation.

Pet shop:
Any retail establishment that is primarily engaged in selling small household pets including cats, hamsters, fish, guinea pigs, lizards, and other similar
animals but not dogs or other larger animals. A pet shop may provide pet services such as grooming and washing but is not a pet daycare facility, kennel, or veterinary establishment.

Pit:

Any depression or cavity in the natural level of the ground made other than by natural causes by the removal of soil or rock, or both, for the purpose of removing sand, gravel, stone or similar material which is to be used for road building, construction or manufacturing purposes.

Places of entertainment:

A use that is for the general enjoyment of people including, but not limited to, a motion picture or other theatre, auditorium, public hall, billiard or pool hall, bowling alley, dance hall, or music hall, but does not include any Adult entertainment parlour or other use based in entertainment, recreation or amusement that is otherwise defined or classified in this By-law.

Places of worship:

A building or use dedicated to religious worship or other spiritual functions and may include accessory uses such as a nursery school, an assembly hall, a school of religious education, or other structures accessory to the primary religious function.

Porch:

A covered area adjacent to the entrance to a building that does not have walls or windows enclosing it that are above 1m in height. Support columns are permitted to extend above the 1m height.

Post office:

The area in a building or an entire building, used to provide the service of receiving, conveying and delivering the mail as part of Canada Post or a private delivery of correspondence or parcels. This may also include commercial operations providing mailbox services and satellite post offices, whether they are contained within a larger commercial operation or not but does not include a courier distribution depot.

Post-secondary institution:

A university, college, or similar institution, as defined by Provincial legislation.

Principal/primary use:

The predominate purpose for which any land, building, structure or premises, or part thereof, is used, designed, arranged, occupied or maintained.
Prison:

Includes penitentiary, common jail, public or reformatory prison, lock up, guard room or other place in which persons who are charged with or convicted of offences are usually kept in custody, as defined by the Criminal Code, as amended, but does not include a group home type 3.

Private swimming pool:

An artificial body of water, the container of which is constructed of cement, plastic, fibreglass or similar material, having a depth greater than 0.5m and intended primarily for swimming but shall not include a natural, dug or dammed pond primarily intended for aesthetic or agricultural purposes.

Public authority:


Quarry:

An excavation in the natural level of the ground made other than by natural causes for the purpose of removing stone or similar material which is to be used for building, further processing or as a raw material in a manufacturing process, as defined by the Aggregate Resources Act, R.S.O. 1990, c. A.8.

Railway lines and yards:

Lands owned and operated by a railway that include their tracks, support structures and buildings, maintenance areas, and any other items required for operation of a railway.

Recreational facility:

The use of lands, buildings or structures designed and equipped for the conduct of athletic and recreational pursuits. Uses can include, but are not limited to, racquet courts, rinks, fitness clubs, pools, or other sport related activities.

Recreational facility, public authority:

The use of lands, buildings or structures designed and equipped for the conduct of athletic and recreational pursuits that are owned, operated, and maintained by a public authority. Uses can include, but are not limited to, an arena, a community centre, or other parkland buildings serving a recreational purpose.

Recreational facility, rural:

The use of lands, buildings or structures designed and equipped for the conduct of athletic and recreational pursuits that are more characteristic of rural areas within the municipality. Uses can include, but are not limited to, archery grounds, paintball grounds, cross country skiing, equestrian tracks, or other uses that require large outdoor spaces that are characteristic of, and commonly found in, rural areas of the municipality.
Recreational vehicle sales, service and leasing establishment:

A commercial establishment within a building and/or lot used for the display and sale or lease of new or used recreational vehicles and trailers. This may also include the sale of accessories including fluids, tires, lights, parts, and other related products as well as services including cleaning, polishing, greasing, and other related maintenance services. This establishment may also include structural repair services to recreational vehicles only, as an accessory use and as part of the same building.

Recreational vehicle:

Any vehicle that is used for recreational purposes. For the purpose of this definition, a recreational vehicle includes but is not limited to a motor home, travel trailer, park model trailer, camper shell, cab-over-camper, watercraft, off-road vehicles, or fifth wheel.

Recycling centre:

The use of lands, buildings, or structures, that are in compliance with the Environmental Protection Act, R.S.O. 1990, c. E.19, in which used material is separated and processed prior to shipment to others who will reuse those broken down materials to manufacture new products.

Renovation:

The repair and restoration of a building to good condition, but not complete replacement.

Restaurant:

An establishment which is primarily engaged in the preparation and sale of food and beverages which are consumed on or off the premises and may or may not be licensed for the sale of alcoholic beverages, and also includes a food catering business, but excludes a bar.

Retail store:

A building or part thereof where goods, services, wares, merchandise, substances, articles or things are offered or kept for sale or rent by retail directly to the public, but does not include any manufacturing, processing or construction uses.

Retail store, local:

A retail store, usually of a smaller size, which deals primarily in goods required by the inhabitants and workers of a neighbourhood and surrounding community.

Retirement home:

A building in which lodging is supplied with meals, homecare, nursing, medical, or similar care and treatment if required. A retirement home may
contain independent and separate housekeeping units which include culinary facilities, provided that these units are ancillary to the main facility from which the residents receive services.

**Right-of-way:**

An *easement* for access over one or more *lots*.

**Road:**

A public way for purposes of vehicular and pedestrian travel, including the entire dedicated area, with or without provision made for curbs, sidewalks and/or paved gutters and owned and maintained by a *public authority*.

**Rural area:**

The area within the City of North Bay municipal boundary that is outside of the settlement area boundary as defined by the City of North Bay Official Plan.

**Salvage yard:**

The *use* of land, *buildings* or *structures* for the storage, handling, processing and salvage of scrap metal material.

**School:**

A *building* or *structure* under the jurisdiction of a Board as defined in the *Education Act*, R.S.O. 1990, c. E.2, as amended.

**Seasonal garden centre:**

An *accessory use* that temporarily occupies an area on a *lot*, or portion of the required *parking area* of the main *use* on the same *lot*. The *seasonal garden centre* shall be restricted to the storage and sale of gardening supplies and plants for domestic *uses* only.

**Self-storage use:**

A facility that leases space to individuals or small businesses for the purpose of storing excess goods or household items. The rented spaces are normally secured by the tenant's own lock and key. Facility operators do not have casual access to the contents of the space. *Self-storage uses* do not include *freight containers* or *storage trailers*. *Self-storage* facility operators usually provide controlled access to rental space areas.

**Setback:**

The minimum distance between any *lot line* and the nearest part of any *main wall* of any *building* or *structure*.

**Sewage disposal system:**

**Solar farm:**

Any device or combination of devices employed in the collection of direct solar radiation for the purposes generating electricity or otherwise converting solar rays into usable forms of energy.

**Special occasion tents or structures:**

An outdoor venue that can accommodate a variety of special events including, but not limited to, concerts, festivals, fundraising activities, ceremonies and wedding receptions and provides temporary covered *open space*.

**Specialty food store:**

A *retail store* engaged primarily in the business of selling a limited range of food products such as, but not limited to, a meat shop, a butcher, a fish shop, a cheese shop, a shop selling baked goods or a catering shop selling frozen meals or prepared foods. Other food and products sold aside from the primary speciality item must be a direct *accessory* item to the speciality item that is the focus of the store. A *specialty food store* shall not offer full service meals or extensive seating.

**Stacking spaces, drive through:**

An on-site *vehicle* space with direct forward access to a service window of a *drive through* facility, *drive through* carwash or other continuous *drive through* set up.

**Stacking spaces, parking:**

A situation where parking shall be permitted where one space stacks in front of another thereby limiting direct access to the *street* or *laneway* from one of the *parking spaces*.

**Storage trailer:**

The trailer portion of a tractor-trailer unit, transport truck, the box or storage area of a van or utility *vehicle*, or similar type of trailer that is *used* in a manner similar to an *accessory structure*.

**Storey:**

The portion of a *building*, other than a *basement*, between the surface of any floor and the surface of the floor next above, or, if there is no floor above it, that portion between the surface of the floor and the ceiling above it.
Storey, first:
The storey with its floor closest to grade and having its ceiling more than 1.8m above grade.

Storey, half:
The portion of a building located wholly or partly within a sloping roof, having a floor area of not less than one-half and not more than two-thirds of the floor area of the storey next below, and a ceiling with a minimum height of 2.2m over an area equal to at least 50 percent of its floor area.

Street:
A public way for purposes of vehicular and pedestrian travel, including the entire dedicated area, with or without provision made for curbs, sidewalks and/or paved gutters and owned and maintained by a public authority.

Street line:
The line defined by the edge of pavement, curb, or travelled roadway.

Structure:
Anything that is erected, built or constructed of parts joined together or any erection fixed to or supported by the soil or any other structure. But for the purposes of this By-law, a fence not exceeding 1.8m in height shall be deemed not to be a structure and for the purposes of setbacks or yards required in this By-law, a sign shall not be deemed to be a structure.

Tourist cabin:
A separate building, not including a hotel, that is designed to provide only sleeping accommodation for travelling or vacationing public and does not include food preparation or cooking facilities.

Transit terminal:
A building or structure, or a portion thereof, or an area of land that is used for the temporary parking of transit vehicles and the picking up and dropping off of passengers.

Transportation terminal:
The use of land, buildings or structures for the purpose of storing, servicing, repairing, loading, or leasing trucks, transport trailers, commercial motor vehicles, buses, or any combination thereof, but does not include automobile service stations or transportation sales or rental outlets.

Urban settlement area:
The City of North Bay Settlement Area as defined by the City of North Bay Official Plan.

**Use:**

The purpose for which a *lot, building, structure*, or any combination thereof is designed, constructed, arranged, occupied or maintained.

**Utility trailer:**

A trailer primarily *used* for the storage of equipment and supplies for any trade. *Utility trailers* may only be *used* for storage purposes and may not be *used* to accommodate work areas, shops, *office uses* or retail sales or any other form of occupancy.

**Vegetative buffer:**

An area of dense vegetation intended to slow runoff, trap sediment, or create a natural buffer/screening.

**Vegetative buffer, Riparian:**

Is an area of dense vegetation next to a waterbody intended to slow runoff and trap sediment.

**Vehicle:**

A motor *vehicle*, trailer, traction engine, farm tractor, bicycle, *road building machine and any vehicle* drawn, propelled or driven by any kind of power, including muscular power, or as otherwise defined under the *Highway Traffic Act, R.S.O 1990, c. H.8*.

**Veterinary establishment:**

A *building* or *structure* where animals, including birds and livestock are treated and where domestic animals, including birds are kept for treatment, but shall not include a *kennel*.

**Warehouse:**

A *building*, or part thereof, which is *used* primarily for the housing, storage, adapting for sale, packaging or *wholesale* distribution of goods, wares, merchandise, foods, and other products.

**Waste disposal site:**

The *use* of land for the depositing, handling, storage, transfer, treatment, processing, or final disposal of waste under controlled conditions in order to protect environmental and human health and for which a Certificate of Approval under the *Environmental Protection Act, as amended*, is required. A *waste disposal site* also includes a hazardous waste depot or other similar *uses* and any machinery or equipment *used* in connection with the depositing, disposal, handling, storage, transfer, treatment, or processing of waste.
Waste transfer station:

The *use* of land, *building* or *structure*, or part thereof, for the storage, processing or disposition of waste or hazardous waste and for which a Certificate of Approval under the *Environmental Protection Act*, as amended, is required.

Wholesale use:

Any establishment in which goods are offered or kept, for sale or rental, in bulk for *wholesale* to others for the general purpose of resale.

Wind farm:

Any device or combination of multiple devices with the primary purpose of generating usable energy through harnessing and converting kinetic wind energy.

Yard:

An *open space* of land other than a court on the same *lot* with a or *structure*, unoccupied and unobstructed except as otherwise provided or required by this By-law and located between the *main wall* of the *main building* and one of the *lot lines* of the *lot*.

Yard, exterior side:

The *side yard* of a *corner lot*, which *side yard* extends from the *front yard* to the *rear yard* between the *side lot line abutting a street* and the nearest *main wall* of any *main building* or *structure*. (See Figure 2.6)

Yard, front:

A *yard* extending across the full width of the *lot* between the *front lot line* and the nearest *main wall* of the *main building* or *structure* on the *lot*, or in a case where a forced *road* bisects the *lot*, the edge of the *road* and the nearest *main wall* of the *main building* on the *lot*.

Yard, interior side:

A *side yard* other than an *exterior side yard*. (See Figure 2.6)

Yard, minimum front:

The minimum depth of *front yard* on a *lot* between the *front lot line* and the nearest wall of any *building* or *structure* on the *lot*, or in a case where a forced *road* bisects the *lot*, the edge of the *road* and the nearest *main wall* of the *main building* on the *lot*. In the case of water frontage along a shoreline, the *minimum front yard* is measured from the surveyed normal water's edge to the nearest *main wall* of the *building* or *structure* on the *lot*. (See Figure 2.6)
Yard, minimum rear:

The minimum depth of a **rear yard** on a **lot** between the **rear lot line** and the nearest wall of any **main building** or **structure** on the **lot**, or in a case where a forced **road** bisects the **lot**, the edge of the **road** and the nearest wall of any **main building** or **structure** on the **lot**. (See Figure 2.6)

Yard, minimum side:

The minimum width of a **side yard** on a **lot** between a **side lot line** and the nearest wall of any **main building** or **structure** on the **lot**. (See Figure 2.6)

Yard, rear:

A **yard** extending across the full width of the **lot** between the **rear lot line** and the nearest **main wall** of the **main building** on the **lot**, or in a case where a forced **road** bisects the **lot**, the edge of the **road** and the nearest **main wall** of the **main building** on the **lot**. (See Figure 2.6)

Yard, side:

A **yard** between the nearest **main wall** of the **main building** or **structure** and the **side lot line** extending from the **front yard** (or **front lot line** if no **front yard** is required) to the **rear yard** (or **rear lot line** if no **rear yard** is required). (See Figure 2.6)

Zone:

An area within which, in accordance with the provisions of this By-law, certain **uses** of lands, **buildings** and **structures** are permitted and certain others are prohibited, where **yards** and other **open spaces** are required, and where **lot areas**, **building** height limits and other requirements are established, all of the foregoing being identical for the **zone** and district in which they apply.
Yards

FIGURE 2.6
Section 3 – General Provisions

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3.1 Application to All Zones

3.1.1 The provisions of this section apply in all zones except as may be indicated otherwise elsewhere in this By-law.

3.2 Lots to Front on Public Roads

3.2.1 All lots created after the date this By-law comes into effect shall front on and have access to an open public road or highway for a minimum of 4.5m which is presently being maintained by the municipality or the Province of Ontario or, in the instance of a vacant land condominium, shall front on and have access to the Condominium Corporation’s road which shall have street access to an open public road or highway which is presently being maintained by the municipality or the Province of Ontario.

3.2.2 No person shall erect or use or permit or cause to be erected or used any building or structure in any zone unless the lot upon which the building or structure is to be erected or used fronts upon an open public road or highway; or in the instance of a vacant land condominium, fronts on and has access to the Condominium Corporation’s road which shall have street access to an open public road or highway which is presently being maintained by the municipality or the Province of Ontario.

3.2.3 A building or structure may be erected or used on an existing separate parcel of record which does not front on an open public road or highway, but which existing separate parcel of record does have registered access to an open public road or highway.

3.3 Public Uses Permitted

3.3.1 The provisions of this By-law shall not apply to the use of any land or to the erection or use of any building or structure for the purpose of public service by the municipality, local board, school board, public utility, department of the Government of Canada or the Province of Ontario, any Crown Corporation or the public infrastructure of a telecommunications company regulated by the Government of Canada, provided that:

3.3.1.1 The lot coverage, setback and yard regulations prescribed for the zone in which the land, building or structure is located are complied with;

3.3.1.2 No recreational, institutional or public building located in any residential zone is located closer than half of the height of the building or 4.5m, whichever is the greater, to any property line on the site on which the building is located;

3.3.1.3 No goods, material or equipment are stored in the open in a residential zone or in a lot adjacent to a residential zone;

3.3.1.4 Any building erected in a residential zone or in a rural zone under the authority of this paragraph is designed,
landscaped and maintained in general harmony with the residential character of the neighbourhood, and surrounding buildings of the type permitted in the zone;

3.3.1.5 Any building erected in a residential zone or in a rural zone under the authority of this paragraph is not to be used for the purposes of an office; and

3.3.1.6 Any parking and loading regulations prescribed for the use of the land, building or structure are complied with.

3.4 Lots Reduced by Public Acquisition

3.4.1 Where a lot is reduced, and where existing buildings or structures no longer meet the regulations contained within this By-law, by means of an acquisition, expropriation or otherwise, of part of the lot by a public authority for the purpose of providing a public service, nothing in this By-law shall apply to prevent the continued use of the lot, as reduced, for the same purpose, or the erection, alteration or use of a building or structure thereon, as if no acquisition had taken place, provided that:

3.4.1.1 No regulation pursuant to the Health Protection and Promotion Act, R.S.O. 1990, c. H.7 or the Environmental Protection Act are contravened;

3.4.1.2 The lot, as reduced, is accessible to vehicular traffic from an open public road either directly or via registered access; and

3.4.1.3 No change is made to the lot or to any building or structure thereon, subsequent to the date of the acquisition, that would increase the degree of any non-conformity resulting from the acquisition or that would contravene any other provision hereof.

