

Township of Chapleau

Zoning By-Law 2013-11

Approved by the Ontario Municipal Board

September 9, 2014



Preamble

The Township of Chapleau Zoning By-law comprises 13 sections, all of which are briefly discussed in this section. Further, this Section provides a general description of how each Section of the By-law should be used. This Section is provided for information purposes only and does not form part of the By-law.

1.1 SECTIONS OF THE BY-LAW

The Zoning By-law comprises the following Sections:

- › **Section 1.0 – General:** Addresses legal matters of the By-law, including its name, scope and other matters;
- › **Section 2.0 – Interpretation:** Addresses how the By-law is to be interpreted with respect to the use and meaning of terms, and the interpretation of special use regulations;
- › **Section 3.0 – Administration:** Addresses the administration of the By-law and the relationship of the By-law to issuance of building permits, certificates of occupancy and other administrative or legal matters;
- › **Section 4.0 – Definitions:** The Zoning By-law is a legal document, and as such, it must be clear and easily interpreted in order to be effective. Section 4.0 provides the definitions for terms and uses identified within this By-law. In some cases, the definition of a term may be technical in nature, and as such, understanding the definitions is critical to ensuring conformity with the Zoning By-law. For some technical or complex definitions, a diagram may be provided to help clarify the meaning of a term, for illustration purposes only. Where a definition for a term is provided in Section 4.0, the term is *italicized* in the text of the By-law;
- › **Section 5.0 – Zones and Zoning Maps:** Establishes the zones, zone symbols and the zoning maps (Schedule A). Section 4.0 also provides provisions regarding the interpretation of the zoning maps, as well as holding (h) zone provisions. For convenience, each zone established in the By-law is given a zone symbol, usually consisting of one or two capitalized letters and possibly a number, and written with no spaces (e.g., R1 is the zone symbol for the Residential Type 1 zone). The zoning maps illustrate the zoning of the Township by assigning zone symbols to delineated areas in the Township. Since there may be some degree of uncertainty regarding the interpretation of the zoning maps (i.e., the exact extent of the zones), Section 5.0 also provides direction on how the zoning maps shall be interpreted;
- › **Section 6.0 – General Provisions:** Contains the provisions that are applicable to all of the zones, and may be applicable to particular uses, buildings or

structures. All forms of development and all changes in land use must comply with all of the applicable general provisions. The general provisions regulate such matters as: general requirements for setbacks, yards, lot frontage, etc.; uses permitted or prohibited in all zones; specific use regulations; requirements for parking, access, driveways, and loading; regulations for accessory uses, buildings and structures; permitted yard encroachments; regulations regarding landscaping and buffering; and regulations regarding development in open spaces and hazard lands;

- › **Sections 7.0-13.0 – Permitted Uses and Zone Regulations:** Each zone identifies the uses that are permitted. The permitted uses are organized in a tabular format for ease of reference and to allow a comparison of the permitted uses across the particular zones. Each of the permitted uses are subject to the applicable Zone Regulations provided in the corresponding section in addition to the General Provisions and the site specific qualifications provided in Section 6.0, where applicable;

Each zone may also include a number of exception zones, which are listed following the lot and building regulations for each zone. Exception zones are usually applied to a single property, but may be applicable to more than one property. Exception zones may provide specific regulations, additional permitted uses, or a restricted list of permitted uses that apply to all properties that are zoned with the exception. Unless specifically stated in the regulations for each exception zone, the zone regulations that apply to the parent zone, the general provisions (Section 6.0), the list of permitted uses and the applicable zone regulations will still apply to the exception zone; and

- › **Schedule A:** Illustrates the zoning of the Township. The Schedule should be read in conjunction with the text of this Zoning By-law.

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1.0 General

1.2 TITLE

This By-law may be cited as the “Township of Chapleau Zoning By-law.”

1.3 APPLICATION

The provisions of this By-law shall apply to all lands within the boundaries of the Corporation of the Township of Chapleau.

1.4 SCOPE

No lands shall be used and no *buildings* or *structures* shall be *erected*, structurally *altered* or enlarged, or used, within the Township of Chapleau except in conformity with the provisions of this By-law.

1.5 DEEMED TO COMPLY WHERE BUILDING PERMIT ISSUED

Where a building permit has been issued for a building or structure in accordance with the Ontario Building Code, and such building or structure does not comply with this By-law, such building or structure shall be deemed to comply with this By-law.

1.6 REPLACEMENT OF EXISTING BY-LAWS

From the coming into force of this By-law, all previous by-laws passed under Section 34 of the *Planning Act*, or a predecessor thereof, shall be replaced by the provisions of this By-law, except to the extent that any of the said By-laws prohibit the use of any land, building or structure for a purpose that is also prohibited by this By-law.

1.7 APPLICATION OF OTHER BY-LAWS

Nothing in this By-law shall serve to relieve any *person* from the obligation to comply with the requirements of the Ontario Building Code or any other By-law of the Township in force from time to time or the obligation to obtain any license, permit, authority or approval required under any By-law or by the Township or by any other regulation of the Province of Ontario or Government of Canada.

1.8 GREATER RESTRICTIONS OF OTHERS TO GOVERN

Nothing in this By-law shall reduce the severity of restrictions lawfully imposed by a governmental authority having jurisdiction to make such restriction.

1.9 VALIDITY AND SEVERABILITY

Should any Section, clause or provision of this By-law, including any part of the zones as shown on Schedule A, be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.

1.10 EFFECTIVE DATE

This By-law shall come into force on the date of passage by the Council of the Township of Chapleau.

2.0 Interpretation

2.1 GENERAL

- (a) Minimum Requirements: In interpreting and applying the provisions of this By-law, the said provisions are held to be the minimum requirements for the promotion of the health, safety, comfort, convenience, and general welfare of the inhabitants of the Township.
- (b) Except for those specifically stated as being maximum, any numerical figures in this By-law shall be the minimum requirements.
- (c) Meaning of Use: Unless the context otherwise requires, the expression "use" (as a verb) or "to use" in this By-law, shall include 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, acting for or with the knowledge or consent of such owner or occupant, for the purpose of making use of the said land, *building* or *structure*.
- (d) Meaning of 'Shall': In this By-law, the word 'shall' will always be construed as mandatory.
- (e) Meaning of 'Building' or 'Structure': A 'building' or 'structure' as defined herein shall include any part thereof.
- (f) Number and Gender: In this By-law, words importing the singular number or the masculine gender only shall include more persons, parties, or things of the same kind than one, and females as well as males, and the converse, unless a contrary intention appears.

2.2 SPECIAL USE REGULATIONS FOR DEFINED AREAS

To each defined area within any zone, special use regulations established by this By-law may be applied with respect to such defined area and, in addition to such special regulations, all provisions of this By-law, including the general regulations applicable to the zone within which the defined area is located, shall apply to the defined area provided that, unless a contrary intention appears from the special use regulations:

- (a) If the special use regulations are different from the corresponding regulations of this By-law, including the general regulations applicable to the zone within which the defined area is located, the special regulations shall supersede and prevail over such corresponding regulations of this By-law.

2.0 INTERPRETATION

- (b) If the special use regulations establish one or more specifically permitted uses for the defined area, such permitted use or uses shall be the only purpose or purposes for which the defined area may be used, unless otherwise specified.
- (c) If the special use regulations specifically permit one or more uses in addition to those otherwise permitted in the zone within which the defined area is located, any and all of the other special use regulations applicable to the defined areas shall apply only to the additional permitted use or uses, and not to uses otherwise permitted in the zone, unless otherwise specified.

3.0 Administration

3.1 ADMINISTRATION

This By-law shall be administered by the *By-law Enforcement Officer*, or any other *person* as the *Council* designates.

3.2 LICENSES AND PERMITS

No municipal license or permit shall be issued where the said license or permit is required for a proposed use of land or a proposed *erection*, enlargement or use of any *building* or *structure* that is in violation of any of the provisions of this By-law.

3.3 BUILDINGS TO BE MOVED

No *building*, residential or otherwise, shall be moved within the limits of the Township or shall be moved into the Township from outside, without a permit from the *Chief Building Official*.

3.4 CERTIFICATES OF OCCUPANCY

No *building* or *structure* which has been *erected* or *altered* is to be used or changed in use, in whole or in part, until a Certificate of Occupancy has been issued by the *Chief Building Official* stating that the proposed *use* and *occupancy* of such land, *building*, or *structure*, complies with the provisions of this By-law.

3.5 BUILDING PERMITS

In addition to fulfilling the requirements of any By-law enacted pursuant to Section 34 of the *Planning Act*, no *person* shall commence to *use* any lands to *erect*, *occupy*, *alter*, enlarge or *use* any *buildings* or *structures* until a building permit has been applied for and received from the *Chief Building Official*.

3.6 APPLICATION FOR CERTIFICATE OF OCCUPANCY AND BUILDING PERMIT

A Certificate of Occupancy shall be applied for simultaneously with every application for a building permit. Unless deemed unnecessary by the *Chief Building Official*, such application shall be accompanied by a plan in duplicate, drawn to scale, in metric, and based on a survey by a Registered Ontario Land Surveyor showing and containing:

- (a) the true shape and dimensions of the *lot* to be built upon or otherwise developed;

3.0 ADMINISTRATION

- (b) the proposed location, *grade*, *height* and dimensions of any *buildings*, *structures*, *use* or work proposed for the *lot*;
- (c) the locations and dimensions of all *yards*, *setbacks*, *grade* elevation, landscaping, off-street *parking spaces* or off-street loading facilities required by this By-law;
- (d) the location on the *lot* of every *building* thereon;
- (e) a detailed drawing of each *building* and *structure* indicating the type of material to be used; and
- (f) a statement, signed by the owner or his agent duly authorized thereunto in writing, disclosing the exact *use* proposed for each *building* and giving all information necessary to determine whether or not such *building* and the proposed *use* thereof conforms with requirements of this By-law.

The lack of a survey or a mistake does not relieve any *person* from liability for not complying with the requirements of this By-law. The responsibility is not upon the Township, whose rights are preserved even in the case of a mistake of its own official.

3.7 INSPECTION OF PREMISES

The *Chief Building Official*, the *By-law Enforcement Officer* or any employee of the Township so directed may, at any reasonable hour, enter and inspect a property or premises where there is reason to believe that any land has been used or any *building* or *structure* has been *erected*, structurally *altered* or enlarged, or used, in violation of any of the provisions of this By-law.

3.8 INJUNCTION

In case the whole or any part of any *building* or *structure* is, or is to be, used, *erected*, structurally *altered*, enlarged or extended or the whole or any part of any lot is, or is to be, used, in contravention of this By-law, such contravention may be restrained by action at the instance of the Township or of any ratepayer pursuant to the provisions of all applicable statutes and regulations in force at the time of the contravention.

3.9 VIOLATIONS AND PENALTIES

Any *person* guilty of an offence and convicted of a breach of any of the provisions of this By-law shall be liable to a fine not to exceed the maximum amount stipulated in the *Planning Act*, exclusive of costs, for each offence, and every such penalty shall be recoverable under the *Provincial Offences Act*.

Pursuant to Section 67 of the *Planning Act*, any *person* who contravenes this By-law is guilty of an offence and on conviction is liable:

- a) on a first conviction to a fine not more than \$25,000; and
- b) on a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which the *person* was first convicted.

Pursuant to Section 67 of the *Planning Act*, where a corporation is convicted for contravening this By-law, the maximum penalty that may be imposed is:

- a) on a first conviction to a fine not more than \$50,000; and
- b) on a subsequent conviction to a fine of not more than \$25,000 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.

4.0 Definitions

In this By-law,

1. ABATTOIR – shall mean a *building* or *structure*, or part thereof used for the slaughtering and processing of animals.
2. ACCESSORY or ACCESSORY USE, BUILDING or STRUCTURE – when used to describe a *use, building* or *structure*, shall mean a *use, a building* or a *structure* that is normally incidental, subordinate, and exclusively devoted to a main *use, building* or *structure* and that is located on the same *lot* therewith, and includes but is not limited to a detached *garage* or *carport*, a *firewood shed*, and a swimming pool, but does not include a *dwelling unit*.
3. ADULT ENTERTAINMENT ESTABLISHMENT – shall mean any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations. For the purpose of this paragraph, the following shall apply:
 - (a) Provided shall mean furnished, performed, solicited or given such services;
 - (b) Services shall mean activities, facilities, performances, exhibitions, viewings and encounters; and
 - (c) Services appealing to or designed to appeal to erotic or sexual appetites or inclinations shall mean services of which a principal feature or characteristic is the nudity or partial nudity of any *person* or 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, and includes an adult video store.
4. ADULT VIDEO STORE – shall mean an establishment having, as a substantial or significant portion of its stock-in trade, videos which are distinguished or related to specified sexual activities or specified anatomical areas, or an establishment with a segment or section devoted to the sale or display of such material.
5. AGRICULTURAL USE – shall mean the cultivation of land, the production of crops and the selling of such produce on the premises, and the breeding and care of *livestock* and the selling of such *livestock* or the product of such *livestock* raised on the premises, and without limiting the generality of the foregoing includes aviaries, apiaries, fish farming, animal husbandry, the

raising of birds, fish and fur bearing animals, horses, riding stables, horse training tracks, agricultural research stations and the raising and harvesting of field, bush, or tree crops, market gardening, nurseries, and *greenhouses*. However, agricultural use does not include facilities for the permanent or temporary housing of persons employed on the *lot*.

6. **AGRICULTURAL COMMERCIAL and/or INDUSTRIAL ESTABLISHMENT** – shall mean the use of land and/or *buildings* or *structures* for the manufacturing and wholesale and/or retail sales of goods that are necessary to support *agricultural uses*. These include, but are not limited to, such goods as farm machinery and equipment used for the tillage of soil, the planting, spraying, harvesting, transporting, treatment, processing and storage of grain, forage, feed, or forest products, products used for the housing and husbandry of *livestock*, poultry and fur-bearing animals, the storage, handling and processing of milk, eggs, and manure and the manufacture of subsurface drainage materials and equipment including plastic farm drainage tile and sites for the packing and bailing of agricultural waste into blocks.
7. **AGRICULTURAL PROCESSING ESTABLISHMENT** – shall mean the use of land and/or *buildings* or *structures* for the processing of products derived from *agricultural uses*. These shall include, but are not limited to, such products as seed grain, feed and forage processing, storage and transport, fruit and vegetable storage and treatment, *livestock* and poultry assembly, sales and transport, a cheese factory, an egg grading station, a saw mill, and excludes an *abattoir* and a commercial grain elevator and drying establishment. *Accessory* uses such as office uses and the packaging, packing and shipping of the products are also permitted.

The waste material that is allowed to be used in the processing of the animal feed is restricted to the following waste sources only:

- (a) Food waste from food processing plants;
- (b) Food waste from restaurants, hospitals or other similar facilities;
- (c) Forage crops, forage silage, grain crops and grain silage; and
- (d) Under no circumstances shall the foregoing permitted wastes be interpreted to include sewage, sludge or dead animals.

In addition to the above-noted waste sources, other products that may be used in the production of the animal feed include soy bean meal, vitamins, minerals and other similar products but specifically does not include any type of

4.0 DEFINITIONS

manure. Also, for the purposes of this definition, the processing of food waste does not, in any way, include composting.

8. AGRICULTURAL SERVICE AND SUPPLY ESTABLISHMENT – shall mean premises used for the buying, supply or selling of goods, materials or services that support *agricultural uses*, including the sale and storage of seed, feed, fertilizer and chemical products, the rental, sale, repair or service of agricultural equipment or implements, sales and service of welding and machinery repair, a farm equipment sales and service establishment, farm fuel sales, farm drainage and excavation, well drilling, custom spraying, tillage, planting and harvesting services, or any combination of the foregoing.
9. AISLE – shall mean the area used by motor vehicles for access to and from all off-street *parking spaces*, but does not include an access *driveway*.
10. ALTER – when used in reference to a *building, structure* or part thereof, shall mean to change any one or more of the internal or external dimensions of such *building* or *structure* or to change the type of construction of the exterior walls or roof thereof. when used in reference to a *lot*, the word alter means to increase or decrease the width, depth or area thereof or to increase or decrease the width, depth of area of any required *yard, setback, landscaped open space* or *parking area*, or to change the location of any boundary of such *lot* with respect to a *street*, whether such alteration is made by conveyance or alienation of any portion of said *lot*, or otherwise.
11. AMUSEMENT PARK – shall mean a commercial recreational establishment with or without permanent *buildings* or *structures* where rides, games of chance and the sale of food, beverages, toys and souvenirs constitute the main use.
12. ANIMAL CLINIC – shall mean a *building* or *structure* under the control and supervision of a qualified veterinarian where the animals or birds are given medical treatment but has no outdoor kennels, but does permit a veterinarian office.
13. ANIMAL SHELTER – shall mean land and *buildings* used for the care of lost, abandoned or neglected animals and operated by a *public authority* or by a non-profit private organization.
14. ASSEMBLY HALL – shall mean a *building* or part of a *building* in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social activities and may include a banquet hall or *private club*.

15. **ATTACHED** – when used in reference to a *building*, shall mean a *building* otherwise complete in itself which depends for structural support or for complete enclosure upon an above *grade* division wall or division wall shared in common with adjacent *building* or *buildings*.
16. **AUCTION ESTABLISHMENT** – shall mean a *building* or part thereof used for the retail sale of articles or goods by way of public auction, and may include the auctioning of motor vehicles on an incidental basis only.
17. **AUTOMOBILE RENTAL ESTABLISHMENT** – shall mean premises where *vehicles* are stored and rented to the public.
18. **AUTOMOBILE REPAIR ESTABLISHMENT** – shall mean an establishment for the repair or the replacement of parts in a motor vehicle and, without limiting the generality, of the foregoing, includes the repair, replacement or reconditioning of mufflers, exhaust systems, shock absorbers, transmissions, gears, brakes, clutch assemblies, steering assemblies, radiators, heating or cooling systems, ignition systems, electrical systems, the installation of undercoating, engine turning, lubrication and engine conversion or replacement, a vehicle body repair shop, but does not include an automobile *impounding yard*, or an *automobile service station*.
19. **AUTOMOBILE SALES AND SERVICE ESTABLISHMENT** – shall mean premises where new and used vehicles are stored or displayed for the purpose of sale, lease or hire and shall include the storage and sale of automotive accessories together with the repair and service of vehicles. For the purpose of this definition, *vehicles* shall not include motorized construction equipment, farm equipment, truck bodies, truck tractors, or tractor trailers.
20. **AUTOMOBILE SERVICE STATION** – shall mean a *building* or place where gasoline or other motor fuels are kept for sale and for delivery directly into motor vehicles, and may also include a *building* or place where minor running repairs, cleaning and maintenance essential to the actual operation of motor vehicles and the sale to the motoring public of goods usual to the trade are performed, and may also include an *automobile washing establishment* and the retail sale of convenience items as an *accessory use*.
21. **AUTOMOBILE WASHING ESTABLISHMENT**– shall mean a *building* or *structure*, or part thereof, containing facilities for washing, cleaning or drying motor vehicles by production line methods which may include a conveyor system, or similar mechanical devices and also includes a self-service car wash.

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22. BAKERY, COMMERCIAL – shall mean a *building* for producing, mixing, compounding or baking bread, biscuits, cakes or other baked products, but does not include a *bake shop* or *eating establishment*.
23. BAKE SHOP – shall mean a shop where products of a bakery are sold or offered for sale by retail, and shall also include incidental baking of products for retail sale on the premises to a maximum *gross floor area* of 500m².
24. BALCONY, DECK or PATIO – shall mean a platform made of wood, concrete or other similar material, open to the sky, and intended for the purpose of outdoor dining, lounging and other similar *accessory* residential, commercial, industrial or recreational uses.
25. BASEMENT – shall mean one or more *storeys* of a *building* located below the *first storey*.
26. BATCHING OR RECYCLING PLANT, CONCRETE OR ASPHALT – an industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction and includes facilities for administration or management of the business, the stockpiling of bulk materials used in the productions process or of finished products manufactured on the premises and the storage and maintenance of required equipment, and shall also include the processing of aggregate material through a crushing and sorting operation, but does not include the retail sale of finished asphalt or concrete products.
27. BED AND BREAKFAST ESTABLISHMENT – shall mean a *single detached dwelling* in which no more than three rooms are made available by the residents of the said dwelling for the temporary accommodation of travelers in the course of which no assistance is offered by any person not residing in the dwelling. This does not include a *hotel*, *motel*, boarding or lodging house, or *eating establishment*, as defined herein.
28. BERM – shall mean a landscaped mound of earth.
29. BOAT HOUSE – shall mean a *building* or *structure* intended to house, shelter, or protect a boat or other form of water transportation. When constructed in association with a residential *dwelling*, a boat house shall be deemed an *accessory building*.
30. BOARDING HOUSE – a building or portion thereof, other than a hotel, in which lodging with or without meals is supplied for gain to three or more persons, other than the owner, lessee, or tenant of the building and members of his immediate family.

31. BREWER'S RETAIL OUTLET – A manufacturer's representative that sells alcoholic products and is licensed under the Alcohol and Gaming Commission of Ontario.
32. BUFFER STRIP – shall mean an area used for no other purpose than for the *erection* of a solid *fence*, *berm* or the planting and maintaining of a continuous unpierced hedgerow of natural shrubs which will provide a year round visual landscaping and the planting of ornamental shrubs, flowering shrubs, flowerbeds, or a combination thereof.
33. BUILDING – shall include any *structure* greater than 10.0m², whether temporary or permanent, used or intended for sheltering any use or occupancy but shall not include a *fence*, *mobile home*, travel trailer, camping trailer, truck camper, motor home or tent.
34. BUILDING AREA – the total horizontal area of a building calculated by perpendicular projection onto a horizontal plane. This definition shall not include:
- a) Sills, belt courses, cornices, eaves, gutters, parapets, pilasters, or similar ornamental structures unless such structure projects more than 1 (one) metre horizontally from an exterior wall of the building; or
 - b) Unenclosed porches, balconies or steps unless such structure projects more than 2 metres horizontally from an exterior wall of the building.
35. BUILDING BY-LAW – any by-law of the Corporation passed pursuant to the *Building Code Act*.
36. BUILDING INSPECTOR – the officer or employee of the Township of Chapleau for the time being charged with duty of enforcing the provisions of *The Building By-Law*.
37. BUILDING LINE, ESTABLISHED – the average distance from the street line to the main wall of an existing building in any block where more than half of the lots have been built upon.
38. BUILDING, MAIN – shall mean the *building* or *structure* in which is conducted the principal use of the lot on which it is situated. For clarity, a *single detached dwelling accessory* to an *agricultural use* is a main building for the purpose of this definition.

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39. BUILDING SUPPLY OUTLET – shall mean a premise used for milling, storage, and wholesale sales of a broad range of building materials and which may include a retail operation.
40. BULK STORAGE TANK – a tank for the bulk storage of petroleum, gasoline, diesel or other fuels, oil, gas, propane or flammable liquid or fluid but shall not include a storage tank which is accessory to another use on the lot where such tank is located.
41. BUS TERMINAL – shall mean any premises for the transient housing or *parking* of buses and the loading and unloading of passengers.
42. BUSINESS OFFICE – a building or part of a building where one or more persons are employed in administering, directing, managing, or conducting business affairs. This definition shall not include any manufacturing operation or any premises used for repairing equipment, goods, materials or vehicles.
43. BY-LAW ENFORCEMENT OFFICER – shall mean the employee of the Township responsible for enforcing the By-laws.
44. CALL CENTRE – shall mean a *building* or part of a *building* in which people are employed to provide product information services and direct sales to the public by way of telephone, internet, fax, video and mail.
45. CAMPGROUND – shall mean a parcel of land used or maintained as an overnight tenting or camping area, where people are temporarily accommodated in tents, *trailers* or similar facilities, whether or not a fee or charge is paid for the rental thereof, but does not include a *mobile home* or a *mobile home park*.
46. CANOPY, WEATHER – shall mean a permanent, unenclosed roof *structure* erected for the purpose of sheltering motor vehicle fuel pumps and dispenser islands from the weather.
47. CARPORT – shall mean an unenclosed, roofed *structure* with less than 60% of the total perimeter enclosed by walls, doors or windows attached to a wall of a *building* and *used* for the storage or parking of motor vehicles.
48. CAR SHELTER, TEMPORARY – shall mean a movable, unenclosed *structure*, which shall only cover a small portion of an existing *driveway* necessary to house one vehicle, and not be comprised of windows, doors, or rigid materials, and shall only be permitted during the months of October

through to April for the temporary storage or parking of motorized *vehicles* or equipment.

49. CAR WASH – see Automobile Washing Establishment.
50. CELLAR – shall mean that portion of a *building* which is partly or wholly underground and which has more than one-half of its *height*, from floor to ceiling, below adjacent finished *grade*.
51. CEMETERY – shall mean a place for the burial of the dead and shall include such things as mausoleums, crematoria and other *buildings* required for internment or any other cemetery-related purpose.
52. CHIEF BUILDING OFFICIAL – shall mean a Chief Building Official appointed or constituted under the *Building Code Act*.
53. CHIP STAND/CHIP WAGON – shall mean an immobile *vehicle*, either mounted on blocks or supported by a conventional wheel, tire and axle system or a structure not more than 9.20m², which shall not contain or occupy an area for consuming food other than a picnic table, which shall be only operated during the months of May through to September, and shall only be located on lands in conjunction with a Corridor Commercial use as defined in that particular zone from which only french fried potatoes, hamburgers, hot dogs, popcorn, potato chips, and non-alcoholic beverages may be sold to the public;
54. CLUB – shall mean a *building* or part thereof used exclusively by an associate of persons who are bona fide members and their guests for social, cultural, recreational or athletic purposes.
55. CLUB, PRIVATE – a building or any part of a building used as a meeting place for members of an organization not operated for profit or of an athletic, social or recreational club not operated for profit.
56. COMMERCIAL KENNEL – an establishment where dogs, cats or other small domestic animals or household pets are bred or raised primarily for the purpose of sale, or are trained or boarded for gain of profit.
57. COMMERCIAL OUTDOOR RECREATION FACILITY – shall mean an outdoor facility or facilities which may include, but not necessarily be restricted to a water slide, a commercial outdoor swimming pool, a wave pool, a baseball batting cage or a paddleboat or bumper-boat pool, and a mini golf course, but shall not include a *golf course*, go-kart track, a ski club or any other use as otherwise defined or listed herein.