3.4.2 This provision shall not be construed as mitigating or legalizing any non-conformity or contravention pertaining to the lot prior to the date of the acquisition.

3.5 Exception to Height Regulation

3.5.1 The height regulations in this By-law shall not apply to church spires, water tanks, elevator enclosures, flagpoles, television, telecommunication or radio antennae, ventilators, skylights, barns, chimneys or wind turbines.

3.6 Existing Buildings not Conforming to Permitted Uses in a Zone

3.6.1 Where a building or structure was erected prior to the date this By-law comes into effect and is used for a purpose which is not a permitted use in the zone in which it is situated, but is a legal non-conforming use, the building or structure may be reconstructed, repaired or renovated provided that the repair or renovation does not include any alteration of use and the
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*building* or *structure* continues to be *used* for the same purpose.

3.6.2 The provisions contained in this subsection do not apply to:

3.6.2.1 Properties in the *rural areas* along the unserviced shoreline of Trout Lake or to lands with frontage on a watercourse flowing into Trout Lake as identified by the North Bay-Mattawa *Conservation Authority* on Schedule E of this By-law; and

3.6.2.2 Properties that are within a depth of one *lot* deep or 46m from the Trout Lake shoreline, whichever is the greater, unless the *structure* was destroyed by fire or other acts of nature.

3.7 *Existing Buildings Having Less than Minimum Lot or Setback Requirements*

3.7.1 Where a *building* or *structure* was erected prior to the date this By-law came into effect, on a *lot* having less than the minimum frontage or area, less than the minimum front, side, or *rear yard setback*, or less than the minimum usable *open space* required by this By-law, but is a legal *non-complying use*, the *building* may be enlarged, reconstructed, repaired or renovated provided that:

3.7.1.1 The enlargement, reconstruction, repair or *renovation* does not further reduce the *front, side, or rear yard setbacks*, where the *setback* is already deficient, or usable *open space* required by this By-law; and

3.7.1.2 The height of the *existing* legal *non-complying use* is not increased except where the required *side yard setbacks* are available.

3.7.2 The provisions contained in this subsection do not apply to:

3.7.2.1 Properties in the *rural areas* along the unserviced shoreline of Trout Lake or to lands with frontage on a watercourse flowing into Trout Lake as identified by the North Bay-Mattawa *Conservation Authority* on Schedule E of this By-law; and

3.7.2.2 Properties that are within a depth of one *lot* deep or 46m from the Trout Lake shoreline, whichever is the greater, unless the *structure* was destroyed by fire or other acts of nature.

3.8 *Existing Undersized Lots*

3.8.1 The construction of 1 *single detached dwelling* may be permitted on a vacant *lot* in a residential *zone* having less than the minimum frontage, but not less than 9m frontage, provided that the *lot* was legally registered and *existing* prior to this By-law coming into effect, and provided the development meets all other requirements of this By-law.
3.8.2 The provisions contained in this subsection do not apply to:

3.8.2.1 Properties in the rural areas along the unserviced shoreline of Trout Lake or to lands with frontage on a watercourse flowing into Trout Lake as identified by the North Bay-Mattawa Conservation Authority on Schedule E of this By-law; and

3.8.2.2 Properties that are within a depth of one lot or 46m from the Trout Lake shoreline, whichever is greater, unless the structure was destroyed by fire or other acts of nature.

3.9 Existing Setbacks Conformity

3.9.1 In any zone where undeveloped lots exist between developed lots, and where the lots are within the same block and fronting on the same street, the minimum front yard may be reduced. Where a building line has been established by existing structures on two or more lots, this established building line will be the minimum required front yard setback, but shall not be less than 3m. [amended by By-law 2016-25]

3.9.2 The provisions contained in this subsection do not apply to:

3.9.2.1 Properties in the rural areas along the unserviced shoreline of Trout Lake or to lands with frontage on a watercourse flowing into Trout Lake as identified by the North Bay-Mattawa Conservation Authority in Schedule E of this By-law; and

3.9.2.2 Properties that are within a depth of one lot deep or 46m from the Trout Lake shoreline, whichever is the greater, unless the structure was destroyed by fire or other acts of nature.

3.10 Three-Tenths Metre Reserve Setback

3.10.1 Where a side lot line abuts a 0.3m reserve, no portion of any buildings or structures, above or below grade, shall be located closer than 6m to the reserve.

3.11 Three-Tenths Metre Reserve Private Garage Setback

3.11.1 Where a flankage lot line abuts a 0.3m reserve, no attached or detached private garage shall be located in the exterior side yard and no portion of any driveway shall be located closer than 15m to the intersection of the street lines or their projections.

3.12 Setback From TransCanada Pipeline Right-of-way

3.12.1 Where a building or structure is located adjacent to a TransCanada Pipeline right-of-way the setback from the right-of-way shall be 7m. For an accessory structure the setback shall be 3m.
3.13 Setbacks From Forced Roads

3.13.1 Where a forced road intersects a property no part of any building, primary or accessory structure, may be built within 5m of the edge of the road.

3.14 Daylight Corners

3.14.1 On any corner lot in any zone, no sign, fence, shrubs or any visual obstruction with a height exceeding 0.6m above the grade of the road shall be erected within the triangular space measured:

3.14.1.1 Along the edge of pavement for a distance of 9m from their point of intersection; and

3.14.1.2 Along an edge of pavement and a railway right-of-way for a distance of 30m from their point of intersection.

3.14.2 Notwithstanding subsection 3.14.1, a chain link fence may be permitted in the triangles described in subsection 3.14.1 if:

3.14.2.1 Its posts are not more than 0.08m in diameter; and

3.14.2.2 It is made of wire having a maximum gauge of 24 and a minimum mesh of 0.05m.

3.14.3 This section does not apply to trees if they are kept trimmed so that no foliage hangs or grows below the height of 2m above the crown of the adjacent street.

3.14.4 This section does not apply to properties zoned C1 or C2.

3.14.5 In addition to the provisions of this By-law, daylight corners shall also adhere to all regulations in the City of North Bay Fence By-law 2002-105 and any successor thereto, as amended.

3.15 Permitted Encroachments in Yards

3.15.1 Every part of any yard required by this By-law shall be open and unobstructed by any main structure from the ground to the sky provided that fences and hedges shall be permitted, in accordance with the provisions of Section 3.15 of this By-law, and that those structures listed in the following table that form part of the main structure shall be permitted to project into the minimum setback indicated for the distances specified:
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<th>Maximum Projection Permitted from Main Wall</th>
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<td>Any Yard.</td>
<td>1m</td>
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<tr>
<td>Window Bays</td>
<td>Rear and Side Yard.</td>
<td>1.8m</td>
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<tr>
<td>Balconies</td>
<td>Front, Rear, and Exterior Side Yard only.</td>
<td>1m over a maximum width of 3m</td>
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<tr>
<td>Covered Porches (not exceeding 1 storey in height), Uncovered Terraces, and Decks (excluding stairs)</td>
<td>Front and Rear Yard.</td>
<td>3m</td>
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<td>Landscape Features Including Decks Less Than 0.3m in Height.</td>
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<td>Any Distance</td>
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<tr>
<td>Freestanding Air Conditioning Units and Generators</td>
<td>Front, Rear, and Exterior Side Yard only.</td>
<td>1.2m</td>
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<td>Ramps, Enclosures, or any Equipment used to improve accessibility for owners, tenants, or visitors, as defined by the Accessibility for Ontarians with Disabilities Act.</td>
<td>Any Yard.</td>
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<td>Brick Façade and Siding.</td>
<td>Any Yard.</td>
<td>0.1m</td>
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### 3.16 Enclosures

3.16.1 Enclosures to any covered porch or terrace permitted by the above subsection of this By-law shall be permitted in the **front or rear yard** and shall be limited to 1m in height not including roof supports.

3.16.2 Where a continuous covered porch or deck is being constructed for an **abutting semi-detached or townhouse dwelling** the **interior side yard setback** shall be 0m.
3.16.3 For semi-detached and townhouse dwellings, the construction of a covered porch or deck that is not continuous shall have an interior side yard setback of not less than 0.6m.

3.17 Truck, Bus and Coach Bodies

3.17.1 No truck, transport truck trailer, bus, streetcar or coach body shall be used for human habitation within the municipality, whether or not it is mounted on wheels.

3.18 Trailers

3.18.1 No tourist or tent trailer shall be used for living, sleeping, eating or accommodation within the city unless it is located in an authorized seasonal tent and trailer park established and operated in conformity with the City of North Bay Seasonal Tent and Trailer Park By-law No. 1976-126 as amended and any successor by-law thereto.

3.19 Temporary Construction Uses Permitted

3.19.1 Notwithstanding any other provisions of this By-law, uses such as a storage trailer, freight container, construction camp or other temporary work camp, a tool shed, scaffold, or other building or structure incidental to the construction shall be permitted provided that:

3.19.1.1 Uses, buildings or structures are used only as long as they are necessary for work in progress which has neither been finished nor abandoned; and

3.19.1.2 Uses, buildings or structures are removed when the work in connection with which they were constructed is terminated.

3.20 Accessory Building, Use or Structure (General)

3.20.1 Accessory buildings, uses or structures are permitted in the rear and interior side yards, in any zone, subject to the provisions of this By-law for the particular zone in which the building, use or structure is located, and subject to the following provisions applying to each accessory building, use or structure:

3.20.1.1 It shall not be used for human habitation, except where the dwelling is a permitted accessory use or is permitted Secondary dwelling unit;

3.20.1.2 In an exterior side yard, it shall not be built closer to the lot line than the minimum distance required by this By-law for the main building on the lot and it shall not be built closer to the street than the main building;

3.20.1.3 No portion of the eaves or other similar features may be within 0.15m of any lot line;
3.20.1.4 In the rear yard, an **accessory building** shall not be built closer than 0.6m to the rear or interior **side lot lines** except in the following circumstances:

3.20.1.4.1 Common **semi-detached private garages** may be centred on the mutual **lot line**; and

3.20.1.4.2 Where an external **building** opening faces a **side** or **rear lot line**, the **setback** to the **lot line** shall be not less than 1.2m.

3.20.1.4.3 In the case of a **corner lot**, the **accessory** structure shall not be built closer to the **street** than the minimum distance required by this by-law for the **main building** on the lot or it shall not be built closer to the **street** than the **main building**, whichever is the greater. [added by **By-law 2016-25**]

3.20.1.4.4 In the case of a **Secondary Dwelling Unit** in an accessory structure, the structure must meet the regulations of Section 3.20.

3.20.1.5 It shall not exceed 10 percent coverage of the total **lot area**;

3.20.1.6 It shall not exceed one **storey** or 4.1m in height, whichever is lesser, except as outlined in Table 10D of this By-law;

3.20.1.7 It shall not be built within 1.2m of the **main building**;

3.20.1.8 It shall not be considered an **accessory building** or **structure** if **attached** to the **main building**;

3.20.1.9 It shall not be considered an **accessory building** or **structure** if located completely underground; and

3.20.1.10 Where a forced **road** bisects a property an **accessory building** shall not be built within 5m of the edge of the **road**.

3.20.1.11 Within the Rural (A) and the Rural Residential Estate (RRE), accessory buildings will be permitted in the front yard, provided they comply with the front yard setback of the main use in the Rural (A) and the Rural Residential Estate (RRE), see Table 10C.

**3.20.2.1 Secondary Dwelling Unit**

A **secondary dwelling unit** may be permitted within:

- a) A **single detached dwelling** or an accessory building thereto;
- b) A **semi-detached dwelling** or an accessory building thereto;
- c) A **townhouse (cluster, stacked, or street front)** dwelling or an accessory building thereto;

provided that a maximum of one **secondary dwelling unit** shall be
permitted on a lot.

Notwithstanding the above, a secondary dwelling unit is only permitted within a dwelling unit or an accessory building within the Residential First Density (R1), Residential Second Density (R2), Residential Third Density (R3), Residential Fifth Density (R5), Residential Sixth Density (R6), Rural (A) and Rural Residential Estate (RRE) or any special zone in the R1, R2, R3, R5, R6, A, and RRE zones.

3.20.2.2 Illegal Secondary Dwelling Units-

Secondary dwellings which were illegal on the passing of this By-law must meet all of the required criteria for a secondary dwelling unit and receive a change of use permit to be considered a legal secondary dwelling unit.

3.20.2.3 Secondary Dwelling Unit Trout Lake

A secondary dwelling unit is not permitted within a dwelling unit or an accessory building within the unserviced properties within 300 metres of Trout Lake and major inflowing streams as identified on Schedule ‘E’ of Zoning By-law No. 2015-30.

3.20.2.4 Additions or Alterations to the main Dwelling unit

An addition or exterior alteration to a single detached, semi-detached or townhouse dwelling to accommodate a secondary dwelling unit is permitted provided that it does not result in the creation of:

a) No more than one entrance to the exterior of the main dwelling unit that faces a public road;

3.20.2.5 Secondary Dwelling Units in Accessory Buildings

Where a secondary dwelling unit is located in an accessory building to the primary dwelling, the secondary dwelling unit:

a) shall not be permitted to be a mobile home or recreational vehicle;
 b) shall not be permitted to be a boat house;
 c) shall have a maximum gross floor area of 45 percent of the gross floor area of the primary dwelling on the lot;
 d) shall be located no more than 30 metres from the primary dwelling; and
 e) In the Rural (A) or Rural Residential Estate (RRE) shall only have one driveway from the publicly maintained road.

3.20.2.6 Parking for Secondary Dwelling Units

Secondary dwelling units are required to have one additional parking space than what would have been required on the property through Section 4.13 of Zoning By-law 2015-30.

Secondary dwelling units within the Residential Intensification Area as shown on Schedule ‘D’ are required one (1) parking space for the main dwelling unit and one (1) parking space for the Secondary dwelling unit.

3.21 Accessory Building, Use or Structure (Lake or River Frontage Property)
3.21.1 Where properties have lake or river frontage, *accessory buildings, uses or structures* in the *front yard* shall be permitted in accordance with the following regulations:

3.21.1.1 The *accessory building* or *structure*, with the exception of those located within an RMC zone, shall not exceed 10m² in *floor area*, and shall not exceed 3m in height above *grade*;

3.21.1.2 The *accessory building* or *structure* shall meet the *minimum side yard* required for the *main building* on the same *lot*;

3.21.1.3 The *accessory building* or *structure* may be elevated on blocks or piers to a maximum height of 0.3m so that *existing* natural drainage is not disturbed or altered;

3.21.1.4 The floor of the *accessory building* or *structure* shall be located above the minimum Canadian Geodetic Datum flood elevation, as determined by the North Bay-Mattawa Conservation Authority, of 202.69m for the Trout Lake watershed and 197.25m for the Lake Nipissing watershed;

3.21.1.5 For those properties shown on Schedule E of this By-law, only one *accessory building* or *structure* shall be constructed or maintained in the *front yard* within the 15m *buffer* zone from the water. In addition, the following shall apply;

3.21.1.5.1 Stairs or pathways up to a maximum of 4m in width, landings up to a maximum of 4.6m², and uncovered decks up to a maximum of 20m² shall not be considered as one of these *accessory buildings* or *structures*.

3.21.1.5.2 One additional *accessory building* or *structure* may be constructed or maintained in the *front yard* provided that it is outside of the 15m *buffer* from the water;

3.21.1.6 Boathouses and boat docks may be built to the *front lot line* when the *lot line abuts* a body of water, but must not be located closer than a minimum distance of 1.8m to any *side lot line*; and

3.21.1.7 Boathouses shall not be *used* for the commercial storage of boats or other marine equipment or *vehicles* and shall not provide the sale of fuel or other marine products.

3.21.2 Where properties have lake or river frontage, *accessory buildings, uses or structures* in the *rear yard* shall be permitted in accordance with the following regulations:

3.21.2.1 The *accessory building* shall not be located within 6m of the *rear lot line*; and

3.21.2.2 The *accessory building* or *structure* shall meet the *minimum side yard* required for the *main building* on the same *lot*. 
3.21.3 Where properties have lake or river frontage, accessory buildings, uses or structures shall be permitted in the side yard provided they meet the side yard setback requirements of the main building on the lot.

3.22 Accessory Building, Use or Structure Private Garage (Corner Lot)

3.22.1 No opening of a private garage shall be located closer than 4.5m to any street line, and no portion of any driveway shall be located closer than nine 9m to the intersections of the two street lines or their projections. [amended by By-law 2016-25]

3.23 Accessory Building, Use or Structure (Private Swimming Pool)

3.23.1 Where a private swimming pool is constructed as an accessory use to any principal residential or commercial use no part of it, including decking, shall be located closer than 1.2m to any rear or side lot line and the swimming pool shall not be located closer than 1.5m to the main building and shall be properly fenced in conformity with the City of North Bay Fence By-law 2002-105 as amended, and any successor by-law thereto.