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58. COMMERCIAL SCHOOL – a school conducted for hire or gain such as a studio of dancing, art school, drama school, school of calisthenics, business or trade school or any other specialized school but shall not include a private academic, religious or philanthropic school.
59. COMMERCIAL STORAGE UNIT – see *public storage*.
60. COMMERCIAL USE – shall mean the use of land or *buildings* for the purposes of offices, the retail buying or selling of commodities, or both, and the supply of services.
61. COMMUNITY CENTRE – shall mean a public *building* and associated lands used for community recreation or social activities, meetings or other leisure activities and not used for commercial purposes, and the control of which is vested in the Township, a non-profit organization, a local board or agent thereof.
62. COMPOSTING OPERATION – shall mean an open windrow waste processing facility in which leaf and yard waste is processed into compost through an aerobic biological process, conducted under controlled, engineered conditions designed to produce stabilized humus.
63. CONDOMINIUM – shall mean a *building* or *buildings* in which each individual unit is held in separate private ownership and all floor space, facilities and outdoor areas used in common by all tenants are owned, administered and maintained by a corporation created pursuant to the provisions of the *Condominium Act*.
64. CONSENT – shall mean the approval to the severance of the land pursuant to the provisions of the section 50 of the *Planning Act*.
65. CONSERVATION AREA – shall mean an area within which work is undertaken by a Ministry of Natural Resources pursuant to the provisions of the *Conservations Authorities Act*.
66. CONTRACTOR’S YARD – shall mean any land, *building* or *structure* used for the purpose of storing contracting or construction equipment and material or performing shop work or assembly work by any building trade or other contractor, and shall include facilities for the administration or management of the contracting business.
67. CONVENIENCE STORE – a retail commercial establishment supplying groceries and other daily household necessities to the residents of the immediate surrounding area.

68. COUNCIL – shall mean the Council of the Corporation of the Township of Chapleau.
69. COVERAGE – that percentage of land or lot area covered by buildings above ground level and shall not include that portion of such land or lot area which is occupied by a building or portion thereof which is completely below ground level.
70. CRAFT SHOP – a building or part of a building where crafts, souvenirs and other similar items are offered or kept for sale at retail to the general public but shall not include any other establishment otherwise defined or classified herein.
71. CREMATORIUM AND COLUMBARIUM – a building fitted with the proper appliances for the purpose of cremation of human remains and the storage of the ashes of human remains within the meaning of *the cemeteries act*, as amended.
72. CULTURAL FACILITY – any *building*, room or area and designed or utilized primarily for the presentation to the general public or live theatre, dance performances, musical concerts, cinema, lectures, exhibits of various art forms or exhibits of cultural, academic or scientific material which are not characterized by their emphasis on the description or depiction of specified anatomical areas or specified sexual activities, and without limiting the scope of the foregoing definition, shall include art galleries, museums, libraries and exhibition halls.
73. DAY CARE CENTRE – means a day nursery as defined in the *Day Nurseries Act*.
74. DENSITY, GROSS – shall mean the ratio of *dwelling units* to the *lot area*.
75. DENTIST – a person registered to practice dentistry as defined in *The Health Disciplines Act*, as amended.
76. DERELICT VEHICLE - shall mean an inoperative *vehicle* which is not currently licensed.
77. DETACHED – shall mean not *attached*.
78. DEVELOPMENT – means the creation of a new *lot*, a change in land *use*, or the construction of *buildings* and *structures*, requiring approval under the *Planning Act*, but does not include:

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- (a) activities that create or maintain infrastructure authorized under an environmental assessment process;
- (b) works subject to the *Drainage Act*; or
- (c) for the purposes of policy 2.1.3(b) of the Provincial Policy Statement (2005), underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 2.1.4(a) of the Provincial Policy Statement (2005).

- 79. DOCK – shall mean a structure built at or anchored to the shore at which boats or other floating vessels are berthed or secured to and which may provide a foundation for a boathouse or other accessory structure.
- 80. DRIVEWAY – shall mean that portion of a *lot* used to provide vehicular access from a roadway to an off street parking or loading area located on the same *lot*.
- 81. DRUGLESS PRACTITIONER - shall mean a person registered as a drugless practitioner under the *Drugless Practitioners Act*, R.S.O. 1980, c. 127, as amended.
- 82. DRY CLEANING DEPOT – shall mean a *building* or part of a *building* used for the purpose of receiving articles or goods of fabric to be subjected elsewhere to a process of cleaning or dyeing, including transport to a *dry cleaning establishment*. A dry cleaning depot may also be used for the pressing and/or distributing any articles or goods of fabric which have received therein, but shall not include the on-site use of chemicals normally used in dyeing or dry cleaning processes.
- 83. DRY CLEANING ESTABLISHMENT – shall mean a *building* used for the purpose of receiving articles of clothing to be subjected to the process of dry cleaning, dry dyeing or cleaning elsewhere on the premises if the processing element is restricted to closed, unvented dry cleaning equipment, and for the pressing and/or distribution of any such articles or goods which have been subjected to any such process.
- 84. DWELLING – shall mean a *building* or part of a *building*, occupied, or designed to be occupied but currently vacant, exclusively as a home, residence or sleeping place by one (1) or more *persons*, but shall not include *hotels*, boarding, lodging, or rooming houses, tourist homes, nursing homes, *motels*, institutions, travel *trailers* or *mobile homes*.

85. DWELLING, APARTMENT – shall mean the whole of a structure that contains three or more *dwelling units* which units have a common entrance from street level and are served by a common corridor, and the occupants of such units have the right to use in common the corridors, stairs, elevators, yards or one or more of them. ..
86. DWELLING, CONVERTED – shall mean a *building* converted into one or more *dwelling units* from a *building* originally constructed or used for *non-residential* purposes.
87. DWELLING, DUPLEX OR DUPLEX – shall mean a dwelling with two dwelling units designed to accommodate two separate groups of individuals, regardless of whether the individuals within the groups are related or unrelated. Each dwelling unit shall be divided by a horizontal common wall to only one other dwelling unit with separate entrances on one lot.
88. DWELLING, FOURPLEX – two attached duplex dwelling houses having a common masonry wall above finished grade dividing the pair of duplex dwellings vertically, each of which has an independent entrance directly from the outside or through a common vestibule.
89. DWELLING, GROUP HOME – shall mean a licensed or approved or federally or provincially-funded single housekeeping unit in a *single detached dwelling* in which three to ten residents (excluding staff), by reason of their emotional, mental, social or physical condition or legal status are required to live as a unit under responsible supervision.
90. DWELLING, SEASONAL – shall mean a *single detached dwelling* that is not intended to permit winter occupancy or modified for year-round use.
91. DWELLING, SEASONAL FARM – shall mean a *dwelling unit* that is used for not more than eight months in any given year for the housing of seasonal farm labour and their families and may include a *mobile home*.
92. DWELLING, SEMI-DETACHED – shall mean a *dwelling* attached by a vertical common wall to only one other semi-detached dwelling and each semi-detached dwelling shall be on a separate *lot*.
93. DWELLING, SINGLE DETACHED – shall mean a *dwelling* designed as one *dwelling unit* with all parts of the building being accessible to and from all other parts of the building.
94. DWELLING, TOWNHOUSE OR ROWHOUSE – shall mean a *dwelling* attached by a common wall to one or more other townhouse dwellings and

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each townhouse dwelling shall be on a separate *lot*, unless otherwise arranged through a plan of condominium.

95. DWELLING, TRIPLEX OR TRIPLEX – shall mean a *dwelling* containing three *dwelling units*, each having an independent entrance to the outside and separated from the adjoining unit or units by a horizontal common wall.
96. DWELLING UNIT – shall mean one or more *habitable rooms* which functions an independent and separate housekeeping unit in which separate kitchen and sanitary facilities are provided for the use of the occupants, with a private entrance from outside the building or from a common hallway or stairway inside the *building*. All parts of a dwelling unit shall be accessible to and from all other parts of the dwelling unit.
97. DWELLING UNIT, ACCESSORY – shall mean a *dwelling unit* which is *accessory* to a *non-residential use*.
98. DWELLING UNIT, BACHELOR – a dwelling unit consisting of one bathroom and not more than one (1) habitable room providing therein living, dining, sleeping and kitchen accommodation.
99. DWELLING UNIT, SECONDARY – shall mean a second *dwelling unit* constructed within an existing *single detached dwelling*, located within the *main dwelling* and designed such that the outward appearance as a single detached dwelling is maintained, except for any alterations which are required by the Ontario Building Code.
100. EATING ESTABLISHMENT – shall mean a *building* or part of a *building* where food is offered for sale or sold to the public for immediate consumption or take-out and includes such uses as a restaurant, café, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar, or *refreshment room* or stand, but does not include a boarding house or lodging house.
101. EATING ESTABLISHMENT, DRIVE-THROUGH – shall mean an *eating establishment* which is also designed to serve patrons while they remain in a motor vehicle.
102. EATING ESTABLISHMENT, TAKE OUT – a building or structure or part thereof where food is prepared and offered for sale to the public to be taken out and/or delivered, for consumption off the premises.
103. ERECT – shall mean to do anything pertaining to the *erection*, building, construction, reconstruction, installation, enlargement, structural alteration or

repair of a *building* or *structure*, and shall include any preliminary physical operations such as excavating, grading, piling, cribbing, filling or draining, the relocation of a *building* or *structure*, the installation of a *building* unit fabricated or removed from elsewhere, and demolition or removal of a *building* or any part thereof, and further includes any work for which a building permit is required. “Erected” and “erection” shall have a corresponding meaning.

104. EXISTING – shall mean currently present or legally existing as of the date of the passing of this By-law.
105. FAIR OR EXHIBITION GROUNDS – shall mean the use of land, or *building*, or *structure* where the temporary exhibition of music, art, goods, wares, vehicles, and the like are displayed and made available for sale and shall include a midway and *amusement park*.
106. FARM - shall mean land used for an *agricultural use*.
107. FARM PRODUCE OUTLET – shall mean a place, with or without permanent *buildings*, where *seasonal produce* may be sold to the general public.
108. FENCE – shall mean any fence, wall (other than the wall of a *building* or *structure*), gate or other barrier which separates or purports to separate lands not under common ownership and which is continuous throughout the entire length where required, save and except where access areas and lines of sight are required to be preserved for traffic safety purposes in accordance with the provisions of any applicable municipal by-law.
109. FINANCIAL INSTITUTION – shall mean an establishment which provides money management services directly to the public, including a bank, trust company, credit union, securities dealer, finance companies and stock brokers.
110. FIREWOOD SHED – shall mean an enclosed *structure* generally less than 10.0m², used to store firewood for a residential use within a residential zone and typically constructed of rigid materials like wood or steel.
111. FITNESS CENTRE – shall mean a *building* or part thereof, in which facilities are provided for recreational athletic activities including, but not limited to, body-building and exercise classes, and shall include associated facilities such as a sauna or solarium, and may include as an *accessory* use one *retail establishment* for the sale of athletic equipment, food or

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refreshments, provided that the *retail establishment* does not exceed a *floor area* equal to 25% of the *net floor area* of the fitness centre.

112. FLOODPLAIN – shall mean the area below the one in one hundred year flood line as established by the Ministry of Natural Resources.
113. FLOOR AREA – shall mean the space on any *storey* of a *building* between exterior walls and required firewalls, including the space occupied by interior walls and partitions, but not including exits, vertical service spaces and their enclosing assemblies.
114. FLOOR AREA, GROSS – shall mean the total *floor area* in a *building* or *structure* measured between the exterior faces of the exterior walls of the *building* or *structure* at the level of each *storey* below, at and above *grade*, excluding the area used for off-street unloading, *parking*, mechanical equipment, stairways or shafts.
115. FLOOR AREA, NET – shall mean the total *floor area* in a *building* or *structure* measured between the exterior faces of the exterior walls of the *building* or *structure* at the level of each *storey* below, at and above *grade*, excluding the area used for off-street unloading, *parking*, mechanical equipment, stairways or shafts.
116. FORESTRY USE – shall mean the general raising and harvesting of wood, and without limiting the generality of the foregoing, includes the raising and cutting of fuel wood, pulp wood, lumber, Christmas trees, and other forest products produced on the same lot.
117. FUEL STORAGE DEPOT - shall mean any *industrial use* whose primary purpose is the storage, loading/unloading or supply or sale of fuel, but does not include a gas bar as part of an *automobile service establishment*.
118. FUNERAL HOME – shall mean a *building* or part thereof wherein a licensed undertaker prepares corpses for interment and may include a chapel for funeral services.
119. GARAGE – shall mean an *accessory building* or portion of a *building* designed for the sheltering or storage of passenger motor *vehicles* or *recreational vehicles* or both and the storage of household equipment incidental to residential occupancy, and wherein no service for profit is rendered where such *structure* is *attached*.

120. **GOLF COURSE** – shall mean a public or private area operated for the purpose of playing golf including a driving range, miniature golf course, or combination thereof.
121. **GRADE OR GRADE ELEVATION, AVERAGE FINISHED OR GRADE, AVERAGE FINISHED** – shall mean the average level of finished ground adjoining a *building* or *structure* at all exterior walls, as determined by the *chief building official*.
122. **GRADE, CENTRELINE** – shall mean the average level of the *street centreline*.
123. **GRADE LEVEL** – shall mean the level of any lots above the normal crown level of the road, measured above sea level according to Geodetic Datum, upon which the lot abuts. Where a lot abuts on two or more streets, the grade level shall be the mean of the grade levels calculated with reference to the different streets. If the natural level of the ground is higher than as stipulated above, then the average natural level of the ground shall be taken as the grade level.
124. **GREENHOUSE** – shall mean a *building* or *structure* or land constructed of, or covered by, glass or plastic and used exclusively for the growing or storage of vegetables, shrubs, plants or flowers and may include the subsequent transplanting or replanting of same, or sale of the produce grown.
125. **GREENHOUSE FARM** – shall mean an *agricultural use* in which the predominant economic activity involves the growing of plant materials in large scale *greenhouses* for subsequent replanting or sale.
126. **HABITABLE ROOM** – shall mean any room within a *dwelling unit* used or intended to be used for living, sleeping, eating or food preparation, but does not include a washroom, laundry room, closet, sunroom, *porch*, garage, *cellar*, furnace room, or any space used for the service and maintenance of such *dwelling* or for vertical travel between *storeys*.
127. **HEIGHT** – when used with reference to a *building* or *structure*, shall mean the vertical distance between the horizontal plane through the *average finished grade* and a horizontal plane through:
- a) the highest point of the roof assembly in the case of a *building* with a flat or deck roof;

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- b) the average level of a one slope roof, provided that a roof having a slope of less than twenty degrees with the horizontal shall be considered a flat roof;
 - c) the roof deck line, in the case of a mansard roof;
 - d) the average level between eaves and ridges in the case of a roof type not mentioned in subsections a), b) and c) immediately preceding.
128. HOME INDUSTRY - shall mean a gainful occupation which may include an electrical, woodworking, window frame, welding, plumbing, machine shop, conducted in whole or in part in an *accessory building* to a *single detached dwelling*.
129. HOME OCCUPATION – shall mean the use of part of a *dwelling, dwelling unit* or *accessory building* for an occupation which provides gain or support for only members of the household permanently residing in such *dwelling* or *dwelling unit* and which is clearly secondary to the main use of the *dwelling unit* as a private residence.
130. HOME OCCUPATION, AGRICULTURAL – shall mean the use of part of a *dwelling unit* or an *accessory building* or *structure* for an occupation which provides gain or support, for at least one of the permanent residents of such *dwelling unit* and which is clearly secondary to the *agricultural uses* being carried out on the *farm*.
131. HOSPITAL - shall mean any institution, *building* or other premises established for the treatment of persons afflicted with or suffering from sickness, disease or injury, for the treatment of convalescent or chronically ill persons that is approved under the *Public Hospitals Act* as a public hospital.
132. HOTEL/ MOTEL – shall mean any hotel, inn, lounge or public house in one *main building* or in two or more connected or adjacent *buildings* designed and used mainly for the purpose of catering to the needs of the travelling public by supplying food, refreshments or both and furnishing sleeping accommodation of not less than six guest rooms, each having no facilities for cooking or housekeeping, and provided that each guest room may only be entered from the interior of the *building*, and shall include all such *buildings* operating under the *Liquor License Act*, and the *Tourism Act*. A hotel does not include a rooming house, *group home dwelling* or *apartment dwelling*.
133. HOUSEKEEPING COTTAGE – shall mean one or a group of *buildings* that provides temporary accommodations to overnight guests for a fee and is equipped with a kitchen, which has a common piped water supply with other such *buildings*.

134. HUNTING, TRAPPING AND FISHING – shall mean the use of land for the hunting or trapping of animals or the catching of fish in accordance with the regulations of the Ministry of Natural Resources and in accordance with all other applicable law. Such a use may include *buildings* or *structures* used for periodic overnight accommodation during the hunting season, including hunt camps, hunting cabins or a commercial hunting lodge.
135. IMPOUNDING YARD – shall mean a place where vehicles, and vehicles or other mobile equipment are impounded for a breach of the law, and may be taken or towed and stored temporarily until reclaimed, but does not include an *automobile service station* or *salvage yard*.
136. INDUSTRIAL USE – shall mean the use of any land, *building* or *structure* for the purpose of manufacturing, processing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, storing or adapting for sale, any goods, substance, article or thing, or any part thereof, and the storage of building and construction equipment and materials, as distinguished from the buying and selling of commodities and the supplying of personal services.
137. INDUSTRIAL USE, NON-EFFLUENT PRODUCING – shall mean an *industrial use* which either does not discharge wastewater or discharges wastewater from one or more of the following sources only:
- (a) sanitary sewage from employee washrooms;
 - (b) storm water drainage; and
 - (c) water used for indirect cooling and pressure testing of equipment and for other ancillary purposes.
138. INSTITUTIONAL USE – shall mean the use of land, *buildings* or other *structures* for some public or social purpose (but not for commercial business purposes), and may include governmental, religious, educational, charitable, cultural, philanthropic, *hospital* or other similar but non-profit uses.
139. INVENTORY – articles for use by the home occupations permitted to carry on the repair and servicing of manufactured items.
140. KENNEL or KENNEL, BOARDING – shall mean any *building* or *structure* or part thereof used or intended for use for the purpose of breeding, boarding and/or raising three or more domesticated animals.
141. LANDING STRIP – shall mean a defined strip of ground or grass used for the landing and take-off of aircraft.

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142. LABORATORY OR SCIENTIFIC RESEARCH FACILITY – shall mean a *building* or group of *buildings* which are facilities used for scientific research, investigation, testing or experimentation, but not facilities for the manufacture or sale of products, except as *accessory* to the main purpose of the laboratory.
143. LANDSCAPING – shall mean any combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, excluding *driveways*, *parking areas* and *aisles*, all of which is designed to enhance the visual amenity of a property or to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land.
144. LANE – a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.
145. LAUNDROMAT – shall mean a premises where coin-operated laundry machines are made available to the public for the purpose of laundry cleaning, or a premises for the purpose of receiving articles or goods of fabric are subjected to the process of laundering, using only water, detergents and additives. Dry cleaning is not permitted onsite; however, goods of fabric may be received for dry cleaning at another location.
146. LIGHT EQUIPMENT SALES AND RENTAL ESTABLISHMENT – shall mean premises where light equipment is stored or displayed for the purpose of sale, lease or hire. For the purpose of this definition, light equipment is defined as a low-power internal combustion engine or electric engine, and may include, but not necessarily be limited to chain saws, lawn mowers, leaf blowers, snow blowers, and wood chippers.
147. LIMIT OF THE REGULATED AREA – shall mean the area in which a ministry of natural resources has jurisdiction.
148. LIQUOR LICENSED PREMISES – shall mean any building, structure or premise licensed under the Liquor Licence Board of Ontario.
149. LIVESTOCK – shall mean farm animals kept for use, for propagation, or intended for profit and includes dairy and beef cattle, horses, swine, sheep, laying hens, chicken and turkey broilers, turkeys, goats, geese, ducks, mink and rabbit.
150. LOADING SPACE – shall mean a space or bay located on a *lot* which is used or intended to be used for the temporary *parking* of any commercial,

industrial or institutional vehicle while loading or unloading persons, animals, goods, merchandise, or materials used in connection with the main use of the lot or any *building* thereon, and which has unobstructed access to a street or lane.

151. LONG TERM CARE HOME – shall mean a facility which provides care and services for people who are no longer able to live independently or who require on-site nursing care, 24-hour supervision or personal support and includes nursing homes licensed under the *Nursing Homes Act*, approved charitable homes for the aged licensed under the *Charitable Institutions Act*, and homes licensed under the *Homes for Aged and Rest Homes Act*.
152. LOT – shall mean a parcel or tract of land described in a deed or other document legally capable of conveying land: (i) which is the whole of a lot on a registered plan of subdivision, so long as such registered plan is not deemed, pursuant to the *Planning Act*, not to be a registered plan of subdivision; or (ii) which is all of the land held or owned under distinct and separate ownership from the ownership of the fee or equity of redemption in abutting land.
153. LOT AREA – shall be the total horizontal area within the *lot lines* of a *lot*.
154. LOT, CORNER – shall mean a *lot* situated at the intersection of, or abutting upon, two or more *streets*, provided that, the angle of intersection of such *streets* is not more than 135 degrees and each of which is at least 9.0m wide, where such intersecting sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the *street lines*, drawn through the extremities of the *interior lot lines*.
155. LOT COVERAGE – shall mean the percentage of lot area covered by all *buildings* or *structures* on the *lot* measured at ground level, including all enclosed and/or unenclosed roofed *porches* and verandas; but excluding a *private outdoor swimming pool* and open, *unenclosed* terraces, *patios*, *decks*, steps, cornices, cantilevers, eaves, bay windows, chimney breasts, corbelling and similar projections.
156. LOT DEPTH – shall mean the horizontal distance between the midpoints of the *front* and *rear lot lines*. Where there is no *rear lot line*, lot depth means the horizontal distance between the mid-point of the *front lot line* with the apex of the triangle formed by the *side lot lines*.
157. LOT FRONTAGE – shall mean the horizontal distance between the *side lot lines*, such distance being measured at a right angle to the line joining the

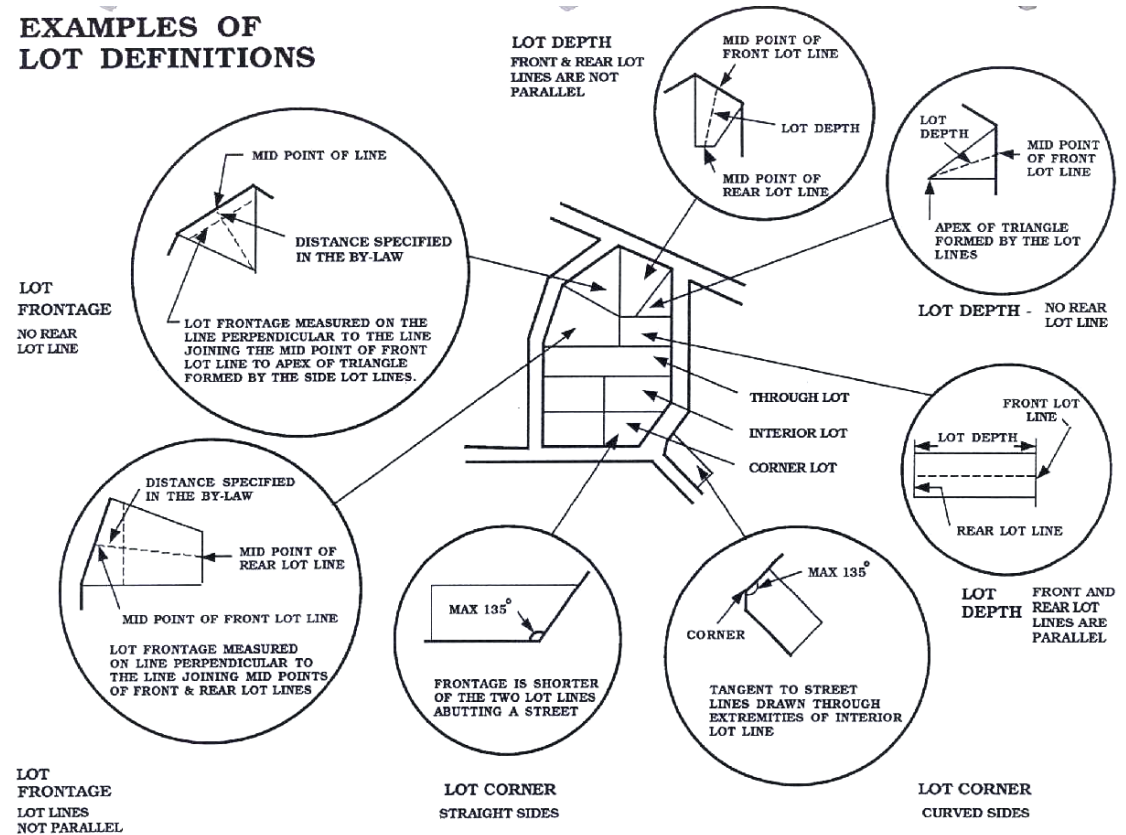
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middle of the *front lot line* with either the middle of the *rear lot line* or the apex of the triangle formed by the *side lot lines*, and at a point therein distance 7.5m from the *front lot line*.

158. LOT, INTERIOR – shall mean a *lot* other than a *corner lot* which is situated between adjacent lots and has access to one *street*.
159. LOT, THROUGH – shall mean a *lot* bounded on two opposite sides by *streets*, each of which is at least 9.0m wide. However, if any *lot* qualifies as being both a *corner lot* and *through lot* as defined, such *lot* shall be conclusively deemed to be a *corner lot*.
160. LOT LINES – shall mean the boundary lines of a *lot*.
161. LOT LINE, FRONT – shall mean the *lot line* that divides a *lot* from the street provided that in the case of a *corner lot*, the shorter *lot line* that abuts a street shall be deemed to be the front lot line, and the longer *lot line* that so abuts shall be deemed to be a side lot line. In the case of a *through lot*, only one of the *lot lines* abutting a street shall be deemed the front lot line.
162. LOT LINE, REAR – shall mean the *lot line* farthest from and opposite to the *front lot line*.
163. LOT LINE, SIDE – shall mean a *lot line* other than a *front* or *rear lot line*.
164. LOT LINE, SIDE EXTERIOR – shall mean the side lot line which abuts the street on a corner lot.
165. LOT LINE, INTERIOR – shall mean the *side lot line* which does not abut a street.

ILLUSTRATION OF LOT TYPE AND LOT LINE DEFINITIONS (FOR ILLUSTRATION PURPOSES ONLY):

EXAMPLES OF LOT DEFINITIONS



166. LOT OF RECORD – shall mean a *lot* legally capable of being conveyed from one *person* to another *person* as of the date of the passing of this By-law.
167. MAIN WALL – shall mean the exterior front, side and rear wall of a *building*, and all structural members essential to the support of a fully enclosed space or roof.
168. MANUFACTURING, HEAVY – shall mean any *industrial use* which is not *light manufacturing* as defined in this By-law.
169. MANUFACTURING, LIGHT – shall mean the manufacturing, assembly or processing of component parts to produce finished products suitable for retail trade and does not include food, beverage, tobacco, rubber, leather, textile, wood, printing, *concrete or asphalt batching or recycling plant*, metal fabricating and the manufacturing or processing of raw materials or similar industries if these operations involve furnaces or machinery that emit noxious fumes or gases, discharge dirt, dust or particle matter into the air or result in noise or vibration beyond the limits of the property in excess of the ministry

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of environment's guidelines or if these operations involve stamping presses. All manufacturing or assembly activities shall be conducted entirely within one or more wholly enclosed *buildings*.

170. MARINA – shall mean an area of establishment, with or without *buildings*, providing facilities or services for boats and/or float planes or persons travelling by boat and/or float plane, and operated on a commercial basis or by a company or group of persons such as a club organized for pleasure or recreational purposes, and may include slips, docks, moorings, boat and/or float plane waste disposal arrangements, fuelling facilities, boat and/or float plane storage, the sale, rental or repair of boats and/or floatplanes, boat and/or float plane motors or boat and/or floatplane accessories and the provision of refreshments.
171. MEDICAL OFFICE – shall mean a *building* or part thereof, other than a *hospital*, used by medical doctors, dentists, optometrists, podiatrists, registered and licensed massage therapists, chiropractors and/or drugless practitioners, the practice of health discipline, radiological technicians, registered psychologists and their staff for the purpose of public or private medical, surgical physiotherapeutic or human health and may include administrative offices, waiting rooms, treatment rooms, laboratories, ophthalmic dispensers, pharmacies, blood donor facilities, specimen collection centres and dispensaries directly associated with the facility, but does not include overnight accommodation, except for sleep clinics, in which patients and required staff members may remain overnight for the diagnosis or treatment of sleep disorders.
172. MOBILE HOME or MODULAR HOME – shall mean any vehicle or portable *dwelling* so constructed that it is suitable for being attached to a motor *vehicle* for the purpose of being drawn or propelled by the motor *vehicle* and capable of being used for the living, sleeping or eating accommodation for persons, notwithstanding that the said *vehicle* or portable *dwelling* has been jacked up or its running gear removed.
173. MOBILE HOME PARK – shall mean a parcel of land under single or *condominium* ownership which has been designed for the placement of *mobile homes* for non-transient uses, together with ancillary facilities.
174. MOBILE HOME SITE – shall mean a parcel of land within a *mobile home park* which is individually serviced and intended for the placement of one *mobile home*.
175. MOTEL – shall mean one *building*, or two or more *detached buildings* for the purpose of catering to the needs of the travelling public by furnishing

sleeping accommodation with or without a supply of food, refreshments, or both, and provided each guest or sleeping room may be entered from a separate *building*, and shall include associated parking facilities, and all such *buildings* operating under the *Liquor License Act*, and the *Tourism Act*.

176. MOTOR VEHICLE – a motor vehicle within the meaning of the *Highway Traffic Act*, as amended.
177. MUNICIPAL DRAIN – shall mean drainage works constructed and maintained under the provisions of the *Drainage Act* and including both open and closed drain channels.
178. MUNICIPALITY or TOWNSHIP – shall mean the Corporation of the Township of Chapleau.
179. MUNICIPAL SERVICES – shall mean such services as curbs, gutters, sidewalks, pavement and roadworks, sewerage systems, sanitary and drainage systems, water treatment plants, pumping stations, sewage treatment plants, private drain connections, watermains, service pipes, electrical services, street lights, and stormwater management controls and systems designed to service or capable of servicing a *lot*.
180. NON-COMPLYING – shall mean a *lot*, *building*, or *structure* which is *existing* but does not meet, comply or coincide with the *building*, *lot*, *yard*, *parking* and other regulations of this By-law.
181. NON-CONFORMING – shall mean a *use* which is *existing* on the date of passing of this By-law, but not permitted in the zone in which the said use is situated.
182. NON-RESIDENTIAL – when used with reference to a *building*, *structure* or use, shall mean designed, intended or used for purposes other than those of a *dwelling*.
183. NOXIOUS USE – a use or activity which, from its nature or from the manner of carrying on same, creates or is liable to create, by reason of destructive gas or fumes, dust, objectionable odor, noise or vibration or unsightly storage of goods, wares, merchandise, salvage, machinery parts, junk, waste or other material, a condition which may become hazardous or injurious as regards to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use or activity in respect of any land, building or structure.

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184. NURSERY AND GARDEN STORE – shall mean the *use* of land, *buildings* or *structures* or part thereof where trees, shrubs or plants are grown or stored for the purpose of transplanting, for use as stocks for *buildings* or grafting or for the purpose of retail or wholesale, together with the sale of soil, planting material, fertilizers and similar materials.
185. NURSING HOME – a building in which the proprietor supplies for hire or gain, lodging with or without meals, and, in addition, provides nursing, medical or similar care or treatment, if required, and shall include only those facilities licensed, approved or supervised under the *Nursing Homes Act*, as amended, and the *Homes for the Aged and Rest Homes Act*, R.S.O. 1980, c. 203, as amended.
186. OCCUPY – shall mean the use of a building or part thereof for the shelter or support of persons, animals or property.
187. OFFICE– shall mean any *building* or part of a *building* or any room or suite of rooms designed, intended or used for the conduct of a profession, occupation or business, but shall not include the office of a veterinarian or *animal clinic*, the retailing of merchandise, the manufacturing, repairing or storage of goods, a financial institution, *medical office*, or any place of assembly or amusement.
188. OPEN AIR FARMERS MARKET AND FLEA MARKET – shall mean an establishment or premises where the farm products of a local farming community are sold at retail from open air areas designated for individual retailers, and shall also include an occasional or periodic sales activity held within an open air area where individual sellers offer goods, new and used, for sale to the public, not to include private garage sales. For clarity, preparation of food for consumption on the premises is not permitted.
189. OPEN SPACE, LANDSCAPED – shall mean open unobstructed space on the site which is suitable for *landscaping*, including any part of the site occupied by recreational *accessory buildings*, any surfaced walk, any balcony, deck, patio which is less than 0.6 m in height and not attached to a building or structure, any sports or recreation area, any ornamental or swimming pool, and the roof or other part of a *building* or *structure* open to the air and suitable for *landscaping* and used as a recreational area, but excluding any *driveway* or ramp, whether surfaced or not, any curb, retaining wall, or *parking area*.
190. ORGANIC SOIL CONDITIONING – shall mean incorporating processed organic waste in the soil to improve its characteristics for crop or ground

cover growth. Such activities are subject to approval by the Ontario Ministry of Environment.

191. OUTDOOR DISPLAY AND SALES AREA – shall mean an area set aside out of doors covered or uncovered, to be used in conjunction with an established use or business located, in adjacent permanent premises for the display or sale of fresh produce or new goods or merchandise, but does not include an *automobile sales and service establishment*.
192. OUTDOOR PATIO – shall mean an area set aside out of doors, covered or uncovered for the use of patrons of a licensed restaurant as an *accessory use* to the operation of an adjacent *eating establishment*.
193. OUTDOOR STORAGE – shall mean the storage of goods in the open air and in unenclosed portions of *buildings* which are open to the air on the sides.
194. PARK, PRIVATE – shall mean a park not open to the general public and may be operated for commercial gain.
195. PARK, PUBLIC – shall mean a park controlled or owned by the Township or a *public authority* normally open to the public.
196. PARKING – shall mean the temporary storage of a motor vehicle, boat, motor home, *trailer* or other similar recreation vehicles. Temporary when used in reference to a recreation vehicle shall mean a period of time not exceeding a total of 14 days in any given calendar year.
197. PARKING AREA or PARKING LOT – shall mean an area or areas of land or a *building* or *structure* or part thereof which is provided and maintained for the purpose of temporary *parking* or storing of motor *vehicles accessory* to a permitted use.
198. PARKING AREA or PARKING STRUCTURE, PUBLIC – shall mean a *non-accessory parking area* which is an open area, other than a street, or a *building* or *structure* used for the temporary *parking* of two (2) or more motor *vehicles* for profit or gain.
199. PARKING SPACE – shall mean a defined area, exclusive of *aisles* or *driveways*, enclosed or unenclosed in a *building* and set aside for the *parking* of a motor *vehicle*.
200. PERSON – shall include an individual, an association, a firm, a partnership or an incorporated company, municipal corporation and the agent, trustee,

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heirs, executors, or other legal representatives of a person to whom the context can apply according to law.

201. PERSONAL SERVICE SHOP – shall mean a *building* or part thereof in which services are provided and administered to the individual and personal needs of persons or their pets, and without limiting the generality of the foregoing, includes barber shops, hairdressing establishments, dog grooming establishments, spas, shoe repair and shoe shining shops, tailor shops, *bake shops*, *dry cleaning depots* and *laundromats*, wherein machines and facilities for wet laundering, drying or finishing are available for public use at a cost, but shall not include a *dry cleaning establishment*.
202. PHARMACY – shall mean a *retail establishment* which dispenses prescription drugs and which sells, among other things, non-prescription medicines, health and beauty products and associated sundry items.
203. PHYSICIAN – a person licensed to practice medicine as defined in the *Health Disciplines Act*, R.S.O. 1980, c. 196, as amended.
204. PINBALL OR ELECTRONIC GAME MACHINE ESTABLISHMENT – any premises or part thereof containing not less than three and not more than twenty pinball or other mechanical or electronic game machines operated for gain and containing no other use except an eating establishment.
205. PIT – shall mean a place where unconsolidated gravel, stone, sand, earth, clay, fill mineral or other material is being or has been removed by means of an open excavation, and may include the processing thereof for commercial purposes including screening, sorting, washing, crushing and other similar operations, and *buildings* and *structures*.
206. PLACE OF ENTERTAINMENT – shall mean a motion picture or other theatre, amusement arcade including amusement game machines, arena, auditorium, *assembly hall*, billiard or pool room, bingo hall, drive-in theatre, bowling alley, indoor racquet courts, indoor swimming pool, ice or roller rink, *studio*, dance hall or music hall, but does not include an *adult entertainment establishment* or any place of entertainment or amusement otherwise defined or classified herein.
207. PLACE OF WORSHIP – shall mean a *building* dedicated to religious worship and includes a church, synagogue, temple, mosque, hermitage or *assembly hall* and may include such *accessory* uses as a nursery school, a school of religious education, convent, monastery, parish hall or an assembly hall.

208. POINT OF INTERSECTION – shall mean the point at which *street lines* abutting a *corner lot* intersect, or, if the *street lines* do not intersect at a point, then the point of intersection shall be deemed to be the intersection of the projection of the *street lines* or the intersection of the tangents of the *street lines*.
209. PORCH – shall mean a roofed open area, which may be glazed or screened, attached to the outside of a *building* and with direct access to or from a *building*.
210. PORTABLE ASPHALT OR PORTABLE CONCRETE PLANT – shall mean equipment for the crushing, screening or washing of sand and gravel aggregate materials that are capable of being readily drawn or readily propelled.
211. PRINTING ESTABLISHMENT – shall mean a *building*, or part thereof, used for the primary purpose of printing, lithographing, duplicating or publishing.
212. PRIVATE HOME DAY CARE – means the temporary care for reward or compensation of five children or less who are under ten years of age where such care is provided in a private residence, other than the home of a parent or guardian of any such child, for a continuous period not exceeding twenty-four hours.
213. PRIVATE ROAD – shall mean a *right-of-way*, *existing* on the day of passing of this By-law, which has not been dedicated as a street or assumed by the Township, but is owned privately and which affords the principal means or access to abutting, separately owned, legally conveyable parcels of land.
214. PROPANE TRANSFER FACILITY – shall mean a facility at a fixed location having not more than one storage container and such container shall not have an aggregate propane storage capacity in excess of fifty thousand litres and from which no retail sale of propane fuel to the public is or may be affected.
215. PUBLIC AUTHORITY – shall mean any school board, public utility commission, transportation commission, public library board, board of parks management, board of health, board of commissioners of police, planning board or other board of commission or committee of local authority established or exercising any power or authority under any general or special statute of Ontario or Canada with respect to any of the affairs or purposes of a Township or any portion thereof, and includes any board, commission or committee or local authority established by By-law of the Township.

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216. PUBLIC LANE – shall mean a public thoroughfare which affords only a secondary means of access to abutting *lots* and which is not intended for general traffic circulation.
217. PUBLIC STORAGE – shall mean a *building* or *building* consisting of individual units with personal vehicular access, used for the storage of goods, wares, merchandise, foodstuffs, substances, articles or things, but does not include a fuel storage tank except as an *accessory* use.
218. PUBLIC USES – the buildings, structures and other related works necessary for the purpose of public service by the Corporation of the Township of Chapleau, by any local board thereof as defined by *The Municipal Act*, as amended, or any department of the Government of Ontario or Canada.
219. PUBLIC UTILITIES – shall mean the *buildings, structures* and other related work necessary for supplying transportation services, water, gas, oil, electricity, steam, hot water, communication/telecommunication services, storm drainage, sewage collection and treatment facilities and other similar services but does not include solid waste management facilities, waste transfer operations, recycling facilities or a *composting operation*.
220. QUARRY – shall mean land or land under water from which consolidated gravel, stone, sand, earth, clay, fill mineral or other material is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a *building* or *structure* on the excavation site
221. QUEING LANE – shall mean a continuous on-site roadway for motor vehicles, generally established as part of drive through eating establishments and other similar commercial uses, which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.
222. RECREATIONAL VEHICLE – shall mean a portable vehicular unit designed for travel, camping or recreational use, including but not limited to a travel trailer, motor home, pickup camper, motorized camper, tent trailer, boat or boat trailer.
223. RECREATIONAL VEHICLE SALES, SERVICE AND STORAGE ESTABLISHMENT – shall mean premises where new and/or used *recreational vehicles*, as defined herein, are stored or displayed for the purpose of sale, lease or hire and shall include the storage and sale of accessories together with the repair and service of *recreational vehicles* and boats.

224. RECYCLING CENTRE – shall mean land and one or more *buildings* where recyclable material is received from a generator of waste for the purpose of sorting and consolidating, and resale or delivery to another location.
225. REDEVELOPMENT – shall mean the removal of *buildings* or *structures* from land and the construction or *erection* of other *buildings* or *structures* thereon.
226. RESIDENTIAL USE – shall mean the use of a *building* or *structure* or parts thereof as a *dwelling*.
227. RESOURCE EXTRACTION OPERATION – shall mean a place where gravel, rock, sand, earth, clay, fill, mineral, petroleum resources or other minerals being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a *wayside pit* or *wayside quarry*.
228. RETAIL AND SERVICE USES RELATED TO RECREATION – shall include such uses as boat and watercraft rentals, snack bars, *refreshment rooms*, miniature golf, and other similar recreational uses.
229. RETAIL ESTABLISHMENT – shall mean a *building* or part of *building* where goods, wares, merchandise, articles or things are offered or kept for sale at retail and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, articles or things sufficient only to service such store but does not include any wholesale establishment or business supply use, *large format retail establishments*, or any establishment otherwise defined or classified.
230. RETAIL ESTABLISHMENT, CONVENIENCE – shall mean a *retail establishment* where both household and grocery items are offered for sale primarily to serve people’s daily needs and may include the rental of videos, an automated banking machine and/or depots for such items as film, laundry or dry cleaning.
231. RETAIL ESTABLISHMENT, LARGE FORMAT – shall mean any *retail establishment*, including *supermarkets*, home improvement stores, department stores and other *retail establishments* over 3,000m² in *gross floor area*.
232. RETIREMENT HOME – shall mean a residence providing accommodation primarily for retired persons or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall or directly to outside and where common facilities for the preparation

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and consumption of food shall be provided, and common lounges, recreation rooms and medical care facilities shall also be provided.

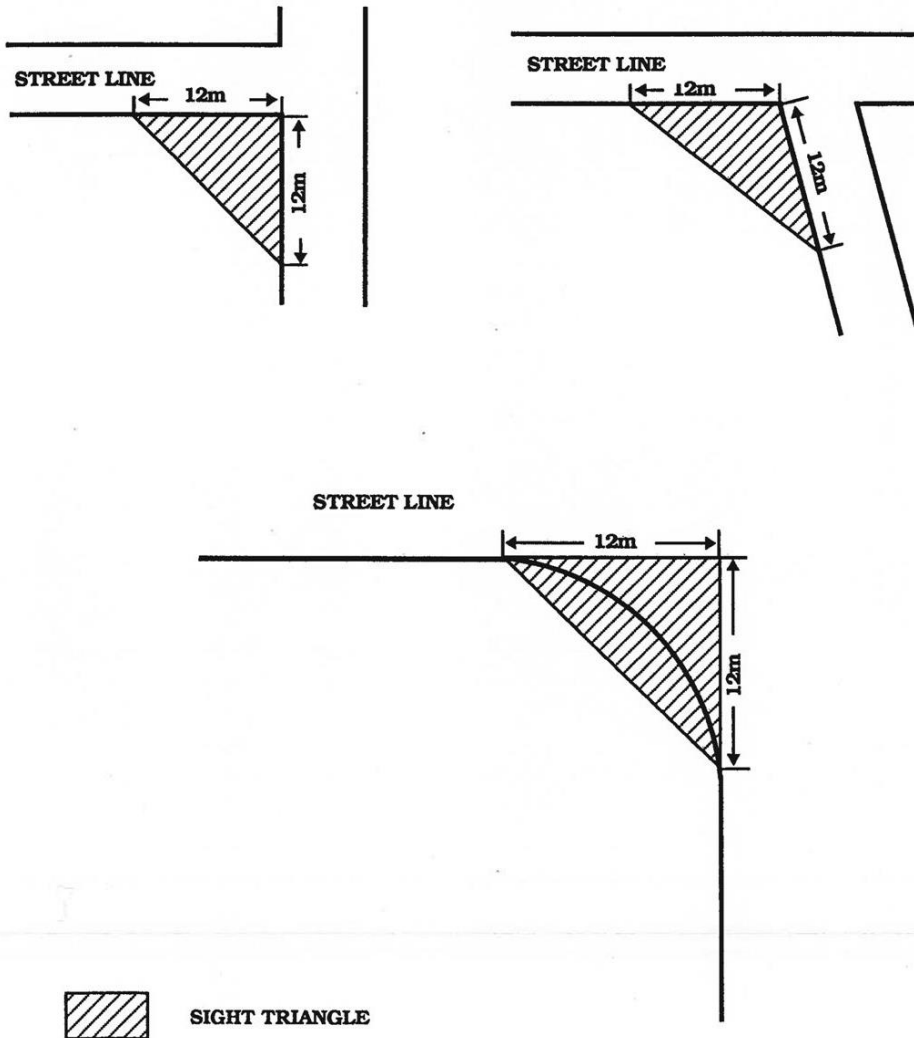
233. RIGHT-OF-WAY or EASEMENT – shall mean any right, liberty or privilege, in, over, along or under land, which the owner of one *lot* may have with respect to any other *lot* or which the Township, any other governmental authority or agency, private company or individual may have with respect to any land in the Township of Chapleau.
234. ROAD – shall have the meaning attributed to it in the definition of *street*.
235. SALVAGE YARD or SCRAP YARD – shall mean an establishment, *lot* or premises used for the *storage*, wholly or partly in the open, handling, processing, or any combination thereof, of scrap material for reuse for the purpose of commercial gain, which without limiting the generality of the foregoing, shall include waste paper, rags, bones, bottles, bicycles, vehicles, tires, metal, and junk. Scrap metal yards and automobile salvage yards shall also be included.
236. SANITARY SEWER – shall mean an adequate system of underground conduits, operated either by the Township or by the Ministry of the Environment or their agents, which carries waste water to an adequate place of treatment which meets with the approval of the Ministry of the Environment.
237. SATELLITE DISH – shall mean a device designed to receive communication signals from a satellite.
238. SCHOOL – shall mean any educational establishment operating under the jurisdiction of a Board as defined in the *Education Act*, or a college or university including a nursery or boarding school which may or may not have accessory dormitory facilities.
- (a) SCHOOL, COMMERCIAL – shall mean an educational establishment not under jurisdiction of any school board or the Government of Ontario, operating for gain or profit.
- (a) SCHOOL, PRIVATE – shall mean an educational establishment which does not operate under the jurisdiction of a Board or the Government of Ontario.
- (b) SCHOOL, PUBLIC – shall mean an educational establishment operating under the jurisdiction of the Essex County Board of Education, the Windsor-Essex Catholic District School Board, Conseil Scolaire de

District du Centre-Sud-Ouest, or a school operated under charter granted by the Province of Ontario.

239. SEASONAL PRODUCE – shall mean products harvested or capable of being harvested within the County of Essex and surrounding area during the season at which it is offered for sale, and which shall include evergreen trees.
240. SENIOR CITIZEN HOUSING – any housing for senior citizens sponsored and administered by any public agency or service club, church or other non-business organization, either of which obtains financing from federal, provincial or municipal governments or agencies, or by public subscription or donation, or by any combination thereof, and such homes may include auxiliary uses such as club and lounge facilities, usually associated with senior citizen development.
241. SERVICE SHOP AND REPAIR ESTABLISHMENT – shall mean a premises engaged in maintaining, repairing and installing machinery and equipment for household and personal use, such as air conditioners, appliances, watches, clocks, jewellery, reupholstery and furniture repair.
242. SERVICE TRADE ESTABLISHMENT – shall mean an establishment where an individual who performs electrical, plumbing, carpentry or other similar trade work, primarily off-site, may store materials and may have an *accessory* office.
243. SETBACK – shall mean the horizontal distance between the nearest part of any *main wall* of any *building* or *structure* and what it is to be set back from, measured at right angles and extending the full width or depth of the *lot*.
244. SHOPPING CENTRE – shall mean a group of *commercial uses*, planned, designed, developed and managed as a unit by a single owner or tenant, or group of owners or tenants, as opposed to a business area comprising unrelated individual business *uses*, and having off-street *parking* provided on the same *lot*.
245. SIGHT DISTANCE – shall mean a length of distance measured along a *street line* from the *point of intersection* of two *street lines*.
246. SIGHT TRIANGLE or SIGHT VISIBILITY TRIANGLE – shall mean a triangular space, free of *buildings*, *structures* and obstruction other than those expressly permitted by this By-law, formed by the *street lines* abutting a *corner lot* and a third line drawn from a point on a *street line* to another point on a *street line*, each such point being the required *sight distance* from the *point of intersection* of the *street lines*.

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ILLUSTRATION OF SIGHT TRIANGLES (PROVIDED FOR ILLUSTRATION PURPOSES ONLY):

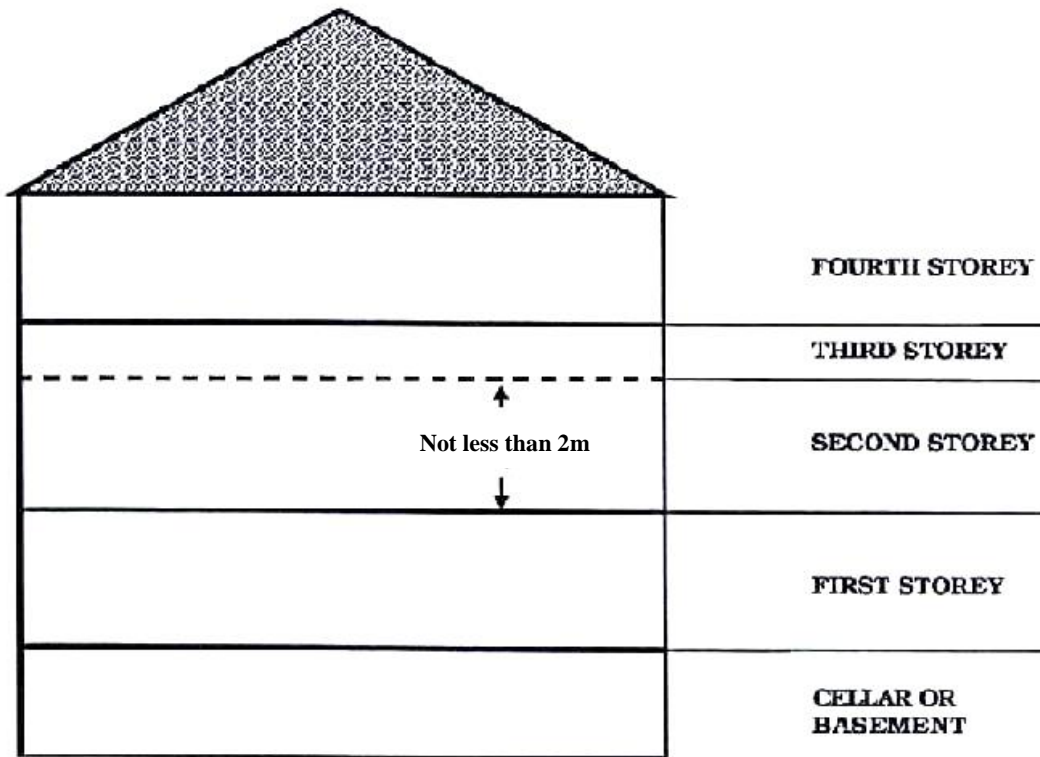


- 247. SIGN – any sign, notice advertising device, or any part thereof, whether it contains words or not and includes any device that is used solely to attract attention.
- 248. SMALL-SCALE GENERATING SYSTEMS – shall mean systems that generate electricity only for the property owner and do not contribute to the electricity grid.
- 249. STORAGE – shall mean the keeping of goods and materials. When used in reference to a *recreational vehicle*, storage shall mean *parking* that exceeds 14 days in any given calendar year.

250. STORAGE CONTAINER – shall mean the keeping of goods and materials in an Industrial Zone within a metal box similar to a shipping container or that which would sit atop of a transport truck trailer without the wheels.
251. STOREY – shall mean that portion of a *building*:
- (a) which is situated between the surface of any floor and the surface of the floor next above it, and if there is no floor above it, that portion between the surface of any floor and the ceiling above it;
 - (b) which is more than fifty percent above the *average finished grade*; and
 - (c) which has a *height* of not less than two metres and includes an attic having not less than two metres headroom for at least fifty percent of the attic's *floor area*.
252. STOREY, FIRST – shall mean the lowest story of a *building*, at or immediately above *grade*.