3.23.2 All pool pump and filtering equipment shall be in an enclosed structure.

3.24 Accessory Building, Use or Structure (Temporary Structures)

3.24.1 Special occasion tents or structures are permitted in all zones and shall only be permitted during the time period of a single special event, which shall not exceed 7 days in length, and shall be removed when the use for which they were erected is terminated.

3.24.2 Temporary garages are permitted in all residential zones only. These temporary garages are only permitted in the side yard and rear yard, subject to the provisions of this By-law for the particular zone in which the temporary garage is located in. Temporary garages shall be used primarily for the storage of vehicles and other equipment.

3.25 Accessory Building, Use or Structure (Storage Trailers and Freight Containers)

3.25.1 Freight containers and storage trailers are permitted in any industrial, commercial, institutional and open space zone and are subject to the provisions of this By-law for the main building, for the particular zone in which the freight container is located.

3.25.2 Storage trailers are prohibited in residential zones, except in accordance with the provisions of Section 3.19.
3.25.3 **Freight containers** are prohibited in residential **zones**, except in accordance with the provisions of Section 3.19 or in accordance with the issuance of a building permit required in conjunction with a **main building** for a period not to exceed 12 consecutive months.

3.25.4 Empty **freight containers** and **storage trailers** are permitted to be stacked one on top of the other to a maximum height of 2. Under no circumstance are **freight containers** and **storage trailers** in use permitted to be stacked one on top of the other.

3.25.5 Refrigerated and/or heated **freight containers** and **storage trailers** shall not be located in any **yard** adjacent to a residential **use**.

3.25.6 **Storage Trailers** and **freight containers** shall not be **used** for extra work space, **office** space, or any other **use** other than storage.

### 3.26 Accessory Building, Use or Structure (Seasonal Garden Centre)

3.26.1 **Seasonal garden centres** shall be permitted in any commercial or industrial **zone** provided that:

3.26.1.1 The **seasonal garden centre** may occupy the property for a period not exceeding 6 consecutive months, with the subject property being free of any **seasonal garden centre** for a minimum of 6 consecutive months;

3.26.1.2 Any **accessory building, use or structure** used in conjunction with a **seasonal garden centre** shall be portable and removed from the site for at least 6 consecutive months;

3.26.1.3 Any **accessory building, use or structure** used in conjunction with a **seasonal garden centre** shall meet the same **setbacks** and regulations of a **main building** for the **zone** in which it exists; and

3.26.1.4 The entire area dedicated to the **seasonal garden centre** shall not occupy more than 15% of the total **parking spaces** supplied for the main **use** on the subject property. No additional parking, or replacement parking, will be required for the **seasonal garden centre**.

3.26.2 These regulations do not apply to permanent **structures attached** to, or forming an integral part of, the **main building** which currently function as a **seasonal garden centre**.

3.26.3 **Freight containers** and **storage trailers** are permitted to be **used** as part of a **seasonal garden centre** in any commercial or industrial **zone** and are subject to the regulations of that **zone**.

### 3.27 Outside Storage Prohibited
3.27.1 No outside storage is permitted in any yard, in any zone, at any time, except where otherwise stated in this By-law.

3.28 Home Based Businesses

3.28.1 Where a home based business is listed as a permitted use in this By-law it shall be permitted in accordance with the following provisions:

3.28.1.1 A home based business shall be carried on only by a person whose normal and principal place of residence is on the premises.

3.28.1.2 The storage of goods, materials, or finished products is permitted only where it is accessory to the home based business and only when the storage is wholly contained within the dwelling unit or a building accessory to the dwelling unit, both of which must comply with all other City By-laws.

3.28.1.3 Any number of businesses may exist, provided the cumulative maximum gross floor area outlined in section 3.28.1.6 is not exceeded.

3.28.1.4 Despite the unlimited number of businesses permitted, a maximum of only one, on-site, non-resident employee shall be permitted per dwelling unit.

3.28.1.5 On-site non-resident employees are prohibited in association with any home based business located within a duplex, triplex, fourplex, townhouse, or apartment dwelling.

3.28.1.6 The floor area used by a home based business in a dwelling unit and accessory building combined shall not exceed the lesser of 50m² or 30% of the gross floor area of the dwelling unit.

3.28.1.7 A home based business shall not become a nuisance because of traffic or parking generated, and shall produce no offensive noise, vibration, smoke, dust, odour, heat, glare, radiation, or electrical interference and must not become a fire or building hazard, or health risk.

3.28.1.8 A home based business shall give no exterior indication of the home based business including no outside storage of supplies or material, no visible displays of goods or products, no floodlighting, and no signs except in accordance with the City of North Bay’s Sign By-law, as amended.

3.28.1.9 A home based business may not:

3.28.1.9.1 Be an office or medical office for a professional regulated under the College of Physicians and Surgeons of Ontario;
3.28.1.9.2 Be an office or medical office for a professional regulated under the Regulated Health Professions Act, 1991, S.O. 1991, c. 18 as amended;

3.28.1.9.3 Be an animal shelter, kennel, pet daycare facility or veterinary establishment;

3.28.1.9.4 Be a business that requires a business license under the City of North Bay’s Business Licensing By-law;

3.28.1.9.5 Be a business that involves the salvage, repair, storage, maintenance, detailing, sales, leasing, or renting of motor vehicles or industrial equipment, including body repairs and painting; or

3.28.1.9.6 Be a bed and breakfast establishment.

3.28.1.10 Materials and commodities shall not be delivered to or from the dwelling unit in such bulk or quantity as to require delivery by motor vehicles with detachable trailers.

3.28.1.11 There shall not be more than 2 clients or patrons of the home based business on the premises at any one time except for the purposes of a child care establishment.

3.28.1.12 The home based business, as well as its employees and suppliers, shall not use on street parking. Motor vehicles using on-site parking shall include no more than one vehicle displaying the name of the home based business no matter the number of businesses. All commercial motor vehicle provisions of Section 4.9 of this By-law shall be complied with.

3.28.1.13 Where parking is required for the home based business the space must be located within the driveway.

3.29 Bed and Breakfasts

3.29.1 Where permitted by this By-law, a bed and breakfast establishment shall comply with the requirement of a single detached dwelling within the zone category in which the bed and breakfast establishment is located, or the general zone requirements if a single detached dwelling is not a permitted use, unless otherwise specified by some special provision of this By-law, including the following:

3.29.1.1 A bed and breakfast shall be permitted in a single detached dwelling only;

3.29.1.2 The bed and breakfast establishment shall not have more than three (3) guest rooms;

3.29.1.3 The guest rooms shall not contain kitchen facilities;

3.29.1.4 No one other than a resident of the dwelling may be employed in the operation of the bed and breakfast;
3.29.1.5 Notwithstanding anything in this By-law to the contrary, no home based business, other rental accommodation, group home or boarding, lodging or rooming house shall be permitted in any dwelling which contains a bed and breakfast establishment;

3.29.1.6 A bed and breakfast establishment shall not be established or operated in a manner which changes the external residential appearance of the dwelling unit or generates adverse effects such as those from excessive traffic, parking, noise and hours of operations;

3.29.1.7 A bed and breakfast shall give no exterior indication of the bed and breakfast including no storage of supplies or material, no displays of goods or products, no floodlighting, and no signs except in accordance with the City of North Bay’s Sign By-law, as amended;

3.29.1.8 In addition to any off street parking required for the single detached dwelling containing the bed and breakfast establishment, there shall be a minimum of one (1) parking space provided on the lot for each guest bedroom; and

3.29.1.9 The bed and breakfast establishment shall not use on street parking. Motor vehicles using on-site parking shall include no more than one vehicle displaying the name of the bed and breakfast. All commercial motor vehicle provisions of section 4.9 of this By-law shall be complied with.

3.30 Holding Zone Regulations

3.30.1 Where a holding zone designation is shown on a Schedule to this By-law, the land shall only have development undertaken on it in accordance with the following provisions:

3.30.1.1 In a residential holding zone any development shall follow the regulations of a Rural general (A) zone.

3.30.1.2 In a commercial holding zone any development shall follow the regulations of a Rural Commercial (RC) zone.

3.30.1.3 In an industrial holding zone any development shall follow the regulations of a Restricted Industrial (M4) zone.

3.30.2 Where a holding zone has already been assigned a specific zoning within the broader category (such as R1H instead of RH) then no development may occur until the holding zone has been removed.

3.30.3 Where a holding zone is supplied with, or is going to be supplied with adequate Municipal services, or has attained or is attaining proper Provincial approval under the provisions of the Planning Act, as amended, an application may be submitted in conformity
with the Official Plan of the North Bay Planning Area to rezone the lands to a zone within the holding zone classification shown.

3.31 Sewage Disposal System

3.31.1 No part of any sewage disposal system that discharges effluent to the soil, may be located, constructed or installed closer than 30m, measured from the closest distribution pipe of the septic system to the shoreline of Trout Lake or any water body or major inflowing stream to Trout Lake as identified by the North Bay–Mattawa Conservation Authority on Schedule E to this By-law. Any additional regulations from the North Bay-Mattawa Conservation Authority must also be met.

3.32 Urban Services Required

3.32.1 Where urban services are available within the settlement area, as defined by Schedule A to the City of North Bay Official Plan as amended, no development shall be permitted unless connected to municipal water and sewer services, except where the lands are zoned Rural General (A).

3.32.2 If services become available and front onto a lot that already has an established dwelling on the property then connection to municipal services will be required when the current septic system expires and is due for replacement.

3.33 Floodplain and Erosion Zones

3.33.1 In addition to lands specifically classified as Floodplain and Erosion (O2) all lands meeting the following criteria will also be deemed to be a Floodplain and Erosion (O2) zone:

3.33.1.1 Any lands abutting the shores of Trout Lake which are below the Canadian Geodetic Datum elevation of 202.69m above sea level; and

3.33.1.2 Any lands abutting the shores of Lake Nipissing which are below the Canadian Geodetic Datum elevation of 196.75m above sea level.

3.34 Automobile Service Station and Gas Bar

3.34.1 Where an automobile service station or gas bar is permitted, the following provisions shall apply:

3.34.1.1 The automobile service station or gas bar shall meet the following setbacks:

<table>
<thead>
<tr>
<th></th>
<th>Interior Lot</th>
<th>Corner Lot</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. Lot Frontage</td>
<td>45m</td>
<td>45m</td>
</tr>
<tr>
<td>Min. Lot Depth</td>
<td>30m</td>
<td>45m</td>
</tr>
<tr>
<td>Min. Front Yard Setback</td>
<td>12m</td>
<td>12m</td>
</tr>
</tbody>
</table>

3.34.1.2 No portion of any pump island shall be located closer than 3m to the lot line along any street;
3.34.1.3 No portion of any ingress or egress ramp shall be located closer than 14m to the nearest edge of the intersecting portion of the travelled portions of any two arterial or collector roads;

3.34.1.4 No portion of any ingress or egress ramp along any street line shall be located closer than 3m to any side lot line which abuts any other lot;

3.34.1.5 The width of any ingress or egress ramp along any street line shall be a minimum of 4.5m and a maximum of 7.5m for a one way ramp, and a minimum of 7.2m and a maximum of 12m for a two way ramp;

3.34.1.6 The minimum distance between two ramps shall be 9m;

3.34.1.7 The interior angle of any ramp to the street line shall be greater than 70 degrees and less than 90 degrees;

3.34.1.8 The area between the ramps and the street lines, and along the property lines shall be used for landscaping;

3.34.1.9 No materials incidental to the operation of an automobile service station or a private garage shall be stored outside a building, unless there is screening adequate to conceal the materials and, in any event, the screening shall be a minimum height of not less than 2.5m; and

3.34.1.10 No gasoline pump or service station equipment shall be located or maintained in any parking area.

3.35 Automobile Washing Establishment

3.35.1 In any commercial zone which permits a lot to be used for an automobile washing establishment, the establishment shall be constructed and maintained as follows:

3.35.1.1 The entrance layout for progressive movement of cars entering the establishment shall be sufficient to accommodate no less than 7 cars outside the building on the lot and the exit layout shall be sufficient to accommodate no less than 3 cars outside the building on the lot;

3.35.1.2 Asphalt lanes in which vehicles shall move on the lot shall be clearly defined by lines painted on the surface of the lot and the edge of the lane nearest to the property line shall be defined by a curb of concrete or rolled asphalt, or by a bollard or bumper fence;

3.35.1.3 The minimum inside turning radius for the lanes shall be 6m;

3.35.1.4 The lanes shall be clear and unobstructed in every way;

3.35.1.5 The width of any ingress or egress ramp along any street line shall be a minimum of 4.5m and a maximum of 7.5m for a one way ramp, and a minimum of 7.2m and a maximum of 12m for a two way ramp;
3.35.1.6 No portion of any ramp shall be located closer than 7m to the intersection of the street lines or their projections;

3.35.1.7 The minimum distance between ramps shall be 9m;

3.35.1.8 The interior angle of a ramp to a street line shall be not less than 70 degrees and not more than 90 degrees;

3.35.1.9 No portion of any ramp shall be located closer than 3m to any side lot line or in the case of a corner lot, any rear lot line;

3.35.1.10 The entire lot except for that area reserved for landscaping shall have a cement or asphaltic binder or any other permanent type of surfacing; and

3.35.1.11 Adequate drainage facilities for containing and directing on-site water to public drainage systems shall be provided.

3.35.2 Manual automobile washing establishments are exempt from this subsection of the By-law.
3.36 Group Homes and Retirement Homes

3.36.1 No group home type 2 or group home type 3, or retirement home, shall be located within 200m of another group home or retirement home.

3.37 One Dwelling Per Lot

3.37.1 Only one dwelling unit may be constructed per lot unless part of a condominium or there is a permitted use that allows for multiple dwelling units.

3.37.2 Secondary dwelling units are permitted in accordance with Section 3.20.2.1.

3.38 Special Lot frontage Provisions for Lake Nipissing

3.38.1 Where two lots abut one another with one lot having a frontage of at least 15m on a public street and the other lot extending from the rear lot line of the first lot to the shore of Lake Nipissing, a single detached dwelling may be erected on each lot provided that:

3.38.1.1 A right-of-way having a width of at least 4.5m shall be provided for the house on that portion of the lot nearest to Lake Nipissing and the easement shall constitute sufficient frontage for the purposes of this By-law;

3.38.1.2 Where the house nearest to the street has been lawfully erected prior to the date this By-law came into effect, and is set back less than 4.5m but not less than 3m from a side lot line, the right-of-way required by Section 3.38.1.1 shall be not less than 3m in width; and

3.38.1.3 All other relevant regulations in this By-law are complied with.

3.39 Residential Intensification Area

3.39.1 In this section "Residential Intensification Area" means the area shown on Schedule D of this By-law and is that area bounded by the Ontario Northland Railway main line, the Highway No. 11 By-pass, O’Brien Street, Airport Road, Stockdale Road, Algonquin Avenue and Oak Street.

3.39.2 A building or structure, constructed prior to the date this By-law came into effect, in an R6 zone, that is within the Residential Intensification Area, may have a change of use and an increase in the number of dwelling units up to the maximum number of dwelling units allowed in any use within that zone, provided that:

3.39.2.1 The lot area for each dwelling unit shall be at least 185m²;

3.39.2.2 The lot frontage for the dwelling shall be at least 9m;
3.39.2.3 The maximum \textit{lot coverage} of the \textit{dwelling unit} shall be consistent with Table 5B, in the Residential Section of this By-law, for the end use proposed;

3.39.2.4 There shall be at least 1 \textit{parking space} for each \textit{dwelling unit};

3.39.2.5 The foundation walls or roof of a \textit{building} may be extended into a required \textit{side yard} or \textit{rear yard}, in keeping with section 3.15, for the purpose a fire escape required by The \textit{Building Code} or The \textit{Fire Code};

3.39.2.6 An \textit{existing} single \textit{storey} roofed \textit{porch} encroaching on \textit{yard} requirements may be enclosed to provide a common vestibule for access to \textit{dwelling units} within; and

3.39.2.7 All other applicable provisions of this By-law are complied with.

3.39.2.8 This subsection of the By-law does not apply to any type of \textit{townhouse or semi-detached dwelling}.

\section*{3.40 Mobile Home Parks}

3.40.1 Notwithstanding any other provisions in this By-law, \textit{mobile home parks} for the permanent parking of \textit{mobile homes used} for full-time living accommodation are only permitted subject to the following regulations:

3.40.1.1 \textit{Mobile home parks} may include neighbourhood commercial \textit{uses}, such as variety stores, coin-operated laundries and barber shops, only when expressly permitted by an amendment to this By-law, and provided that the commercial facilities:

\begin{itemize}
  \item 3.40.1.1.1 Are located, designed, and intended to serve frequent trade or service needs of people living in the park;
  \item 3.40.1.1.2 Are subordinate to the residential \textit{use} and character of the park;
  \item 3.40.1.1.3 Do not occupy more than 10 percent of the total area of any \textit{mobile home park}; and
  \item 3.40.1.1.4 Present no visible evidence of their commercial character to any part of a residential area outside of the park.
\end{itemize}

3.40.1.2 \textit{Mobile home parks} shall be a minimum of 3 hectares in size and a maximum density of 20 units per hectare;

3.40.1.3 \textit{Mobile home parks} shall be comprised of individual \textit{lots} within a Registered Plan of Subdivision and there shall be no more than 1 \textit{mobile home} located on any \textit{lot};

3.40.1.4 \textit{Mobile home parks} shall be provided with full municipal services;
3.40.1.5 Every mobile home park shall have immediately within its boundaries a buffer area of at least 7.5m in depth in which no lots, buildings or structures shall be permitted; and

3.40.1.6 Mobile home parks shall be landscaped according to good design principles to complement the residential nature of the park.