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ILLUSTRATION OF STOREY DEFINITIONS (PROVIDED FOR ILLUSTRATION PURPOSES ONLY):



253. STREET, HIGHWAY, OR ROAD – shall mean a common and public street, road, highway or commons vested in the Township, the Province or any other *public authority* having jurisdiction over the same and includes a bridge or any other *structure* forming part of a street on, over or across which a street passes, but does not include a *private road*.
254. STREET, CENTRELINE – shall mean the centerline of the original road allowance as opposed to the centreline of the traveled roadway, or any widened road allowance.
255. STREET LINE – shall mean the limit of a *street* allowance and is the boundary or dividing line between a *street* and a *lot*.
256. STRUCTURE – shall mean anything that is *erected*, built or constructed of parts joined together which is fixed to or supported by the soil, any other structure or both, including a *satellite dish* but excluding a *balcony*, *deck* or *patio* with a floor height less than 0.6 m and not attached to a building, a sign, *fence* or *private outdoor swimming pool*. Lawn items such as clotheslines, bird house, bird baths, play equipment, and other similar items shall not be considered as *structures* and are not regulated by this By-law.

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257. STUDIO – shall mean a *building* or part thereof used as the workplace of a photographer, craftsman or artist or for the instruction of art, music, dancing, photography, languages or similar disciplines and artistic endeavours. The sale of any artifacts produced therein shall be permitted only as an *accessory* use.
258. SUPERMARKET – shall mean a *retail establishment* having at least 700m² of *gross floor area* but not more than 3,000m² of *gross floor area*, in which the sales of a balanced line of groceries, bakery products, dairy products, canned and/or frozen foods, prepared meats, meats, fish and poultry, fresh fruits and vegetables and other food lines form the dominant business activity and some of which may be prepared, processed or packaged on the premises. In addition, limited lines of non-food items may be carried including newspapers, magazines, paper products, soft drinks, tobacco items, health and beauty aids, small housewares and similar convenience goods.
259. SWIMMING POOL, PRIVATE OUTDOOR – shall mean a privately owned pool whether or not in the ground, capable of being used for swimming, wading, diving or bathing and which, when filled, is capable of containing a depth of point three metres or more of water. For the purpose of regulations pertaining to *lot coverage* in the by-law, a “private outdoor swimming pool” is deemed not to be a *building* or *structure*.
260. TAVERN – shall mean a *building* or part thereof in which alcoholic or non-alcoholic beverages, with or without related snacks or refreshments other than full meals, are offered or kept for retail sale to the public for immediate consumption therein, and does not include mobile fast food outlets.
261. TAXI ESTABLISHMENT – shall mean a property, site or *building* used as a dispatch office or an area, site or location intended for the *parking* of taxis and/or limousines when not engaged in transporting persons or goods.
262. TOP OF BANK – shall mean, when used with reference to a *watercourse*, the highest elevation of land which ordinarily confines the waters of such *watercourse* when they rise out of the stream bed.
263. TOURIST INFORMATION SERVICES – shall mean a property, site or *building* intended to provide information to the travelling public, either as a main use or as an *accessory* use.
264. TRAILER OR RECREATION VEHICLE – shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, or is self-propelled, and capable of being used for temporary living or sleeping of
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4.0 DEFINITIONS

persons therein for seasonal travel, recreation and vacation activity, notwithstanding that such vehicle is jacked up or that its running gear is removed. This definition shall include tent trailers, motor homes, truck campers, or similar transportable accommodation but shall not include a *mobile home* as defined herein.

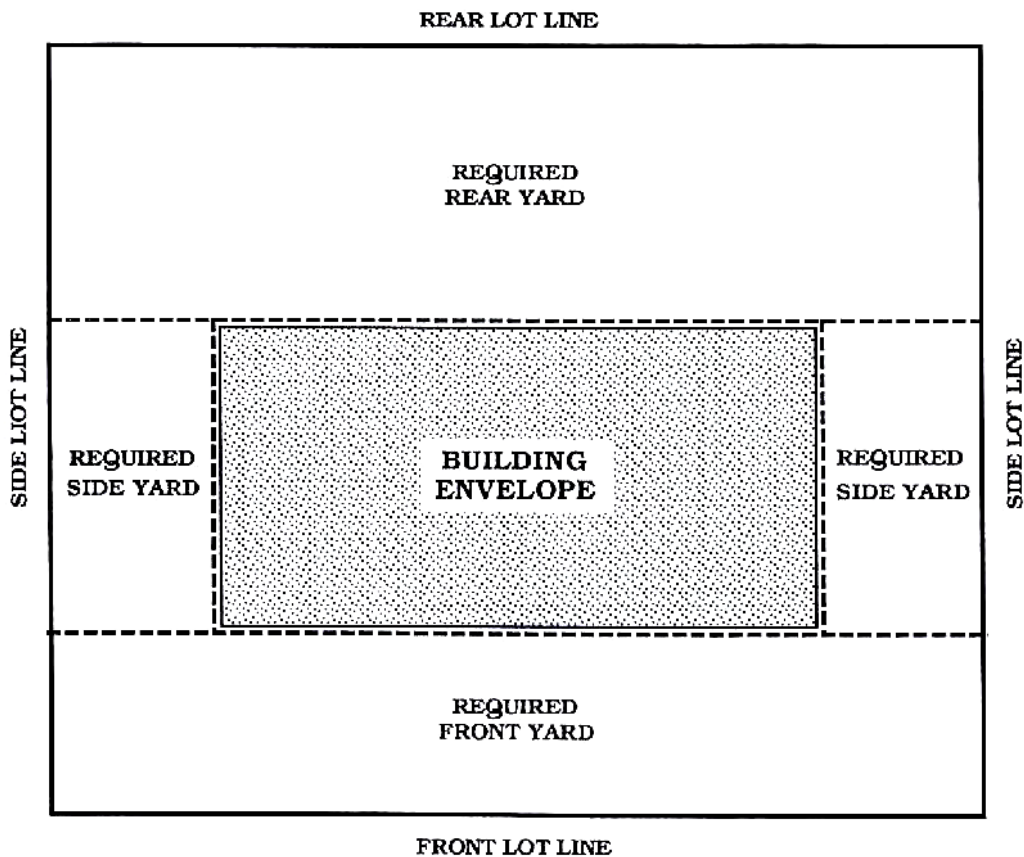
265. TRAILER, PORTABLE – shall mean a *structure* constructed in such a manner to form a transportable room or rooms to provide temporary shelter as a classroom or office.
266. TRANSPORT TERMINAL – shall mean a premises used for the transfer of goods primarily involving loading and unloading of freight-carrying trucks, and/or involving the storing, *parking*, servicing and dispatching of freight-carrying trucks.
267. UNENCLOSED – when used in reference to a deck, terrace or patio shall mean a *structure* with no walls and no roof.
268. UNIT – when used in reference to a nursing or rest home shall mean a room providing sleeping accommodation for not more than four individuals. For the purposes of this definition, a single room, double room or small ward with four or fewer beds shall each be considered one unit.
269. USE – when used as a noun, shall mean the purpose for which any land, *building*, *structure* or premises, or part or combination thereof, is arranged, designed or intended to be used and “uses” shall have a corresponding meaning. “Use”, when used as a verb, or “to use” shall have a corresponding meaning.
270. UTILITY YARD – shall mean any above-ground *structures* or facilities, other than *buildings*, unless such *buildings* are used as *storage* incidental to the operation of such *structures* or facilities, owned by a governmental entity, a non-profit organization, a corporation, or any entity defined as a public utility for any purpose and used in connection with the production, generation, transmission, delivery, collection, or *storage* of water, sewage, electricity, gas oil, or electronic signals.
271. VEHICLE – shall mean a wheeled means of transport for the transportation of passengers and/or goods and without limiting the generality of the foregoing, includes automobiles, motorcycles, trucks buses, ambulances, hearses, motor homes, tractors, self-propelled farm machinery and trailers.
272. VETERINARIAN – a person registered under the provisions of *The Veterinarian Act*, R.S.O. 1980, c. 522, as amended.

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273. Veterinarian's office or clinic – see *animal clinic*.
274. WAREHOUSE – shall mean a *building* or part thereof which is used primarily for the housing, *storage*, adapting for sale, packaging or wholesale distributing of goods, wares, merchandise, foodstuff, substances, articles or things, but does not include a fuel storage tank except as an *accessory* use.
275. WASTE DISPOSAL SITE – shall mean any land upon, into or through which waste is deposited including the processing and any machinery or equipment or operation for the treatment or disposal of waste.
276. WASTE PROCESSING FACILITY – shall mean lands, *buildings* or *structures* in or upon which waste is shredded, baled, pulverized, composted, separated or otherwise treated or altered to facilitate its further transfer, processing, utilization or disposal, and in accordance with a Certificate of Approval issued by the Ontario Ministry of the Environment where such certificate is required.
277. WASTE TRANSFER SITE – shall mean lands where waste is collected and temporarily stored so that it can be batched and shipped to a *recycling centre* or waste disposal site.
278. WATERCOURSE – shall mean the natural channel for a stream of water.
279. WAYSIDE PIT or WAYSIDE QUARRY – shall mean a temporary *pit* or *quarry* opened and used for *public authority* projects solely for the purpose of a particular project or contract of road construction and is not located within the road *right-of-way*.
280. WHOLESALE ESTABLISHMENT – shall mean a *lot*, *building* or *structure* used for the resale of goods to *persons* in large quantities.
281. WORKSHOP – an establishment where manufacturing or handicrafts are carried on.
282. YARD – shall mean an open space on the same *lot* with a *main building* or *structure*, unoccupied and unobstructed except as otherwise provided in this by-law. In determining yard measurements, the minimum horizontal distance between the *main building* or *structure* and the respective *lot lines* measured perpendicular from the *lot line* shall be used.
- (d) FRONT YARD - shall mean a *yard* extending across the full width of a *lot* between the *front lot line* and the nearest wall of the *main building* or *structure* on the *lot*.
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4.0 DEFINITIONS

- (e) REAR YARD – shall mean a *yard* extending across the full width of a *lot* between the *rear lot line* and the nearest wall of the *main building* or *structure* on the *lot*.
- (f) SIDE YARD – shall mean a *yard* between the side wall of the *main building* or *structure* on the *lot* and the *side lot line* and extending from the *front yard* (or *front lot line*, if no *front yard* exists) to the *rear yard* (or the *rear lot line*, if no rear yard exists).
- (g) SIDE YARD, EXTERIOR – shall mean a *side yard* immediately adjoining a *street*.
- (h) SIDE YARD, INTERIOR – shall mean any *side yard* other than an *exterior side yard*.

ILLUSTRATION OF YARD DEFINITIONS (FOR ILLUSTRATION PURPOSES ONLY):



- 283. ZONE – shall mean an area delineated on a zoning map schedule and established and designated by this By-law for a specific use or group of uses.

5.0 Zones and Zoning Maps

5.1 GENERAL

For the purpose of this By-law all the lands within the boundaries of the Township are hereby divided into various zones to which the provisions and regulations herein shall respectively apply.

5.2 ESTABLISHMENT OF ZONES

For the purpose of this By-law the map and map parts hereto attached as Schedule “A” shall be referred to as the zoning maps for the Township of Chapleau. The zoning maps shall be divided into the following zones and such zones are shown on the zoning maps by symbols consisting of letters and symbols or letters or symbols only as the case may be, as listed below:

Zone Symbol	Zone Title
<i>Residential Zones</i>	
R1	Residential Density Zone 1
R2	Residential Density Zone 2
RM1	Residential Multiple Density Zone 1
RM2	Residential Multiple Density Zone 2
RMH1	Residential Mobile Home Zone 1
<i>Commercial Zones</i>	
TC	Town Centre Commercial
CC	Corridor Commercial
NC	Neighbourhood Commercial
<i>Employment Zones</i>	
M1	General Employment
M2	Business Park
<i>Institutional Zones</i>	
I1	Institutional

5.0 ZONES AND ZONING MAPS

Zone Symbol	Zone Title
<i>Rural Zones</i>	
RU	Rural Zone
<i>Open Space Zones</i>	
OS1	Public Open Space
OS2	Private Open Space
<i>Environmental Protection and Hazard Lands Zones</i>	
HL	Hazard Lands
EP	Environmental Protection

5.3 USE OF ZONE SYMBOLS

The symbols listed in Section 5.2 shall be used to refer to land, *buildings*, and *structures* and to the use thereof permitted by this by-law in the said zones, and whenever in this by-law the word “zone” is used, preceded by any of the said symbols, such zone shall mean any area within the Township delineated on the zoning maps and designated thereon by the said symbol.

5.4 DEFINED AREAS

Certain areas within any of the various zones or within parts of more than one zone may be more specifically regulated and such areas shall be known as “defined areas”. All zones may be subdivided into one or more defined areas which shall be designated by reference to the symbol of the zone within which each such defined area is located together with an additional symbol, either letter, number, or both, so as to differentiate different defined areas within a zone from each other and from other areas within the zone.

5.5 HOLDING ZONE (H) PROVISIONS

Where the zoning applying to any *lot* or area includes the symbol (h) suffixed to any zone symbol, only *existing* uses shall be permitted until such time as the (h) is removed. Application of the (h) symbol indicates that *development* of the lands is premature at the present time. However, it does indicate the use to which lands, *buildings* or *structures* may be put at such time in the future as the holding symbol is removed by amendment to this by-law in accordance with Section 36 of the *Planning Act*. Section 6.3.2.1 of the Township of Chapleau Official Plan outlines the criteria to be satisfied in order to remove the holding symbol (h); however, more specific

criteria or holding provisions may be included in a site-specific exception zone, provided that such criteria is in conformity with the Official Plan.

5.6 INCORPORATION OF ZONING MAPS

The location and boundaries of the zones and defined areas established by this as shown on the zoning maps hereto appended as Schedule “A” and map parts together with everything shown thereon and all succeeding amendments thereto, are hereby incorporated in and declared to form part of this By-law.

5.7 APPLICATION OF REGULATIONS

No *person* shall within any zone or defined area use any land or *erect*, build, construct, reconstruct, relocate, excavate for, *alter*, add to, enlarge, extend or use any *building* or *structure*, except in conformity with this by-law for the zone or defined area in which such land, *building*, *structure* or use is located.

5.8 INTERPRETATION OF ZONE AND DEFINED AREA BOUNDARIES

Where any uncertainty exists as to the location of the boundary of any of the said zones or defined areas as shown on the zoning maps, the following shall apply:

- (a) The boundary of the zones and defined areas are the *street centrelines* or the *lot lines* and the projection thereof, unless otherwise shown.
- (b) Where zone boundaries or defined area boundaries are indicated as approximately following *lot lines* shown on a registered plan of subdivision, such *lot lines* shall be deemed to be the said boundary.
- (c) Where zone boundaries or defined area boundaries are indicated as approximately parallel to the *street line* and the distance from such *street line* is not indicated, such zone boundaries or defined area boundaries shall be construed as being parallel to such *street line* and the distance therefrom shall be determined by the use of the scale shown on the zoning maps.
- (d) Where a street, *private road*, or electrical transmission line *right-of-way*, or *watercourse* include on the zoning maps, is included within the zone or defined area of the adjoining property on either side thereof, and where such street, *private road*, *right-of-way*, or *watercourse* serves as a boundary between two or more different zones, defined areas or both, a line midway in such street, *private road*, *right-of-way*, or *watercourse* and extending in the general direction of the long division thereof is

considered the boundary between zones, defined areas, or both, unless specifically indicated otherwise.

- (e) Where a dedicated *street* or *right-of-way* shown on the map is closed, the property formerly in the said *street* or *right-of-way* shall be included within the zone or defined area of the adjoining property on either side of the said closed *street* or *right-of-way* and the zone boundary or defined area boundary shall be the former *street centerline* of said closed *street* or *right-of-way*.
- (f) Where a zone or defined area boundary is indicated as following the edge of *watercourse*, the boundary shall follow the *top of bank* of such *watercourse* and, in the event that the *top of bank* of such *watercourse* changes, the boundary shall be taken as having moved with the *top of bank*.
- (g) Where a defined area boundary appears to follow a zone boundary it shall be taken as following such a zone boundary.

6.0 General Provisions

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6.1 APPLICATION OF GENERAL PROVISIONS

The provisions of this Section shall apply to all zones and defined areas except as may otherwise be indicated.

6.2 ACCESSORY DWELLING UNIT

The following provisions shall apply to an *accessory dwelling unit*, where it is permitted by this By-law:

- (a) pedestrian access to an *accessory dwelling unit* shall be provided from an adjacent street or lane and shall be for the sole use of the occupants of the said *accessory dwelling unit* and shall be separate from the access to the commercial portion of the *building*;
- (b) minimum *landscaped open space* shall be 50% of the total *floor area* used for the *residential use*;
- (c) in addition to the minimum number of *parking spaces* required for the principal use of the *lot*, a minimum of 1.0 *parking space* per *dwelling unit* shall be provided on the same *lot*;
- (d) no commercial *building* wherein gasoline or any other highly flammable, toxic, or explosive products are handled for commercial purposes in association with any *non-residential use* shall have a contiguous *dwelling unit*. This shall include, but shall not be limited to, such uses as an *automobile service station*, a *heavy manufacturing use*, a *propane transfer facility*, a *transport terminal*, *recreational vehicle sales, service and storage establishment*, a *bus terminal*, a *marina*, a *hospital or medical clinic or medical office*. Where such *dwelling unit* exists and the use of the commercial establishment changes to a *use* involving the aforementioned products, the said *dwelling unit* shall immediately cease to be occupied as a *dwelling unit* and shall not be used as a *dwelling unit* as long as the aforesaid mentioned products are handled in association with the *non-residential use* in the commercial area of the *building*; and
- (e) the *dwelling unit(s)* shall be either located on the upper floors, or at the rear of the main floor provided that the *dwelling unit(s)* do(es) not *occupy* more than 50% of the main floor.

6.3 ACCESSORY USES, BUILDINGS AND STRUCTURES

Accessory uses, buildings, or structures, are permitted in any zone subject to the provisions of this By-law, and provided that:

- (a) *Detached garages, carports or other accessory uses, buildings or structures*:
- i) shall not be considered as an *accessory building* if attached to the *main building* in any way;
 - ii) shall not be considered as an *accessory building* if located completely underground;
 - iii) shall only be permitted where there is a *main building existing* on the *lot*;
 - iv) shall not be used for human habitation, except where a *dwelling unit* is a permitted *accessory use*;
 - v) shall not be built closer to the *front lot line* than the minimum distance required by this By-law for the *main building* on the *lot* unless it is in the Rural Zone provided the applicable minimum front yard requirements of this By-law are met;
 - vi) shall not be located in the required *exterior side yard* in the case of a *corner lot*;
 - vii) shall not be built closer than 1.5m from any *lot line* except that common *semi-detached private garages* or *carports* may be centred on a mutual *side lot line*;
 - viii) shall not exceed 10% *lot coverage* in all zones except where there is a swimming pool, the lot coverage shall not exceed 20%;
 - ix) *accessory buildings* shall not be *erected* within 2.0m of the *main building*; and
 - x) shall not exceed 5.0m in *height* unless otherwise defined in the particular zone.

Private outdoor swimming pools, including in-ground and above-ground pools, and associated decks may be constructed and maintained as *accessory uses* to a *dwelling*, subject to By-law 2003-13, provided that such a *use*:

- (a) shall obtain a permit from the Township of Chapleau prior to installing, constructing, or erecting a *private outdoor swimming pool*;

- (b) shall be subject to a site plan control agreement approved by the *Chief Building Official*;
- (c) shall not be located in the *front yard*;
- (d) shall not be located, or have water circulating or treatment equipment such as pumps or filters, closer to any *yard* or *street line* than that of an *accessory use, building, or structure*; and
- (e) shall not be included in determining *lot coverage*.

An *outdoor display and sales area* may be permitted as an *accessory use*, provided that:

- (a) the *outdoor display and sales area* is associated only with a retail *use* which is the primary or main *use* of the *lot, building or structure*; and
- (b) the *outdoor display and sales area* is temporary in nature, and the goods or articles for sale are only on display during the operating hours of the business.

6.4 AGRICULTURAL HOME OCCUPATION

The following provisions shall apply to an *agricultural home occupation*, where it is permitted by this By-law:

- (a) The *agricultural home occupation* shall have no *outdoor storage* of materials, containers or finished products in the *front* or *side yards*.
- (a) The *agricultural home occupation* shall not change the rural character or create or become a public nuisance, particularly in regard to noise, traffic, loading or unloading, or *parking*.
- (b) The *agricultural home occupation* shall not *occupy* more than 25% of the *floor area* of the *dwelling unit* including any *basement* area used as living quarters and any *basement* area used for an *agricultural home occupation*, or 18.5m², whichever is the lesser.
- (c) The location of all parts of an *agricultural home occupation*, other than *parking* and external *storage* shall be as regulated in subparagraph a) above, confined to a *dwelling unit* and/or *attached garage*. An *agricultural home occupation* may be permitted within a *detached accessory building* or *structure* subject to a site specific amendment to this By-law. Those *agricultural home occupations* lawfully *existing* within a *detached accessory building* or *structure* on the date of adoption of this By-law shall continue to be permitted within such *buildings* or *structures*.

6.0 GENERAL PROVISIONS

- (d) No more than three off-street *parking spaces* shall be associated with the *agricultural home occupation*.
- (e) No more than two vehicles, including commercial vehicles shall be permitted to be associated with the *agricultural home occupation*.
- (f) The *use* shall only include a painting business for things other than motor vehicles, *basement* waterproofing, a carpentry shop, a welding or machine or small tool and equipment repair shop for farm equipment only, a tile drainage contractor, septic tank disposal, home craft operations such as pottery, woodworking or weaving, furniture upholstery and refinishing, or a seed or agricultural products dealer, or any other use similar in nature which conforms to the preceding criteria and which the Committee of Adjustment, upon application, permits.
- (g) *Agricultural home occupations* shall be subject to site plan control.

6.5 AUTOMOBILE SERVICE STATION, AUTOMOBILE REPAIR ESTABLISHMENT AND AUTOMOBILE SALES AND SERVICE ESTABLISHMENT

The following provisions shall apply to an *automobile service station*, *automobile repair establishment*, and an *automobile sales and service establishment*, where it is permitted by this By-law:

- (a) The minimum *lot frontage* shall be 45.0m.
- (b) The minimum *exterior lot frontage* shall be 55.0m.
- (c) The minimum *lot depth* shall be 40.0m.
- (d) No portion of any pump island shall be located closer than 6.0m from the *street line* of any street.
- (e) The minimum distance from the intersection of two *street lines* to the nearest ingress or egress ramp shall not be less than 9.0m, or in the case of the intersection of two arterial streets, the minimum distance shall not be less than 15.0m.
- (f) The minimum distance from any portion of any ingress or egress ramp to any *side lot line* which abuts any other *lot* shall not be less than 3.0m.
- (g) The width of any ingress or egress ramp along any *street line* shall be not more than 10.5m or less than 7.5m.
- (h) The minimum distance between ramps shall not be less than 9.0m.

- (i) The minimum interior angle of any ramp to the *street line* shall be greater than 60 degrees and no less than or equal to 90 degrees.
- (j) All parts of the ingress and egress ramps shall be maintained with a cement or asphalt binder or any other type of permanent surfacing to prevent the raising of dust or loose particles.
- (k) Land which is not used for *buildings* ramps or paving shall be landscaped.
- (l) Any permitted *outdoor storage* area, or vehicular access thereto, involving the storage, *parking* or display of motor vehicles for the purpose of sale, lease, rental, washing, service or repair, or any primary means of vehicular access to any permitted *outdoor storage* area, shall be constructed and maintained with a stable surface which shall have a cement or asphaltic binder and shall include provisions for adequate drainage facilities.

6.6 BALCONIES, DECKS AND PATIOS

Balconies, decks and patios (with the exception of decks associated with *private outdoor swimming pools*, the provisions for which are contained in Section 6.3 of this By-law), shall be permitted in association with any permitted *residential use*, provided that they:

- (a) shall not be built closer to the *front lot line* than the minimum distance required by this By-law for the *main building* on the *lot*;
- (b) shall not be located in the required *exterior side yard* in the case of a *corner lot*;
- (c) shall not be built closer than 1.5m to any *lot line*, except where a common wall is shared, balconies, decks and patios may be located at the *lot line*; and
- (d) shall not be included in the calculation of *lot coverage*.

6.7 BED AND BREAKFAST ESTABLISHMENT

The following provisions shall apply to a *bed and breakfast establishment*, where it is permitted by this By-law:

- (a) *bed and breakfast establishments* are only permitted within a single detached dwelling;
- (b) the *bed and breakfast establishment* has no more than three off-street *parking spaces* associated with the bed and breakfast establishment, accommodated on the same *lot*;

6.0 GENERAL PROVISIONS

- (c) the *bed and breakfast establishment* does not include a liquor licensed premises or other facilities for the servicing of alcoholic beverages to the general public;
- (d) the *bed and breakfast establishment* complies with the *Building Code Act* and such other by-laws and regulations as may be applicable for the Township
- (e) no portion of a guest room is located below *grade* or within a *basement*, walkout *basement* or *cellar*;
- (f) no portion of a guest room contains facilities for the preparation of meals; and
- (g) all other applicable provisions of this By-law shall apply and be complied with.

6.8 BOAT DOCK

Notwithstanding any other provisions of the By-law, to the contrary, *docks* are permitted in all zones provided they are not more than one metre above *grade*.

6.9 BUFFER STRIP

Where required by this By-law, *buffer strips* shall be provided in accordance with the following provisions:

- (a) A *buffer strip* shall be used for no other purpose than for the *erection* of a decorative *fence*, *berm*, or the planting of a continuous row of natural evergreens or natural shrubs, immediately adjacent to the *lot line* or portion thereof along which such *buffer strip* is required hereunder; the remainder of the strip shall be landscaped and planted with ornamental shrubs, flowering shrubs flower beds, sodded or seeded grass, or a combination thereof. Any *fence* shall be decorative in nature and be designed and constructed to resist wind damage (e.g., alternating slats).
- (b) Where a *buffer strip* is required in any zone, it shall be of a minimum height of 1.8 metres and width as specified in the regulations for that zone or an approved site plan agreement.
- (c) A *buffer strip* shall be located within the zone for which it is required; it shall be planted, nurtured and maintained by the owner for the *lot* on which the *buffer strip* is located and the replacement of trees and plants shall be made as necessary.
- (d) A *buffer strip* may form part of any required *landscaped open space*.

- (e) Where required on a street corner of a *corner lot* or at a railway intersection, a *buffer strip* shall be located in such a way as not to obstruct sight visibility as provided in Section 6.43.