3.41 Open Space Requirements

3.41.1 For townhouse units open space shall be provided and maintained in accordance with the following provisions:

3.41.1.1 Open space shall be located in a yard other than the front yard or exterior side yard that is used for a private outdoor living area for the occupants. This space shall exit off of a habitable room other than a bedroom and shall be a minimum depth of 3m across the entire length of the unit and must be defined and shielded by a wall or a fence for a depth of at least 3m; and

3.41.1.2 In the case of a second storey dwelling unit the usable open space shall be provided by a deck or balcony with an area of no less than 5m².

3.42 Amenity Space Requirements

3.42.1 Apartment buildings and cluster townhouses are required to have amenity space provided based on a value per dwelling unit as follows:

- Bachelor unit: 0m²
- Single bedroom unit: 2.3m²
- Two or more bedroom units: 4.6m².

3.42.2 Amenity Space shall not be required in the General Commercial Inner Core (C1) zone or the General Commercial Outer Core (C2) zone.

3.42.3 Amenity space may be provided by a deck or a balcony with an area of no less than 5m².

3.43 Residential Storage of Recreational Vehicles

3.43.1 In any residential zone no boat, snowmobile, motor home or similar recreational vehicle or equipment shall be parked or stored in the front yard unless in compliance with the following provisions:

3.43.1.1 The recreational vehicle being parked shall not interfere with visibility of traffic, public safety, or the residential amenities of the neighbourhood, or diminish the residential character of the neighbourhood;

3.43.1.2 In the case of a lot which fronts on a body of water, the mooring of boats or the parking of boats within a boathouse shall be permitted;
3.43.1.3 The parking of motor homes, travel trailers, boats, or 
**recreational vehicles** having a height of no more than 
1.8m, including any **accessory** trailer, shall be permitted 
provided they do not encroach upon the municipal **road** 
allowance; and 

3.43.1.4 No **person** shall **use a recreational vehicle** being parked 
as a **dwelling unit**.

**3.44 Commercial Building Access Requirements**

3.44.1 Satisfactory access from a **street** to a **side yard** or a **rear yard** 
shall be provided for all commercial **buildings** to permit the 
delivery or carrying of goods and supplies.

**3.45 Commercial Landscaping Provisions**

3.45.1 In any commercial **zone** which fronts on a **street** opposite to, or 
directly **abuts** any residential **zone** a strip of land not less than 
3m in width along the **lot line** within the commercial **zone** which 
is opposite to or directly abuts the residential **zone** shall be 
adequately landscaped except where **used** for entrances and 
exits.

3.45.2 In any commercial **zone** which fronts on a provincial **highway** 
or a collector or arterial **road** a strip of land not less than 3m in 
width along the **front lot line** shall be adequately landscaped, 
excluding C1 and C2 **zones**.

**3.46 Institutional Landscaping Provisions**

3.46.1 In any Institutional **zone** which fronts on a **street** opposite to, 
or directly **abuts** any residential **zone** a strip of land not less than 
3m in width along the **lot line** within the institutional **zone** which 
is opposite to or directly abuts the residential **zone** shall be 
adequately landscaped except where **used** for entrances and 
exits.

3.46.2 In any institutional **zone** which fronts on a provincial **highway** 
or a collector or arterial **road** a strip of land not less than 3m in 
width along the **front lot line** shall be adequately landscaped 
except where used for entrances and exits.

**3.47 Industrial Landscaping Provisions**

3.47.1 Where a **lot** in any industrial **zone** fronts onto a **street** opposite 
a residential **zone**, or directly **abuts** a residential **zone** the 
**front yard** and a strip of land not less than 6m in width along 
the **side** and **rear lot lines**, within the industrial **zone** which is 
opposite to or directly abuts the residential **zone**, shall be 
adequately landscaped except where **used** for entrances and 
exits.

3.47.2 Where a **lot** in any industrial **zone** fronts on a provincial 
**highway** and is not opposite any residential **zone** a strip of land 
not less than 3m in width along the **front lot line** adjacent to
the road shall be adequately landscaped except where used for entrances and exits.

3.48 Industrial Accessory Uses (Commercial and Other)

3.48.1 In any industrial zone no part of any building or structure shall be used, or caused or permitted to be used, for any accessory use except in accordance with the following provisions:

3.48.1.1 Any commercial use that is a direct accessory to the primary industrial use shall be permitted within the main building provided that the use does not exceed 25 percent of the gross floor area; and

3.48.1.2 An accessory building shall not be built closer to any side lot line than the minimum distance required by this By-law for the main building on the same lot.

3.49 Recycling Centre and Salvage Yards

3.49.1 Where a recycling centre, salvage yard, or similar use is permitted the following regulations shall apply:

3.49.1.1 The minimum distance between the boundary of the lot and the boundary of any rural, residential, parkland, or open space zone shall be 150m;

3.49.1.2 The area constituting the use shall be surrounded on all sides by a fence or wall having a minimum height of 2.5m. A fence or wall shall be constructed of permanent materials and provide a complete visual barrier and shall be maintained in a neat and visually attractive manner;

3.49.1.3 The fence or wall required shall be set back a minimum of 9m from any street adjacent to the lot. The space between the street(s) and fence(s) shall not be used for any purpose other than providing an adequate landscaping strip or the provision of a 1.5m landscaping strip and visitors parking area; and

3.49.1.4 Material used or stored in the open on the lot shall be piled no higher than the required fence.

3.50 Site Plan Control

3.50.1 Pursuant to Section 41 of the Planning Act, as amended, certain areas of the Municipality with Land Use designations within the following zones are thereby designated as Site Plan Control areas:

- R4
- R6
- RM1
- RM2
- RM3
- RC
- RMC
- RME
- RN
- RRL
- All commercial zones
- All industrial zones
- All special zones.

3.50.2 Those lands on all ‘B’ Schedules and ‘C’ Schedules of this By-law identified by shading are hereby designated as Site Plan Control areas.

3.50.3 No person shall undertake any development in an area designated in Sections 3.50.1 or 3.50.2 without entering into a Site Plan Control Agreement with the Municipality.

3.50.4 Pursuant to Section 41(4) of the Planning Act, no person shall undertake any development in an area designated in Section 3.50.1 or 3.50.2 of this By-law unless the council or the Local Planning Appeal Tribunal (LPAT) has approved one or both, as the council may determine, of the following:

3.50.4.1 Plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction therewith and of all facilities and works required under Section 41(7)(a) of the Planning Act;

3.50.4.2 Drawings showing plan, elevation and cross-section views for each building to be erected, except a building to be used for residential purposes containing less than twenty-five dwelling units, which drawings are sufficient to display:

3.50.4.2.1 The massing and conceptual design of the proposed building;

3.50.4.2.2 The relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access;

3.50.4.2.3 The provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings;

3.50.4.2.4 Matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design;

3.50.4.2.5 The sustainable design elements on any adjoining highway under a municipality’s jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities; and
3.50.4.2.6 Facilities designed to have regard for accessibility for persons with disabilities.

3.50.5 As a condition to the approval of the plans and drawings referred to in Section 3.50.4, the municipality may require the owner of the land to:

3.50.5.1 Provide to the satisfaction of and at no expense to the municipality any or all of the following:

3.50.5.1.1 Widening of highways that abut on the land;

3.50.5.1.2 Subject to the Public Transportation and Highway Improvement Act, R.S.O. 1990, c. P.50 facilities to provide access to and from the land such as access ramps and curbing and traffic direction signs;

3.50.5.1.3 Off-street vehicular loading and parking facilities, either covered or uncovered, access driveways, including driveways for emergency vehicles, and the surfacing of such areas and driveways;

3.50.5.1.4 Walkways and walkway ramps, including the surfacing thereof, and all other means of pedestrian access;

3.50.5.1.5 Facilities designed to have regard for accessibility for persons with disabilities;

3.50.5.1.6 Facilities for the lighting, including floodlighting, of the land or of any buildings or structures thereon;

3.50.5.1.7 Walls, fences, hedges, trees, shrubs or other groundcover or facilities for the landscaping of the lands or the protection of adjoining lands;

3.50.5.1.8 Vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material;

3.50.5.1.9 Easements conveyed to the municipality for the construction, maintenance or improvement of watercourses, ditches, land drainage works and sanitary sewage facilities and other public utilities of the municipality or public authority; and

3.50.5.1.10 Grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon;

3.50.5.2 Maintain to the satisfaction of the municipality and at the sole risk and expense of the owner any or all of the facilities or works mentioned in 3.50.5.1.2 to 3.50.5.1.10 including the removal of snow from access ramps and driveways, parking and loading areas and walkways;

3.50.5.3 Enter into one or more agreements with the municipality dealing with and ensuring the provision of any or all of the
facilities, works or matters mentioned in section 3.50.5.1 and section 3.50.5.4 and maintenance thereof as mentioned in section 3.50.5.2 or with the provision and approval of the plans and drawings referred to in Section 3.50.4;

3.50.5.4 Enter into one or more agreements with the municipality ensuring that development proceeds in accordance with the plans and drawings approved under subsection 3.50.5.4; and

3.50.5.4 Subject to section 41(9.1) of the Planning Act, convey part of the land to the municipality to the satisfaction of and at no expense to the municipality for a public transit right-of-way.

3.50.6 Notwithstanding the foregoing, the provisions of Subsections 3.50.4 and 3.50.5 shall not apply to:

3.50.6.1 Accessory buildings and structures thereto in any residential zone;

3.50.6.2 Signs; and

3.50.6.3 Underground gasoline storage tanks.
Section 4 – Parking and Loading Space Provisions

4.1 Applicability of this Section

4.1.1 The Parking and Loading Space Provisions in this Section of the By-law shall not apply to any legally existing building or use at the time this By-law came into effect so long as the floor area is not increased or the use changed to a use that requires more parking than currently exists.

4.1.2 If an addition is made to a building that increases floor area, or another factor in the calculation of required parking spaces, then additional parking or loading spaces shall be provided to meet the standards of this section.

4.2 General Parking Regulations

4.2.1 Each automobile parking space required by this By-law shall have access to a street or public lane unobstructed by any other parking space, except for required parking for single detached, semi-detached, street front townhouses, including a stacked street front townhouse, where stacking spaces shall be permitted, or any dwelling within the Residential Intensification Area.

4.2.1.1 Permitted secondary dwelling units are required to have one additional parking space then what would have been required through Section 4.13 of Zoning By-law No.2015-30.

4.2.2 Where there is a combination of uses in any building, the minimum number of parking spaces shall be the combined total of the number required for each type of use.

4.2.3 For the purposes of calculating parking spaces for industrial uses, the minimum number of parking spaces shall be drawn on a site plan for each new development and redevelopment to demonstrate how the necessary parking requirement is being met. The necessary parking requirement shall be shown as an area that is reserved for, and can be constructed as, a parking area when eventually needed.

4.3 Larger Parking Areas

4.3.1 Where parking areas of more than 8 vehicles exist, with the exception of a residential use with 4 dwelling units or less, the following shall be required:

4.3.1.1 Adequate drainage facilities shall be provided and maintained;

4.3.1.2 The parking area shall be maintained with a stable surface treated to prevent the raising of dust or loose particles;

4.3.1.3 The parking area shall be defined by a fence, curb, or other suitable obstruction designed to provide a neat...
appearance, but not to be located so as to obstruct sight distance;

4.3.1.4 The lights used for illumination of the parking area shall be arranged to direct the light away from adjacent lots, particularly residential zones;

4.3.1.5 A structure of not more than 3m in height and not more than 4.6m² in area may be erected in a parking area for the use of attendants; and

4.3.1.6 Entrance and exit ramps shall be provided and well defined according to the following standards:

4.3.1.6.1 In residential zones the ramps shall have a minimum width of 3m and a maximum width of 4.3m for a one-way ramp, and a minimum width of 6m and a maximum width of 7.3m for a two-way ramp;

4.3.1.6.2 In commercial zones the ramps shall have a minimum width of 4.5m and a maximum width of 7.5m for a one-way ramp, and a minimum width of 7.2m and a maximum width of 12m for a two-way ramp; and

4.3.1.6.3 In industrial zones the ramps shall have a minimum width of 5m and a maximum width of 9m for a one-way ramp, and a minimum width of 9m and a maximum width of 15m for a two-way ramp.

4.4 Parking Space Specifications

4.4.1 Each automobile parking space shall have a:

4.4.1.1 Minimum length of 5.5m, and for parallel parking 7.3m; and

4.4.1.2 Minimum width of 2.75m.

4.4.2 Each commercial motor vehicle parking space shall have a:

4.4.2.1 Minimum area of 28m²;

4.4.2.2 Minimum width of 3.6m; and

4.4.2.3 Minimum length of 7.6m.

4.4.3 Aisle space for access to parking spaces shall have, based upon the angle of parking, minimum widths of:

4.4.3.1 7m for a 90° turn;

4.4.3.2 3.3m for a 45° turn and shall have an aisle that has one way traffic; and

4.4.3.3 3.3m for parallel parking and shall have an aisle that has one way traffic.
4.5 Parking of Motor Vehicles Without Current Licence Plates

4.5.1 No person shall use any lot in any zone for the parking or storage of any vehicle that does not have a current licence plate except:

4.5.1.1 Any number of vehicles may be stored on a property zoned residential, rural, commercial, or industrial provided that they are stored within a permanent enclosed garage, warehouse, or other similar building; and

4.5.1.2 Up to 4 vehicles may be stored outside of a building in a Rural General (A) zone, where fully screened from view from a public roadway.

4.6 Accessible Parking

4.6.1 A minimum number of accessible parking spaces must be provided, as per the below table:

<table>
<thead>
<tr>
<th>Minimum Number of Required Parking Spaces</th>
<th>Minimum Number of Accessible Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 – 30</td>
<td>1</td>
</tr>
<tr>
<td>31 – 60</td>
<td>2</td>
</tr>
<tr>
<td>61 – 90</td>
<td>3</td>
</tr>
</tbody>
</table>

4.6.2 1 additional accessible parking space shall be required for each additional 30 parking spaces or part thereof.

4.7 Accessible Parking Space Specifications

4.7.1 The accessible parking spaces shall adhere to the following specifications:

4.7.1.1 Have a minimum width of 5m each or 3.5m when the parking stall is located adjacent to an accessible aisle or a hard-surfaced walkway dedicated to pedestrian access that has a minimum width of 1.5m.

4.7.1.2 Have a length that is the same as the other parking spaces in the same parking facility;

4.7.1.3 Have a hard, stable, and level surface that reduces the raising of dust and other particles;

4.7.1.4 The spaces shall be located so as to be accessible to the public via ramps, depressed curbs or other appropriate means and placed so as to permit easiest access by the people to or from a motor vehicle; and

4.7.1.5 Each designated parking space shall be provided with a sign as per the Highway Traffic Act Ontario Reg. 581.
4.8 Residential Zone Parking Regulations

4.8.1 In any residential zone parking spaces shall be provided and maintained in an attached or detached private garage or carport, in a side or rear yard, or in the case of a front yard in an area that is well defined and occupies 50 percent or less of the lot area of the front yard; an exception to the 50 percent or less for front yard parking shall be in the case of a residential zone that has a lot frontage of 10.5m or less, in which case the parking in the front yard shall be well defined and occupy 62 percent or less of the lot area of the front yard. All parking must occur wholly within the property boundaries.

4.8.2 All parking spaces shall be appropriately sited, graded and drained to ensure that storm water runoff and snow melt is directed away from abutting properties and toward municipal storm water catchment systems.