6.10 CONFORMITY WITH EXISTING SETBACKS

Notwithstanding any other provisions of this By-law in any zone, where undeveloped *lots* exist between developed *lots*, said *lots* being within the same block and fronting on the same street, the minimum *front yard* may be reduced in accordance with the following provisions:

- (a) Where one or two *lots* exist between *existing buildings* on abutting *lots*, the minimum *front yard* may be equal to the average *front yards* of the *existing buildings* provided that this depth is not less than 3.0m from the *front lot line* unless a lower minimum *front yard setback* is specified for the zone, but it need not be greater than the *front yard* required for the zone in which the *lot* is located; and
- (b) Where more than two *lots* exist between *existing buildings* on abutting *lots*, the minimum *front yard* for *dwellings* on *lots* adjacent to the said *existing buildings* may be the average of the required *front yard* and the actual *front yard* of the said adjacent *building*, provided that this depth is not less than three metres from the *front lot line*, unless a lower minimum *front yard setback* is specified for the zone. For all other *lots* the minimum *front yard* shall be as required for the zone in which the *lot* is located.

6.11 CONVERSION OF SEASONAL DWELLINGS FOR PERMANENT OCCUPANCY

The conversion of a *seasonal dwelling* for the permanent *occupancy* as a *single detached dwelling* may be permitted, provided that:

- (a) the *lot frontage* is on an open public *street*;
- (b) the *lot* is serviced by a public water supply;
- (c) the *lot* is suitable for use with a septic tank or other on-site sewage system on a permanent basis as approved by the Ministry of the Environment or its designated agent, or where the *lot* is located within a defined sewer service area it shall be serviced by a public sanitary sewage system; and
- (d) the *lot* and any *buildings* thereon meet the minimum requirements prescribed for the applicable zone.

6.12 CONVERTED DWELLING

The conversion of a *single detached dwelling* to a *converted dwelling* may be permitted in zones where it is permitted by this By-law, provided that:

- (a) the *single detached dwelling* was legally in existence prior to the date of passing of this By-law;
- (b) each *dwelling unit* after conversion contains a minimum *floor area* of 55m²;
- (c) there is a maximum total of three (3) *dwelling units* after conversion;
- (d) the *building* is certified by the *Chief Building Official* to be structurally suitable for the proposed conversion; and
- (e) the external appearance of the *building* as a *single detached dwelling* is preserved.

6.13 DANGEROUS USES

No land, *building* or *structure* shall be used in the Township for the industrial manufacture, *storage* or distribution of coal, oil, rock oil, fuel oil, burning fluid gas, naphtha, benzene, gasoline, dynamite, dualene, nitroglycerine, gunpowder, petroleum products or other combustible or inflammable or liquid material which is likely to create danger to health, or danger from fire or explosion, except as otherwise provided for this By-law.

6.14 EXISTING LOT

An *existing lot* or a *lot* created as a result of a project of a *public authority* (such as a road construction project) having less than the minimum frontage or area required by this By-law may be developed for all uses permitted in the appropriate zone provided all other regulations of this By-law are satisfied, and

- (a) Such *lot* could have been legally conveyed on the date of passing of this By-law without *consent* under Section 50 of the *Planning Act*, or was created as a result of a *public authority* project. *Lots* created by *consent* on or before the passing of this By-law and granted subject to the fulfillment of specific conditions shall also be considered as being legally conveyable for the purposes of this Section;
- (b) Such *lots* are serviced by municipal piped water and sanitary sewage disposal facilities or meet the requirements of the Ministry of Environment or its designated agent;

- (c) Such *lots* front on a public *street*; and
- (d) Such *lots* have a minimum *lot frontage* of 12.0m.

6.15 NATURAL HAZARDS AND FLOOD PROTECTION PROVISIONS

Hazards Lands:

- i) Notwithstanding any other provision of this By-law to the contrary, no part of any *building* or *structure* shall be *erected* on lands located within the Hazard Lands Zone, as shown on the Zoning Schedules to this By-law, unless:
 - the lowest opening of any such *building* or *structure* has a minimum building elevation prescribed in a permit issued by the applicable Ministry of Natural Resources;
 - the setback of the nearest wall of any such building or structure from the water's edge is prescribed in a permit issued by the applicable Ministry of Natural Resources in consultation with the Township; and
 - no person shall construct an accessory building or other structure within the prescribed setback limits, except a patio, deck, boat lift, boat well, dock, steps and/or shoreline protective works, provided that the said facilities are constructed as prescribed in a permit issued by the applicable Ministry of Natural Resources in consultation with the Township.

6.16 GROUP HOME DWELLING

The following provisions shall apply to a *group home dwelling*, where it is permitted by this By-law:

- (a) A *group home dwelling* used for correctional purposes or as a crisis care facility shall only be permitted in an Institutional Zone, and shall comply with all other Group Home Dwelling provisions.
- (b) The *group home dwelling* shall be permitted in a *single detached dwelling* within any Residential Zone, provided that it complies with the regulations of the zone within which the *group home dwelling* is located.
- (c) A *group home dwelling* shall comprise the sole use of the *dwelling*.

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- (d) Approval of a site-specific Zoning By-law Amendment shall be required to accommodate a group home for more than 6 persons, to a maximum of 10 persons (exclusive of supervisory or attendant staff).
- (e) No more than two persons shall *occupy* a *dwelling unit* within a *group home dwelling*.
- (f) Any existing *group home dwelling* which satisfies Provincial standards of operation but which fails to comply with the requirements of this By-law on the date that this By-law comes into effect, will be allowed to continue in operation, but will not be permitted to increase its number of occupants (exclusive of supervisory or attendant staff). Physical *building* expansion that otherwise complies with the provisions of this By-law shall be permitted.

6.17 HEIGHT RESTRICTION EXCEPTIONS

The *height* regulations shall not apply to any ornamental dome, chimney, communications/telecommunications tower, storage silo, grain elevator, windmill, barn, cupola, steeple, church spire, belfry, water storage tank, elevator enclosure, flag pole, television or radio antenna, skylight, ventilator, electrical apparatus, solar energy collection device, or a *structure* which encloses the mechanical equipment required for the operation of such *building* or *structure*.

6.18 HOME INDUSTRY

Home industries shall be permitted in the Rural Zone. *Home industries* may also be permitted in a Residential Zone by way of a site-specific Zoning By-law Amendment, and provided that:

- (a) not more than two persons, other than the owner, are employed therein on a full-time basis;
- (b) there shall be no external display or advertisement other than an unlit sign which is a maximum size of 4.0m² indicating only the name, occupation and practicing hours of the occupant;
- (c) there shall be no *outdoor storage* of materials, containers or finished products;
- (d) mechanical equipment which results in any undue noise, fumes, dust, or odour escaping to any adjoining premises shall not be used;
- (e) such *home industry* is clearly secondary to the main *residential use* and does not change the residential character or create or become a public

- nuisance, particularly in regard to noise, traffic, loading or unloading, or *parking*;
- (f) the *lot* shall have not less than 20.0m of *lot frontage* and 40.0m of *lot depth*;
 - (g) the *accessory building* used for the *home industry* shall only be located in the *rear yard* of the *lot*;
 - (h) there shall be a minimum of 3 off-street *parking spaces* in addition to any residential requirements. All the *parking* for the *home industry* must be accommodated on the same *lot* as the *dwelling* wherein the *home industry* occurs. The *parking* shall not be located in the required *front yard*; and
 - (i) *home industries* are subject to site plan control.

6.19 HOME OCCUPATION

The following provisions shall apply to a *home occupation*, where it is permitted by this By-law:

- (a) only individuals permanently residing in the *dwelling unit* are engaged in the business;
- (b) there shall be no interior or exterior display of any type of sign indicating the home occupation, on the lot or premises where the home occupation is being carried out, any larger than a 0.2 m² (2.15 ft.²) unlit, non-reflective plaque of professional quality, attached to the building;
- (c) there will be no *outdoor storage* of materials, containers or finished products, except for the monument dealership located on Lot 868 of Plan 43S, which shall be permitted to utilize 15m² (161.40 ft.²) of yard space for exterior storage of a maximum of 10 upright monuments and 20 flat type monuments;
- (d) the residential character is not changed and that the use does not create or become a public nuisance, particularly in regard to noise, traffic, loading or unloading, or *parking*;
- (e) there is no use of mechanical equipment which results in any undue noise, fumes, dust, or odour escaping to any adjoining premises;
- (f) the use does not *occupy* more than 25% of the *floor area* of the *dwelling unit* including any *basement* area used as living quarters and any *basement* area used for a *home occupation*. The calculation of the floor area for the home occupation shall include storage areas, shops, offices, waiting or

6.0 GENERAL PROVISIONS

reception areas, hallways and washrooms entirely dedicated to the home occupation use, whether in the dwelling or in the accessory building;

- (g) sales shall only be permitted by catalogue except those products wholly produced or manufactured within the home occupation. Direct sales shall not be permitted from the premises of any home occupation and there shall be no storage of inventory for retail sale on the site of the home occupation. There shall be permitted the storage, within the home occupation area, of inventory for wholly produced or manufactured products and the repair and servicing of manufactured items. Only home occupations of this nature shall be permitted to carry and inventory within the home occupation.
- (h) products or items sold as part of the home occupation shall be delivered to the purchaser and not made available for pick up at the premises of the home occupation.
- (i) the display of sample products shall only be permitted within the designated area of the home occupation.
- (j) products or items sold as part of the home occupation shall be delivered to the purchaser and not made available for pick up at the premises of the home occupation.
- (k) all parts of a *home occupation*, other than *parking*, are confined to a *dwelling unit* and/or attached garage. A *home occupation* may be permitted within a *detached accessory building* or *structure* subject to a site specific amendment to this by-law. Those *home occupations* lawfully existing within a *detached accessory building* or *structure* on the date of adoption of this By-law shall continue to be permitted within such *buildings* or *structures*;
- (l) no more than three off-street *parking spaces* are associated with the *home occupation*;
- (m) other than *parking*, the use includes only an office or consulting room for a professional person or agent, clerical support services, an office for a trade such as a house builder, painter, or electrician, a general contractor, an office for a charitable organization, a workroom for a dressmaker or tailor, a *studio* for a teacher of music, art or academic subjects, a photographer or commercial artist, caterer and cake decorator, firearms catalogue sales and repair, tool sharpening, a barber shop, a tourist business office/travel agent, a hairstylist or hairdressing establishment, a mail order establishment, and a Ministry licensed home child care establishment that for remuneration provides temporary day care to not

more than five children and in accordance with the *Day Nurseries Act* and any other use similar in nature which conforms to the preceding criteria and which the Committee of Adjustment, upon application, permits; and

(n) Due to their nature as high volume traffic generators with large parking demands, their unsuitability within residential areas, and/or their tendency to grow rapidly and thus become a distraction to the residential character of their neighbourhoods, the following are prohibited as home occupations:

- An office for treatment or diagnosis of patients
- An *animal clinic*
- Any business serving food and/or beverages other than those facilities that would be used in association with a bed and breakfast establishment
- A rooming or boarding house
- A convalescent home
- A mortuary or funeral home
- A dance studio or school
- Any storage yard or plant for any trade

Any *home occupation* which utilizes hazardous materials in quantities that are unsafe or could be detrimental to the occupants of the *dwelling unit* or its immediate neighbours

Any mechanical, electrical or gas equipment processes which creates external audible, visible, or odorous effects, or that produces electromagnetic interference with home electronics in adjacent *dwelling units* or *dwelling units*

6.20 KENNEL

No *kennel* shall be permitted closer than 600m to an *existing dwelling* on a *lot* other than the *lot* upon which the *kennel* is proposed.

6.21 LANDSCAPED OPEN SPACE

Landscaped open space shall be provided in accordance with the zone provisions set out herein for each zone and the following general provisions:

- (a) Any part of a *lot* which is not occupied by *buildings, structures, parking areas, loading spaces, driveways, excavations, agricultural uses* or permitted *outdoor storage* areas shall be maintained as *landscaped open space*;

- (b) Except as otherwise specifically provided herein, no part of any required *front yard* or required *exterior side yard* shall be used for any purpose other than *landscaped open space*;
- (c) Where *landscaped open space* of any kind, including a *buffer strip*, is required adjacent to any *lot line* or elsewhere on a *lot*, nothing in this By-law shall apply to prevent such *landscaped open space* from being traversed by pedestrian walkways or permitted *driveways*; and
- (d) No part of any *driveway*, *parking area*, *loading space*, roof-top terrace, *balcony*, *deck*, *patio*, *private outdoor swimming pool* or space enclosed within a *building*, other than a landscaped area located above an underground *parking area*, shall be considered part of the *landscaped open space* on a *lot*.

6.22 LANDSCAPING AND BUFFERING

All *landscaping* and buffering requirements shall be established through the use of Site Plan Control in accordance with Section 41 of the *Planning Act*.

6.23 LANDS EXHIBITING HAZARDOUS CONDITIONS

Notwithstanding any other provisions of this By-law, no *buildings* or *structures* shall be *erected* or used on lands which exhibit, or potentially exhibit, a hazardous condition as a result of their susceptibility to flooding, erosion, subsidence, inundation, soil contamination, or the presence of organic soils or unstable and steep slopes. Additional *setbacks* from these hazardous conditions shall be identified and established in consultation with the Township and the Ministry of Natural Resources.

6.24 LICENCES, PERMITS, AND OTHER BY-LAWS

Nothing in this By-law shall be interpreted to relieve any persons from the obligation to comply with the requirements of the *Building By-law* or any other By-law in force within the Township or from obtaining any permit, licence, permission, authority, or approval required by this or any other By-law of the Township or from any other law in force from time to time.

6.25 MINIMUM DISTANCE SEPARATION

The following shall apply to *agricultural uses*, where they are permitted by this By-law:

- (a) New and expanded livestock facilities, manure storage facilities and anaerobic digesters are subject to the Minimum Distance Separation II

(MDS II) requirements according to the Minimum Distance Separation (MDS) Formulae;

- (b) The location of a new *dwelling* on a *lot* in proximity to an agricultural use in the Rural (RU) Zone is subject to Minimum Distance Separation I (MDSI) requirements according to the Minimum Distance Separation (MDS) Formulae. An existing off-site *dwelling*, destroyed by a catastrophic event, may be replaced by a new dwelling provided that the new *dwelling* is sited no closer to the *lot* on which the livestock facility is located than the previously existing *dwelling*; and
- (c) A new livestock facility may replace a former livestock facility destroyed by a catastrophic event, provided that the new livestock facility does not result in increases in the values of Factors A, B or D, of the MDS Formulae, compared to what existed at the livestock facility prior to the catastrophic event, such that there is no switch to a livestock type with a higher odour potential, there is no increase in the number of nutrient units housed and there is no switch to a manure system type with a higher odour potential.

6.26 ENVIRONMENTAL PROTECTION SETBACKS

The following provisions shall apply to all zones:

- (a) *Development* shall not be permitted within 120m of an EP Zone.

6.27 NON-COMPLIANCE WITH ZONE REQUIREMENTS

Where an *existing building* or *structure* was legally existing on the date of the passing of this By-law is located on a *lot* having less than the minimum frontage or area required by this By-law, or having less than the minimum *setback*, *front yard*, *side yard*, *rear yard* or *floor area* required by this By-law, the said *building* or *structure*, may be enlarged, reconstructed, repaired, renovated, or replaced provided that the enlargement, reconstruction, repair, renovation, or replacement, or any part thereof, maintains the established non-compliance or complies with the By-law requirement and complies with all other *setback* and *yard* requirements of the applicable zone. For example, where a 1.0m *side yard* exists and a two metre *side yard* is required by the By-law, the *existing building* can be enlarged maintaining a 1.0m *side yard* but must satisfy the *rear*, *front*, and opposite *side yard* requirements. Notwithstanding the preceding, such enlargement, reconstruction, repair, renovation, or replacement shall not be allowed if the same results in the continuation of an existing or the establishment of a new encroachment onto an abutting property.

6.28 NON-CONFORMING USES

6.28.1 CONTINUATION OF EXISTING USES

The provisions of this By-law shall not apply to prevent the use of any *lot, building, or structure* for any purpose prohibited by this By-law if such *lot, building or structure* was lawfully used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose.

6.28.2 BUILDING PERMIT ISSUED

The provisions of this By-law shall not apply to prevent the *erection* or use of any *building or structure* for a purpose prohibited by this By-law of any *building or structure* the plans for which have been submitted no more than thirty days prior to the date of the passing of the By-law, and have been approved for zoning requirements by the *Chief Building Official*, so long as the *building or structure* when *erected* is completed in conformity with such plans and is used and continues to be used for the purpose for which it was *erected* and provided the *erection* of such *building or structure* commenced within 2 years after the date of the passing of the By-law and such *building or structure* is completed in conformity with such plans expeditiously after the *erection* thereof is commenced.

6.28.3 DEEMED TO COMPLY WITH THIS BY-LAW

Where a building permit has been issued for a building or structure in accordance with the Ontario Building Code, and such building or structure does not comply with this By-law, such building or structure shall be deemed to comply with this By-law.

6.28.4 PERMITTED EXTERIOR EXTENSION

A *building*, which at the date of passing of this By-law was used for a purpose not permissible within the zone in which it is located, shall not be enlarged, extended, reconstructed or otherwise structurally *altered*, unless such *building* is hereafter to be used for a purpose permitted within such zone and complies with all requirements of this By-law for such zone or permission is obtained from the Committee of Adjustment in accordance with the *Planning Act*.

6.28.5 PERMITTED INTERIOR ALTERATION

The interior of any *building* lawfully used on the date of passing of this By-law for a use that is not permitted within the zone that such *building* is located may be reconstructed or structurally *altered* in order to render the same more convenient or commodious for the same purpose for which, at the passing of this By-law, such *building* was used.

6.28.6 RESTORATION TO A SAFE CONDITION

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any *building* or *structure* or part thereof, lawfully used on the date of passing of this By-law, provided that the strengthening or restoration does not increase the *building's height* more than 100 centimetres, size, or volume, or change the use of such *building* or *structure*.

6.28.7 DISCONTINUED NON-CONFORMING USE

Where a use, *building* or *structure* which was lawfully *existing* prior to the date of passing of this By-law has been used for a purpose not permitted in the zone in which it is situated but the use has been discontinued, the *building* or *structure* may only be used for a use that conforms to this By-law. A *building* or *structure* destroyed by fire or natural disaster may be rebuilt provided the dimensions of the *building* or *structure* are not increased.

6.28.8 REPLACEMENT OF NON-CONFORMING BUILDING OR STRUCTURES

Where a *building* or *structure* has been purposely demolished or accidentally destroyed and more than six months has lapsed, and which *building* or *structure* does not conform with the requirements of this By-law in respect to use, *lot* occupancy or *height*, such *building* or *structure* shall not be replaced except as permitted by the regulations of the zone in which the said *building* or *structure* is located.

6.29 NOXIOUS USES

Any *use* is prohibited which by its nature or by the materials used therein is declared under any legislation or any regulations thereunder, to be a *noxious use* as defined herein.

6.30 NURSERY AND GARDEN STORE

The following provisions shall apply to a *nursery and garden store*, where it is permitted by this By-law:

- (a) the produce offered for sale must be grown or produced on the same *lot*, or a *lot* in the same ownership as the individual operating the *nursery and garden store*; and
- (b) sufficient off-street *parking* shall be provided.

6.31 OCCUPANCY OF PARTIALLY COMPLETED BUILDINGS

No new *building* shall be occupied before the minimum requirements for occupancy outlined in the Building Code are completed to the satisfaction of the *Chief Building Official*. Provided, however, that any *dwelling unit* in a *multi-unit dwelling* or *apartment building* may be occupied once the above condition is satisfied, notwithstanding the fact that one or more of the *dwelling units* in the *building* have not yet been completed.

6.32 OUTDOOR STORAGE

Outdoor storage may be permitted in the Rural Zone and General Employment Zone, (not including residential *lots* in the Rural Zone), provided that:

- (a) The location and extent of *outdoor storage* areas shall be established in the site plan agreement which shall also establish appropriate buffering, *landscaping* or *fencing* to screen the storage from public view, especially where the *lot* abuts a Residential, Corridor Commercial, Town Centre or Institutional zone.
- (b) In addition to the requirements established in the site plan agreement, no *outdoor storage* of goods or materials shall be permitted in the *front yard* or in any *yard* which abuts a Residential Zone.
- (c) The minimum *setback* from any *side* or *rear lot line* of any permitted outdoor storage in any zone shall be no less than the respective minimum *side* or *rear yard* of the zone in which the said *outdoor storage* is located unless otherwise specifically specified in this By-law.
- (d) No *outdoor storage* is permitted in any *front* or *exterior side yard* except where permitted as an outdoor display of goods and materials in conjunction with a permitted industrial or a *commercial use* but not closer than 30m to any *lot line* or as otherwise specifically specified in this By-law and under no circumstances shall *outdoor storage* be permitted in a *sight triangle*.
- (e) Any permitted *outdoor storage* area, or vehicular access thereto, involving storage, *parking* or display or any primary means of vehicular access to any permitted *outdoor storage* area, shall be constructed and maintained with a stable surface of asphalt, cement, gravel or crushed stone with dust control, and drained in accordance with the requirements of the Township.
- (f) Notwithstanding any provisions in this By-law, *storage containers* shall only be permitted in the General Industrial Zone.

Any areas used for permitted *outdoor storage* shall be in addition to, and separate from, such areas as may be required by this By-law for the provision of off-street *parking* or *loading spaces*.

6.33 PARKING, LOADING AND ACCESS REQUIREMENTS

6.33.1 PARKING REQUIREMENTS

The minimum number of required parking for every type of *building* or *use* listed below which is *erected*, *altered*, or enlarged in any *zone* after the passing of this By-law, off-street *parking* shall be provided and maintained in accordance with the table below. In computing the requirement, no regard shall be had for any fraction or part of a whole number. Where *uses* are combined on one *lot*, the total *parking space* requirement shall be calculated by adding the individual requirements of each *use*.

Purpose or Use	Minimum Parking Spaces Required
Residential Uses	
<i>Single detached dwelling, semi-detached dwelling</i>	2.0 spaces per unit.
<i>Second Dwelling Unit</i>	1.0 space per unit
<i>Duplex dwelling, triplex dwelling, townhouse dwelling, converted dwelling</i>	1.5 spaces per <i>dwelling unit</i>
<i>Apartment dwelling and accessory dwelling unit (in combination with a non-residential use)</i>	1.25 spaces per <i>dwelling unit</i> plus 0.25 spaces per <i>dwelling unit</i> for exclusive use by visitors
<i>Group home dwelling</i>	1 space per 3 supervised group home residents that can be accommodated in the <i>group home dwelling</i>
<i>Home occupation</i>	2.0 spaces per <i>home occupation</i> use, in addition to any required <i>parking</i> for the permitted <i>use</i>
<i>Home industry, agricultural home occupation</i>	2.0 spaces per home industry use, in addition to any required <i>parking</i> for the permitted <i>use</i>
Commercial Uses	
<i>Animal clinic</i>	6.0 spaces per practitioner
<i>Auction establishment</i>	1.0 space per 25.0m ² of <i>gross floor area</i>
<i>Automobile rental establishment</i>	1.0 space per 25.0m ² of <i>gross floor area</i>

6.0 GENERAL PROVISIONS

Purpose or Use	Minimum Parking Spaces Required
<i>Automobile sales and service establishment and automobile repair establishment</i>	For the sales use, 1.0 space per 20.0m ² of indoor display <i>floor area</i> shall be required; for service areas and <i>automobile repair establishments</i> , the greater of 8.0 spaces or 1.0 space per 9.0m ² of service area or 3.0 spaces per service bay.
<i>Automobile service station</i>	2.0 spaces; this requirement shall not include the parking required for any service area, <i>automobile repair establishment</i> or <i>automobile washing establishment</i> associated with the <i>automobile service station</i> .
<i>Automobile washing establishment</i>	12.0 vehicle standing spaces where washing is done by machines or employees and 3.0 vehicle standing spaces for each area where washing is done by a coin operated washing apparatus, together with 4.0 spaces on the lot.
<i>Bed and breakfast establishment</i>	1.0 per guest room (in addition to the required number of <i>parking spaces</i> for the principal <i>single detached dwelling</i>)
<i>Building supply outlet</i>	1.0 space per 25.0m ² of <i>gross floor area</i>
<i>Club / Private Club</i>	1.0 space per 6.0 fixed seats or 4.0m of bench space, or 1.0 space per 9.0m ² of assembly <i>floor area</i> , whichever is greater (where the club is located on the same lot as a <i>place of worship</i> , the greater of the requirements [seating or hall area] are only required)
<i>Day care centre</i>	1.0 space per 5 children capacity
<i>Dry cleaning establishment</i>	1.0 space per 25.0m ² of <i>gross floor area</i> (dry cleaning) or 1.0 space per 15.0m ² of <i>gross floor area</i> (laundry)
<i>Eating establishment, drive through eating establishment, bake shop</i>	Where there are fixed seats, 1.0 space for every 5 seats or for every 3.0m of bench space of its maximum seating capacity; where there are no fixed seats, 1.0 space for each 9.0m ² of <i>floor area</i> devoted to public use.
<i>Financial institution</i>	1.0 space per 25.0m ² <i>gross floor area</i> or 10 spaces, whichever is the greater.
<i>Fitness centre</i>	1.0 space per 25.0m ² of <i>gross floor area</i>

Purpose or Use	Minimum Parking Spaces Required
<i>Funeral home</i>	1.0 space per 6.0 fixed seats or 4.0m of bench space, or 1.0 space per 9.0m ² of assembly floor area, whichever is greater (where the <i>funeral home</i> is located on same <i>lot</i> as a <i>place of worship</i> , the greater of the requirements [seating or hall area] are only required)
<i>Hotel / Motel</i>	Current standard: 1.0 space per rental unit, plus 1.0 additional <i>parking space</i> for each 9.0m ² of <i>floor area</i> devoted to public uses such as <i>eating establishments</i> and other <i>accessory uses</i> associated with <i>motels</i> .
<i>Kennel</i>	1.0 space per 25.0m ² of <i>gross floor area</i>
<i>Mobile Home Park</i>	1.0 space for each tent or trailer
<i>Personal service shop</i>	1.0 space per 25.0m ² of <i>gross floor area</i>
<i>Pharmacy</i>	1.0 space per 25.0m ² of <i>gross floor area</i>
<i>Place of entertainment</i>	1.0 space per 25.0m ² of <i>gross floor area</i>
<i>Printing establishment</i>	1.0 space per 25.0m ² of <i>gross floor area</i>
<i>Recreational vehicle sales, service and storage establishment</i>	1.0 space per 25.0m ² of <i>gross floor area</i>
<i>Confectionary establishment and convenience retail establishment</i>	1.0 space per 18.0m ² of <i>retail floor area</i> .
<i>Service shop and repair establishment</i>	1.0 space per 25.0m ² of <i>gross floor area</i>
<i>Supermarket</i>	Current standard: one <i>parking space</i> per 18 m ² of <i>retail floor area</i>
<i>Other commercial uses</i>	1.0 space per 25.0m ² of <i>gross floor area</i>
Employment Uses	
<i>Contractor's yard and service trade establishment</i>	1.0 space per 95.0m ² of <i>gross floor area</i>
<i>Manufacturing, heavy and manufacturing, light</i>	1.0 space per 95.0m ² up to 2,000.0m ² of <i>gross floor area</i> , plus 1.0 space per 450.0m ² of <i>gross floor area</i> over 2,000.0m ²

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Purpose or Use	Minimum Parking Spaces Required
<i>Office or call centre or laboratory or scientific research facility</i>	1.0 space per 25.0m ² gross floor area or six spaces, whichever is the greater
<i>Transport terminal</i>	1.0 space per 20.0m ² of gross floor area
<i>Warehouse</i>	1.0 per 140.0m ² up to 2,000.0m ² of gross floor area plus 1.0 per 450.0m ² of gross floor area over 2,000.0m ²
<i>Wholesale establishment</i>	1.0 per 45.0m ² of gross floor area
Other employment uses	1.0 per 45.0m ² up to and including 2,800.0m ² plus 1.0 for each additional 190.0m ² over 2,800.0m ²
Institutional Uses	
<i>Assembly hall, community centre, or cultural facility</i>	Where there are fixed seats, 1.0 space for every 5 seats or for every 3.0m of bench space of its maximum seating capacity; where there are no fixed seats, 1.0 space for each 9.0m ² of floor area devoted to public use;
<i>Hospital</i>	2.5 spaces per bed based on maximum capacity
<i>Library</i>	10.0 spaces or 1.0 space for every 93.0m ² of floor area, whichever is greater
<i>Medical office</i>	1.0 space per 10.0m ² of gross floor area
<i>Place of Worship</i>	1.0 space for every 10 seats or 6.0m of bench space of its maximum seating capacity.
<i>Retirement home/ Long Term Care Home</i>	1.0 space for each 2 beds or for each 46 m ² of floor area, whichever is greater.
<i>School</i>	1.5 spaces per classroom in a private or public elementary school and 2.5 spaces per classroom in a private or public secondary school, plus an additional 25m ² of assembly floor area for all schools.
<i>Other institutional uses</i>	1.0 space per 35.0m ² of gross floor area; or one parking space for each four employees plus a parking area for visitors with a minimum capacity of ten parking spaces (for government offices, buildings and facilities).
Parks and Open Space Uses	
<i>Cemetery</i>	A minimum of 5.0 spaces.