4.9 Residential Zone Commercial Motor Vehicle Parking

4.9.1 No person shall park or store, in any residential zone, any commercial motor vehicle or trailer which:

4.9.1.1 Has a length greater than 6m; or

4.9.1.2 Has a height greater than 2.2m.

4.9.2 Where a commercial motor vehicle or trailer does not exceed the size regulations established by Section 4.9.1, a maximum of one commercial motor vehicle or trailer may be parked within the front yard and an additional commercial motor vehicle or trailer may be parked within a fully enclosed building, side yard or rear yard of a lot, provided that:

4.9.2.1 Any commercial motor vehicle being parked does not interfere with visibility of traffic, public safety, or with the residential amenities of the neighbourhood, or diminish the residential character of the neighbourhood; and

4.9.2.2 The commercial motor vehicle is operated by an occupant of the dwelling unit.

4.9.4 This subsection shall not prevent the standing of any vehicle for the purpose of normal business operations, such as actively loading or unloading merchandise or passengers.

4.10 Drive through

4.10.1 No portion of a drive through as part of an establishment including the lineup or movement of vehicles, in or out, shall have an effect of reducing access to the required parking spaces in this section of the By-law.

4.10.2 The drive through function shall be adequate to accommodate the stacking of 10 vehicles within the lot. Stacking spaces for a drive through shall not count towards required parking.
4.10.3 A stacking space shall be located to prevent any vehicles from extending onto the road, public right-of-way, or interfering with any pedestrian circulation, traffic manoeuvring, or other required parking areas.

4.11 Calculation of Parking Requirements

4.11.1 If the minimum number of parking spaces is calculated based on a ratio then the number of parking spaces required shall round up to the next higher whole number if the calculation meets or exceeds 0.5 of a space.

4.12 Calculation of Parking Requirements for Industrial, Institutional, and Commercial Zones

4.12.1 For the purposes of calculation of the required number of parking spaces in an institutional, industrial or commercial zone, the total gross floor area will be considered 20% less than the actual measured amount for the purpose of accommodating elevators, stairwells, hallways, storage and mechanical rooms, etc.

4.13 Required Parking Spaces by Use

4.13.1 Subject to Section 4.2.3 of this By-law, no person shall construct or cause to be constructed, a building, unless there is provided on the same lot as the building, the minimum number of automobile parking spaces set out in the following table for each type of building, unless otherwise stated elsewhere in this By-law:

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Parking Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Detached, Semi-detached, Street Front Townhouse, and Stacked Street Front Townhouse.</td>
<td>2 parking spaces per dwelling unit.</td>
</tr>
<tr>
<td>Duplex, Triplex, Fourplex</td>
<td>1.3 parking spaces per dwelling unit.</td>
</tr>
<tr>
<td>Cluster Townhouse, Stacked Cluster Townhouse, and mixed use Commercial-Residential.</td>
<td>1.5 parking spaces per dwelling unit with the requirement of 20% of those parking spaces being reserved for visitor parking.</td>
</tr>
<tr>
<td>Any apartment not specifically listed elsewhere in this By-law.</td>
<td>1.5 parking space per dwelling unit with the requirement of 20% of those parking spaces being reserved for visitor parking.</td>
</tr>
<tr>
<td>Apartment or other building with three or more dwelling units maintained and operated by the Nipissing District Housing Corporation or any other department or ministry of the federal or provincial government, or a private not for profit agency.</td>
<td>1 parking space per 2 dwelling units with the requirement of 10% of those parking spaces being reserved for visitor parking.</td>
</tr>
<tr>
<td>Retirement Home or a Boarding, Lodging or Rooming House. Offices, Non-Profit Use.</td>
<td>1 parking space per 2 dwelling units.</td>
</tr>
<tr>
<td></td>
<td>1 parking space per 30m² of commercial floor area.</td>
</tr>
<tr>
<td>Use</td>
<td>Minimum Parking Required</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Places of Entertainment, Recreational Facility.</td>
<td>1 parking space per 30m² of total floor area.</td>
</tr>
<tr>
<td>Restaurant.</td>
<td>1 parking space per 15m² total floor area.</td>
</tr>
<tr>
<td>Hospital, Correctional Facilities, and all other Institutional Use.</td>
<td>1 parking space for every two beds or per every 40m² of floor area, whichever is greater.</td>
</tr>
<tr>
<td>Elementary School.</td>
<td>2 parking spaces per classroom.</td>
</tr>
<tr>
<td>High School.</td>
<td>5 parking spaces per classroom.</td>
</tr>
<tr>
<td>Library, Museum, or Art Gallery.</td>
<td>Minimum 10 parking spaces or 1 per 100m² of floor area, whichever is greater.</td>
</tr>
<tr>
<td>Government Building.</td>
<td>1 parking space per 30m² of total floor area with the requirement of 10% of parking spaces being reserved for visitor parking.</td>
</tr>
<tr>
<td>Hotel.</td>
<td>1 parking space for each guest room plus 1 parking space for each 10m² of floor area of the building devoted to public use.</td>
</tr>
<tr>
<td>Funeral Home.</td>
<td>1 parking space per 15m² total floor area.</td>
</tr>
<tr>
<td>Veterinary Establishment.</td>
<td>1 parking space per 30m² floor area.</td>
</tr>
<tr>
<td>Self-Storage Use, Warehouse, All other Industrial Uses not specified elsewhere.</td>
<td>1 parking space per each 100m² of floor area.</td>
</tr>
<tr>
<td>Body Shop, Home Improvement Centre, Automobile Service Station</td>
<td>1 parking space per 30m² total floor area.</td>
</tr>
<tr>
<td>Bulk Sales Establishment, Wholesale Use.</td>
<td>1 parking space per 50m² total floor area.</td>
</tr>
<tr>
<td>Places of Worship.</td>
<td>1 parking space per 10m² floor area devoted to public use.</td>
</tr>
<tr>
<td>Commercial Use in any Commercial Zone except C1 or C2, unless otherwise specified.</td>
<td>1 parking space for every 30m² of commercial floor area.</td>
</tr>
<tr>
<td>Camping Establishment, Seasonal</td>
<td>1 parking space per tent or trailer space.</td>
</tr>
<tr>
<td>Mobile Home Park.</td>
<td>1 parking space per lot within the mobile home park.</td>
</tr>
<tr>
<td>Any use in an Industrial Business Park Zone, except those uses specifically listed elsewhere.</td>
<td>1 parking space for every 60m² of floor area.</td>
</tr>
<tr>
<td>Post-Secondary Institution.</td>
<td>1 parking space for every 50m² of floor area.</td>
</tr>
<tr>
<td>Post-Secondary Residence.</td>
<td>1 parking space for every 4 beds.</td>
</tr>
</tbody>
</table>
### 4.14 Required Parking Spaces by Use (Commercial Core Zones – C1 and C2)

No **person** shall construct, or cause to be constructed, a **building** in a general commercial inner core (C1) **zone** or a general commercial outer core (C2) **zone** unless there is provided within 152m of the **building** the minimum number of automobile **parking spaces** set out in the following table for each type of **building**, unless otherwise stated within this By-law:

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Parking Required</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Any Residential Use.</strong></td>
<td>In the C1 <strong>zone</strong> 0.5 parking spaces shall be required per unit after the fourth unit. Residential uses with 1 – 4 units shall require no parking in the C1 <strong>zone</strong>. 0.5 parking spaces per unit shall be required in the C2 <strong>zone</strong>.</td>
</tr>
<tr>
<td><strong>Apartment</strong> or other building with three or more dwelling units maintained and operated by the Nipissing District Housing Corporation or any other department or ministry of the federal or provincial government, or a private not for profit agency.</td>
<td>No parking shall be required for the C1 <strong>zone</strong>. 1 parking space for each 6 dwelling units or part thereof as well as 10% of the required parking spaces or 2 parking spaces, whichever is the greater, being designated exclusively for visitor parking.</td>
</tr>
<tr>
<td><strong>Retirement Home, or any Boarding, Lodging or Rooming House.</strong></td>
<td>1 space for every 6 dwelling units or part thereof as well as 10% of the required parking spaces or 2 parking spaces, whichever is the greater, being designated exclusively for visitor parking.</td>
</tr>
<tr>
<td><strong>Retail Store, Local Retail Store, Personal Service Establishment, Bar, Places of Entertainment, Funeral Home, Farmers Market, Place of Worship, Restaurant.</strong></td>
<td>No parking shall be required in the C1 <strong>zone</strong>. 1 parking space for every 75m² of floor area in the C2 <strong>zone</strong>.</td>
</tr>
<tr>
<td><strong>Financial Institution and Grocery Store.</strong></td>
<td>No parking shall be required in the C1 <strong>zone</strong>. 1 parking space for every 50m² of floor area in the C2 <strong>zone</strong>.</td>
</tr>
<tr>
<td><strong>Transit Terminal.</strong></td>
<td>1 parking space for every 50m² of floor area.</td>
</tr>
<tr>
<td><strong>Business Office, Professional Offices.</strong></td>
<td>1 parking space for every 50m² of floor area.</td>
</tr>
<tr>
<td><strong>Hotel.</strong></td>
<td>1 parking space for each guest room plus 1 parking space for each 10m² of floor area of the building devoted to public use.</td>
</tr>
<tr>
<td><strong>Automobile Service Station.</strong></td>
<td>1 parking space per 75m² of floor area in addition to 1 parking space per active pump on the lot.</td>
</tr>
<tr>
<td><strong>All other Commercial Uses.</strong></td>
<td>1 parking space for every 75m² of total floor area.</td>
</tr>
<tr>
<td><strong>Any combination of the above uses.</strong></td>
<td>Except where specific provisions to the contrary are contained in this By-law, the aggregate of the parking spaces required with respect to the above uses shall be required.</td>
</tr>
</tbody>
</table>
4.14.2 Notwithstanding Section 4.14.1, where residential accommodation is included in any of the above types of buildings, 25% of the minimum number of automobile parking spaces shall be on the same lot as the building containing the residential accommodation, and further provided that the off-site parking spaces required for the buildings are situated on land owned by the owner of the building or are on lands leased by the owner of the building, which shall have an active lease for the duration of the primary use. The lease may change locations during the duration of the primary use as long as a lease that provides sufficient access to required parking is consistently active. Failing the above, cash in lieu of parking as compensation shall be payable by the subservient lands and may be collected in like manner as municipal taxes against land, forthwith upon demand.

An agreement entered into by the owner of the building and the municipality shall provide for the making of such payments to the municipality as consideration for the granting of the exemption and shall set forth the basis upon which such payment is calculated.

4.15 General Loading Space Regulations

4.15.1 No loading spaces shall be permitted in any side yard adjacent to any residential or rural zone.

4.15.2 No loading space shall be permitted in any front yard.

4.15.3 Except where the total floor area is less than 300m\(^2\), 1 loading space shall be required for every 1,860m\(^2\) of the total floor area. i.e. 301m\(^2\) = 1 loading space, 1861m\(^2\) = 2 loading spaces.

“However, in the C1 Zone, except where the total floor area is less than 2,000 m\(^2\), 1 loading space shall be required for every 2,000 m\(^2\) or fraction thereof, of the total floor area.”

4.16 Loading Space Standards

4.16.1 No person shall erect, use or cause to be erected or used, any building or structure in any zone for any commercial or industrial purpose involving the movement of goods or persons unless loading spaces are provided and maintained as follows:

4.16.1.1 Each loading space shall have a minimum dimension of at least 3.6m by 13.7m;

4.16.1.2 Each loading space shall be at least 4m in height for clearance;

4.16.1.3 Adequate drainage facilities shall be provided and maintained;

4.16.1.4 The loading space and approaches shall be maintained with a stable surface treated to prevent the raising of dust or loose particles; and

~ 84 ~
4.16.1.5 The lights used for illumination of the loading space shall be so arranged as to direct the light away from adjacent lots.

4.17 Loading Space Access Requirement

4.17.1 In any commercial or industrial zone:

4.17.1.1 Satisfactory access from a street to a side yard or a rear yard shall be provided for all commercial buildings to permit the carrying of goods and supplies, except those buildings which are less than 300m² in area; and

4.17.1.2 There shall be sufficient driveway space to permit manoeuvring of vehicles on the lot so as not to cause an obstruction or a hazardous condition on adjacent streets.

4.18 Loading Space Entrance and Exit Standards

4.18.1 A driveway leading to any loading area shall have a minimum width of 3.6m for one-way traffic, and a minimum width of 7.3m for two-way traffic.

4.18.2 A driveway leading to any loading area shall be defined by a curb of concrete or rolled asphalt.
Section 5 - Residential Zones

5.1 Permitted Uses:

5.1.1 No person shall, within any residential zone, use or permit or cause the use of any land, or erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in Tables 5A to 5D of this section. The General Provisions of Section 3 of this By-law must also be met, unless otherwise stated.

5.1.2 Tables 5A and 5C of this section outline uses that are permitted in a residential zone. Permitted uses are denoted by the symbol ‘X’ in the column applicable to each zone and correspond with the specified use identified in the row. A number in brackets immediately following ‘X’ indicates that there are special provisions regarding that use; these special provisions are listed below the table.

5.1.3 Tables 5B and 5D of this section outline setback and other regulations that shall be adhered to in any residential zone. A number in brackets immediately following a piece of data indicates that there are special provisions regarding that use; these special provisions are listed below the table.

5.1.4 The residential zones are as follows:

- Residential First Density: R1
- Residential Second Density: R2
- Residential Third Density: R3
- Residential Mobile Home Park: R4
- Residential Fifth Density: R5
- Residential Sixth Density: R6
- Residential Multiple First Density: RM1
- Residential Multiple Second Density: RM2
- Residential Multiple Third Density: RM3
### Table 5A – Permitted Low Density Residential Uses:

<table>
<thead>
<tr>
<th>USE</th>
<th>R1</th>
<th>R2</th>
<th>R3</th>
<th>R4</th>
<th>R5</th>
<th>R6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Detached Dwelling</td>
<td>X(2)</td>
<td>X(2)</td>
<td>X(2)</td>
<td>X(2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Semi-detached Dwelling</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X(2)</td>
<td>X(2)</td>
</tr>
<tr>
<td>Duplex Dwelling</td>
<td>X</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Triplex Dwelling</td>
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<td>Fourplex Dwelling</td>
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<tr>
<td>Cluster Townhouse</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Stacked Townhouse</td>
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<td>Street Front Townhouse</td>
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<td>X</td>
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<td>X(1)</td>
<td>X(1)</td>
<td>X(1)</td>
<td>X(1)</td>
<td>X(1)</td>
<td>X(1)</td>
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<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

**Special Provisions for Table 5A (Permitted Low Density Residential Uses):**

1) An Accessory **Day Nursery** is permitted within an institutional or public building located within a residential zone. Institutional buildings include schools, churches, a public or private club or other similar uses. An Accessory **Day Nursery** is subject to the provisions of the *Child Care and Early Years Act, 2014*, and any successor or amendment there to.

2) A **secondary dwelling unit** is permitted in the low density residential uses provided all other provisions of the Zoning By-law are being complied with.
Table 5B – Low Density Residential Regulations:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
<th>Minimum Lot Area (M²) per dwelling unit</th>
<th>Minimum Lot Frontage (M)</th>
<th>Maximum Lot Coverage</th>
<th>Maximum Height (Storeys)</th>
<th>Front Yard Setback (m)</th>
<th>Interior Side Yard Setback (m)</th>
<th>Exterior Side Yard Setback (m)</th>
<th>Rear Yard Setback (m)</th>
<th>Other Provision(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R1</td>
<td>Single Detached Dwelling</td>
<td>540</td>
<td>18</td>
<td>39% (42% for corner lots)</td>
<td>2.5</td>
<td>6</td>
<td>1.2(1)(3)</td>
<td>3(4)</td>
<td>10.5(5)</td>
<td>N/A</td>
</tr>
<tr>
<td>R1</td>
<td>Group Home Type 1</td>
<td>540</td>
<td>18</td>
<td>39% (42% for corner lots)</td>
<td>2.5</td>
<td>6</td>
<td>1.2(1)(3)</td>
<td>3(4)</td>
<td>10.5(5)</td>
<td>N/A</td>
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<tr>
<td>R2</td>
<td>Single Detached Dwelling</td>
<td>450</td>
<td>15</td>
<td>39%</td>
<td>2.5</td>
<td>6</td>
<td>1.2(1)(3)</td>
<td>3(4)</td>
<td>10.5(5)</td>
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<tr>
<td>R2</td>
<td>Group Home Type 1</td>
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<td>15</td>
<td>39%</td>
<td>2.5</td>
<td>6</td>
<td>1.2(1)(3)</td>
<td>3(4)</td>
<td>10.5(5)</td>
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<tr>
<td>R3</td>
<td>Single Detached Dwelling</td>
<td>411</td>
<td>13.7</td>
<td>39%</td>
<td>2.5</td>
<td>6</td>
<td>1.2(1)(3)</td>
<td>3(4)</td>
<td>10.5(5)</td>
<td>N/A</td>
</tr>
<tr>
<td>R3</td>
<td>Semi-detached Dwelling</td>
<td>270</td>
<td>9 per dwelling unit</td>
<td>39% (42% for corner lots)</td>
<td>2.5</td>
<td>6</td>
<td>1.2(1)(3)</td>
<td>3(4)</td>
<td>10.5(5)</td>
<td>N/A</td>
</tr>
<tr>
<td>R3</td>
<td>Duplex Dwelling</td>
<td>270</td>
<td>18</td>
<td>39% (42% for corner lots)</td>
<td>2.5</td>
<td>6</td>
<td>1.2(1)(3)</td>
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<td>10.5(5)</td>
<td>N/A</td>
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<tr>
<td>R3</td>
<td>Group Home Type 1</td>
<td>411</td>
<td>13.7</td>
<td>39%</td>
<td>2.5</td>
<td>6</td>
<td>1.2(1)(3)</td>
<td>3(4)</td>
<td>10.5(5)</td>
<td>N/A</td>
</tr>
<tr>
<td>R4</td>
<td>Mobile Home</td>
<td>325.1 (1 unit) 371.6 (2 units)</td>
<td>10.5 (1 unit), 13.7 (2 units)</td>
<td>35%</td>
<td>2.5</td>
<td>6</td>
<td>1.2(1)(3)</td>
<td>3(4)</td>
<td>10.5(5)(6)</td>
<td>N/A</td>
</tr>
<tr>
<td>Zone</td>
<td>Use</td>
<td>Minimum Lot Area ($M^2$) per dwelling unit</td>
<td>Minimum Lot Frontage (M)</td>
<td>Maximum Lot Coverage</td>
<td>Maximum Height (Storeys)</td>
<td>Front Yard Setback (m)</td>
<td>Interior Side Yard Setback (m)</td>
<td>Exterior Side Yard Setback (m)</td>
<td>Rear Yard Setback (m)</td>
<td>Other Provisions</td>
</tr>
<tr>
<td>------</td>
<td>----------------------------------------------------------------------</td>
<td>----------------------------------------------</td>
<td>---------------------------</td>
<td>----------------------</td>
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<td>------------------------</td>
<td>------------------------------</td>
<td>-------------------------</td>
<td>-----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>R5</td>
<td>1 Storey Single Detached Dwelling or Group Home Type 1</td>
<td>270</td>
<td>9</td>
<td>44%, (36% for corner lots)</td>
<td>1</td>
<td>4.5</td>
<td>1.2(1)(2) (3)</td>
<td>3(4)</td>
<td>8.9(5)</td>
<td>N/A</td>
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<tr>
<td>R5</td>
<td>1½ storey or greater Single Detached Dwelling or Group Home Type 1</td>
<td>315</td>
<td>10.5</td>
<td>40%, (36% for corner lots)</td>
<td>2.5</td>
<td>4.5</td>
<td>1.2(1)(2) (3)</td>
<td>3(4)</td>
<td>8.9(5)</td>
<td>N/A</td>
</tr>
<tr>
<td>R5</td>
<td>Semi-detached Dwelling</td>
<td>270, 360 (corner lot)</td>
<td>9 per dwelling unit, 12 per dwelling unit (corner lot)</td>
<td>50%, (53% for corner lots)</td>
<td>2.5</td>
<td>4.5</td>
<td>1.2(1)(2) (3)</td>
<td>3(4)</td>
<td>8.9(5)</td>
<td>N/A</td>
</tr>
<tr>
<td>R6</td>
<td>Semi-detached Dwelling</td>
<td>270</td>
<td>9 per dwelling unit</td>
<td>39%, (42% for corner lots)</td>
<td>N/A</td>
<td>6</td>
<td>1.2(1)(3)</td>
<td>3(4)</td>
<td>10.5(5)</td>
<td>N/A</td>
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<tr>
<td>R6</td>
<td>Duplex Dwelling</td>
<td>270</td>
<td>18</td>
<td>39%, (42% for corner lots)</td>
<td>N/A</td>
<td>6</td>
<td>1.2(1)(3)</td>
<td>3(4)</td>
<td>10.5(5)</td>
<td>N/A</td>
</tr>
</tbody>
</table>

~ 89 ~
<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
<th>Minimum Lot Area (M²) per dwelling unit</th>
<th>Minimum Lot Frontage (M)</th>
<th>Maximum Lot Coverage</th>
<th>Maximum Height (Storeys)</th>
<th>Front Yard Setback (m)</th>
<th>Interior Side Yard Setback (m)</th>
<th>Exterior Side Yard Setback (m)</th>
<th>Rear Yard Setback (m)</th>
<th>Other Provision(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R6</td>
<td>Triplex Dwelling</td>
<td>198</td>
<td>19.8</td>
<td>40%, (43% for corner lots)</td>
<td>N/A</td>
<td>6</td>
<td>1.2(1)(3)</td>
<td>3(4)</td>
<td>10.5(5)</td>
<td>N/A</td>
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<tr>
<td>R6</td>
<td>Fourplex Dwelling</td>
<td>171</td>
<td>22.8</td>
<td>40%, (45% for corner lots)</td>
<td>N/A</td>
<td>6</td>
<td>1.2(1)(3)</td>
<td>3(4)</td>
<td>10.5(5)</td>
<td>N/A</td>
</tr>
<tr>
<td>R6</td>
<td>Cluster Townhouse</td>
<td>200 per dwelling unit</td>
<td>30</td>
<td>40%</td>
<td>2</td>
<td>6</td>
<td>1.2(1)(3)</td>
<td>3(4)</td>
<td>7.6</td>
<td>(7)(8)</td>
</tr>
<tr>
<td>R6</td>
<td>Stacked Townhouse</td>
<td>100</td>
<td>7.5 per interior dwelling unit stack, 8.7 per end dwelling unit stack</td>
<td>55% (48% for corner lots)</td>
<td>2</td>
<td>6</td>
<td>1.2(1)(3)</td>
<td>3(4)</td>
<td>6</td>
<td>(7)(8)</td>
</tr>
<tr>
<td>R6</td>
<td>Street Front Townhouse</td>
<td>200</td>
<td>7.5 per interior dwelling unit, 8.7 per end dwelling unit</td>
<td>55% (48% for corner lots)</td>
<td>2</td>
<td>6</td>
<td>1.2(1)(3)</td>
<td>3(4)</td>
<td>6</td>
<td>(7)(8)</td>
</tr>
<tr>
<td>Zone</td>
<td>Use</td>
<td>Minimum Lot Area (M²) per dwelling unit</td>
<td>Minimum Lot Frontage (M)</td>
<td>Maximum Lot Coverage</td>
<td>Maximum Height (Storeys)</td>
<td>Front Yard Setback (m)</td>
<td>Interior Side Yard Setback (m)</td>
<td>Exterior Side Yard Setback (m)</td>
<td>Rear Yard Setback (m)</td>
<td>Other Provision(s)</td>
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<td>R6</td>
<td><strong>Group Home Type 1</strong></td>
<td>270</td>
<td>18</td>
<td>39%, 42% (corner lot)</td>
<td>N/A</td>
<td>6</td>
<td>1.2(1)(3)</td>
<td>3(4)</td>
<td>10.5(5)</td>
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<tr>
<td>R6</td>
<td><strong>Group Home Type 2</strong></td>
<td>171</td>
<td>22.8</td>
<td>39%, 42% (corner lot)</td>
<td>N/A</td>
<td>6</td>
<td>1.2(1)(3)</td>
<td>3(4)</td>
<td>10.5(5)</td>
<td>N/A</td>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<td>(9)(10)</td>
</tr>
</tbody>
</table>
Special Provisions for Table 5B (Low Density Residential Regulations):

1. For every additional storey or part thereof above the first, an additional 0.6m will be added to the setback value.
2. In a R5 zone 1 side yard setback may be 0.6m for a single storey building; for additional storeys provision 1 in this list applies.
3. When a building is one storey on one side and two storeys on the other side, the side yard setbacks will be based upon the height of the building where each yard is located.
4. In the case of a corner lot any entrance to an attached or detached garage shall be setback 4.5m and any driveway shall be setback 9m from the intersection of two street lines.
5. On a corner lot the rear yard setback shall be 7.6m.
6. In a R4 zone when the lot fronts onto the 7.6m buffer strip then the rear yard setback shall be 4.5m.
7. A townhouse may not have more than 8 dwelling units per building, with the exception of a stacked townhouse which is permitted 16 units.
8. No two adjacent buildings on the same lot shall be built closer than 2.4m to each other for a single storey dwelling; an additional 0.6m will be added for each additional storey.
9. Does not apply to Public Uses under section 3.3
10. Shall meet the regulations of the zone in which it is located.
11. Permitted Secondary dwelling units are not included as a dwelling unit for minimum lot area and minimum lot frontage.
Table 5C – Permitted High Density Residential *Uses*:

<table>
<thead>
<tr>
<th>USE</th>
<th>RM1</th>
<th>RM2</th>
<th>RM3</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Apartment Dwellings</em></td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td><em>Boarding, Lodging or Rooming House</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Group Home Type 2</em></td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td><em>Accessory Home Based Business</em></td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td><em>Accessory Non-Residential Use</em></td>
<td>X(1)</td>
<td>X(1)</td>
<td></td>
</tr>
<tr>
<td><em>Parks, Playgrounds and Non-profit uses</em></td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td><em>Day Nursery</em></td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td><em>Institutional Uses</em></td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

**Special Provisions for Table 5C (Permitted High Density Residential Uses):**

1) A *convenience store* to serve the day to day needs of the occupants may be permitted in an *apartment building* in *zones* RM2 or RM3, provided that it’s on the ground floor only and is not more than 10% of the *gross floor area* or 275m², whichever is the lesser.
### Table 5D – High Density Residential Setback Requirements:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
<th>Maximum Gross Floor Area (% of Lot Area)</th>
<th>Minimum Lot Frontage (m)</th>
<th>Minimum Useable Open Space (% of Gross Floor Area)</th>
<th>Front Yard Setback (m)</th>
<th>Interior Side Yard Setback (m)</th>
<th>Exterior Side Yard Setback (m)</th>
<th>Rear Yard Setback (m)</th>
<th>Other Provisions</th>
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<tbody>
<tr>
<td>RM1</td>
<td>Apartment Dwellings</td>
<td>75</td>
<td>30</td>
<td>50</td>
<td>7(1)</td>
<td>6(2)</td>
<td>6(2)</td>
<td>7(1)</td>
<td>(3)(4)</td>
</tr>
<tr>
<td>RM1</td>
<td>Boarding, Lodging or Rooming House</td>
<td>75</td>
<td>30</td>
<td>N/A</td>
<td>7(1)</td>
<td>6(5)</td>
<td>3</td>
<td>7</td>
<td>(6)</td>
</tr>
<tr>
<td>RM1</td>
<td>Group Home Type 2</td>
<td>75</td>
<td>22.8</td>
<td>N/A</td>
<td>7(1)</td>
<td>1.2(5)</td>
<td>3</td>
<td>7</td>
<td>(6)</td>
</tr>
<tr>
<td>RM2</td>
<td>Apartment Dwellings</td>
<td>115</td>
<td>30</td>
<td>50</td>
<td>7(1)</td>
<td>6(2)</td>
<td>6(2)</td>
<td>7(1)</td>
<td>(3)(4)</td>
</tr>
<tr>
<td>RM2</td>
<td>Boarding, Lodging or Rooming House</td>
<td>115</td>
<td>30</td>
<td>N/A</td>
<td>7(1)</td>
<td>6(5)</td>
<td>3</td>
<td>7</td>
<td>(6)</td>
</tr>
<tr>
<td>RM2</td>
<td>Group Home Type 2</td>
<td>115</td>
<td>22.8</td>
<td>N/A</td>
<td>7(1)</td>
<td>1.2(5)</td>
<td>3</td>
<td>7</td>
<td>(6)</td>
</tr>
<tr>
<td>RM3</td>
<td>Apartment Dwellings</td>
<td>150</td>
<td>38</td>
<td>45</td>
<td>7(1)</td>
<td>6(2)</td>
<td>6(2)</td>
<td>7(1)</td>
<td>(3)(4)</td>
</tr>
<tr>
<td>RM3</td>
<td>Boarding, Lodging or Rooming House</td>
<td>150</td>
<td>38</td>
<td>N/A</td>
<td>7(1)</td>
<td>6(5)</td>
<td>3</td>
<td>7</td>
<td>(6)</td>
</tr>
<tr>
<td>Any</td>
<td>Institutional</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>(7)(8)</td>
</tr>
</tbody>
</table>
Special Provisions for Table 5D (High Density Residential Setbacks):

1) Unless half the height of the building is greater than 7m, then that distance shall be the setback value.
2) Unless half the height of the building is greater than 6m, then that distance shall be the setback value.
3) A canopy or other similar structure that is over a major entrance way into an apartment building may encroach on the setback requirement by a distance of up to half of the required setback for the respective yard.
4) Apartment buildings are required to have adequate landscaping in the form of a 1.5m buffer abutting side and rear lot lines as well as abutting the building itself where windows to habitable rooms are located on the ground floor.
5) For each additional storey above the first an additional 0.6m will be added to the setback value.
6) The building may not exceed 10.5m in height.
7) Does not apply to Public Uses under section 3.3
8) Shall meet the regulations of the zone in which it is located.
Section 6 - Commercial Zones

6.1 Permitted Uses:

6.1.1 No person shall, within any commercial zone, use or permit or cause the use of any land, or erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in Tables 6A and 6B of this section and in accordance with the standards contained in Table 6C of this section. The General Provisions in Section 3 of this By-law also must be met unless otherwise stated.

6.1.2 Tables 6A and 6B of this section outline uses that are permitted in a commercial zone. Permitted uses are denoted by the symbol ‘X’ in the column applicable to each zone and correspond with the specified use identified in the row. A number in brackets immediately following ‘X’ indicates that there are special provisions regarding that use; these special provisions are listed below the table.

6.1.3 The commercial zones are as follows:

- General Commercial Inner Core C1
- General Commercial Outer Core C2
- Regional Shopping Centre C3
- District Commercial C4
- Neighbourhood Commercial C5
- Arterial Commercial C6
- Arterial Commercial – Fisher Street C6F
- Arterial Commercial – Lakeshore Drive C6L
- Tourist Commercial C7
Table 6A - Permitted Non-Residential Uses:

<table>
<thead>
<tr>
<th>Use</th>
<th>C1</th>
<th>C2</th>
<th>C3</th>
<th>C4</th>
<th>C5</th>
<th>C6</th>
<th>C6F</th>
<th>C6L</th>
<th>C7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automobile Sales, Service, and Leasing Establishment</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Automobile Service Station</td>
<td>X</td>
<td>X</td>
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~ 97 ~
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</table>
Special Provisions for Table 6A (Permitted Non-Residential Uses):

1) A home improvement centre may have outside storage of lumber and related building supplies associated with it provided that it is shielded from view of adjacent properties through appropriate fencing or structures.

2) May not be located within 100m of a residential zone.

3) The sale of dogs or other large animals shall not be permitted as part of a pet shop.

4) Retail stores can be operated as an accessory use to the other permitted uses in the same C7 zone.
Table 6B - Permitted Residential Uses:

<table>
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<tr>
<th>Use</th>
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<th>C3</th>
<th>C4</th>
<th>C5</th>
<th>C6</th>
<th>C6F</th>
<th>C6L</th>
<th>C7</th>
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</table>

Special Provisions for Table 6B (Permitted Residential Uses):

1. No dwelling units shall be permitted on the ground floor within buildings fronting on Main Street between Wyld Street and Algonquin Avenue or on Oak Street between Wyld Street and Fraser Street.

2. Dwelling units, or any residential use, connected to and forming an integral part of the commercial building shall be permitted, provided that access to the dwelling units or residential use is separate from the access to the commercial portion of the building, and no dwelling units or residential use shall be permitted on the ground floor.

3. Dwelling units, or any residential use, connected to and forming an integral part of the commercial building shall be permitted, provided that the floor area does not exceed that of the commercial portion of the building, and that dwelling units are located above or at the rear of the building.

4. A residential building may be established and occupied provided it is accessory to main use. Only one single residential unit will be permitted; it may be a single detached dwelling or connected to and part of the primary building.

5. A Secondary dwelling unit is not permitted within a Commercial zone.
Table 6C – Setbacks and Other Regulations:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Maximum Lot Coverage</th>
<th>Front Yard Setback (m)</th>
<th>Side Yard Setback (m)</th>
<th>Rear Yard Setback (m)</th>
<th>Maximum Building Height (Storeys)</th>
<th>Other Provisions</th>
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<tr>
<td>C1</td>
<td>100%</td>
<td>0</td>
<td>0(1)(2)</td>
<td>3(3)(4)</td>
<td>3(10)(11)</td>
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<tr>
<td>C2</td>
<td>100%</td>
<td>0</td>
<td>0(1)(2)</td>
<td>3(3)(4)</td>
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<tr>
<td>C3</td>
<td>40%</td>
<td>21</td>
<td>7(6)</td>
<td>7(4)(5)</td>
<td>2</td>
<td>(6)(7)</td>
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<tr>
<td>C4</td>
<td>30%</td>
<td>7</td>
<td>7</td>
<td>7(4)</td>
<td>N/A</td>
<td>(6)(7)</td>
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<tr>
<td>C5</td>
<td>30%</td>
<td>6</td>
<td>4</td>
<td>10(8)</td>
<td>2.5</td>
<td>(7)</td>
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<tr>
<td>C6</td>
<td>40%</td>
<td>7</td>
<td>4(9)</td>
<td>7(4)</td>
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<td>(7)</td>
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<tr>
<td>C6F</td>
<td>40%</td>
<td>6</td>
<td>2(1)(2)</td>
<td>7</td>
<td>N/A</td>
<td>(7)</td>
</tr>
<tr>
<td>C6L</td>
<td>40%</td>
<td>3</td>
<td>2(1)(2)</td>
<td>7</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>C7</td>
<td>35%</td>
<td>7</td>
<td>4</td>
<td>7</td>
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<td>N/A</td>
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Special Provisions for Table 6C (Setbacks and Other Regulations):

1) When a side lot line abuts a commercial or industrial zone, and access is not available to the rear of the building by a lane, then the setback shall be a minimum of 4m.