Purpose or Use	Minimum Parking Spaces Required
<i>Golf course</i>	5.5 spaces per hole plus such parking required for any other ancillary uses.
<i>Marina</i>	1.0 space per boat/ floatplane <i>dock</i> .

6.33.2 PARKING AREAS AND OTHER PARKING PROVISIONS

Where in this By-law *parking areas* are required or permitted, the following regulations shall apply:

- (a) When a *building* or *lot* accommodates more than one use or purpose, the required *parking spaces* shall be the sum of the required *parking spaces* for the separate uses or purposes. Parking facilities for one use shall not be considered as providing required *parking* for any other use.
- (b) If the calculation of the required *parking spaces* results in a fraction, the required *parking spaces* shall be the next highest whole number.
- (c) Within each *parking area* required there shall be provided, maintained and signed reserved *parking spaces* for persons with disabilities in accordance with the following table:

Total Number of <i>Parking Spaces</i> in the <i>Parking Area</i>	Required Number of <i>Parking Spaces</i> for Persons with Disabilities in the <i>Parking Area</i>
9 or less	0
10 to 25	1
26 to 99	2
100 to 149	3
150 to 199	4
200 and over	1 space for every 50 <i>parking spaces</i> in the <i>parking area</i>

- (d) *Parking spaces* for persons with disabilities shall be properly designated by the International Accessibility symbol mounted both vertically on a sign, as well as on the surface of the *parking space* in fluorescent blue according to the following dimensions:
 - i) A painted ground accessibility sign shall be a minimum of 1.25m by 1.25m in size.

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- ii) A parking control sign shall be located 1.5m above ground and shall be a minimum of 0.3 m by 0.3 m in size.
- iii) *Parking spaces* shall be a minimum of 3.0m in width and 6.0m in length.
- iv) *Parking spaces* for persons with disabilities shall be a minimum of 4.5m in width and 6.0m in length.
- v) A parking *aisle* shall have a minimum unobstructed width of 6.7 m.
- vi) Adequate drainage facilities for the *parking area* shall be provided and maintained in accordance with the requirements of the Township.
- vii) The *parking area* and approaches shall be surfaced with concrete, asphalt, interlocking stone, crushed stone, gravel or a combination thereof, with a stable surface treated to prevent the raising of dust or loose particles, and in the case of all commercial zones shall have a cement or asphaltic binder or any other permanent type of surfacing.
- viii) The lights used for illumination of *parking areas* shall be so arranged as to divert the light away from adjacent *lots*.
- ix) *Parking areas* shall either be located on the same *lot* as the *use* for which such *parking* is required or within 90m of the location which it is intended to serve and shall be situated in the same zone.
- x) All *parking areas* and their approaches in any zone shall be defined by a curb or concrete or rolled asphalt or other suitable obstruction designed to provide a neat appearance.
- xi) A *structure*, not more than 3 m in *height* and not more than 4.6 m² in area may be *erected* in the *parking area* for the use of attendants in the area.
- xii) No sign other than directional signs and a sign indicating the name of the owner, not exceeding 0.8 m² in size shall be *erected* on any *parking area* or *parking lot*.
- xiii) Where *parking* is to be provided for sole use by visitors for a use or purpose as set out in Section 6.33.1, such spaces shall be

designated, clearly signed and maintained exclusively for visitor *parking*.

- xiv) In any Residential zone but excluding apartment buildings, all *parking spaces* shall be located in a garage or *carport* or in a *side or rear yard*, or only on a permitted *driveway* in the *front yard*.
 - xv) In any Residential zone, no vehicle shall be parked on any part of a *lot* other than in a garage, *carport*, required *parking area*, or on a permitted *driveway*.
- (e) The *parking* of commercial vehicles is prohibited in Residential zones except that the owner or occupant of any *lot, building or structure* in any residential zone may use any *private garage or driveway* of which he is the owner or occupant for the housing or *storage* of one (1) commercial vehicle used for commercial purposes, owned or operated by himself, provided such use is for housing or *storage* of the vehicle only and such commercial vehicle is not used in connection with any business or other use on the premises or associated with the residence which is prohibited by this By-law in any such residential zone. Any goods, materials or contents stored on or in such commercial vehicle shall not be exposed to or be in the general view of the public.

For the purposes of this paragraph, “commercial vehicle used for commercial purposes” shall only include small, light duty vans and pick-up trucks with a maximum carrying capacity not to exceed one (1) tonne.

- (f) In any residential zone, the owner or occupant of any *lot* may park or store a maximum of two (2) of the following vehicles (boat or travel trailer or other *recreational vehicle*), in any combination, provided that he or she is the owner of such boat, travel trailer or *recreational vehicle* and that such *parking or storage* is confined to the side or rear of the *dwelling* and is beyond the required minimum *front yard* and minimum *side yard setback* as established in the corresponding zone category in this By-law and is in accordance with all other regulations prescribed by this By-law.

6.33.3 LOADING REGULATIONS

No *person* shall *erect* or use any *building or structure* in any zone for any purpose unless *loading spaces* are provided and maintained in accordance with the following provisions:

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- (a) A minimum of one (1) *loading space* shall be required for any *non-residential use* with a *gross floor area* equal to or greater than 300m², and an additional *loading space* shall be required for each additional 2,000m² of *gross floor area*, or fraction thereof, up to 4,300m² of *gross floor area* (i.e., a required minimum of three (3) *loading spaces*). For any *non-residential use* with a *gross floor area* greater than 4,300m², an additional *loading space* shall be required for each additional 8,000m² of *gross floor area*, or fraction thereof.
- (b) No *loading space* shall be required for any *dwelling* except an *apartment building*.
- (c) No *loading space* shall be required for an *apartment building* with less than 750m² of *gross floor area*. One (1) *loading space* shall be required for an *apartment building* with a *gross floor area* of 750m² or greater, and an additional *loading space* shall be required for each additional 8,000m² of *gross floor area* or fraction thereof.
- (d) The *loading space* shall not be less than 3.5m by 13.5m and 4.5m in *height* for clearance purposes.
- (e) The *loading space* shall be accessed by a private *driveway* or a *parking area*.
- (f) There shall be sufficient *driveway* space to permit maneuvering of vehicles on the *lot* so that they do not cause an obstruction or a hazardous condition on adjacent *streets*.
- (g) *Loading spaces* shall not be permitted within a *front yard*.

6.33.4 DRIVEWAY REGULATIONS

Driveways shall be located, designed and erected in accordance with the following provisions:

- (a) A *driveway* for a residential *use* shall have a minimum width of 3.0m and a maximum width of 7.3 m. *Driveways* for commercial *uses* shall have a minimum width of 7.5m and a maximum width of 12.0m. *Driveways* for employment *uses* shall have a minimum width of 7.0m and a maximum width of 15.0m. For all other uses, *driveways* shall have a minimum width of 7.0m and a maximum width of 9.0m.
- (b) No *driveway* shall be allowed within a *site visibility triangle*.
- (c) No *driveways* shall be allowed within 8.0m of the pavement intersection of two streets.

- (d) Every residential *lot* with 30m of frontage or less shall be restricted to not more than one *driveway*. Every residential and agricultural *lot* with more than 30m of *lot frontage* shall be restricted to two *driveways*.
- (e) *Parking* areas and associated *driveway* systems serving any use other than single unit, two-unit and three-unit *development* shall be designed in such a manner that any vehicle entering or leaving a street or public land need not travel in a backward motion.

6.34 PERMITTED ENCROACHMENTS IN REQUIRED YARDS

Every part of any *yard* required by this By-law shall be open and unobstructed by any *structure*, other than a *fence* or hedge, provided however that those *structures* listed in the following table shall be permitted to project into the *yards* indicated for the distances specified.

	Structure	Required Yard in Which Projection is Permitted	Amount of Encroachment Allowed
a)	Balconies	<i>Rear yard</i> only for <i>dwellings</i> except <i>apartment dwellings</i> , where it shall be permitted in any <i>yard</i>	2.5m
b)	Canopies	<i>Front yard</i> in M1 zone only	7.6 m
c)	Cantilevers	<i>Front and rear yards</i>	1.0m
d)	Sills, belt courses, cornices, eaves, gutters, chimneys, pilasters, or other non-structural architectural elements	<i>Any yard</i>	1.0m
e)	Fire escapes and exterior staircases	<i>Rear yard</i> only	1.5m
f)	Roofed, <i>unenclosed porches</i> or uncovered terraces	<i>Front and rear yards</i> only	2.5m including eaves and cornices
g)	Small-scale generating systems	<i>Rear and side yards</i>	2.5m
h)	Steps including landings	<i>Front, rear and side yards</i>	2.5m

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	Structure	Required Yard in Which Projection is Permitted	Amount of Encroachment Allowed
i)	Television antennas, <i>satellite dishes</i> (equal to or less than 1.0m in diameter)	<i>Rear and side yards</i>	1.0m
j)	Unenclosed barrier-free ramps	<i>Any yard</i>	No restriction
k)	Window bay and awnings	<i>Front, rear and side yards</i>	1.0m
l)	Window or wall-mounted furnaces heat pumps and outdoor free-standing air conditioning units	<i>Rear yards and interior side yards only</i>	1.5m

6.34.1 ENCROACHMENT AND HEIGHT OF FENCING AND LANDSCAPING

A *fence*, screen, or wall not more than 1.8 m in *height* or a hedge or thick growth of shrubs maintained so as not to exceed 1.8 m in *height*, may be located in any required *side yard* or *rear yard*, but shall not be more than 1.2 m in *height* when located in the required *front yard*. This *height* provision shall not prevent the *erection* of an open mesh *fence* enclosing a school site or public or *private outdoor swimming pool*. *Landscaping* is a permitted *use* in any *yard* in any zone within the By-law.

6.35 PERMITTED PUBLIC AND OTHER SERVICES

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 providing public services by the Township, a Ministry of Natural Resources or the Province of Ontario, or the Government of Canada or by any local Board thereof as defined by the *Municipal Act*, or by Hydro One, and 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 communication towers and other uses not regulated by the Township, provided that, with respect to all of the foregoing:

- (a) The *lot coverage*, *setback* and *yard* requirements prescribed for the zone in which such land, *building* or *structure* is located shall be complied with;
- (b) No goods, material, or equipment shall be stored in the open in a Residential Zone, or on a *lot* adjacent to a Residential Zone;

(c) Any *building erected* or *lot* used in a Residential Zone under the authority of this paragraph shall be designed and maintained in general harmony with residential *buildings* and uses of the type permitted in the zone at the discretion of the Chief Building Official; and

(d) Any *parking* and loading regulations for these uses are complied with.

6.36 RECONSTRUCTION OF EXISTING BUILDING

Nothing in this By-law shall prevent the repair or reconstruction arising from destruction through natural causes of any *building* or *structure existing* and lawfully used as of the date of passage of this By-law, provided that the dimensions of the original *building* or *structure* are not increased, the location of the *building* or *structure* is not changed and that the *use* is not *altered*.

6.37 RESOURCE EXTRACTION OR EXPLORATION USE

The following provisions shall apply to a *resource extraction or exploration* use, or the facilities for the compressing, treating and storage of petroleum resources, where it is permitted in this By-law:

(e) a permit, under the *Aggregate Resources Act*, has been obtained from the Ministry of Northern Development, Mines, and Forestry and is delivered to the *Chief Building Official*;

(f) all *buildings* and *structures* and activities to be undertaken in conjunction with the permitted exploration or extraction use comply with all of the conditions which may be imposed as part of the required permit by the Ministry of Natural Resources, and comply with all of the applicable statutes, regulations and by-laws which may be imposed from time to time by an and all federal, provincial and local government ministries, agencies and boards, including but not limited to the Ministry of Environment, the Ministry of Natural resources, the Ministry of Consumer and Commercial Relations; and

(g) all main and *accessory buildings* and *structures* shall not be located within 150m of a *dwelling unit* in any zone.

6.38 SATELLITE DISHES

No *satellite dish* larger than 1.0m in diameter shall be located in a required *front* or *side yard*, or at such an elevation that the top of the *satellite dish* is higher than the *main building* on the *lot* on which the *satellite dish* is situated. *Satellite dishes* are

considered *accessory structures* and as such must satisfy the accessory use provisions contained in Section 6.3 of this By-law.

6.39 SECONDARY DWELLING UNITS

Notwithstanding any other provision of this By-law, where a second dwelling unit is permitted, the following provisions apply:

- (a) Where a secondary dwelling unit is located on a lot, no garden suite, boarding house, or lodging house shall be permitted;
- (b) Secondary dwelling units shall be permitted in all single detached dwellings, semi-detached dwellings, and row dwellings in all residential zones;
- (c) All secondary dwelling unit must meet provisions of the Ontario Building Code, as amended, and obtain necessary Building Permits;
- (d) A maximum of one secondary dwelling unit is permitted on a lot;
- (e) A secondary dwelling unit shall have a gross floor area not exceeding 40% of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. For the purposes of this provision, calculations for gross floor area shall refer to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:
 - i) floor area occupied by mechanical, service and electrical equipment that serve the building;
 - ii) an open porch or balcony; and
 - iii) areas internal to the building that are intended for the storage of vehicles.
- (f) In addition to any other parking requirements, parking space(s) required by subsection 6.33.1 of the By-law shall be provided for the secondary dwelling unit. Notwithstanding anything to the contrary in this By-law, the required parking may be provided through a tandem or stacked parking arrangement. The parking space location for the secondary dwelling unit shall meet the yard and driveway provisions of the zone;
- (g) The secondary dwelling unit shall have separate access from that of the principal dwelling unit. Access shall be provided at the front of the building, or at the side or rear of the building where a minimum 1.2 metre wide unobstructed walkway from the front of the building to the access is provided; and
- (h) A secondary dwelling unit shall only be permitted in a dwelling noted in subsection 6.39(b) if said dwelling house is connected to municipal services or private water and sewerage systems approved to service a second residential unit by the authority having competent jurisdiction.

6.40 SEPARATION OF DWELLINGS FROM RAILWAYS

No *dwelling* shall be *erected* closer than 30.0m to the *right-of-way* of any railway; provided, however, that this requirement shall not apply to any lawfully *existing dwelling* or to an abutting vacant *lot* in a Residential Zone having such dimensions that the application of such *setback* would prevent the construction of a *dwelling* thereon.

6.41 SERVICING REQUIREMENTS FOR ALL DEVELOPMENT

No *person* shall *erect, alter* or use any *building* or *structure* in any zone or defined area within the Township unless such land, *building*, or *structure* is serviced with water and a sanitary system satisfactory to the Township or its designated agent.

6.42 SETBACKS ON STREETS

No person shall construct any *building* or *structure* unless such *building* or *structure* complies with the following *setback* requirements from the centreline of the abutting *street*:

- a) *Provincial Highway*
18 metres plus the minimum front yard setback required for such use in the zone where it is located.
- b) *Major Road*
15 metres plus the minimum front yard setback required for such use in the zone where it is located.
- c) *Local Street*
10 metres plus the minimum front yard setback required for such use in the zone where it is located.

6.43 SIGHT VISIBILITY TRIANGLES

Sight visibility triangles shall be provided in accordance with the following provisions.

- (a) Notwithstanding any other provisions of this By-law, no *building* or *structure*, including a *fence* or sign, shall be *erected* within the *sight triangle* included between the *street lines* for a distance of 6.0m from the *point of intersection* and no shrubs or foliage shall be planted or maintained which obstruct the view of a driver of a vehicle approaching the intersection above a *height* of 1.0m above the *centreline grade* of the intersecting *streets*.

- (b) In all zones, on a lot abutting a railway where the railway and a street intersect at the same grade, no *building* or *structure* including a *fence* or sign shall be erected and no shrubs shall be planted or maintained, which obstruct the view of a driver of a vehicle approaching the intersection, above a height of 1.0m above the *centreline grade* of the intersecting street in the triangular *centreline grade* of the intersecting *street* in the area bounded by the right-of-way limit of the railway and the *street line* and a line from the points along such *right-of-way* limit and such street line distant 50.0m from the *point of the intersection* thereof.

6.44 SIGNS AND FENCES

All signs and *fences* shall be in accordance with the Township's sign and fence By-laws passed under the authority of the *Municipal Act*.

6.45 STREET FRONTAGE REQUIRED

No *person* shall *erect* any *building* or *structure* unless the *lot* upon which such *building* or *structure* is to be *erected* has *lot frontage* upon a *street* which has been assumed and opened by the Township or the Province, and is maintained by such authority in such a manner so as to permit its *use* by vehicular traffic, provided that a *building* or *structure* may be *erected* upon a *lot* within a registered plan of subdivision in accordance with the provisions of a subdivision agreement entered into by the Township in respect of such plan of subdivision notwithstanding that the *streets* within such plan of subdivision have not been assumed and are not being maintained by the Township.

Notwithstanding the previous paragraph, for the purposes of this Section, *private roads* that existed on the date of adoption of this By-law that are in or abut any Residential zone shall be considered as *streets* despite the fact that such roads have not been assumed by the Township. This provision shall only have effect for the purpose of applying certain requirements and regulations of this By-law and not to the consideration and granting of *consents*. The provision shall also not imply any obligation on the Township to assume and/or develop any *private road* into a public *street* or to maintain it for private or public purposes.

Notwithstanding the foregoing, where lands are acquired for the purpose of a public utility line and such acquisition deprives a parcel of land street frontage, the part of such parcel so deprived shall be deemed, for the purpose of the By-law to have frontage on such street provided the land has a permanent right of access to such street.

6.46 THROUGH LOTS

Where a lot which is not a *corner lot* has *lot frontage* on more than one (1) street, the *setback* and *front yard* requirements contained herein shall apply on each street in accordance with the provisions of the zone in which such *lot* is located.

6.47 YARD AND OPEN SPACE PROVISIONS FOR ALL ZONES

No part of a *yard* or other open space required around any *main building* for the purpose of complying with the provisions of this By-law shall be included as a part of a *yard* or other open space similarly required for another *main building*.

6.48 TEMPORARY CONSTRUCTION USES

The temporary use of *buildings* and *structures* incidental and necessary for construction work (and such work is proceeding expeditiously) will be permitted in all zones and defined areas, but only for so long as the same are necessary for construction work. Any temporary construction use must be removed within two months of *occupancy* of the work under construction, or within two months after construction work has ceased. Permitted temporary construction uses shall also include *portable asphalt or concrete plants* as well as *wayside pits and quarries*.

6.49 TRAILER OR BOAT STORAGE

The *storage* of any *recreational vehicle* shall be prohibited in any required *front yard*. Such vehicles may be stored in any *rear* or *side yard* behind or beside the *main building*.

6.50 TRUCK, BUS AND COACH BODIES OR TRAILERS OR TENTS USED FOR HUMAN HABITATION OR STORAGE

The use of trucks, buses, coach bodies or trailers or tents for human habitation or storage shall be in accordance with the following provisions.

- (a) No truck, bus, coach or streetcar body, *trailer* or tent shall be used for human habitation within the Township whether or not the same is mounted on wheels, except on a temporary basis, such as the use of *trailers* and tents for camping, where it is permitted in accordance with this By-law.
- (b) No *trailer* shall be used for the *storage* of goods and/or material within any Zone, other than in an Industrial Zone, or for advertising purposes in any zone.

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- (c) No bus, coach or streetcar body, tent, *trailer*, boat or *mobile home*, as defined in this By-law, shall be used as a permanent office or for storage purposes, within the Township. This does not prevent the use of a transport trailer for storage. However, *storage* in a transport trailer is prohibited in any zone, other than in an Industrial Zone, except in the circumstance noted under Section 6.48 (Temporary Construction Uses) of this By-law.
- (d) No truck shall be parked and used for the wholesale or retail sale of goods, articles or things for a period of more than thirty (30) days.
- (e) No boat shall be used for human habitation within the Township from the month of November to the month of April and provided such boat is docked in a *marina*.

6.51 UNLAWFUL USES

Any use established in violation of a predecessor of this By-law will be deemed to have been established unlawfully. The passing of this By-law shall in no way render any unlawful use as a lawful or legal *non-conforming use*.

6.52 USES PERMITTED IN ALL ZONES

Nothing in this By-law shall apply to prevent or otherwise restrict in any way the following uses and structures:

- (a) *streets* or the installation of a watermain, *sanitary sewer* main, storm sewer main, gas main, pipeline, or overhead or underground hydro, communications/telecommunications, television, or other supply or communication line;
- (b) *existing* railway *rights-of-way*, including any *accessory buildings* or *structures* thereto;
- (c) *existing agricultural uses*, until such time as redevelopment for the permitted use that the lands are zoned for occurs; and
- (d) fish, wildlife and forest management.

6.53 USES PROHIBITED IN ALL ZONES

The establishment of any *use* of land, *buildings* or *structures* shall be in accordance with the following provisions, which apply to prohibit particular *uses*, *buildings* or *structures* in all zones unless otherwise stated.

It shall be prohibited to use any land or to *erect* and use any *building* or other *structure* in any zone or defined area for the purpose of:

- (a) The slaughtering of animals and any other related processing and/or refining including but not limited to blood boiling, tripe boiling, bone boiling, extracting oil from fish or animals, and tanning hides or skins.
- (b) *Salvage or scrap yards*, wrecking yards, automobile *salvage yards*, a *waste disposal site* or *waste processing facility*, a *waste transfer site*, a *recycling centre* or a *composting operation*, the collection of junk, any refuse, scrap iron, or other scrap metals unless such uses are specifically listed as permitted uses within a particular zone or defined area or unless this By-law is amended to specifically permit the *use*.
- (c) The refining, storage or *use* in manufacturing of coal oil, rock oil, fuel oil, natural gas, propane, burning fluids, naphtha, benzol, benzene, gasoline, ethanol, dynamite, dualin, nitroglycerine, gun powder, glue, petroleum or any other combustible, inflammable, volatile or otherwise dangerous liquids, gases or solid materials except where specifically permitted hereby or in conjunction with a permitted *use* and unless such substances are protected by adequate fire fighting and fire prevention equipment and by such safety devices as are generally employed in the handling of such substances and provided that such substances are kept removed from adjacent *uses* to a distance which is compatible with the potential danger involved, except that this provision shall not apply to prevent the above ground storage of such substances by a farmer, where such storage is incidental and *accessory* to an *agricultural use*, or the use of natural gas, propane or fuel oil for domestic purposes, such as heating and cooking, in conjunction with a *residential use*;
- (d) Manufacturing or storing of fertilizers from dead animals, from human or animal waste; a track for the racing of motor vehicles, motor cycles, or motorized snow vehicles, a Ready Mix Concrete Plant, or a cement batching plant.
- (e) Keeping of *derelict vehicles*, unless it specifically forms part of a permitted *use* in a zone.
- (f) *Mobile homes* shall be prohibited in the Township, except where they are specifically listed as a permitted *use* in a zone or defined area.
- (g) *Uses* not listed as permitted *uses* in a zone or defined area in this By-law shall be prohibited in such zone or defined area.

6.54 PORTABLE ASPHALT AND CONCRETE PLANTS AND WAYSIDE PITS AND QUARRIES

Portable asphalt and concrete plants and wayside pits and quarries may be permitted in the Rural (RU) zone and Industrial zones, subject to the following provisions:

- (a) *Portable asphalt and concrete plants and wayside pits and quarries* shall be subject to Site Plan Control.
- (b) The proposed *portable asphalt and concrete plants and/or wayside pits and quarries* shall only be permitted where it is the work of a public authority or a delegated agent or contractor.
- (c) *Portable asphalt and concrete plants and wayside pits and quarries* shall not be permitted in the Hazard Lands (HL) zone or the Environmental Protection (EP) zone.

7.0 Urban Residential Zones

7.1 PERMITTED USES

Type of Use	Residential Density Zone 1 (R1)	Residential Density Zone 2 (R2)	Residential Multiple Density Zone 1 (RM1)	Residential Multiple Density Zone 2 (RM2)	Residential Mobile Home Zone (RMH)
Permitted Residential Uses					
Apartment dwelling				•	
Converted house dwelling with a maximum of three dwelling units		•			
Duplex dwelling		•			
Existing converted dwelling	•	•			
Fourplex dwelling		•			
Home occupation	•	•			
Secondary dwelling unit	•	•	•		
Semi-detached dwelling		•			
Single family dwelling	•	•			
Townhouse or Rowhouse dwelling			•		
Triplex dwelling		•			
A Mobile Home located on a Mobile Home Site provided that each site shall have a piped water supply and private sewage disposal facilities					•
Permitted Non-Residential Uses					
A convenience store					•
Permitted Public Uses					
Public uses in accordance with Section 6.35	•	•	•	•	•
Permitted Accessory uses					
Uses, buildings or structures accessory to any of the permitted uses in any of the residential zones	•	•	•	•	•

7.0 RESIDENTIAL ZONES

7.2 RESIDENTIAL DENSITY ZONE 1 (R1): ZONE REQUIREMENTS

7.2.1 RESIDENTIAL USES

Requirement		All uses permitted in R1 Zone	Accessory buildings in R1 Zones
Minimum Lot Area			
Full services		557.4m ²	
Partial services		696.75m ²	
Private services		1393.5m ²	
Minimum Lot Frontage			
Full services	Interior lot	15m	
	Corner lot	18m	
Partial services		15m	
Private services		30m	
Minimum Dwelling Unit Gross Floor Area			
		100m ² ; 70m ² on ground floor where there is more than one storey	
Minimum Yard Requirements			
Front yard		6m	
Rear yard		7.5m	1.5m
Side yard	Interior	1.2m plus 0.6m for each additional storey over the first	1.2m; 0m if there is a mutual garage on the common property line
	Exterior	4.5m	4.5m; 6m between a garage door and the street line
Maximum Building Height			
		11m	4.26m
Maximum Lot Coverage			
No attached garage		35%	10% for the accessory building
Attached garage		45%	5% for the accessory building and 45% combined coverage of all buildings and structures on the lot, notwithstanding the provisions of Section 6.3
Minimum Landscaped Open Space			
		30%	
Maximum Number of Dwellings per Lot			
		1	
Maximum Number of Dwelling Units per Lot			
		3	1 (where considered a secondary dwelling unit)
Home Occupations			
Regulations for home occupations shall be in accordance with the provisions of Section 6.19.			
Off-Street Parking			
Off-street parking shall be in accordance with the provisions of Section 6.33.			

7.2.2 NON-RESIDENTIAL USES

Sections 5.1.2.1 to 5.1.2.4 inclusive and Sections 5.1.2.6 to 5.1.2.8 inclusive (R1 Zone requirements) shall apply. In addition, no non-residential building or structure shall be located closer than one half the heights of the building or 7.6 metres, whichever is the greater, to any property line of the lot on which said building or structure is located.

7.3 RESIDENTIAL DENSITY ZONE 1 (R1): EXCEPTIONS

1. Part 2 Plan 53R-11512 – (R1-1)

Notwithstanding the requirements of Section 7.2.1, the following minimum lot frontage requirements shall apply to the lands shown as R1-1 on Schedule “A”:

- a) Minimum lot frontage: 5.2m

All other requirements of the By-law not specifically amended herein shall apply to the subject lands. (*By-law 90-7*)

2. Part of Part 1, Plan 53-R-7056, Golf Course Road – (R1-2)

Notwithstanding the provisions of Section 7.1 of By-Law 89-19, the following special regulations shall apply to the lands identified as R1-2 on Schedule “A”:

- a) Permitted Institutional Uses: one only child care centre and uses, buildings or structures accessory thereto shall be permitted

3. Lot 5 and Part Lot 6, Plan 4-S – (R1-3)

Notwithstanding the requirements of Section 7.2.1 of this By-law, the following requirements shall apply to the land shown as R1-3 on Schedule “A”:

- a) Minimum lot area:
 - i) Lot 5: 445m²
 - ii) Part Lot 6: 222m²
- b) Minimum lot frontage:
 - i) Lot 5: 12.1m
 - ii) Part Lot 6: 6m

All other requirements of this By-law not specifically amended herein shall apply to the subject property. (*By-law 90-7*)

1.0 Lot 509, Plan 158 – (R1-4)

Notwithstanding the requirements of this By-law, the following special regulations shall apply to the lands shown as R1-4 on Schedule “A”:

7.0 RESIDENTIAL ZONES

- a) Minimum yards:
 - i) Rear yard: 1.2m

7.4 RESIDENTIAL DENSITY ZONE 2 (R2): ZONE REQUIREMENTS

7.4.1 RESIDENTIAL USES: R2 ZONE USES NOT PERMITTED IN R1 ZONES

Requirement		Semi-Detached Dwellings in R2 Zones	Fourplexes in R2 Zones	All other uses permitted in R2 Zones not permitted in R1 Zones	Accessory buildings in R2 Zones
Minimum Lot Area					
Full services		325m ² /unit	1150m ² /unit	557.4m ²	
Partial services		--	--	696.75m ²	
Private services		--	--	1393.5m ²	
Minimum Lot Frontage					
Full services	Interior lot	7.6m	15m	15m	
	Corner lot	7.6m	15m	18m	
Partial services		--	--	15m	
Private services		--	--	30m	
Minimum Dwelling Area					
		83m ²	83m ²	83m ²	
Minimum Yard Requirements					
Front yard		6m	6m	6m	
Rear yard		7.5m	7.5m	7.5m	1.5m
Side yard	Interior	0m on one side; 1.2m plus 0.6m for each additional storey over the first on other side		1.2m plus 0.6m for each additional storey over the first	1.2m; 0m if there is a mutual garage on the common property line
	Exterior	4.5m; 6m between a garage door and the street line			
Maximum Building Height					
		11m	11m	11m	3.5m
Maximum Lot Coverage					
No attached garage		35%	35%	35%	10%
Attached garage		45%	45%	45%	5% for the accessory building and 45% combined coverage of all buildings and structures on the lot, notwithstanding the provisions of Section 6.3.
Minimum Landscaped Open Space					
		30%	30%	30%	

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7.0 RESIDENTIAL ZONES

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Home Occupations
Regulations for home occupations shall be in accordance with the provisions of Section 6.19. Notwithstanding the provisions of Section 6.19, however, the following shall apply to home occupations in the R2 Zone: a) A home occupation may be established entirely within the existing single family dwelling in the form of a mail order catalogue business involving the sale of hunting supplies and firearms used for hunting and to provide a service to repair firearms. b) No outside storage of goods associated with the home occupation shall be permitted.
Off-Street Parking
Off-street parking shall be in accordance with the provisions of Section 6.33
Group Homes
Any person may establish a group home in a single detached dwelling provided that the group home is registered with the Township of Chapleau.

7.4.2 RESIDENTIAL USES: R2 USES PERMITTED IN R1 ZONES

All regulations for residential uses permitted in the R1 Zone as set out in Section 7.2.1 shall also apply to these uses within the R2 Zone.

7.4.3 NON-RESIDENTIAL USES

Section 7.2.2 (R1 Zone requirements) shall apply. In addition, no non-residential building or structure shall be located closer than one half the heights of the building or 7.6 metres, whichever is the greater, to any property line of the lot on which said building or structure is located.

7.5 RESIDENTIAL DENSITY ZONE 2 (R2): EXCEPTIONS

1. Lot 210, Plan 4 – (R2-1)

Notwithstanding the R2 Zone Requirements of this By-law, on the lands identified as R2-1 on “Schedule A”:

- a) A home occupation may be established entirely within an accessory building.
- b) No outside storage of goods associated with the home occupation shall be permitted.

2. Lot 801, Plan 42-S – (R2-2)

Notwithstanding the requirements of Section 7.4.1 of this By-law, on the lands identified as R2-2 on Schedule “A,” the following minimum northerly side yard shall apply:

- c) Minimum yard requirements:
 - ii) Northerly side yard: 0.97m

All other requirements of this By-law not specifically amended herein shall apply to the subject lands. (*By-law 90-7*)

3. Lot 644, Plan 42-S – (R2-3)

Notwithstanding the requirements of Section 7.4.1 of this By-law, on the lands identified as R2-3 on Schedule “A,” the following minimum rear yard shall apply:

- d) Minimum yard requirements:
 - iii) Rear yard: 1.8m (*By-law 90-7*)

4. Lot 673, Plan 14-S and Lot 203, Plan 4-S – (R2-4)

Notwithstanding the requirements of Section 7.1 of this By-law, on the land identified as R2-4 on Schedule “A,” a hairdressing salon shall be permitted within the existing structures located on the subject lots.

All other requirements of this By-law not specifically amended herein shall apply to the subject lands. (*By-law 90-7*)

5. Lot 303 Plan 158 – (R2-5)

Notwithstanding the requirements of Section 7.4.1 of this By-law, on the lands identified as R2-5 on Schedule “A,” the following minimum lot area, minimum lot frontage and minimum yard setback shall apply:

- e) Minimum lot area: 535m²
- f) Minimum lot frontage: 14.75m
- g) Minimum front yard setback: 4.31m
(*By-law 90-7*)

6. Lots 618 and 619, Plan 3-S – (R2-6)

Notwithstanding the provisions of this By-law, the following special regulations shall apply to the lands shown as R2-6 and HL-2 on Schedule “A”:

- h) Minimum yard requirements:
 - iv) Rear yard: 0m

7. Lots 618 and 619, Plan 3-S – (R2-7)

Notwithstanding the provisions of this By-law, the following special regulations shall apply to the lands shown as R2-7 on Schedule “A”:

- i) Minimum yard requirements:
 - v) Rear yard: 0m

**7.6 RESIDENTIAL MULTIPLE DENSITY ZONE 1 (RM1):
ZONE REQUIREMENTS**

7.6.1 RESIDENTIAL USES

Requirement		Town House or Row House Dwellings in RM1 Zones	Accessory buildings in RM1 Zones
Minimum Lot Area			
		156m ²	
Minimum Lot Frontage			
Interior lot		4.2m	
Exterior lot		7m	
Minimum Dwelling Unit Area			
Town house or row house dwelling		83m ²	
Minimum Yard Requirements			
Front yard		7.6m	
Rear yard		7.5m	1.5m
Side yard	Interior	0m	1.2m; 0m if there is a mutual garage on the common property line
	End Unit	2m	
	Exterior	3m	4.5m; 6m between a garage door and the street line
Maximum Lot Coverage			
		50%	10%
Minimum Landscaped Open Space			
		30%	
Maximum Building Height			
		11m	3.5m
Off-Street Parking			
Off-street parking shall be in accordance with the provisions of Section 6.33			

7.6.2 NON-RESIDENTIAL USES

Sections 7.2.2 (R1 Zone requirements) shall apply. In addition, no non-residential building or structure shall be located closer than one half the heights of the building or 7.6 metres, whichever is the greater, to any property line of the lot on which said building or structure is located.

7.7 RESIDENTIAL MULTIPLE DENSITY ZONE 2 (RM2): ZONE REQUIREMENTS

Requirement		Apartment Dwellings in RM2 Zones	Accessory buildings in RM2 Zones
Minimum Lot Area (Take sum of all units)			
Sum areas for each of the applicable units	Bachelor unit	70m ² /unit	
	One-bedroom unit	100m ² /unit	
	Two-bedroom unit	140m ² /unit	
	More than two bedrooms	46m ² for each additional bedroom	
Minimum Lot Frontage			
		30m	
Minimum Dwelling Unit Area			
Bachelor unit		42m ²	
One-bedroom unit		55m ²	
Two-bedroom unit		70m ²	
More than two bedrooms		9m ² for each additional bedroom	
Minimum Yard Requirements			
Front yard		7.5m	
Rear yard		10m	1.5m
Side yard	Interior	4.5m	1.2m; 0m if there is a mutual garage on the common property line
	Exterior	6m	4.5m; 6m between a garage door and the street line
Minimum Distance Between Buildings			
The minimum distances between main buildings or portions of main buildings on the same lot shall be the average height of the two main buildings or portions of main buildings.			
Maximum Lot Coverage			
		33%	10%
Minimum Landscaped Open Space			
		30%	
A buffer strip shall be provided adjacent to the side and rear lots except where said lot lines abut a Commercial Zone.			
Maximum Building Height			
		15m	3.5m
Outdoor Play Space Requirement			
Sum areas for each of the applicable units	Bachelor unit	0m ² /unit	
	One-bedroom unit	2m ² /unit	
	Two-bedroom unit	4m ² /unit	
	More than two bedrooms	5m ² /unit	
Such play space shall be (a) enclosed by a fence 1.2m minimum in height, (b) provided in a single location not more than 4.5m from the wall of the apartment building, (c) located in the rear or interior side yard.			
Off-Street Parking			
Off-street parking shall be in accordance with the provisions of Section 6.33.			

**7.8 RESIDENTIAL MULTIPLE DENSITY ZONE 2 (RM2):
EXCEPTIONS**

1. Senior Citizen Apartments: Pine St. – (RM2-1)

Notwithstanding the requirements of Sections 6.34 and 7.7, the following regulations shall apply to the lands shown as RM2-1 on Schedule “A”:

- a) Parking requirements: 0 spaces per dwelling unit
- b) Play space: The requirements of Section 7.7 shall not apply
- c) Landscaping: No buffer strip shall be required adjacent to the side and rear lot lines.
- d) Minimum front yard setback: 2.75m
- e) Minimum rear yard setback: 3.97m
- f) Maximum lot coverage: 55%

All other requirements of this By-law not expressly amended herein shall apply.

7.9 RESIDENTIAL MOBILE HOME ZONE (RMH): ZONE REQUIREMENTS

Requirement	Mobile Homes in RMH Zones
Minimum Lot Area	
	697m ²
Minimum Lot Frontage	
	15m
Minimum Yard Requirements	
Front yard	7.5m
Rear yard	The greater of 7.5m or 25% the depth of the lot
Side yard	1.2m provided that no two mobile homes shall be separated by a distance less than 6m. Any attached carport or other addition shall be regarded as part of the mobile home for the purpose of calculating the separation.
Maximum Lot Coverage	
Main unit	Single wide, double wide or expandable unit only
Additions	16.5m ²
Storage units	14m ²
Convenience store	15%
On Site Additions	
No additions other than car ports and porches shall be allowed on each mobile home site. Such additions shall not restrict or diminish the means of egress from the mobile home. They shall be designed and constructed so as not to degrade from the appearance of the mobile home and shall be constructed of material or so finished that the resistance to fire is at least equivalent to that offered by the mobile home exterior cladding.	
Accessory Structure	
All mobile homes shall be provided with durable skirting to screen the view of the undercarriage or foundation supports and any accessory structure shall be designed to harmonize with the mobile home.	
Storage	
There shall be no outside storage of any furniture, domestic equipment, contractor's heavy equipment or equipment associated with logging operations.	
Off-Street Parking	
Off-street parking shall be in accordance with the provisions of Section 6.33.	

8.0 Commercial Zones

8.1 PERMITTED USES

Type of Use	Town Centre Commercial Zone (TC)	Corridor Commercial Zone (CC)	Neighbourhood Commercial Zone (NC)
Permitted Commercial Uses			
Automobile repair establishment	•	•	
Automobile sales establishment		•	
Automobile service station		•	
Bake Shop / Bakery, Commercial	•	•	
Brewer's retail outlet	•	•	
Building supply outlet including the outside storage and display of goods and materials		•	
Car wash		•	
Craft shop	•	•	
Eating establishment	•	•	
Eating establishment, drive through		•	•
Eating establishment, take out	•	•	•
Financial Institution	•		
Hotel / Motel	•	•	
Laundromat	•	•	•
Light equipment sales and rental establishment		•	
Liquor Licensed Premise	•	•	•
Marina		•	
Nursery and Garden Store		•	
Office	•		
Personal Service Shop	•	•	•
Pinball or Electronic Game Machine establishment	•		
Place of entertainment	•		
Recreational vehicle sales, service and storage establishment		•	
Retail Establishment	•		
Retail Establishment, Convenience	•	•	•
Retail Establishment, Large Format		•	
Service Shop and Repair Establishment	•		
Service Trade Establishment		•	
Studio	•		
Supermarket	•	•	•
Tavern	•		
Veterinarian's office or clinic	•	•	•

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Requirement	Town Centre Commercial Zone (TC)	Corridor Commercial Zone (CC)	Neighbourhood Commercial Zone (NC)
Permitted Public Uses			
Public uses in accordance with Section 6.36	•	•	•
Permitted Institutional Uses			
Assembly hall	•	•	•
Club/ Private Club	•	•	
Day care centre	•		•
Long Term Care Home	•		
Place of worship	•		•
School	•		•
Permitted Residential Uses			
Apartment dwelling	•		
Boarding house	•		
Converted dwelling	•		
Existing single family dwelling	•		
Home occupation	•		
Townhouse or Rowhouse dwelling	•		
Dwelling units as a secondary use only within the second storey of a permitted TC use except retail stores, personal service shops, eating establishments and banks	•		
Dwelling units as a secondary use only within the second storey of a permitted CC use		•	
Permitted Accessory Uses			
Uses, buildings or structures accessory to any of the permitted uses herein, in accordance with the requirements of this By-law	•	•	•

8.2 TOWN CENTRE COMMERCIAL ZONE (TC): ZONE REQUIREMENTS

8.2.1 NON-RESIDENTIAL USES

Requirement		All Non-Residential Uses in TC Zones
Minimum Lot Area		
		Nil
Minimum Lot Frontage		
		Nil
Minimum Yard Requirements		
Front yard		Nil
Side Yard	Interior	Nil; 3.5m if no access is available to the rear of the building by a lane
	Exterior	Nil
Rear yard	Abutting town centre or industrial zone	Nil; 6m if no access is available to the rear of the building by a lane
	Abutting residential or open space zone	10m
Maximum Lot Coverage		
		90%
Maximum Building Height		
		18m
Vehicular Storage		
Any vehicles for commercial use which are stored on a lot in a TC Zone shall be screened from adjacent residential uses by a solid fence or other barrier not less than 1.8m in height.		
Open Storage		
There shall be no open storage of goods and materials within the TC Zone.		
Off-Street Parking Requirements		
All uses within existing buildings and structures		0 parking spaces
All other uses		0 parking spaces
Loading Requirements		
All uses within existing buildings and structures		0 loading spaces
All other uses		In accordance with Section 6.33.3

8.2.2 RESIDENTIAL USES

Requirement	Apartment Dwellings in TC Zones	Dwelling Unit in a Second Storey above a Permitted Commercial Use in TC Zones	Existing Single Detached, Converted, and Boarding House Dwellings in TC Zones	Town House Dwellings in TC Zones	
Minimum Lot Area					
	The sum of 70m ² / bachelor unit, 100m ² /one-bedroom unit, 140m ² /two-bedroom unit and 46m ² /unit for each additional bedroom in a unit with more than two bedrooms		550m ²	If 2 walls are attached to adjoining dwelling units: 180m ² If 1 wall is attached to an adjoining dwelling unit: 200m ² not on a corner lot and 220m ² on a corner lot	
Minimum Lot Frontage					
	15m	Nil	15m	6m	
Minimum Yard Requirements					
Front yard	The lesser of ½ the height of the building or 7.5m	Nil	The lesser of: ½ the height of the building or 7.5m	6m	
Side Yard	Interior	The lesser of ½ the height of the building or 7.5m	Nil; 3.5m if no access if available to the rear of the building by a lane	1.2m plus 0.6m for each additional storey; 3.5m for one side yard if there is no garage or carport or no access to the rear of the building by a lane	0m; 2m for end unit
	Exterior	The lesser of ½ the height of the building or 10m	Nil	4.5m	4.5m
Rear yard		10m	10m	10m	10m
Maximum Dwelling Unit Size					
	42m ²	42m ²	42m ²	83m ²	
Maximum Lot Coverage					
	60%	60%	60%	60%	
Maximum Building Height					
	15m	15m	15m	15m	

**8.3 TOWN CENTRE COMMERCIAL ZONE (TC):
EXCEPTIONS**

8.4 CORRIDOR COMMERCIAL ZONE (CC): ZONE REQUIREMENTS

8.4.1 NON-RESIDENTIAL USES

Requirement		Automobile Service Stations and Car Washes in CC Zones	All Non-Residential Uses Other than Automobile Service Stations and Car Washes in CC Zones
Minimum Lot Area			
Full services		1150m ²	550m ²
Partial services		1400m ²	2050m ²
Private services		1850m ²	3000m ²
Minimum Lot Frontage			
Full services		30m	15m
Partial services		30m	30m
Private services		30m	35m
Minimum Yard Requirements			
Front yard		6m	6m
Side Yard	Interior	6m; 9m where the interior side yard abuts a Residential Zone	6m; 9m where the interior side yard abuts a Residential Zone
	Exterior	9m	9m
Rear yard		7.5m	7.5m
Maximum Lot Coverage			
		60%	60%
Maximum Building Height			
		10m	10m
Minimum Landscaped Open Space			
		10%	10%
A 3m buffer strip shall be provided adjacent to the side and rear lot lines where a HC Zone directly abuts a Residential Zone			
A 3m landscaped strip shall be provided in the front yard adjacent to the street line			
Regulations for Gasoline Pump Locations, Provision of Driveways and Car Washes			
		Please see text below chart	--

8.4.1.1 Regulations for Gasoline Pump Locations

Notwithstanding any other provision of the By-law, a gasoline pump island, gasoline pumps, or propane storage tanks (as part of or accessory to an Automobile Service Station or an Automobile Repair Garage), may be located within any yard provided that:

- a) The minimum distance between any portion of the pump island or pump and any street line or any interior side or rear lot line shall be 6m, except where such interior side or rear lot line abuts a Residential Zone, no portion of the pump island or pump shall be located within 9m of such abutting lot line

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Where the lot is a corner lot, no portion of any pump island shall be located closer than 3m to a street line between a point in the front lot line and a point in the exterior side lot line, each point being distant 15m from the intersection of such lines

8.4.1.2 Regulations for the Provision of Driveways

Notwithstanding any other requirement of this By-law, the following requirements shall apply to driveways for any Automobile Service Station or Car Wash:

- a) Width of driveway (measured along the street line):
 - i) Maximum: 9m
 - ii) Minimum: 5m
- b) Location of driveway:
 - i) Minimum distance between a driveway and an intersection of 2 street lines (measured along the street line intersected by such driveway): 15m
 - ii) Minimum distance between a driveway and an interior side lot line: 3m
- c) Interior angle of driveway to street line:
 - i) Minimum: 70 degrees
 - ii) Maximum: 90 degrees

All parts of the ingress and egress ramps shall be maintained with a cement or asphalt binder or any other type of permanent surfacing to prevent the raising of dust or loose particles.

8.4.1.3 Regulations for Car Washes

- a) Where a lot is used for a car wash, the entrance layout shall be sufficient to accommodate not less than 15 cars outside the building in a lane or lanes laid out in such a way as to permit the progressive movement of vehicles into the car wash facility.
- b) The lanes in which the vehicles shall move on the lot shall be unobstructed and clearly defined by lines painted on the surface of the lot.
- c) Minimum inside turning radius of the said lanes: 6m

8.5 CORRIDOR COMMERCIAL ZONE (CC): EXCEPTIONS

1.0 Northern Pottery – (CC-1)

Notwithstanding the requirements of Section 8.4.1, the following regulations shall apply to the lands shown a CC-1 on Schedule “A”:

- a) There shall be no construction of any building closer to the southerly boundary of the lands zoned CC-1 commencing at a point 6m from the easterly or highway boundary of the said lands to a point 60m from the said easterly or highway boundary of the said lands.

2.0 Propane Cylinder Installation, Highway 129, Parts 1 and 2, SR 1393 – (CC-2)

Notwithstanding the requirements of Section 8.4.1 and 8.4.1.1, the following minimum yard requirements shall apply to the lands shown as CC-2 on Schedule “A”:

- a) Minimum yard requirements:
 - i) Front yard: 9.753m
 - ii) Rear yard: 1.523m

3.0 Propane Cylinder Installation, Monk Street – (CC-3)

Notwithstanding the requirements of Section 8.4.1 and 8.4.1.1, the following minimum yard requirements shall apply to the lands shown as CC-3 on Schedule “A”:

- a) Minimum yard requirements:
 - i) Side yard: 3.0m

4.0 Lot 42, Plan M-1088 – (CC-4)

Notwithstanding the requirements of this By-law, the following special regulations shall apply to the lands shown as CC-4 on Schedule “A”:

- a) Off-street parking: minimum of 11 parking spaces
- b) Landscaping: a landscape strip not less than 3m in width abutting the front and side lot lines, and 1.5m in width abutting the rear lot line shall be provided, but this shall not prevent the provision of driveways through the required landscaping.
- c) Fencing: a fence of not less than 1.8m shall be provided along the side and rear lot lines, except that said fence shall not exceed 1m in height commencing at the point of intersection of Martel Road and Planner Road and measuring 8.2m southerly along the easterly lot line of said lot.

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5.0 Part 1, Registered Plan SR-663 – (CC-5)

Notwithstanding the requirements of Sections 6.3.4, 8.1 and 8.2.1 of this By-law, the following special regulations shall apply to the lands shown as CC-5 on Schedule “A”:

- a) Permitted uses:
 - i) Confectionary establishment
 - ii) Restaurant, full service
- b) Minimum yard requirements:
 - i) Interior side yard: 0m
 - ii) Rear yard: 4.5m
- c) Minimum landscaping requirements: no buffer strip shall be required in any side yard
- d) Off-street parking requirements:
 - i) Minimum number of off-street parking spaces: 12

All other requirements of this By-law not specifically amended herein shall apply to the subject property. (*By-law 90-7*)

6.0 (CC-6)

Notwithstanding the requirements of Sections 8.1 and 8.2.1 of this By-law, the following special regulations shall apply to the lands shown as CC-6 on Schedule “A”:

- a) Permitted uses:
 - i) Confectionary establishment
- b) Minimum yard requirements:
 - ii) South side yard: 2.4m
 - iii) Rear yard: 3.0m

All other requirements of this By-law not specifically amended herein shall apply to the subject property. (*By-law 90-7*)

7.0 131 Martel Road, Part 15, SR-41 – (CC-7)

Notwithstanding the requirements of Sections 8.1 and 8.2.1 of this By-law, the following special regulations shall apply to the lands shown as CC-7 on Schedule “A”:

- a) Permitted non-residential uses:

- i) Boat and trailer storage
 - ii) Warehouse rental
 - iii) U-Haul rental
 - iv) Building supply outlet
 - v) Lumber storage
 - vi) Self-serve gas bar
 - vii) All other CC uses as listed in Section 6.2.1, subject to the servicing restriction set out in this section, provided that said permitted non-residential uses are restricted to those that do not generate more than 4500L/day of sewage, as determined by the appropriate Municipal Official.
- b) Accessory uses: uses, buildings or structures accessory to any of the permitted uses herein, in accordance with the requirements of this By-law, provided that said permitted accessory uses are restricted to those that do not generate more than 4500L/day of sewage, as determined by the appropriate Municipal Official.
- c) Outside storage: the storage of goods, material or machinery shall only be permitted in an interior or rear yard, provided that it is screened from any adjacent residential uses by a stone, masonry or board fence not less than 1.8m in height or by a building. (By-law 90-42)

8.0 154 Martel Road, Lots 90, 91 and 92, Plan M-1105 – (CC-8)

Notwithstanding the requirements of Sections 8.1 of this By-law, the following special regulations shall apply to the lands shown as CC-8 on Schedule “A”:

- a) Permitted non-residential uses:
 - i) Parking lot provided that said permitted non-residential uses are restricted to those that do not require water for their operations, other than for the use of their employees.
- b) Accessory uses: uses, buildings or structures accessory to any of the permitted uses herein, in accordance with the requirements of this By-law provided that said permitted accessory uses are restricted to those that do not require water for their operations, other than for the use of their employees.
- c) Off-street parking requirements: 48 parking spaces
- d) Screening: a 1.5m opaque wood, pressure-treated fence shall be erected along the entire length of the above mentioned property facing

8.0 COMMERCIAL ZONES

Rolly Street and Derek Street, save and except 12m on Rolly Street immediately adjacent to Martel Road.