2) When a side lot line abuts a residential, parkland, or open space zone, then the setback shall not be less than half of the height of the building or 6m, whichever is greater.

3) When a rear lot line abuts a commercial or industrial zone and no access is available to the rear of the building by a lane, then the setback shall be a minimum of 6m.

4) When a rear lot line abuts a residential, parkland or open space zone, then the setback shall be a minimum of 10m.

5) When the side lot line or rear lot line abuts a street, then the setback shall be a minimum of 21m.

6) The lands shall be in one ownership, or if in several ownerships, all owners shall individually and jointly comply with the regulations set forth herein.

7) Parking spaces may be located ahead of the front yard setback line, but in no case within 3m of a street line.

8) In the case of a corner lot; the rear yard setback may then be 7m.

9) When a side lot line abuts a residential, parkland or open space zone, or a street, then the setback shall be a minimum of 7m.

10) Unless it is on a corner lot where Ferguson Street intersects Oak, Main, or McIntyre Streets then the building height may be 10 storeys. This applies to the south side of McIntyre street only.

11) The minimum and maximum building heights in the C1 and C2 Zones shall be in accordance with Schedule F.
Section 7 - Industrial Zones

7.1 Permitted Uses:

7.1.1 No person shall, within any industrial zone, use or permit or cause the use of any land, or erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in Tables 7A and 7B of this section and in accordance with the standards contained in Table 7C of this section. The General Provisions in Section 3 of this By-law also must be met unless otherwise stated.

7.1.2 Tables 7A and 7B outline uses that are permitted in an industrial zone. Permitted uses are denoted by the symbol ‘X’ in the column applicable to each zone and correspond with the specified use identified in the row. A number in brackets immediately following ‘X’ indicates that there are special provisions regarding that use; these special provisions are listed below the Table. Setback and other regulations are listed in Table 7C.

7.1.3 The industrial zones are as follows:

<table>
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<th>Light Industrial</th>
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<td>Railway</td>
<td>MR</td>
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<td>Industrial Air Park – Airside</td>
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<tr>
<td>Industrial Air Park – Groundside</td>
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Table 7A - Permitted Uses (Excluding Airport Zones MAP-A and MAP-G):

<table>
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<th>M3</th>
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<td>Transportation Terminal</td>
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<td>X</td>
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<tr>
<td>Warehouse</td>
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<td>X</td>
<td>X</td>
<td>X</td>
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<td></td>
</tr>
</tbody>
</table>
Special Provisions for Table 7A (Permitted Uses):

1) A home improvement centre may have outside storage of lumber and related building supplies associated with it provided that it is shielded from view of adjacent properties through appropriate fencing or structures.
2) May not be located within 100m of a residential zone.
3) Industrial Class 1 and Industrial Class 2 uses are permitted provided that they do not require full municipal services and subject to an agreement between the prospective industry and the City.
Table 7B – Accessory Uses:

All uses in this table are only permitted as a secondary, accessory function to another use that is permitted normally in the zone.

<table>
<thead>
<tr>
<th>Use</th>
<th>M1</th>
<th>M2</th>
<th>M3</th>
<th>M4</th>
<th>MC</th>
<th>MR</th>
<th>MBP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apartment</td>
<td>X(1)</td>
<td>X(1)</td>
<td>X(1)</td>
<td>X(1)</td>
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<td></td>
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</tr>
<tr>
<td>Buildings/Structures for maintenance/operation of Railway Lines and Yards</td>
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<td></td>
<td></td>
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<td>X</td>
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<tr>
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<td>X</td>
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<tr>
<td>Day Nursery</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office, Business</td>
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<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Restaurant</td>
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<td></td>
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<td>X</td>
</tr>
</tbody>
</table>

Special Provisions for Table 7B (Accessory Uses):

1) One apartment unit within the main building is allowed for use by an essential worker, owner/operator or caretaker.

2) A secondary dwelling unit is not permitted within any Industrial Zone.
Table 7C – Setback and Other Regulations for Industrial Properties:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Lot Coverage (maximum)</th>
<th>Front Yard Setback(m)</th>
<th>Side Yard Setback(m)</th>
<th>Rear Yard Setback(m)</th>
<th>Other Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>M1</td>
<td>50%</td>
<td>7</td>
<td>4.5(1)(2)</td>
<td>12(2)(3)</td>
<td>(4)(6)</td>
</tr>
<tr>
<td>M2</td>
<td>50%</td>
<td>15</td>
<td>4.5(1)(2)</td>
<td>12(2)(3)</td>
<td>(5)(6)</td>
</tr>
<tr>
<td>M3</td>
<td>70%</td>
<td>15</td>
<td>4.5(1)(2)</td>
<td>12(2)(3)</td>
<td>(5)(6)</td>
</tr>
<tr>
<td>M4</td>
<td>50%</td>
<td>15</td>
<td>4.5(1)(2)</td>
<td>12(2)(3)</td>
<td>(5)(6)</td>
</tr>
<tr>
<td>MC</td>
<td>40%</td>
<td>15</td>
<td>4.5(1)</td>
<td>7</td>
<td>(4)(6)</td>
</tr>
<tr>
<td>MBP</td>
<td>50%</td>
<td>15</td>
<td>4.5(1)</td>
<td>12</td>
<td>(4)(6)(7)</td>
</tr>
</tbody>
</table>

Special Provisions for Table 7C (Setback and Other Regulations):

1) Except where a side lot line abuts a street or a residential, parkland, or open space zone then the setback shall be 9m.
2) Except where the lot line abuts a railway, then the setback shall be 0.
3) Except where a rear lot line abuts a street or a residential, parkland, or open space zone then the setback shall be 15m.
4) All permitted uses shall be conducted within an enclosed building and no outside storage is permitted.
5) Outside storage shall be permitted in the rear yard or side yard but not the front yard and shall be enclosed by adequate screening in the form of landscaping or fencing to a height of at least 2.5m but not greater than the height of the first storey of the main building.
6) No loading space shall be located in, or open onto, any side yard adjacent to, or abutting, a residential zone.
7) Landscaping considerations:
   i. A strip of land at least 3m in width along the lot frontage shall be adequately landscaped.
   ii. A strip of land at least 1.5m in width along the side lot lines and adjacent to residential zones shall be adequately landscaped.
   iii. Exterior lighting and illuminated signs shall be arranged to face away from any adjacent residential zones.
7.2 Industrial Air Park - Airside (MAP-A) Zone

7.2.1 No land, building or structure shall be erected or used, or permitted or caused to be erected or used in any Industrial Air Park - Airside (MAP-A) zone, except for one or more of the following permitted uses:

- Aerial forest fire fighting facilities;
- Aeronautical instructional services;
- Aeronautical research and development facilities;
- Air ambulance base;
- Air cargo warehousing, distribution and transfer stations;
- Air carrier services;
- Air couriers;
- Aircraft engine manufacturing, assembly, repair and maintenance;
- Aircraft manufacturing, assembly, repair and maintenance;
- Aircraft original equipment manufacturing;
- Air taxi service;
- Air terminal including control towers and refuelling depots;
- Banner towing base;
- Colleges and universities and accessory residential uses ancillary to the primary aeronautical uses;
- Corporate administrative offices;
- Exhibition building;
- Fixed wing base operations;
- Helicopter related base operations and training facilities;
- Flight training facilities;
- Public and private aeronautical recreational uses;
- Public and private hangars; and
- Sale, servicing and leasing of aircraft.

7.2.2 The following accessory uses shall be permitted in a MAP-A zone:

- Accessory office and business establishments;
- Accessory day nursery;
- Accessory convenience stores;
- Accessory restaurants; and
- Accessory car rental agency.

7.2.3 In addition to the above uses, the following complementary and accessory uses are also permitted in a MAP-A when intended to provide a service to, or when ancillary to, the airport business park:

- Fuelling services
- Outside storage; and
- Vehicle repair and maintenance.
7.3 Industrial Air Park – Groundside (MAP-G) Zone

7.3.1 No land, building or structure shall be erected or used, or permitted or caused to be erected or used in any Industrial Air Park - Groundside (MAP-G) zone, except for one or more of the following permitted uses:

- The use of land, building or structure designed for the purpose of manufacturing, assembling, processing, preparing, inspecting or ornamenting, finishing, treating, altering, repairing, warehousing, storing or adapting for sale any goods, substances or things, where the operations do not involve the emission of air or water pollutants that exceed the standards set by the appropriate Provincial Regulatory Authority. This does not include refineries, mills, foundries, chemical plants or similar heavy industries. It also does not include a mine, pit, quarry or oil wells;

- Colleges and universities and accessory residential uses ancillary to the primary aeronautical uses;
- Corporate administrative offices;
- Data storage and processing firm and other compatible information computer technology uses;
- Exhibition building;
- Industrial equipment sales, service and storage which is ancillary to manufacturing airside or groundside uses;
- Metal fabrication and machining;
- Physical testing laboratories;
- Research and development facilities;
- Transportation and communications terminals; and
- Warehouse and storage uses.

7.3.2 The following accessory uses shall be permitted in a MAP-G:

- Accessory office and business establishments;
- Accessory day nursery;
- Accessory convenience stores;
- Accessory restaurants; and
- Accessory car rental agency.

7.3.3 In addition to the above uses, the following complementary and accessory uses are also permitted in a MAP-G zone when intended to provide a service to, or when ancillary to, the airport business park:

- Fuelling services;
- Outside storage; and
- Vehicle repair and maintenance.
7.4 Regulations

7.4.1 In an Industrial Air Park - Airside (MAP-A) zone or an Industrial Air Park - Groundside (MAP-G) zone, no building, structure or land shall be used, or permitted or caused to be used, and no building or structure shall be hereafter erected or altered, or permitted or caused to be erected or altered, except in accordance with the provisions of the North Bay Airport Zoning Regulations, C.R.C., c.99 under the Aeronautics Act R.S.C. 1985, c. A-2 and, further, in accordance with the provisions of Sections 3, 7.2 and 7.3 contained herein and the following regulations:

Table 7D– Setback and Other Regulations for Industrial Air Park Properties:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Maximum Lot Coverage</th>
<th>Front Yard Setback (m)</th>
<th>Side Yard Setback (m)</th>
<th>Exterior Side Yard Setback (m)</th>
<th>Rear Yard Setback (m)</th>
<th>Other Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAP-A</td>
<td>75%</td>
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<td>3(1)(2)</td>
<td>3(1)(2)</td>
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<tr>
<td>MAP-G</td>
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<td>3(1)</td>
<td>3(1)</td>
<td>10.5</td>
<td>(3)(4)(5)(6)(7)</td>
</tr>
</tbody>
</table>

Special Provisions for Table 7D (Setbacks and Other Regulations):

1) Except where a side lot line abuts a residential, parkland or open space zone or a street then the setback shall be 7.6m.
2) Except where the lot line abuts a taxiway or runway, then the setback shall be 0.
3) There shall be no loading spaces in, or opening onto, any side yard that fronts on a street opposite to, or directly abuts a residential or rural zone.
4) A strip of land 1.5m in width along any lot line abutting or adjacent to a residential or rural zone shall be adequately landscaped.
5) Exterior lights and illuminated signs shall be arranged so as to direct light away from any adjacent residential or rural zone.
6) Where part of the use permitted under Table 7C and 7D is carried on outside a building, that part of the operation shall not be conducted in the front yard and shall be enclosed by adequate screening in the form of landscaping or fencing to a height of not less than 2.5m and not greater than the height of the first storey of the main building on the property. For certainty the North Bay Airport Zoning Regulations are specifically deemed to apply to the airport runway and taxiways, so as to limit the height of buildings adjacent thereto.
7) Notwithstanding all other provisions and standards of this By-law, no permanent building or structure may be located within 7m of the pipeline right-of-way. Accessory structures shall have a minimum setback of at least 3m from the limit of the right-of-way. No building or structure is permitted within 3m of the right-of-way. This does not apply to hydro corridor lands.
Section 8 – Open Space And Parkland Zones

8.1 Permitted Uses:

8.1.1 No person shall, within any open space or parkland zone, use or permit or cause the use of any land, or erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in Table 8A of this section and in accordance with the standards contained in Table 8B of this section. The General Provisions in Section 3 of this By-law also must be met unless otherwise stated.

8.1.2 Table 8A of this section outlines uses that are permitted in open space and parkland zones. Permitted uses are denoted by the symbol ‘X’ in the column applicable to each zone and correspond with the specified use identified in the row. A number in brackets immediately following ‘X’ indicates that there are special provisions regarding that use; these special provisions are listed below the Table.

8.1.3 The open space and parkland zones are as follows:

<table>
<thead>
<tr>
<th>Parkland</th>
<th>Open Space</th>
<th>Floodway</th>
<th>Floodplain and Erosion</th>
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</thead>
<tbody>
<tr>
<td>P</td>
<td>O</td>
<td>O1</td>
<td>O2</td>
</tr>
</tbody>
</table>

Table 8A – Permitted Uses:

<table>
<thead>
<tr>
<th>Use</th>
<th>P</th>
<th>O</th>
<th>O1</th>
<th>O2</th>
</tr>
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<tbody>
<tr>
<td>Cemetery</td>
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<tr>
<td>Conservation Area</td>
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<tr>
<td>Golf Course</td>
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<tr>
<td>Library, Museum, or Art Gallery</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Limited Agricultural</td>
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<td></td>
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<tr>
<td>Marina</td>
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<td>X</td>
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<tr>
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<td>Recreational Facility</td>
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<td>Recreational Facility, Rural</td>
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<tr>
<td>Accessory Buildings or Structures</td>
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</tr>
<tr>
<td>Restaurant</td>
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<td>X(1)</td>
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<tr>
<td>Retail, Local</td>
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</tbody>
</table>

Special Provisions for Table 8A (Permitted Uses):

1) These uses are to be considered accessory uses to the main use and shall only be permitted within the “Central Waterfront Character Area” as defined on Schedule 12B to the City of North Bay’s Official Plan.
### Table 8B – Setbacks and Other Regulations:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Maximum Lot Coverage</th>
<th>Minimum Lot Area or Frontage</th>
<th>Front Yard Setback (m)</th>
<th>Side Yard Setback (m)</th>
<th>Rear Yard Setback (m)</th>
<th>Other Provisions</th>
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</thead>
<tbody>
<tr>
<td>P</td>
<td>10% (2)</td>
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<td>7.6</td>
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</tr>
<tr>
<td>O</td>
<td>10% (2)</td>
<td>N/A</td>
<td>7.6</td>
<td>7.6</td>
<td>7.6</td>
<td>(1)</td>
</tr>
<tr>
<td>O1</td>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>(1)</td>
</tr>
<tr>
<td>O2</td>
<td>10%</td>
<td>N/A</td>
<td>7.6</td>
<td>7.6</td>
<td>7.6</td>
<td>(1)</td>
</tr>
</tbody>
</table>

**Special Provisions for Table 8B (Setbacks and Other Regulations):**

2) *Accessory buildings* and *structures* shall adhere to the *zone setbacks* of the *primary use*.

3) The maximum *lot coverage* may be 50% when the *primary use* is a *recreational facility* or *recreational facility, public authority*. 
Section 9 – Institutional Zones

9.1 Permitted Uses

9.1.1 No person shall, within any institutional zone, use or permit or cause the use of any land, or erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in Table 9A of this section and in accordance with the standards and regulations listed within. The General Provisions in Section 3 of this By-law also must be met unless otherwise stated.

9.1.2 The institutional zones are as follows:

General Institutional N.

Table 9A – Institutional Zone Permitted Uses:

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Lot Area (ha)</th>
<th>Maximum Lot Coverage</th>
<th>Minimum Lot Frontage (m)</th>
<th>Front, Side, and Rear Yard Setbacks (m)</th>
<th>Other Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boarding, Lodging or Rooming House</td>
<td>N/A</td>
<td>50%</td>
<td>N/A</td>
<td>7.5</td>
<td>(1)</td>
</tr>
<tr>
<td>Cemetery</td>
<td>N/A</td>
<td>10%</td>
<td>N/A</td>
<td>7.5</td>
<td>(1)</td>
</tr>
<tr>
<td>Day Nursery</td>
<td>N/A</td>
<td>50%</td>
<td>N/A</td>
<td>7.5</td>
<td>(1)</td>
</tr>
<tr>
<td>Exhibition Building</td>
<td>N/A</td>
<td>50%</td>
<td>N/A</td>
<td>7.5</td>
<td>(1)(2)(3)</td>
</tr>
<tr>
<td>Government Lands and Buildings</td>
<td>N/A</td>
<td>50%</td>
<td>N/A</td>
<td>7.5</td>
<td>(1)(2)(3)</td>
</tr>
<tr>
<td>Group Home Type 2</td>
<td>N/A</td>
<td>50%</td>
<td>N/A</td>
<td>7.5</td>
<td>(1)</td>
</tr>
<tr>
<td>Group Home Type 3</td>
<td>N/A</td>
<td>50%</td>
<td>N/A</td>
<td>7.5</td>
<td>(1)</td>
</tr>
<tr>
<td>Hospice</td>
<td>N/A</td>
<td>50%</td>
<td>N/A</td>
<td>7.5</td>
<td>(1)</td>
</tr>
<tr>
<td>Hospital</td>
<td>N/A</td>
<td>50%</td>
<td>N/A</td>
<td>7.5</td>
<td>(1)(2)(3)</td>
</tr>
<tr>
<td>Library, Museum, or Art Gallery</td>
<td>N/A</td>
<td>50%</td>
<td>N/A</td>
<td>7.5</td>
<td>(1)(2)(3)</td>
</tr>
<tr>
<td>Places of Worship</td>
<td>N/A</td>
<td>50%</td>
<td>N/A</td>
<td>7.5</td>
<td>(1)</td>
</tr>
<tr>
<td>Post-Secondary Institution</td>
<td>N/A</td>
<td>50%</td>
<td>N/A</td>
<td>7.5</td>
<td>(1)(2)(3)</td>
</tr>
<tr>
<td>Prison</td>
<td>N/A</td>
<td>50%</td>
<td>N/A</td>
<td>7.5</td>
<td>(1)(2)</td>
</tr>
<tr>
<td>Public Authority operated buildings and lands</td>
<td>N/A</td>
<td>50%</td>
<td>N/A</td>
<td>7.5</td>
<td>(1)(2)</td>
</tr>
<tr>
<td>Retirement Home</td>
<td>N/A</td>
<td>50%</td>
<td>N/A</td>
<td>7.5</td>
<td>(1)(2)(3)</td>
</tr>
<tr>
<td>Use</td>
<td>Minimum Lot Area (ha)</td>
<td>Maximum Lot Coverage</td>
<td>Minimum Lot Frontage (m)</td>
<td>Front, Side, and Rear Yard Setbacks (m)</td>
<td>Other Provisions</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>----------------------</td>
<td>----------------------</td>
<td>--------------------------</td>
<td>------------------------------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>School, Public and Private</td>
<td>N/A</td>
<td>50%</td>
<td>N/A</td>
<td>7.5</td>
<td>(1)(2)</td>
</tr>
<tr>
<td>Solar Farm</td>
<td>N/A</td>
<td>50%</td>
<td>N/A</td>
<td>7.5</td>
<td>(1)</td>
</tr>
</tbody>
</table>

Special Provisions for Table 9A (Institutional Zone Permitted Uses):

1) A **building accessory** to the primary permitted use shall be allowed, provided that it has a **setback** of 7.5m from any **lot line**.

2) A **restaurant** shall be permitted as an **accessory use** within the **main building** of the primary permitted use.

3) A retail use shall be permitted as an **accessory use** within the **main building** of the primary permitted use.
Section 10 - Rural Zones

10.1 Permitted Uses

10.1.1 No person shall, within any rural zone, use or permit or cause the use of any land, or erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in Tables 10A – 10D of this section and following all regulations stated within. Accessory buildings, structures and uses shall adhere to the same standard zone regulations as the primary use in the zone, unless otherwise stated. The General Provisions in Section 3 of this By-law also must be met unless otherwise specified.

10.1.2 Tables 10A and 10D of this section outline non-residential and accessory uses, respectively, that are permitted in a rural zone. Permitted uses are denoted by the symbol ‘X’ in the column applicable to each zone and correspond with the specified use identified in the row. Residential Uses permitted are listed in Table 10C of this section beside the corresponding zone along with the associated regulations. A number in brackets immediately following indicates that there are special provisions regarding that use; these special provisions are listed below the Table. Table 10B and 10C of this section list setbacks and other regulations that shall be required.

10.1.3 The rural zones are as follows:

Rural General A
Rural Residential Lakefront RRL
Rural Residential Estate RRE
Rural Extractive Industrial RME
Rural Commercial RC
Rural Marine Commercial RMC
Rural Institutional RN.
### Table 10A – Permitted Non-Residential Uses:

<table>
<thead>
<tr>
<th>Use</th>
<th>A</th>
<th>RRL</th>
<th>RRE</th>
<th>RME</th>
<th>RC</th>
<th>RMC</th>
<th>RN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Entertainment Parlour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X(1)</td>
</tr>
<tr>
<td>Asphalt/Concrete Plant</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X(2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Automobile Service Station</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cemetery</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial Agricultural Uses</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conservation Area</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Day Nursery</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Golf Course</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group Home Type 1</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group Home Type 2</td>
<td>X</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group Home Type 3</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hobby Farm</td>
<td>X(3)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hotel</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kennel</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Library, Museum or Art Gallery</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Marina</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Non-Profit Use</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Park, Public</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pit</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X(2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Place of Worship</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quarry</td>
<td>X(2)</td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>Recreational Facility, Rural</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail Store, Local</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retirement Home</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>School, Public or Private</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Solar Farm</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tourist Cabin</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Veterinary Establishments</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
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<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Special Provisions for Table 10A (Permitted Non-Residential Uses):**

1) An adult entertainment parlour shall be located no closer than 150m from a highway or local street, 500m from any residential, institutional, or open space zones, and 2000m from any other adult entertainment parlour.

2) This also permits any buildings, structures, or equipment that are directly used in the extraction of sand, gravel, stone, and other general aggregates.

3) Shall be permitted only as an accessory use to a residential use.

4) Shall be permitted as an accessory use to the primary use.
<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
<th>Minimum Lot Area (ha)</th>
<th>Maximum Lot Coverage</th>
<th>Minimum Lot Frontage (m)</th>
<th>Front Yard Setback (m)</th>
<th>Side Yard Setback (m)</th>
<th>Rear Yard Setback (m)</th>
<th>Maximum Building Height (m)</th>
<th>Other Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Cemeteries</td>
<td>N/A</td>
<td>10%</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>A</td>
<td>Commercial Agricultural Uses</td>
<td>10</td>
<td>15%</td>
<td>75</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>N/A</td>
<td>(1)</td>
</tr>
<tr>
<td>A</td>
<td>Conservation Area</td>
<td>0.14</td>
<td>15%</td>
<td>30</td>
<td>15</td>
<td>7.5</td>
<td>15</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>A</td>
<td>Golf Course</td>
<td>N/A</td>
<td>10%</td>
<td>N/A</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>A</td>
<td>Hobby Farm</td>
<td>2</td>
<td>15%</td>
<td>60</td>
<td>45</td>
<td>15</td>
<td>30</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>A</td>
<td>Kennel</td>
<td>5</td>
<td>10%</td>
<td>60</td>
<td>30</td>
<td>45</td>
<td>45</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>A</td>
<td>Recreational Facility, Rural</td>
<td>1.6</td>
<td>15%</td>
<td>75</td>
<td>15</td>
<td>7.5</td>
<td>15</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>A</td>
<td>Solar Farm</td>
<td>10</td>
<td>80%(2)</td>
<td>75</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>A</td>
<td>Wind Farm</td>
<td>25</td>
<td>5%</td>
<td>75</td>
<td>250(3)</td>
<td>250(3)</td>
<td>250(3)</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>RRL</td>
<td>All Permitted Uses</td>
<td>0.4</td>
<td>10%(4)</td>
<td>61</td>
<td>30</td>
<td>6(5)</td>
<td>12(5)</td>
<td>10.5</td>
<td>N/A</td>
</tr>
<tr>
<td>RRE</td>
<td>All Permitted Uses</td>
<td>1.2</td>
<td>5%</td>
<td>61</td>
<td>15</td>
<td>15</td>
<td>15</td>
<td>10.5</td>
<td>N/A</td>
</tr>
<tr>
<td>RME</td>
<td>All Permitted Uses</td>
<td>10</td>
<td>40%</td>
<td>200</td>
<td>60</td>
<td>60</td>
<td>60</td>
<td>N/A</td>
<td>(6)</td>
</tr>
<tr>
<td>RC</td>
<td>All Permitted Uses</td>
<td>0.8</td>
<td>15%</td>
<td>75</td>
<td>15</td>
<td>15</td>
<td>15</td>
<td>10.5</td>
<td>(7)</td>
</tr>
<tr>
<td>RMC</td>
<td>All Permitted Uses</td>
<td>0.4</td>
<td>50%</td>
<td>60</td>
<td>10.5</td>
<td>7.5</td>
<td>10.5</td>
<td>10.5</td>
<td>(8)</td>
</tr>
<tr>
<td>RN</td>
<td>All Permitted Uses</td>
<td>0.4</td>
<td>15%</td>
<td>60</td>
<td>15</td>
<td>7.5</td>
<td>15</td>
<td>10.5</td>
<td>N/A</td>
</tr>
</tbody>
</table>
Special Provisions for Table 10B (Non-Residential Uses and Regulations):

1) A commercial agriculture use shall not be located closer than 30m to any lot line or inflowing watercourse to Trout Lake or Lake Nipissing, or closer than 90m to any existing dwelling unit on an adjoining lot or to any rural or urban residential zone.

2) Only 10% of the lot coverage may be taken up by buildings or other structures that are not solar energy producing structures.

3) 250m shall be the setback from any dwelling unit or lot line per wind turbine that is part of the wind farm.

4) 10% lot coverage includes the main building as well as all accessory structures, porches, and covered decks.

5) If the lot has a shoreline on another side besides the front yard then the setback shall always be 30m from the shoreline.

6) A strip of land at least 7.5m in width along the property line shall be adequately landscaped to create a buffer zone.

7) Limited outside storage is permitted in the front yard only for the purpose of displaying goods for sale by the owner, excluding a flea market.

8) Outside storage shall be permitted only for the purpose of storing or parking watercraft and associated trailers, provided that the area used for storage is adequately screened and does not impact the visual amenities of the surrounding area.
Table 10C – Permitted Residential Uses and Regulations Table:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
<th>Minimum Lot Area (ha)</th>
<th>Maximum Lot Coverage</th>
<th>Frontage (m)</th>
<th>Front Yard Setback (m)</th>
<th>Side Yard Setback (m)</th>
<th>Rear Yard Setback (m)</th>
<th>Maximum Height (m)</th>
<th>Other Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Single Detached Dwelling</td>
<td>2</td>
<td>30%</td>
<td>60(1)</td>
<td>15</td>
<td>7.5</td>
<td>15</td>
<td>10.5</td>
<td>N/A</td>
</tr>
<tr>
<td>A</td>
<td>Single Detached Dwelling – Infilling</td>
<td>0.4</td>
<td>30%</td>
<td>60(1)</td>
<td>15</td>
<td>7.5</td>
<td>15</td>
<td>10.5</td>
<td>N/A</td>
</tr>
<tr>
<td>A</td>
<td>Single Detached Dwelling – Lots of Record</td>
<td>0.15</td>
<td>30%</td>
<td>30(1)</td>
<td>15</td>
<td>7.5</td>
<td>15</td>
<td>10.5</td>
<td>N/A</td>
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<tr>
<td>A</td>
<td>Single Detached Dwelling – Trout Lake Shoreline</td>
<td>0.4</td>
<td>10%(2)</td>
<td>60(1)</td>
<td>30</td>
<td>6</td>
<td>12</td>
<td>10.5</td>
<td>(3)</td>
</tr>
<tr>
<td>RRL</td>
<td>Single Detached Dwelling</td>
<td>0.4</td>
<td>10%(2)</td>
<td>60(1)</td>
<td>30</td>
<td>6(4)</td>
<td>12(4)</td>
<td>10.5</td>
<td>(3)</td>
</tr>
<tr>
<td>RRL</td>
<td>Bed and Breakfast</td>
<td>0.4</td>
<td>10%(2)</td>
<td>60(1)</td>
<td>30</td>
<td>6(4)</td>
<td>12(4)</td>
<td>10.5</td>
<td>N/A</td>
</tr>
<tr>
<td>RRE</td>
<td>Single Detached Dwelling</td>
<td>1.2</td>
<td>5%</td>
<td>60</td>
<td>15</td>
<td>15</td>
<td>15</td>
<td>10.5</td>
<td>N/A</td>
</tr>
<tr>
<td>RRE</td>
<td>Bed and Breakfast</td>
<td>1.2</td>
<td>5%</td>
<td>60</td>
<td>15</td>
<td>15</td>
<td>15</td>
<td>10.5</td>
<td>N/A</td>
</tr>
<tr>
<td>RC</td>
<td>Accessory Dwelling Unit</td>
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<td>(5)</td>
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<tr>
<td>RC</td>
<td>Bed and Breakfast</td>
<td>0.8</td>
<td>15%</td>
<td>75</td>
<td>15</td>
<td>15</td>
<td>15</td>
<td>10.5</td>
<td>(5)</td>
</tr>
<tr>
<td>RMC</td>
<td>Accessory Dwelling Unit</td>
<td>0.4</td>
<td>50%</td>
<td>60</td>
<td>10.5</td>
<td>7.5</td>
<td>10.5</td>
<td>10.5</td>
<td>(6)</td>
</tr>
<tr>
<td>RN</td>
<td>Accessory Dwelling Unit</td>
<td>0.4</td>
<td>15%</td>
<td>60</td>
<td>15</td>
<td>7.5</td>
<td>15</td>
<td>10.5</td>
<td>(5)</td>
</tr>
</tbody>
</table>
Special Provisions for Table 10C (Residential Uses and Regulations Table):

1) For lots fronting on Trout Lake or lands with frontage on a major watercourse flowing into Trout Lake, as identified on Schedule E of this By-law, a vegetative buffer zone shall be maintained within 15m of the boundaries of the water’s edge of Trout Lake. This shall be done in a way to minimize impact on the waterbody from adjacent uses and maintain the natural characteristic of the shoreline as much as possible and shall be to the satisfaction of the municipality.

2) 10% lot coverage includes the main building as well as all accessory structures, however does not include any part of the sewage disposal system.

3) Pursuant to the Planning Act no person shall have a building or structure, unless it contains no openings to the building or structure, such as a door, window, vent, passageway or any other opening, below the Canadian Geodetic Datum elevation of 202.69m.

4) If the lot has a shoreline on another side besides the front yard then the setback shall always be 30m from the shoreline.

5) A maximum of one accessory dwelling unit may be attached to, or within, the primary building or may be a single detached unit that is for the sole use of an essential worker, caretaker, or the owner/operator.

6) A maximum of one accessory dwelling unit may be located within the main building and shall be permitted for use by an essential worker, caretaker, or owner/operator.
Table 10D – *Accessory Buildings, Structures and Uses*:

<table>
<thead>
<tr>
<th>Accessory Use</th>
<th>A</th>
<th>RRL</th>
<th>RRE</th>
<th>RME</th>
<th>RC</th>
<th>RMC</th>
<th>RN</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Boat House</em></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Building or</em></td>
<td>X(3)</td>
<td>X(4)</td>
<td>X(3)</td>
<td>X</td>
<td>X</td>
<td>X(1)</td>
<td></td>
</tr>
<tr>
<td><em>Structure</em></td>
<td>(4)</td>
<td>(5)</td>
<td>(4)(5)</td>
<td></td>
<td></td>
<td>(2)</td>
<td></td>
</tr>
<tr>
<td><em>Home Based</em></td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X(3)</td>
<td>X(6)</td>
</tr>
<tr>
<td><em>Business</em></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X(3)</td>
</tr>
<tr>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>(7)(8)</td>
</tr>
</tbody>
</table>

Special Provisions for Table 10D (*Accessory Buildings, Structures and Uses*):

1) No *boat house* shall exceed 1 *storey* in height and it may be built on the *front lot line*.
2) No *boat house* shall exceed 10m in width or 30% of the frontage of the property in width, whichever is the lesser.
3) No *accessory building* or *structure* may exceed 6m in height.
4) No *accessory building* shall be built closer than 3m to any side or rear lot line. [amended by By-law 2016-25]
5) No *accessory building* may be built closer than 3m to any *single detached dwelling*.
6) No *accessory building* shall be located closer than 7.5m to the *main building*.
7) No *accessory building* shall be built closer than 3m to any *side lot line*.
8) No *accessory building* shall be located closer than 3m to the *main building*.
9) An *accessory building* is permitted within the front yard provided it complies with the front yard setback of the main use.