- e) Curbs and gutter: all parking lot surfaces, landscaping islands and driveway entrances shall be delineated by concrete curbs and gutter.
- f) Landscaping: all surfaces not utilized for parking purposes shall be landscaped with shrubbery, grasses and trees.
- g) Lighting: exterior lighting shall be of a type that will not unduly affect or directly illuminate the surrounding residential uses. (By-law 90-55)

9.0 Birch Street West, Lot 1, Plan 4 – (CC-9)

Notwithstanding the requirements of Sections 8.1 of this By-law, the following special regulations shall apply to the lands shown as CC-9 on Schedule “A”:

- a) Permitted non-residential uses:
 - i) Automobile glass repair/replacement shop
 - ii) Car wash
 - iii) Confectionery store
 - iv) Sale of snowmobile clothing and automobile accessories
 - v) Automobile customizing of a non-mechanical nature
 - vi) Sale of automobile snow ploughs and harnesses
- b) Outside storage: no outside storage of goods, material or machinery shall be permitted.

10.0 Derek Street, Lots 93, 94, 95 and 96, Plan M-1105 – (CC-10)

Notwithstanding the requirements of Sections 8.1 of this By-law, the following special regulations shall apply to the lands shown as CC-10 on Schedule “A”:

- a) Permitted non-residential uses:
 - i) Parking lot
- b) Accessory uses: uses, buildings or structures accessory to any of the permitted uses herein, in accordance with the requirements of this By-law
- c) Screening: a 5-foot high (5'-0”) opaque wood, pressure treated fence shall be erected along the entire length of the above mentioned property facing Rolly Street and Derek Street, as well as along the lot line between Lots 96 and 97 of Plan M-1105 from Derek Street to Martel Road, save and except 40-feet on Rolly Street immediately adjacent to Martel Road

- d) Curbs and gutter: all parking lot surfaces, landscaping islands and driveway entrances shall be delineated by concrete curbs and gutter.
- e) Landscaping: all surfaces not utilized for parking purposes shall be landscaped with shrubbery, grasses and trees.
- f) Lighting: exterior lighting shall be of a type that will not unduly affect or directly illuminate the surrounding residential uses.

11.0 Derek Street, Lots 87, 88, and 89, Plan M-1105 – (CC-11)

Notwithstanding the requirements of Sections 8.1 of this By-law, the following special regulations shall apply to the lands shown as CC-11 on Schedule “A”:

- a) Permitted non-residential uses:
 - i) Motel
- b) Accessory uses: uses, buildings or structures accessory to any of the permitted uses herein, in accordance with the requirements of this By-law
- c) Screening: a 5-foot high (5’-0”) opaque wood, pressure treated fence shall be erected along the entire length of the above mentioned property facing Derek Street, save and except a 32-foot space for a driveway, as well as along the entire lot line between Lots 86 and 87 of Plan M-1105.
- d) Curbs and gutter: all parking lot surfaces, landscaping islands and driveway entrances shall be delineated by concrete curbs and gutter.
- e) Landscaping: all surfaces not utilized for parking purposes shall be landscaped with shrubbery, grasses and trees.
- f) Lighting: exterior lighting shall be of a type that will not unduly affect or directly illuminate the surrounding residential uses.

12.0 Derek Street, Lots 84, 85, and 86, Plan M-1105 – (CC-12)

Notwithstanding the requirements of Sections 8.1 of this By-law, the following special regulations shall apply to the lands shown as CC-12 on Schedule “A”:

- a) Permitted non-residential uses:
 - i) Motel
- b) Accessory uses: uses, buildings or structures accessory to any of the permitted uses herein, in accordance with the requirements of this By-law
- c) Screening: a 5-foot high (5’-0”) opaque wood, pressure treated fence shall be erected along the entire length of the above mentioned

8.0 COMMERCIAL ZONES

property facing Derek Street, save and except a 32-foot space for a driveway, as well as along the entire lot line between Lots 83 and 84 of Plan M-1105.

- d) Curbs and gutter: all parking lot surfaces, landscaping islands and driveway entrances shall be delineated by concrete curbs and gutter.
- e) Landscaping: all surfaces not utilized for parking purposes shall be landscaped with shrubbery, grasses and trees.
- f) Lighting: exterior lighting shall be of a type that will not unduly affect or directly illuminate the surrounding residential uses.

13.0 (CC-13)

Notwithstanding the requirements of Sections 8.1 of this By-law, the following special regulations shall apply to the lands shown as CC-13 on Schedule “A”:

- a) Permitted Non-residential Uses:
 - i) Antique Shop
 - ii) Automobile sales establishment
 - iii) Automobile service station
 - iv) Convenience Store
 - v) Marina
 - vi) Recreational vehicle sales, service and storage establishment
- b) Screening: a 5-foot high (5'-0”) opaque wood, pressure treated fence shall be erected along the entire length of the rear property lines of each property subject this zoning as well as along the entire west property line of Part 1, Plan 53R-10654 and along the entire east property line of Lot 32, Plan M-1088.

8.6 NEIGHBOURHOOD COMMERCIAL ZONE (NC): ZONE REQUIREMENTS

Requirement		All Uses in NC Zones
Minimum Lot Area		
Full services		550m ²
Partial services		2050m ²
Private services		3000m ²
Minimum Lot Frontage		
Full services		15m
Partial services		30m
Private services		35m
Minimum Yard Requirements		
Front yard		6m
Side Yard	Interior	6m; 9m where the interior side yard abuts a Residential Zone
	Exterior	9m
Rear yard		7.5m
Maximum Lot Coverage		
		50%
Maximum Building Height		
		10m
Minimum Landscaped Open Space		
		10%
A 3m buffer strip shall be provided adjacent to the side and rear lot lines where a NC Zone directly abuts a Residential Zone		
A 3m landscaped strip shall be provided in the front yard adjacent to the street line		
Off-Street Parking		
In accordance with Section 6.33		
Loading Requirements		
In accordance with Section 6.33.3		

8.7 NEIGHBOURHOOD COMMERCIAL ZONE (NC) EXCEPTIONS

1.0 Lots 319 and 320, Plan 4-S – (NC-1)

Notwithstanding the requirements of Sections 6.34 and 8.6 on the lands shown as NC-1 on Schedule “A”, the following requirements shall apply:

- a) Loading area dimensions:
 - i) Width: 3.65m
 - ii) Length: 18.2m
 - iii) Height: 4.2m
- b) Size of driveway:

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- i) Width: 4.36m
- c) Rear yard setback: 0.55m where a rear lot line abuts a residential zone
- d) Buffer strip: 0.6m adjacent to the rear lot line where a rear lot line abuts a residential zone
- e) Maximum coverage: 62.95%
- f) Exterior yard setback: 0.55m
- g) Off-street parking spaces requirement: 24 spaces

9.0 Industrial Zones

9.1 PERMITTED USES

Type of Use	Light Industrial Zones (M1)	General Industrial Zones (M2)
Permitted Industrial Uses		
Automobile sales and service establishment	•	
Automobile repair establishment	•	
Automobile service station	•	
Bakery Shop / Bakery, Commercial (Lots 6 and 7, Plan M-1138)	•	
Building supply outlet	•	
Bulk Storage Tank	•	
Car wash	•	
Dry Cleaning Establishment	•	
Manufacturing, Light (processing, assembly or fabrication)		•
Manufacturing, Light (processing, assembly or fabrication within a wholly enclosed building)	•	
Manufacturing, Heavy (Motor cycle and motorized snow vehicle repair and sales, Heavy Railway passenger car, locomotive and freight servicing and repair facilities)		•
Printing establishment	•	
Provided that none of the above uses shall be conducted in a manner which is obnoxious.	•	
Salvage Yard or Scrap Yard	•	
Transport Terminal	•	•
Warehouse	•	•
Wholesale establishment	•	•
Workshop	•	
Permitted Public Uses		
Public uses in accordance with Section 6.35	•	•
Permitted Accessory Uses		
Uses, buildings or structures accessory to any of the permitted uses herein, in accordance with the requirements of the By-law, provided that any accessory commercial uses shall not exceed 15% of the gross floor area of a permitted industrial use.	•	•

9.0 INDUSTRIAL ZONES

9.2 LIGHT INDUSTRIAL ZONE (M1): ZONE REQUIREMENTS

9.2.1 USES OTHER THAN AUTOMOBILE SERVICE STATIONS AND CAR WASHES

Requirement		All Uses Other than Automobile Service Stations and Car Washes in M1 Zones
Minimum Lot Area		
Full services		550m ²
Partial services		2050m ²
Private services		3000m ²
Minimum Lot Frontage		
Full services		15m
Partial services		30m
Private services		35m
Minimum Yard Requirements		
Front yard		12m
Side Yard	Interior	6m; 30m where the interior side yard abuts a residential, open space or hazard land zone or is separated from said zones by only a street or lane
	Exterior	12m
Rear yard		7.5m; 30m where the interior rear yard abuts a residential, open space or hazard land zone or is separated from said zones by only a street or lane; 0m where the rear yard abuts a railway
Maximum Lot Coverage		
		60%
Maximum Building Height		
		12m
Outside Storage		
The storage of goods, material or machinery shall only be permitted in an interior side yard or rear yard, provided it is enclosed on all sides by a stone, masonry or board fence not less than 1.8m in height or by a building		
Front and Exterior Side Yards		
The front and exterior side yards shall not be used for any purpose other than landscaping or the temporary parking of visitors' private passenger vehicles, provided that no parking shall be permitted in the required buffer strip		
Minimum Landscaped Open Space		
		10%
A 3m buffer strip shall be provided adjacent to the side and rear lot lines where a M1 Zone directly abuts a residential zone		
A 3m landscaped strip shall be provided in the front yard adjacent to the street line		
Off-Street Parking		
In accordance with Section 6.33		
Loading Requirements		
In accordance with Section 6.33.3		

9.2.2 AUTOMOBILE SERVICE STATIONS AND CAR WASH USES

The requirements in Section 8.4.1 (CC Zone) for Automobile Service Stations and Car Washes shall apply.

9.3 LIGHT INDUSTRIAL ZONE (M1): EXCEPTIONS

1.0 Light Industrial Park – (M1-1)

Notwithstanding the provisions of Section 6.3 and 9.1, the following regulations shall apply to the lands shown as M1-1 on Schedule “A”:

- a) No outside storage will be permitted on the lands identified on Schedule “A.” Any storage of equipment or material on any other lot within the area zoned M1-1 which may have river frontage shall be enclosed on those sides that are exposed to the Nebskwashi River by an opaque fence, wall or compact hedge at least 1.8m in height.
- b) Sales and repairs of motorized snow vehicles/machines and motorcycles shall not be permitted.
- c) Test driving of any motorcycles or motorized snow vehicles/machines shall not be permitted on any lots or road allowance within the boundaries of the subdivision.
- d) Trucking, transport services and related activities shall be permitted.
- e) No building or structure shall be erected or altered unless the exterior construction thereof is stone, brick, reinforced concrete, glass or steel or any combination thereof.
- f) Accessory buildings:
 - i) No accessory building located in a rear or interior side yard shall be located closer than 3m from any side or rear lot line.
 - ii) No accessory building shall be located closer than 6m from a public street or 3m reserve.
 - iii) Any accessory building shall not be considered an accessory building for the purpose of calculating lot coverage if attached to the main building, but shall be considered to be part of the main building.
- g) Minimum yards:
 - i) Front yard: 19.8m; 30m where a front lot line abuts a residential zone, residence, or business within a rural zone, or is separated from a residential zone, residence, or business within a rural zone by a street or lane only

9.0 INDUSTRIAL ZONES

- ii) Side yard: 7.6m; 30m where a side lot line abuts a residential zone, residence, or business within a rural zone, or is separated from a residential zone, residence, or business within a rural zone by a street or lane only
 - iii) Rear yard: 15.2m; 25m where a rear lot line abuts a residential zone, residence, or business within a rural zone, or is separated from a residential zone, residence, or business within a rural zone by a street or lane only
 - iv) With the exception of Lots 1, 2, 3, 4 and 15 on which outside storage and the carrying on of any outside operation is not permitted: where any part of a permitted use is carried on outside a building, that part of the operation shall not be conducted in any front yard or in any portion of a side or rear yard within 15.2m of an abutting residential zone, residence or business in a rural zone.
- h) Site plan: the lands zoned M1-1 shall be subject to Site Plan approval in accordance with the provisions of the Planning Act.

2.0 Planer Road, Block B, Plan M-1088 – (M1-2)

Notwithstanding the provisions of Section 7.1, the following regulations shall apply to the lands shown as M1-2 on Schedule “A”:

- a) Permitted accessory uses: uses, buildings or structures accessory to any of the permitted uses herein, in accordance with the provisions of this By-law, provided the said permitted non-residential and accessory uses are restricted to those uses that do not require water for their operations, other than for the use of their employees.
- b) Outside storage: the storage of goods, material or machinery shall only be permitted in an interior or rear yard, provided that it is screened from any adjacent residential uses by a stone, masonry or board fence not less than 1.8m in height or by a building. (*By-law 90-49*)

9.4 GENERAL INDUSTRIAL ZONE (M2): ZONE REQUIREMENTS

Requirement		All Uses in M2 Zones
Minimum Lot Area		
		1500m ²
Minimum Lot Frontage		
		30m
Minimum Yard Requirements		
Front Yard		12m
Side Yard	Interior	9m; 30m where the interior side yard abuts a residential, open space or hazard land zone or is separated from said zones by only a street or lane; 0m where the side yard is adjacent to an industrial zone
	Exterior	12m
Rear Yard		9m; 30m where the rear yard abuts a residential, open space or hazard land zone or is separated from said zones by only a street or lane; 0m where the rear yard abuts a railway
Maximum Lot Coverage		
		60%
Maximum Building Height		
		12m
Minimum Landscaped Open Space		
A 3m <i>buffer strip</i> shall be provided adjacent to the side and rear lot lines where a M2 Zone directly abuts a Residential Zone		
A 3m <i>buffer strip</i> shall be provided in the front yard adjacent to the street line		

10.0 INSTITUTIONAL ZONES

10.0 Institutional Zones

10.1 PERMITTED USES

Type of Use	Institutional Zone (I)
Permitted Institutional Uses	
Assembly hall	•
Club / Private club	•
Community centre	•
Day care centre	•
Federal, provincial or municipal government offices, buildings or facilities	•
Fire hall	•
Hospital	•
Library	•
Long Term Care home	•
Medical Office	•
Municipal administration offices	•
Museum	•
Retirement home	•
Place of worship	•
Police station	•
School	•
Permitted Public Uses	
in accordance with Section 6.35	•
Other Accessory Uses	
Uses, buildings or structures accessory to any of the permitted uses herein, in accordance with the requirements of the By-law	•

10.2 INSTITUTIONAL ZONES (I): ZONE REQUIREMENTS

Requirement	All Uses in I Zones	
Minimum Lot Area		
	800m ²	
Minimum Lot Frontage		
	15m	
Minimum Yard Requirements		
Front yard	The lesser of 7.5m or ½ the height of the building	
Side Yard	Interior	4.5m
	Exterior	9m
Rear yard	The lesser of 7.5m or ½ the height of the building	
Maximum Lot Coverage		
	50%	
Maximum Building Height		
	10.5m	
Minimum Landscaping Requirements		
A 3m buffer strip shall be provided in accordance with Section 6.9 abutting the side and rear lot lines		

Requirement	All Uses in I Zones
where the I Zone abuts a residential or open space zone.	

10.3 INSTITUTIONAL ZONES (I): EXCEPTIONS

1.0 Ministry of Natural Resources – (I-1)

Notwithstanding the provisions of Sections 6.34 and 11.2, the following additional requirements shall apply to the lands shown as I-1 on Schedule “A”:

- a) Additional permitted uses:
 - i) A Ministry of Natural Resources base, including operation, administrative and residential uses such as a carpenter’s shop, warehousing, plumbing, an electrical shop, air base, boat house, fuel dispensing, automotive repair garage, helicopter storage and landing area
- b) Minimum elevations: no buildings or structures other than those required for erosion or flood control or parking purposes shall be permitted below the 429m Canadian Geodetic Datum (CGD) elevation
- c) Minimum off-street parking requirements:
 - i) Operational vehicles: 105 parking spaces
 - ii) Employee parking: 100 parking spaces
- d) Minimum yard requirements:
 - i) Side yard: 1.2m
 - ii) Rear yard: 1.2m
- e) Maximum lot coverage: 60%

2.0 Part Plan 53-R-7414, Ministry of Natural Resources – (I-2)

Notwithstanding the provisions of Section 12.2, the following additional requirements shall apply to the lands shown as I-2 on Schedule “A”:

- a) Minimum yard requirements:
 - i) Front yard: 3m (*By-law 90-7*)

11.0 Rural Zones

11.1 PERMITTED USES

Type of Use	Rural Zone (RU)
Permitted Non-Residential Uses	
Agriculture Use	•
Bed and breakfast establishment	•
Commercial kennel	•
Conservation Area	•
Forestry Use	•
Hunting, Trapping and Fishing	•
Public or private park	•
Pit / Quarry / Resource Extraction Operation	•
Tourist commercial uses	•
Permitted Residential Uses	
One single family dwelling including an accessory attached residential dwelling unit occupied by a person employed full time on the farm where the farm is not less than 20ha in area	•
One single family dwelling on an existing lot of record, subject to the provisions of Section 11.2.2	•
One single family dwelling for a person employed on the premises of a residential use permitted in Section 11.1	•
One single family dwelling on a lot registered plan of subdivision, subject to the requirements of Section 11.2.2	•
Home occupations / industries	•
Permitted Public Uses	
Public uses in accordance with Section 6.35	•
Permitted Accessory Uses	
Uses, buildings or structures accessory to any of the permitted uses herein, in accordance with the requirements of the By-law	•

11.2 RURAL ZONE (RU): ZONE REQUIREMENTS

11.2.1 NON-RESIDENTIAL USES

Requirement		Non-Residential Uses in RU Zones
Minimum Lot Area		
Agriculture Uses		10ha
Other uses and hobby farms		4ha
Minimum Lot Frontage		
Agriculture Uses		200m
Other uses and hobby farms		60m
Minimum Yard Requirements		
Front Yard		30m
Side Yard	Interior	15m
	Exterior	15m
Rear Yard		15m
Stable, barn, shelter, pen, cage, kennel or other buildings or structures used to house animals or domestic fowl, feed lots area and manure storage areas		600m from a residential or institutional zone, or any park use; 300m from any commercial or industrial zone; 90m from the centre line of the road; 60m from the lot line
Maximum Lot Coverage		
		5%
Maximum Building Height		
		12m
Minimum Landscaped Open Space		
A 3m buffer strip shall be provided adjacent to the side and rear lot lines where a M2 Zone directly abuts a Residential Zone		
A 3m landscaped strip shall be provided in the front yard adjacent to the street line		

11.0 RURAL ZONES

11.2.2 RESIDENTIAL USES

Requirement		Residential Uses in RU Zones
Minimum Lot Area		
		4ha
Minimum Lot Frontage		
		60m
Minimum Yard Requirements		
Front yard		9m
Side Yard	Interior	1.2m plus 0.6m for each additional storey
	Exterior	9m
Rear yard		15m
Maximum Lot Coverage		
		15%
Maximum Building Height		
		9m
Home Occupations		
In accordance with the requirements of Sections 6.19 of this By-law		

11.3 RURAL ZONE (RU): EXCEPTIONS

1.0 Part 2, Plan SR-1066; Part 1, Plan 53R-5746 – (RU-1)

Notwithstanding the requirements of this By-law, the following special regulations shall apply to the lands shown as RU-1 on Schedule “A”:

- a) Permitted uses:
- b) Small engine sales and repair shop
- c) Recreation vehicle sales
- d) Service establishments

2.0 Part of Parcel #11655, Highway 129, 0.32ha – (RU-2)

Notwithstanding the requirements of Section 8 of By-law 89-19, the following special regulations shall apply to the lands shown as RU-2 on Schedule “A”:

- a) Permitted residential uses:
 - i) One single family detached dwelling and uses, buildings or structures accessory thereto
- b) Minimum lot area: 0.32ha
- c) Minimum yards: rear yard: 10m

12.0 Open Space Zones

12.1 PERMITTED USES

Type of Use	All Uses in Public Open Space Zones (OS1)	All Uses in Private Open Space Zones (OS2)
Permitted Non-Residential Uses		
Cemetery		•
Commercial Outdoor Recreation Facility		•
Community centre	•	
Conservation Area	•	•
Golf course		•
Parking area	•	
Private park		•
Public park	•	
Permitted Public Uses		
In accordance with Section 6.35	•	•
Permitted Accessory Uses		
Uses, buildings or structures accessory to any of the permitted uses herein, in accordance with the requirements of the By-law	•	•

12.0 OPEN SPACE ZONES

12.2 PUBLIC OPEN SPACE ZONES (OS1) AND PRIVATE OPEN SPACE ZONES (OS2): ZONE REQUIREMENTS

Requirement	All uses in OS1 Zones	All Uses in OS2 Zones
Minimum Lot Area		
	550m ²	4ha
Minimum Lot Frontage		
	20m	60m
Minimum Yard Requirements		
Front yard	7.5m	15m
Side Yard	7.5m	15m
Rear yard	7.5m	15m
Maximum Lot Coverage		
	10%	10%
Maximum Building Height		
	10m	10m

12.3 PUBLIC OPEN SPACE ZONES (OS1): EXCEPTIONS

1.0 OS-1

Notwithstanding the provisions of Section 12.1, the following additional uses are permitted on the lands shown as OS1-1 on Schedule “A”:

- a) Additional permitted uses:
 - i) Right of way to lot numbers 14 and 43, Registered Plan M-1088

13.0 Environmental Protection (EP) and Hazard Lands Zones (HL)

13.1 PERMITTED USES

Type of Use	All Uses in Hazard Lands Zones (HL)	All Uses in Environmental Protection Zones (EP)
Permitted Non-Residential Uses		
Conservation Area	•	•
Hunting, Trapping, and Fishing	•	•
Conservation, agriculture, forestry, reforestation or other similar uses which provide for the preservation and management of the natural environment	•	•
Flood, erosion and siltation control works	•	
A golf course, exclusive of any buildings or structures	•	
Marina	•	•
Public park	•	•
Private park	•	•
Permitted Public Uses		
In accordance with Section 6.35	•	•
Permitted Accessory Uses		
Uses accessory to any of the permitted uses herein, in accordance with the requirements of the By-law	•	•

13.2 ENVIRONMENTAL PROTECTION ZONE REQUIREMENTS

Requirement	All uses in HL Zones	All Uses in EP Zones
Minimum Lot Area		
	Nil	Nil (where no <i>buildings</i> are constructed); or 1,000m ² (where <i>buildings</i> are constructed)
Minimum Lot Frontage		
	Nil	Nil (where no <i>buildings</i> are constructed); or 30m (where <i>buildings</i> are constructed)
Minimum Setbacks (main building)		
	Nil	30m
Maximum Lot Coverage		
	Nil	10%
Maximum Building Height		
	Nil	10m
Other Provisions		
	No buildings or structures shall be erected in this zone whether or not	

13.0 ENVIRONMENTAL PROTECTION ZONES

Requirement	All uses in HL Zones	All Uses in EP Zones
	they are accessory to a permitted use, other than docks or structures for flood, erosion or siltation control.	

13.3 HAZARD LANDS ZONES (HL): EXCEPTIONS

1.0 Existing Buildings

For the purpose of this Section, “minor” shall mean that the total additional gross floor area of any new construction shall be less than 50% of the gross floor area of the ground floor of any existing construction.

Notwithstanding the requirements of Sections 6.28 and 6.29, the following requirements shall apply to additions and alterations to or the replacement of existing buildings or structures within the HL Zone:

- a) Minor additions to existing buildings or structures shall be permitted, provided that:
 - i) Flood proofing measures satisfactory to the Ministry of Natural Resources are incorporated.
- b) The replacement or reconstruction of existing buildings or structures shall be permitted, provided that:
 - i) Flood proofing measures satisfactory to the Ministry of Natural Resources are incorporated
 - ii) The gross floor area of the ground floor of the new building or structure does not exceed the gross floor area of the ground floor of the original building or structure

2.0 Parts 2, 3, and 4, Plans 53R-7989 and 8356

The above mentioned existing lots of record may be developed for incidental purposes on an infilling basis provided that adequate flood proofing measures are approved in relation to the flood elevation for this area by the Township of Chapleau and the Ministry of Natural Resources.

3.0 Bus Depot and Public Garage – (HL-1)

Notwithstanding the CC provisions of Sections 8.1 and 8.4.1, the following additional requirements shall apply to the lands shown as HL-1 on Schedule “A.” There shall only be permitted the operation, repair and administration of school and charter bus facilities in accordance with the following requirements:

- a) Landscaping:

- i) A 4.5m buffer strip shall be provided in accordance with the requirements of Section 6.9 where any side or rear lot line abuts a residential or rural zone.
- ii) A 4.5m buffer strip shall be provided adjacent to the street line in the front yard
- b) Minimum elevation of openings: No openings to buildings shall be permitted below the Canadian Geodetic Datum (CGD) Flood Elevation
- c) Open storage: open storage of goods and materials shall not be permitted

4.0 Lots 618 and 619, Plan 3-S – (HL-2)

Notwithstanding the provisions of Sections 8.1 and 8.4.1, the following additional requirements shall apply to the lands shown as HL-2 on Schedule “A”:

- a) Permitted uses:
 - i) Residential uses subject to the requirements of the R2 Zone, provided that flood proofing measures satisfactory to the Ministry of Natural Resources are incorporated.
- b) Minimum Yard Requirements:
 - i) Rear Yard: 0m

**13.4 ENVIRONMENTAL PROTECTION ZONES (EP):
EXCEPTIONS**